

5 October 2018

<b>Committee</b>	Council (Extraordinary)
<b>Date</b>	Monday, 15 October 2018
<b>Time of Meeting</b>	6:00 pm
<b>Venue</b>	Severn

## **ALL MEMBERS OF THE COUNCIL ARE REQUESTED TO ATTEND**

### **Agenda**

- 1. APOLOGIES FOR ABSENCE**
- 2. DECLARATIONS OF INTEREST**

Pursuant to the adoption by the Council on 26 June 2012 of the Tewkesbury Borough Council Code of Conduct, effective from 1 July 2012, as set out in Minute No. CL.34, Members are invited to declare any interest they may have in the business set out on the Agenda to which the approved Code applies.

- 3. ANNOUNCEMENTS**

1. When the continuous alarm sounds you must evacuate the building by the nearest available fire exit. Members and visitors should proceed to the visitors' car park at the front of the building and await further instructions (during office hours staff should proceed to their usual assembly point; outside of office hours proceed to the visitors' car park). Please do not re-enter the building unless instructed to do so.

In the event of a fire any person with a disability should be assisted in leaving the building.

2. To receive any announcements from the Chair of the Meeting and/or the Chief Executive.



**4. ITEMS FROM MEMBERS OF THE PUBLIC**

- a) To receive any questions, deputations or petitions submitted under Council Rule of Procedure.12.

*(The deadline for public participation submissions for this meeting is Tuesday 9 October 2018).*

- b) To receive any petitions submitted under the Council's Petitions Scheme.

**5. MEMBER QUESTIONS PROPERLY SUBMITTED IN ACCORDANCE WITH COUNCIL PROCEDURE RULES**

To receive any questions submitted under Rule of Procedure 13. Any items received will be circulated on Monday 15 October 2018.

*(Any questions must be submitted in writing to Democratic Services by, not later than, 10.00am on the working day immediately preceding the date of the meeting).*

**6. JOINT CORE STRATEGY: ISSUES AND OPTIONS CONSULTATION**

1 - 93

To consider and approve the Joint Core Strategy Review Issues and Options consultation document for public consultation; to delegate authority to the Head of Development Services, in consultation with the Lead Member for Built Environment, to make any minor amendments to the text of the document and make appropriate changes to the design prior to its publication for consultation; and to endorse the broad vision for growth as set out in the concept masterplan for Ashchurch for public consultation.

**7. COMMUNITY INFRASTRUCTURE LEVY (CIL) FORMAL ADOPTION OF CHARGING SCHEDULE AND SUPPORTING POLICIES, APPROVAL OF REGULATION 123 LIST FOR PUBLICATION AND SETTING OF A COMMENCEMENT DATE FOR CHARGING**

94 - 142

To consider the adoption of a Community Infrastructure Levy (CIL) Charging Schedule and supporting policies, alongside approval of a list of infrastructure that may be funded from CIL (Regulation 123 List) for publication and to set a commencement date for charging of 1 January 2019.

**Recording of Meetings**

In accordance with the Openness of Local Government Bodies Regulations 2014, please be aware that the proceedings of this meeting may be recorded and this may include recording of persons seated in the public gallery or speaking at the meeting. Please notify the Democratic Services Officer if you have any objections to this practice and the Mayor will take reasonable steps to ensure that any request not to be recorded is complied with.

Any recording must take place in such a way as to ensure that the view of Councillors, Officers, the public and press is not obstructed. The use of flash photography and/or additional lighting will not be allowed unless this has been discussed and agreed in advance of the meeting.

**Head of Democratic Services**

## TEWKESBURY BOROUGH COUNCIL

<b>Report to:</b>	Council (Extraordinary)
<b>Date of Meeting:</b>	15 October 2018
<b>Subject:</b>	Joint Core Strategy: Issues and Options Consultation
<b>Report of:</b>	Head of Development Services
<b>Corporate Lead:</b>	Chief Executive
<b>Lead Member:</b>	Lead Member for Built Environment
<b>Number of Appendices:</b>	Two

### **Executive Summary:**

The Joint Core Strategy (JCS) was adopted in December 2017 with a commitment to undertake an immediate review on the issues of housing supply for Gloucester and Tewkesbury and the retail policies for the whole area. This was recommended by the government appointed Inspector who examined the plan and concluded that this immediate review is necessary in order to find the plan to be 'sound'.

While the immediate review was to be focused on the particular issues, the new National Planning Policy Framework (NPPF) has subsequently been published which puts new requirements on local plans. This means that the scope of the review will need to be expanded to be in conformity with national policy.

Fundamentally the JCS review will again look at the growth needs over a 15 to 20 year timescale, what the best strategy is for delivering that growth, and the allocation of strategic sites to help meet these needs. However, it is also an opportunity to review all of the policies contained within the current adopted plan to see if they continue to be effective and consistent with the NPPF.

The Issues and Options stage of plan making seeks to review and generate feedback on the key issues that are affecting the area and set out some of the options that are available to address them.

It therefore does not propose a strategy, new sites or policies, this will be for the next stages of the plan.

In addition to this, work has been undertaken on an initial concept masterplan for Ashchurch which explores how development in this area could come forward to help meet the existing housing shortfall for Tewkesbury and future needs beyond the current plan period.



**Recommendation:**

**The Council is asked:**

1. That the JCS Review Issues and Options consultation document, as set out in Appendix 2, be approved for public consultation under Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012;
2. That authority be delegated to the Head of Development Services, in consultation with the Lead Member for Built Environment, to make any minor amendments to the text of the document and make appropriate changes to the design prior to its publication for consultation.
3. That the broad vision for growth, as set out in the concept masterplan for Ashchurch, be endorsed for public consultation.

**Reasons for Recommendation:**

The adopted Joint Core Strategy commits to an immediate review of the plan. The Issues and Options consultation stage progresses this review. The concept masterplan for Ashchurch helps to inform the review and presents a significant option to help meet future growth requirements.

**Resource Implications:**

Undertaking the Issues and Options consultation will require Officer resource to set up the consultation, attend consultation events and process responses. A significant amount of Officer time will also be required to take this forward to the next draft stage of the plan in the next 12 months.

**Legal Implications:**

Regulation 10A, which was brought into force on 6 April 2018, of the Town and Country Planning (Local Planning) (England) Regulations 2012 provides that local planning authorities must complete a review of their local plan development plan documents within five years of the date of the document's adoption and therefore a full review of the JCS needs to be completed by December 2022.

Further, the 2018 NPPF issued on 24 July 2018, provides that plans may need to be revised to reflect policy changes which it has made and that this should be progressed as quickly as possible, either through a partial revision or by preparing a new plan.

In preparing a local plan (or its review), under Regulation 18 of the Town and Country Planning (Local Planning)(England) Regulations 2012, a local planning authority must notify:

- specified consultation bodies that may have an interest in the subject of the proposed local plan; and
- such residents and other persons carrying on business in the local planning authority's area which it considers appropriate to invite representations on the subject matter of the local plan which it proposes to prepare and invite them to make representations about what a local plan with that subject ought to contain.

There is no minimum period for consultation at this stage of the plan making process, as opposed to the Pre-Submission stage which requires a minimum of 6 weeks.

**Risk Management Implications:**

Failure to progress the review of the Joint Core Strategy would have an adverse impact on the Borough's ability to identify sufficient sites for housing and employment growth to meet the current requirements of the adopted JCS and future growth needs. This would reduce the Council's ability to maintain a five-year supply of housing land and meet the Housing Delivery Test in the longer-term and could result in an uncoordinated approach to development.

**Performance Management Follow-up:**

Responses received from this consultation will help inform the development of the JCS Review. After adoption, the Council will regularly monitor the effectiveness of the Plan as part of the planning and development process and will use the results to review policies and practices if necessary. Any revisions to the Plan thereafter would need to be reflected by an amendment to the Local Development Scheme (LDS). Performance against LDS milestones is monitored through the Authorities' Monitoring Reports (AMR) which are prepared at least annually.

**Environmental Implications:**

The JCS review must go through a sustainability appraisal process and Habitats Regulation Assessment (HRA) which considers the environmental, social and economic outputs of the Plan and ensures that development meets the needs of both present and future generations. This will include the Sustainability Appraisal that encompasses a Strategic Environmental Assessment as required by EU Directive (2001/42/EC). In addition, the Habitats Regulations Assessment will be undertaken as required under the European Directive 92/43/EEC on the "conservation of natural habitats and wild fauna and flora for plans" that may have an impact on European (Natura 2000) Sites.

**1.0 INTRODUCTION**

- 1.1 The JCS was adopted in December 2017 with a commitment to undertake an immediate review on the issues of housing supply for Gloucester and Tewkesbury and the retail policies for the whole area. This was recommended by the government appointed Inspector who examined the plan and concluded that this immediate review is necessary in order to find the plan to be 'sound'.
- 1.2 While the immediate review was to be focused on the particular issues the new National Planning Policy Framework (NPPF, 2018) has subsequently been published which puts new requirements on local plans. This means that the scope of the review will need to be expanded to be in conformity with national policy.
- 1.3 Fundamentally the JCS review will again look at the growth needs over a 15 to 20 year timescale, what the best strategy is for delivering that growth, and the allocation of strategic sites to help meet these needs. However, it is also an opportunity to review all of the policies contained with the current adopted plan to see if they continue to be effective and consistent with the NPPF.
- 1.4 The Issues and Options stage of plan making seeks to review and generate feedback on the key issues that are affecting the area and set out some of the options that are available to address them.
- 1.5 It therefore does not propose a strategy, new sites or policies, this will be for the next stages of the plan.

## 2.0 BACKGROUND

2.1 The JCS was adopted in December 2017 with the requirement to conduct a focused review for the following issues:

Policy SD2 – Retail and City / Town Centres:

*“Following adoption of the JCS, this policy will be subject to an immediate review. The single issue review will take approximately two years to complete. It will cover strategic planning matters relating to the three JCS authorities including issues such as a revised assessment of retail needs, market share between different designated centres, city / town centre boundaries, site allocations, primary and secondary shopping frontages and locally defined impact thresholds.”*

Policy REV1: Gloucester and Tewkesbury Housing Supply Review:

*“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.”*

2.2 It is clear that the JCS authorities are required to undertake a partial review. However, since the adoption of the JCS significant changes in circumstance have occurred.

2.3 Firstly, in July 2018 the revised National Planning Policy Framework (NPPF) was published. Paragraph 22 of the NPPF now requires strategic policies to look ahead over a minimum 15 year period from adoption. In addition, Paragraph 33 says:

*“Policies in local plans and spatial development strategies should be reviewed to assess whether they need updating at least once every five years, and should then be updated as necessary. Reviews should be completed no later than five years from the adoption date of a plan, and should take into account changing circumstances affecting the area, or any relevant changes in national policy.”*

2.4 The current JCS plan period is 2011-2031 and the focused review would maintain this. Assuming this review was completed and adopted in 2020 it would only be planning for 11 years, rather than the 15 which is now in the NPPF. So the review would conflict with the NPPF as soon as it was adopted. The current JCS also now needs to be reviewed by 2022. It would be inefficient and confusing to have the focused review and a wider review running at the same time but as separate processes.

2.5 Secondly, delivery at some of the JCS strategic allocations is not happening as quickly as was anticipated when the JCS was adopted last year. The result is that Cheltenham can no longer demonstrate a five year land supply which has serious implications on determining planning applications. This shortfall in the number of dwellings is a strategic issue and can only be remedied at the JCS level. Therefore it is necessary to include Cheltenham in the housing supply review.

2.6 Thirdly, by planning for a longer period it will be possible to leverage more investment into vital infrastructure. Significant highways works are needed to support future growth and by planning for longer periods of housing demand more money will be able to be secured upfront. In addition, progressing the JCS review helps to support bids to the Government for external funding to support major infrastructure proposals.

- 2.7** Fourthly, delivering enough sustainable development to meet needs requires cross border working with authorities outside of the JCS. Stroud and Wychavon, in particular, will require close cooperation on strategic issues including large scale developments. These authorities are already in the process of reviewing their plans with periods up to 2036 and beyond. It would therefore be advantageous to align with these plans as closely as possible to ensure complimentary development.
- 2.8** Finally, the revised NPPF has also made changes to numerous sections outside of those mentioned above. Those changes became a material consideration in planning decisions with immediate effect. It is therefore necessary and useful use this review process to look again at all of the JCS policies to make sure they are fully consistent with the revised NPPF.
- 2.9** When all these factors are weighed together it is reasonable and necessary to undertake a full review of the existing JCS policies and not just the focused review required in the existing JCS.

### **3.0 ISSUES AND OPTIONS**

- 3.1** The 'Issues and Options' stage of plan making seeks to review and generate feedback on the key issues that are affecting the area and consider some of the options that are available to address them.

The consultation document, provided at Appendix 2, is structured around key themes. It identifies and asks key questions including the following:

- **Scope:** Given the changes to the NPPF and local circumstances in the JCS area, what should the scope of the review be?
- **Timescale:** Over what timeframe should the review plan?
- **Policies:** What are the strategic policies the JCS review plan for?
- **Vision, aims, objectives and issues:** Using the adopted JCS as a starting point, are these still relevant? Are there any new issues the JCS review should consider?
- **Spatial strategy options:** On the basis of the different options presented, how can the JCS authorities' best deliver for our future development needs?
- **Homes:** There will be a need to plan for new homes and the starting point is the government's standard housing calculation methodology. Is there justification for moving away from these figures?
- **Economic development:** The JCS authorities are committed to economic growth. How can the JCS area best provide for the needs of different business sectors and a growing economy?
- **Retail and city / town centres:** Retail and city / town centres are going through a period of significant change – how can the JCS review best plan for its centres so that they remain vital and viable in the future?
- **Sites:** The consultation includes a 'call for sites' and developers, landowners and the community are invited to submit sites that they think could have potential for development. The document also discusses the possibility of known opportunities, for example Ashchurch and West / North West Cheltenham.
- **Infrastructure:** The provision of sufficient infrastructure is essential to support both existing and new communities and key to a successful local economy. What infrastructure needs does the JCS review need to consider?

## **4.0 ASHCHURCH CONCEPT MASTERPLAN**

- 4.1** The adopted Joint Core Strategy commits to an immediate review of the plan with one of the issues being to address the housing supply shortfall for Tewkesbury Borough. The JCS, and the Inspector's Final Report, recognises that the shortfall was largely as a result of the removal of the MoD Ashchurch site as a strategic allocation very late in the examination process. 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 is a commitment in the plan to continue to explore this.
- 4.2** The Council was successful in securing Homes and Communities Agency [now Homes England] Capacity Funding in order to support the delivery of growth in the area and unlock housing sites both within and beyond the current JCS plan period to 2031. This was to include exploration of the potential to bring forward Ministry of Defence land and other parts of the previously proposed allocation as well as looking beyond to sites in the wider Ashchurch area. To take this forward the Council commissioned strategic-scale masterplanning work for this area to provide a comprehensive assessment and approach of development potential which addresses key issues such as place making, transport infrastructure, community facilities, social infrastructure and green infrastructure.
- 4.3** The first stage of this work is a Concept Masterplan for the Ashchurch area. This masterplan is high level document that identifies the key issues and constraints in the area, sets out the fundamental development principles, and presents a concept plan for how the Ashchurch area could develop in future. This concept plan identifies potential locations for growth, the mix of uses that may be appropriate in different areas, phasing of when development areas could come forward and some of the key infrastructure improvements that would be needed. The masterplan identifies an initial Phase 1 of the development to 2031 that could meet the housing shortfall identified for Tewkesbury in the JCS as well opening up significant employment land. However, the masterplan also looks to the longer-term to understand how the area could be developed to help meet growth needs beyond the current plan period.
- 4.4** The Ashchurch area is included in the JCS Issues and Options as a development opportunity and the concept masterplan referenced as a background document. It therefore presents an opportune time to consult on the masterplan at the same time as the Issues and Options document so that the project can be progressed further with the benefit of feedback from the local community and other stakeholders that can feed into the next phase of the project.
- 4.5** To support the ongoing work on development options in the area, consideration is also being given to potential funding sources to aid delivery. This includes the recent Garden Communities fund announced by the Ministry of Housing, Communities and Local Government in August 2018. This fund provides an opportunity to access Government assistance to deliver garden communities of at least 1,500 homes.

## **5.0 CONSULTATION**

**5.1** The Issues and Options consultation (as will the consultation on the Concept Masterplan for the Ashchurch area) will take place in November and December 2018 for a period of at least six weeks. This will be undertaken in accordance with the Statements of Community Involvement of all three authorities and the relevant planning regulations. It is envisaged that consultation events will take place in each authority to help raise awareness of the consultation and to seek feedback. Press releases, social media channels and Council websites will also be used. All relevant consultation bodies will be notified.

Due to recent changes to data protection legislation we will not use any previous database of contacts. This does provide the opportunity to start afresh.

The JCS Review will be subject to future consultation events as the plan progresses, prior to submission to the Secretary of State.

## **6.0 RELEVANT COUNCIL POLICIES/STRATEGIES**

**6.1** Tewkesbury Borough Council Plan (2016-2020).  
Adopted Joint Core Strategy (2011-2031).

## **7.0 RELEVANT GOVERNMENT POLICIES**

**7.1** Planning and Compulsory Purchase Act 2004.  
Localism Act 2011.  
Town and Country Planning (Local Planning) (England) Regulations 2012.  
Housing and Planning Act 2016.  
National Planning Policy Framework.  
National Planning Practice Guidance.

## **8.0 RESOURCE IMPLICATIONS (Human/Property)**

**8.1** Officer time will be required to progress the review of the JCS as part of its regular programme of work.

## **9.0 SUSTAINABILITY IMPLICATIONS (Social/Community Safety/Cultural/ Economic/ Environment)**

**9.1** The purpose of the planning system is to contribute to the achievement of sustainable development. Planning decisions are required to be made in accordance with an adopted Development Plan. The Plan-led approach to development will help ensure that new development is supported by the necessary facilities and infrastructure to make it sustainable in the long term.

**9.2** As the plan progresses and crystallises, prior to submission, the JCS review will be informed by an ongoing, iterative, Sustainability Appraisal (SA) process. SA seeks to ensure the most sustainable outcome when preparing a plan or strategy.

**10.0 IMPACT UPON (Value For Money/Equalities/E-Government/Human Rights/Health And Safety)**

**10.1** An Equalities Impact Assessment will be undertaken as part of the Sustainability Appraisal process through the preparation of the JCS Review.

**11.0 RELATED DECISIONS AND ANY OTHER RELEVANT FACTS**

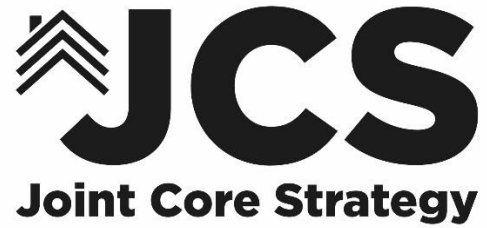
**11.1** Council (5 December 2017): resolution to adopt the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy as part of the Borough Council's statutory development plan.

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**Background Papers:** None.

**Contact Officer:** Planning Policy Manager Tel: 01684 732089  
Email: [matthew.barker@tewkesbury.gov.uk](mailto:matthew.barker@tewkesbury.gov.uk)

**Appendices:** 1: Joint Core Strategy: Issues and Options Document.  
2: Ashchurch Concept Masterplan.



## **Joint Core Strategy Review**

### **Issues and Options Consultation (Regulation 18)**

**October 2018**



## **Contents**

1. Introduction
2. Scope
3. Timescale
4. Plan making and policies
5. Duty to cooperate
6. Vision, aims, objectives and issues
7. Spatial strategy options
8. Housing growth
9. Housing type and tenure
10. Economic development
11. Retail and city/town centres
12. Sites
13. Infrastructure
14. Next steps

## 1. Introduction

- 1.1. Gloucester City Council, Cheltenham Borough Council and Tewkesbury Borough Council are undertaking a review of the adopted Joint Core Strategy (JCS) (December 2017), the JCS Review.
- 1.2. The adopted JCS contains a commitment to undertake an immediate review on the issues of housing supply for Gloucester and Tewkesbury and the retail / town centre policies for the whole area.
- 1.3. In July 2018 the Government published a revised National Planning Policy Framework (NPPF) which places new requirements on local plan making. This means that the scope of the review will need to be expanded to ensure it will be in conformity with national policy.
- 1.4. In addition, it is necessary to review the delivery of strategic allocation sites identified in the JCS and ensure that each authority is able to meet its housing and employment requirements, including maintaining a five year supply of housing land.
- 1.5. Fundamentally the JCS Review will again look at the future growth needs, what the best strategy is for delivering that growth, and the allocation of strategic sites to help meet these needs. However, it is also an opportunity to review all of the policies contained with the current adopted plan to see if they continue to be effective and consistent with the NPPF.

### 'Issue and Options' consultation

- 1.6. In accordance with Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012, the Councils are publishing an Issues and Options paper for public consultation. This stage of plan making seeks to get feedback on the key issues that are affecting the area and explore some of the options that are available to address them.
- 1.7. It is a starting point for the review and an evidence gathering process to inform the future development of the plan. It therefore does not propose a strategy, new sites or policies; this will be for the next stages of the plan.
- 1.8. The consultation is split up into a number of different themes/policy areas and for each there are a series of questions that we seek views on.
- 1.9. The issues and options consultation runs from xxxxxxxxx (dates to be confirmed).

### How can I get involved?

#### *Responding to the consultation*

- 1.10. We are asking people to respond directly to the questions posed; these questions are highlighted in bold under each section of this document. This will assist the authorities in determining the key issues being raised under each theme.
- 1.11. Wherever possible, in order for the consultation process to be efficient as it can be, we ask that you respond to these questions via the consultation portal – see link below.

- Consultation portal

1.12. Alternatively you may download an electronic response, fill it in and send it to:

- Email: [info@jointcorestrategy.org](mailto:info@jointcorestrategy.org)
- Post: Joint Core Strategy, Municipal Offices, Promenade, Cheltenham, GL50 9SA.

1.13. Please note that if your response is not provided in accordance with the key questions, officers will add your response to the 'Any other comments' question when processing.

1.14. Further information, including associated background papers as well as previous JCS evidence base, is available on the JCS website at <https://jointcorestrategy.org/>

#### *Call for sites*

1.15. This consultation includes a 'call for sites'. Landowners, developers and the community are invited to submit sites to the authorities that they think could have development potential. Submissions will be assessed by the local authorities and where suitable and deliverable, may be identified as allocations in future versions of this review. For more information please see Section 12 of this document.

#### General Data Protection Regulations / consultation database

1.16. For the JCS Review, there is a new consultation database. This is to ensure that the authorities meet their requirements under the General Data Protection Regulation (GDPR) and to ensure that only those people who are interested in the JCS Review are contacted.

1.17. With this in mind, when responding to the consultation, you will be asked to confirm whether or not you wish to be added to the database and kept informed of the JCS Review as it progresses. You will also be advised of how you can be removed from the database if you so wish.

1.18. You can also sign up to the consultation database regardless of whether you want to respond to this consultation.

#### Plan making programme

1.19. The indicative timetable the authorities are currently working towards is as follows:

- Issue and Options – October 2018
- Draft Plan consultation – Autumn 2019
- Pre-Submission Plan consultation – Summer 2020
- Submission to the Secretary of State – Autumn 2020
- Examination – Winter 2020/21
- Adoption – Winter 2021

### Relationship with district plans

1.20. The JCS authorities are currently in the process of taking forward their district plans. These will deliver the adopted JCS locally as well as address local issues and priorities of a non-strategic nature.

1.21. The timetables for taking the district plans forward can be found on each of authority's website:

- Gloucester City Plan:  
<https://www.gloucester.gov.uk/planning-development/planning-policy/city-plan/>
- Cheltenham Borough Plan:  
[https://www.cheltenham.gov.uk/info/46/planning\\_policy/1034/the\\_cheltenham\\_plan](https://www.cheltenham.gov.uk/info/46/planning_policy/1034/the_cheltenham_plan)
- Tewkesbury Borough Plan:  
<https://www.tewkesbury.gov.uk/local-plan>

## **2. Scope**

- 2.1. The JCS (December 2017) commits to an immediate partial review of the plan to deal with the housing shortfalls for Gloucester and Tewkesbury and also a review of the policy around retail / town centres. This provides the minimum starting point for considering the scope and timescales for the JCS Review.
- 2.2. There are, however, a number of other factors to be taken into account. Firstly, the NPPF states that policies in local plans should be reviewed at least once every five years and should be completed no later than five years from the adoption of a plan. Under this provision, the whole JCS plan would need to be reviewed in any event by December 2022. As such there needs to be a consideration as to whether the review now should be a holistic one to meet the NPPF requirements in the most efficient and effective way.
- 2.3. Annual monitoring of housing delivery since adoption of the JCS has also demonstrated that some of the strategic allocation sites have not come forward as quickly as anticipated in the plan. This has impacted on the housing delivery for both Cheltenham and Gloucester. Furthermore, the NPPF has introduced a standard methodology for calculating housing requirements which may result in changes to the number of new homes required for each area. With this in mind, it may be practical to look at the housing supply for all three authorities in a more comprehensive way rather than just for the shortfalls of Gloucester and Tewkesbury separately. This will also be necessary if the timescale for the JCS Review is to extend past the current plan period (see Section 3).
- 2.4. Other than for retail, the commitment to an immediate review in the JCS does not propose to look at any of the development management policy guidance contained in the plan. However, the NPPF has introduced new policy provisions that the JCS does not reflect. A wider review of the JCS to consider all policies within the plan would ensure they are brought fully up to date with the NPPF and provide an opportunity to make any necessary adjustments to improve their implementation.
- 2.5. Taking this into account, it is considered that the JCS review needs to consist of a comprehensive review of the plan, including the housing requirements and supply for all three authorities as well as the suite of policy guidance.

### ***Question 1***

***Do you consider that a comprehensive review of the plan is the correct approach for the JCS review? If not, what do you consider are the alternative approaches?***

### **3. Timescale**

- 3.1. The current JCS plan period runs from 2011 to 2031. There are a number of issues to consider when thinking about whether the plan period should go beyond 2031.
- 3.2. The NPPF states that strategic policies should look ahead at least 15 year from the point of adoption. This is to anticipate and respond to long-term requirements and opportunities, such as those arising from major improvements in infrastructure. If the JCS review is adopted by 2021, this would require extending the plan period to at least 2036.
- 3.3. Stroud District Council are currently undertaking a review of their local plan and are looking to 2036. The South Worcestershire authorities are also currently reviewing their local plan and are looking to 2041. With this in mind, a benefit of extending the JCS plan period beyond 2031 would be closer and more joined up strategic planning with adjacent areas, helping to tackle cross-boundary growth issues.
- 3.4. Planning over a longer plan period will mean an increased requirement for new homes, employment and infrastructure, and the need to look at further locations for growth. A longer outlook and increased levels of growth would provide significant opportunities to plan strategically for how growth in the area is to come forward.
- 3.5. Planning for a larger scale of development brings advantages in that it:
  - Improves the longer term planning of essential infrastructure (such as roads and schools) that will bring benefits to both existing and future residents;
  - Allows for a more comprehensive approach to the delivery of development, maximising the benefits of the contribution of development on important issues such as green infrastructure and urban design; and
  - Increases opportunities for plan-led strategic development and reduces the potential for ad-hoc and piecemeal approaches.
- 3.6. The Gloucestershire 2050 project is a county-wide conversation to explore ideas and shape the long-term future of the county. A consultation document was published in summer 2018 to start this discussion, which presented eight key ambitions based on different themes that Gloucestershire could aspire to. In addition it proposed 6 'big ideas', projects that could transform the county.
- 3.7. Taking into account the issues set out above, the JCS authorities consider that undertaking a review to just the current plan period to 2031 would not be justified under the NPPF and would not be the most effective nor efficient method to plan strategically for future growth.

#### **Question 2**

***On the basis that the plan period needs to be extended, what do you think is a reasonable timeframe for the JCS to plan for and why?***

#### **4. Plan making and policies**

- 4.1. The current approach to local plan making in the JCS area is a two-tier approach with the JCS as the combined strategic level plan followed by individual district level plans for each of the authorities. This approach is intended to allow the JCS to concentrate on the high level strategic policies and larger-scale allocations and let the district level plans provide the more detailed locally-specific policies and smaller-scale allocations.
- 4.2. The NPPF states that the development plan must include strategic policies to address each local planning authority's priorities for the development and use of land in its area. It states that policies to address non-strategic policies should be included in local plans that can contain both strategic and non-strategic policies. Plans are expected to make explicit which policies are strategic policies.
- 4.3. The NPPF states that strategic policies should set out the overall strategy for the pattern, scale and quality of development and make sufficient provision for growth (including housing and employment), infrastructure, community facilities and policies for natural, built and historic environment. Where necessary, strategic policies should also address cross-boundary issues. Non-strategic policies should be used to set out more detailed policies for specific areas, neighbourhoods or types of development. This can also include site allocations, infrastructure and facilities, design principles and policies around the natural, built and historic environment.

***Question 3***

***What are the strategic policy areas that you consider the JCS should cover?***

***Question 4***

***Do you consider any alterations to the existing policies in the adopted JCS are required, particularly in light of the revised NPPF?***

## **5. Duty to Cooperate**

- 5.1. Planning legislation places a duty to cooperate on local planning authorities, county councils and other public bodies to ensure they work together on strategic matters that cross administrative boundaries. The three JCS authorities meet this duty, with each other, in that they have formed a partnership to take forward strategic plan making. However, how the JCS engages with other local authorities and their local plans in addressing growth, is of critical importance.
- 5.2. The NPPF requires strategic plan making authorities to collaborate to identify the relevant strategic matters which they need to address in their plans. This includes joint working on planning of infrastructure and helping to meet development needs where they cannot be met wholly within a particular plan area. This collaboration in plan making also extends to relevant stakeholder bodies such as Local Enterprise Partnerships, Local Nature Partnerships and infrastructure providers such as Highways England and the Environment Agency.
- 5.3. The JCS, through the need for an immediate review, already identifies the need to work with Stroud over the issue of the housing shortfall for Gloucester. Similar joint working is also taking place with Wychavon District Council in Worcestershire on a cross-boundary site at Mitton to help meet the needs of Tewkesbury Borough. The JCS Review needs to engage with the reviews of the South Worcestershire Development Plan and Stroud Local Plan, which are currently underway, to continue to address any strategic issues. There is also need for continued joint working across the wider county to include all authorities (Cotswolds District Council and the Forest of Dean District Council) as well as Gloucestershire County Council.
- 5.4. The Gloucestershire Local Enterprise Partnership (LEP) is currently preparing the Industrial Strategy for economic growth in the county and the JCS will have an important role in delivering this.

### ***Question 5***

***What are the duty to cooperate issues that the JCS review will need to consider?***



## 6. Vision, aims, objectives and issues

6.1. The JCS sets out the vision and objectives for the area as well as setting out the key issues and opportunities for the three authority areas.

6.2. The current JCS is as follows:

*By 2031 Gloucester City, Cheltenham Borough and Tewkesbury Borough will have continued to develop as highly attractive and accessible places in which to live, work and socialise.*

*The Joint Core Strategy area will be recognised nationally as enjoying a vibrant, competitive economy with increased job opportunities and a strong reputation for being an attractive place in which to invest. The character and identity of individual communities will have been retained while improved access to housing will have addressed the needs of young families, single people and the elderly.*

*New developments will have been built to the highest possible standards of design and focused on protecting the quality and distinctiveness of each community. Established in sustainable locations, without increasing the risk of flooding, they will have been designed with sensitivity towards existing villages, towns and cities and with respect for the natural and built environment.*

*As a result of a strong commitment to the housing and employment needs of the existing and growing population, all residents and businesses will benefit from the improved infrastructure, which will include roads, public transport and services, and community facilities.*

6.3. The JCS describes some of the key challenges facing the area, including: an ageing population, the availability and affordability of housing, increasing and diversifying employment opportunities, pockets of deprivation, traffic congestions, climate change and the need to protect our natural environment.

6.4. The JCS then sets out nine strategic objectives to support and deliver the vision and address these challenges. These are:

- Objective 1 – Building a strong and competitive urban economy
- Objective 2 – Ensuring vitality of town centres
- Objective 3 – Supporting a prosperous rural economy
- Objective 4 – Conserving and enhancing the environment
- Objective 5 – Delivering excellent design in new development
- Objective 6 – Meeting the challenges of climate change
- Objective 7 – Delivering a wide choice of quality homes
- Objective 8 – Promoting healthy communities

### **Question 6**

***Are the vision, key challenges and objectives identified in the JCS still relevant? Are there new key challenges the JCS review needs to consider?***

## **7. Spatial strategy**

- 7.1. The spatial strategy for the JCS is to focus development at Gloucester and Cheltenham to support their economic roles as the main providers of jobs, services and housing. A proportion of this growth is to be from development within the existing urban areas. However, as the growth for Gloucester and Cheltenham could not wholly be accommodated within their administrative areas, a number of strategic sites are located, wholly or partly, within Tewkesbury Borough. Tewkesbury's own needs are to be provided at Tewkesbury Town in line with its role as a market town as well as smaller-scale development at a number of 'Rural Service Centres' and 'Service Villages'.
- 7.2. Regardless of the scope or plan period that this review is to cover, there will be a need to consider the direction of future growth and the strategy required to meet requirements. The key options are presented below: however in isolation no option would be suitable and so the eventual spatial strategy, to be sustainable, will need to be a mix.

### Urban focus

- 7.3. This option involves the concentration of development within urban areas, including the redevelopment of brownfield land. In this regard, sites within the main urban areas of Gloucester, Cheltenham and Tewkesbury, can make an important contribution to housing supply and support the vitality of the urban areas and any regeneration initiatives. However, there is a recognition that there will not be sufficient land within urban areas to fully meet development needs.

### Urban extensions

- 7.4. Outside of the existing built up areas, urban extensions present the opportunity to provide new growth closest to where it is needed. This also benefits from the services and infrastructure at existing centres, maximising the potential for sustainable transport. This can also help to support the vitality and regeneration of existing centres. Providing large scale urban extensions also presents the opportunity for new on-site infrastructure, such as schools, local centres and green spaces that can bring benefits to the existing and new community. Delivering this approach inevitably necessitates the use of greenfield land on the edge of urban areas, which in the JCS area, could also mean the release of Green Belt land.

### New settlement

- 7.5. This option would require the development of a new settlement in a suitable location in order to meet future development needs and could take the form of a new town or village or it could be developed around an existing smaller settlement. A new settlement would present the opportunity to plan a place from the beginning and provide infrastructure to support the new population. This option is likely to form part of a longer-term strategy and would involve the development of greenfield land in a more rural location and therefore would have a considerable impact on the landscape character of the area. Depending on the scale of development required and the issues in finding a sustainable location, this may require a wider sub-regional approach with other local authorities.

### Rural dispersal

- 7.6. The dispersal of housing requirements across the JCS rural area would involve a greater number of the smaller villages each accommodating a proportion of development in order to meet the wider growth needs. This approach would have the benefit of providing greater housing choice and affordability in rural areas as well as helping to maintain and improve the vitality of rural communities and their economy. Most of the rural settlements are small-scale which means that developments of proportional significance are likely to be unsuitable in terms of landscape and village character.
- 7.7. It is likely that the most suitable spatial strategy will involve elements from a number of different options to provide the most sustainable and deliverable solution.

#### ***Question 7***

***Having regard to the spatial strategy and the options presented above, how do you think the JCS authorities can most sustainably deliver for our future development needs?***

## **8. Housing growth**

- 8.1. The JCS covers a 20 year period between 2011 and 2031. During this period 35,175 new homes are needed of which approximately 20,000 have already been built. Of the remainder, the majority have planning permission or are identified specific sites.
- 8.2. However, if the plan period is to be extended, it will be necessary to plan for the additional housing need this generates.
- 8.3. The Government has now published a standard approach to establishing the need for new homes for local authorities. This is a minimum figure and so a starting point. On top of this, it will be appropriate to consider whether there is a need for more homes, for example to help provide more affordable homes for the local community, or to provide for economic growth ambitions. The new homes requirements will come into force at the point of adoption of the JCS Review.
- 8.4. Based on the information available in early September 2018, the minimum requirement in the JCS area would be in the region of 1,780 new homes year. In contrast, the current figure for the JCS area is approximately 1,760.
- 8.5. To support the review, the JCS authorities have sought advice from Neil McDonald, an independent advisor on housing demographics and a background paper to the consultation is available on the JCS website (*under JCS Review*).

### ***Question 8***

***Are there any justifications for departing from the Government's standard housing calculation methodology?***

## **9. Housing type and tenure**

- 9.1. It is important that the JCS Review seeks to identify and deliver for the needs of all communities through different housing types and tenure.
- 9.2. The NPPF (paragraph 61) states that “the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies.” These groups include, but are not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes.
- 9.3. The six Gloucestershire district authorities are currently working on a new Local Housing Needs Assessment (LHNA) – replacing the existing Strategic Housing Market Assessment (SHMA). This assessment will take into account the latest national guidance providing a robust evidence base around specific housing needs to produce appropriate policies to inform the JCS Review and will inform future rounds of consultation.

### ***Question 9***

***Do you think that there any other specific forms of housing the JCS Review should seek to address?***

## **10. Economic development**

- 10.1. The JCS employment strategy seeks to support the delivery of land and jobs in close proximity to the M5 corridor. This supports the Strategic Economic Plan (SEP) prepared by the Local Enterprise Partnership (LEP). It also supports a sustainable pattern of growth, providing both jobs and employment opportunities in close proximity to one another. The JCS allocates 192 hectares of employment land, both in the main urban areas and as part of some of the strategic allocations. This will support around 39,500 new jobs over the plan period, in traditional employment uses such as offices and manufacturing, but also areas like healthcare and hospitality.
- 10.2. Extending the plan period will mean that new land will be required to support economic growth. At the same time it will be important to ensure that existing employment land is used in the best possible way in order to improve productivity and minimise the amount of land that is required elsewhere.
- 10.3. The JCS authorities continue to be committed to the economic growth of Gloucestershire and it is important this is reflected in the JCS Review. Of particular importance will be the recently updated SEP as well as the emerging Gloucestershire Industrial Strategy, both being prepared by the LEP.
- 10.4. As part of this consultation, the authorities are undertaking a 'call for sites' and invite landowners, developers and the community to submit sites for consideration. See section 12 for further information.

### ***Question 10***

***There is going to be a need for sites to be identified for employment land. What types of employment land do you think are required in the JCS area to provide for the needs of different business sectors and where would it best be located?***

## **11. Retail and city / town centres**

- 11.1. The JCS includes Policy SD2 'Retail and city / town centres'. This is a high level policy which sets out key principles for development involving main town centre uses (such as retail and leisure) and floorspace figures for the five main city / town centres.
- 11.2. However, the JCS Inspector felt there were some shortcomings with this policy and required the authorities to undertake an immediate review. This process has already started, with the authorities commissioning consultants to prepare new evidence and strategies for all city and town centres in the JCS area, including the consideration of site allocations.
- 11.3. At the same time, the role and function of city and town centres is changing as is the way that people are spending money. Over the past few years there have been many casualties on the high street, including Woolworths and BHS. Out-of-centre retailers have also struggled, including Toys r Us and Homebase.
- 11.4. It is important that planning policies allow city and town centres to evolve, adapt to the challenges and be flexible to changing circumstances over time. Where there is a need for new floorspace for retail and other town centres uses, it is important it is planned as part of a coordinated strategy that supports city / town centres and does not undermine them.
- 11.5. As part of this consultation, the authorities are undertaking a 'call for sites' and invite landowners, developers and the community to submit sites for consideration. See section 12 for further information.

### ***Question 11***

***How can the JCS best plan for the changing nature of city and town centres to ensure they remain vital and viable in the future?***

## 12. Sites

### Known development opportunities

- 12.1. At the point of adoption, the JCS had shortfalls of land to provide for new homes. For Gloucester City this is around 1,000 new homes from 2028 and for Tewkesbury 2,450 new homes from 2025.
- 12.2. That being said, the JCS already identifies several strategic locations that offer the potential to help address this shortfall and the authorities have begun the process of reviewing these as potential strategic site opportunities.

### *Ashchurch*

- 12.3. 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.
- 12.4. 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 wider Ashchurch area.
- 12.5. 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.
- 12.6. 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.
- 12.7. The 'Ashchurch Concept Masterplan' has been produced to show how future development could come forward in this area and is available on the JCS web-site (*under JCS Review*) as a background paper to this consultation.

### *North West and West Cheltenham*

- 12.8. The adopted JCS allocates two strategic allocations for housing and employment, on the west side of Cheltenham. These are the North West Cheltenham and West Cheltenham allocations and are expected to provide for at least 5,385 new homes and 55ha of B-class employment land. Significantly, the employment land at West Cheltenham will be centred on the provision of a new nationally important cyber security hub.



- 12.9. In addition to these allocations, the JCS also identifies 'safeguarded land' adjacent to both sites that has been removed from the Green Belt and for longer term development needs beyond the current plan period. These areas of land therefore provide the primary opportunity for helping meet the growth requirements for Cheltenham. However, these sites need to be planned through a review in order for them to come forward. In addition to the safeguarded land, there are potentially other opportunities within the area that are currently within the Green Belt but which could provide further sustainable options for growth.
- 12.10. Further development in this area would provide the opportunity to build on the development of the existing strategic allocations and take advantage of social and community infrastructure that is to be provided. At West Cheltenham, development beyond the current allocation would also help maximise the potential of the cyber security hub.
- 12.11. In addition, the area is in a strategically important location being close to M5 junction 10. Transport modelling work undertaken to inform the JCS demonstrated that, to deliver growth up to 2031, significant infrastructure improvements would be needed for the junction and surrounding routes. This including improving the junction to an 'all ways' giving access to/from the northbound and southbound directions of the M5. Not only are the improvements needed to deliver existing growth, they provide an opportunity to examine the further potential of this area, particularly from an employment perspective. This further potential growth has, to date, not been modelled but it is proposed to do this early in the plan revision process.
- 12.12. Further development in this area to the west of Cheltenham will only serve to increase the viability of new infrastructure that would benefit the whole JCS area.
- 12.13. The 'Cyber Central Vision' has been produced to support this development opportunity and is available on the JCS web-site (*under JCS Review*) as a background paper to this consultation.

#### *South Gloucester*

- 12.14. The JCS acknowledges the importance of Stroud District as an authority adjoining Gloucester City that could help address the requirement for new homes where reasonable to do and consistent with achieving sustainable development. With this in mind, the emerging Stroud Local Plan Review has identified sites south of Gloucester City as potential development opportunities and these will be considered further, along with other potential opportunities, as the JCS Review and Stroud Local Plan Review progress.

#### Other development opportunities

- 12.15. The JCS allocates a number of strategic-scale sites to help meet the needs for housing and employment up to 2031. In order to be able to deliver additional growth over a longer plan period there will be a requirement to allocate further strategic sites through the JCS.
- 12.16. The JCS authorities already maintain a Strategic Assessment of Land Availability on an annual basis which provides a starting point for considering what sites may be suitable, available and achievable for development. However, through this consultation a 'call for sites' is being undertaken whereby developers, landowners

and the community are asked to submit land that is available for development to be considered as part of the review.

- 12.17. The JCS Review will consider the allocation of strategic scale sites with the district-level plans allocating the smaller-scale non-strategic sites.
- 12.18. The NPPF seeks for a greater range of housing site sizes to be delivered through local plans and particularly recognises the role that small and medium sized sites can have. In this regard it states that local planning authorities should, where achievable, identify through the development plan land to accommodate at least 10% of their housing requirement on sites of no larger than one hectare (sites on 1 hectare can generally accommodate 20-30 houses in rural areas with greater densities in urban areas). The JCS Review will also need to consider the strategy for meeting this requirement and whether it is achievable and whether it is best to continue to deliver small sites through district level plans.

**Question 12**

***Having regard to development needs in the JCS area and the spatial strategy discussed, do you feel that the known development opportunities can play a role in helping to meet needs?***

**Question 13**

***Do you have a site you would like considered for inclusion in the Local Plans? You will need to provide a completed form with information about the site including a site plan.***

**Question 14**

***What do you think is an appropriate definition for a 'strategic site' in terms of for example size, location and proposed use?***

### **13. Infrastructure**

- 13.1. The provision of sufficient infrastructure is essential to support both existing and new communities and key to a successful local economy. Infrastructure is a wide term and can cover whole range of different items – from highways improvements, sustainable transport routes, schools, healthcare facilities and high speed broadband, through to open spaces, playing fields and green infrastructure. The type and scale of infrastructure needed will depend on the scale and pattern of development and is closely linked to the spatial strategy for the area.
- 13.2. The JCS Infrastructure Delivery Plan sets out the anticipated infrastructure requirements for the area up to 2031. This will be revised as part of the review.
- 13.3. Green infrastructure is important part of maintaining and improving the natural environment of the area and the adopted JCS is supported by a Green Infrastructure Strategy. New development should make a positive contribution to green infrastructure and help provide new and improved open spaces for communities. The JCS authorities must work with neighbouring authorities and the Gloucestershire Local Nature Partnership to ensure an appropriate joined up approach.
- 13.4. Supporting health and wellbeing and active lifestyles more generally is really important. It implies providing communities with the best opportunity to live healthy lifestyles, both physically and mentally, including access to health and community facilities, desirable routes for walking and cycling, and opportunities to meet and interact with people and nature.
- 13.5. In thinking about the future infrastructure needs of the area it is important to consider technological advancements. The infrastructure required in the future could be very different from today. Technology such as electric vehicles, driverless cars, renewable energy and internet-based communications and commerce could have a significant influence on the planning and design of new development.

#### ***Question 15***

***Are there any new infrastructure needs that the JCS Review needs to consider?***

#### **14. Next steps**

- 14.1. This Issues and Options consultation is the first step in preparing the JCS Review. Consultees are asked to respond to the key questions by 5pm on XXXXXXXXXX.
- 14.2. Once the consultation is closed, the authorities will review all responses duly received and begin the preparation of the next stage the 'JCS Draft Plan'. This is currently scheduled for Autumn 2019.

# Tewkesbury Area Draft Concept Masterplan

## CONCEPT MASTERPLAN REPORT

JANUARY 2018

## Contents

<b>1.0 INTRODUCTION</b>	<b>04</b>
1.1 Growth context	05
1.2 Site Analysis	06
1.3 Benchmarking	07
<b>2.0 FUTURE POTENTIAL OF TEWKESBURY</b>	<b>11</b>
2.1 Opportunities and constraints	13
2.2 Development principles	15
<b>3.0 DRAFT CONCEPT MASTERPLAN</b>	<b>17</b>
3.1 Concept masterplan	18
3.2 Assumptions and approaches	19
3.3 Urban form and character	23
3.4 Development phasing	24
<b>3</b>	
<b>4.0 MASTERPLAN STRATEGIES</b>	<b>37</b>
4.1 Transport strategy	38
4.2 Landscape strategy	48
4.3 Economic strategy	55
4.4 Community infrastructure strategy	57
4.5 Ashchurch Local Centre strategy	60
<b>5.0 CONCLUSIONS AND NEXT STEPS</b>	<b>63</b>





# Introduction

## Purpose of this report

Tewkesbury Borough Council has commissioned BDP - and subconsultants Urban Flow, Hardisty Jones and Alder King - to prepare a concept masterplan and delivery strategy for the Tewkesbury area with the following aims:

- Provide a holistic spatial growth strategy for the area
- Support the strategic level development plan making process for Ashchurch and the surrounding areas
- Stimulate the delivery of homes and employment to meet Tewkesbury's need
- Provide assistance for determining planning applications for this area.

Drawing from the baseline analysis and stakeholder consultation carried out in the previous months, this report sets out:

- a set of development principles specific to Ashchurch and complementing the Tewkesbury "place story" visioning exercise completed by thinking place
- a high level overarching spatial approach responding to the current situation and future aspirations
- a phasing strategy responding to the initial timeline proposed by the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (JCS)
- Supporting approaches to transport, landscape, community infrastructure and economic growth.

## Study Area

The indicative boundary of the study area and key elements are shown in Figure 1, which is the Tewkesbury area centred around Ashchurch. Based on flooding and other constraints, this is considered to be the principal part of the Tewkesbury area with future development potential. However the relationship to the existing settlement of Tewkesbury is important and the concept masterplan contained within responds to the opportunities of the wider area.

Tewkesbury is an attractive rural market town with a high-quality historic environment. It forms part of a wider area, incorporating Northway, Ashchurch and smaller villages.

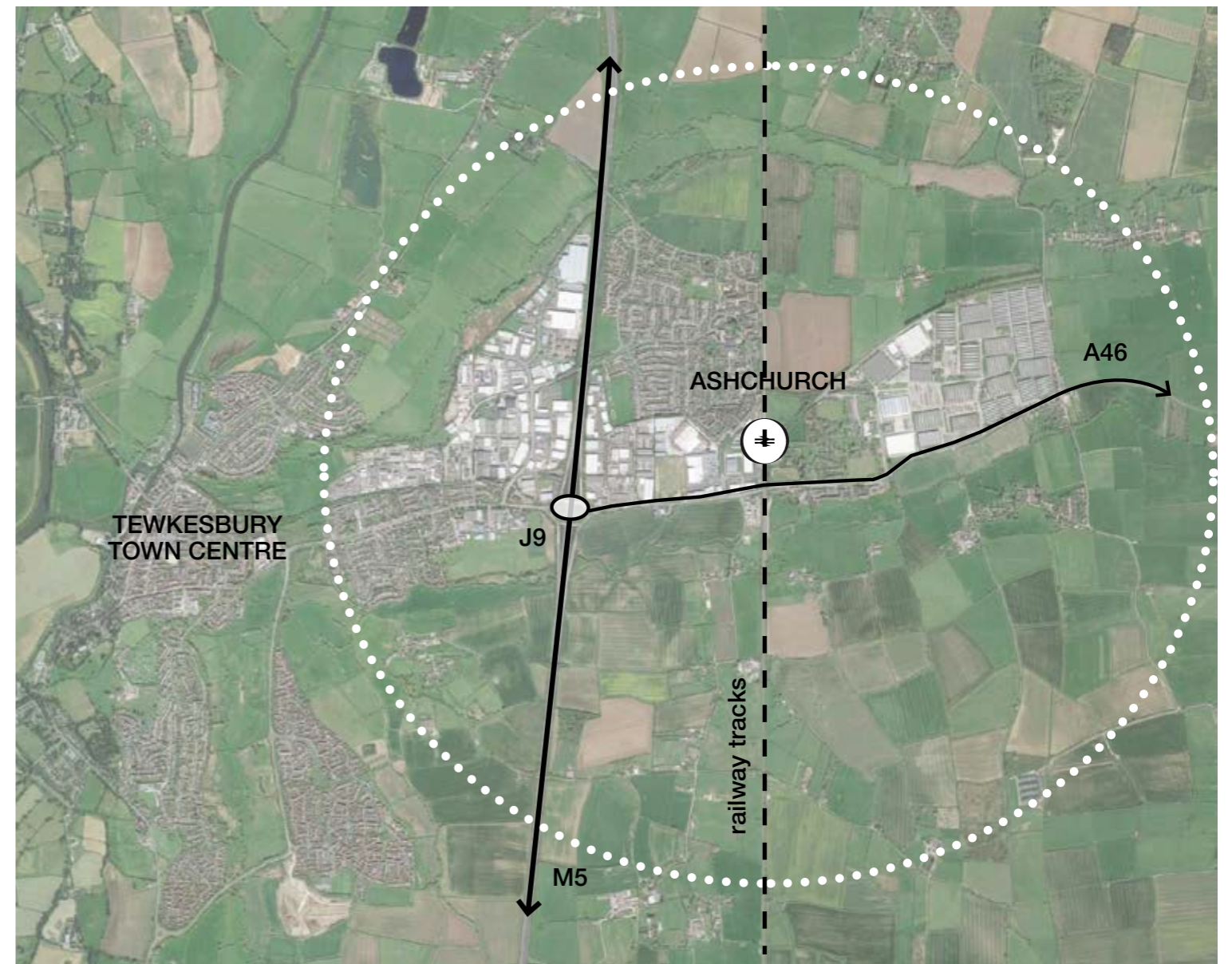
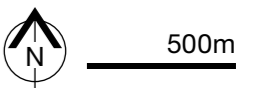


Figure 1: The Study Area





## 1.1 Growth Context

### Overarching Growth Vision

The M5 corridor acts as a key location for targeted growth, providing access and connectivity between strategic urban areas in the West of England. Located approximately midway between the key urban centres of Bristol and Birmingham, the Tewkesbury area offers excellent access to the national road network via Junction 9 of the M5 motorway and the A46. The high accessibility of the area means that it is well placed to provide connectivity for people travelling between the wider area such as Cheltenham, Gloucester, Worcester, Birmingham, Bristol and Bath.

The area is located in the Gloucestershire First Local Enterprise Partnership (GFirstLEP) M5 growth zone. The primary aim of the GFirstLEP is to drive sustainable economic growth whilst improving transport connections and opening up new sites for employment and housing. Having achieved funding for an initial five year growth deal, the GFirstLEP will enable greater opportunities for enhanced economic growth along the M5 corridor. There is also further potential to investigate a connection with the Worcestershire LEP to link to opportunities in the north. The Tewkesbury area is therefore well placed to accommodate this growth and help to drive forward the sustainable development of the area, with the delivery of jobs and housing.

The vision outlined in the Joint Core Strategy is for the three local authorities of Gloucester, Cheltenham and Tewkesbury to be recognised nationally as enjoying a vibrant and competitive economy with increased job opportunities, and being an attractive place to invest. The JCS sets out a spatial strategy to provide 35,175 new homes and 192 hectares of B class employment land to support 39,500 new jobs by 2031. Tewkesbury town and its wider area is identified in the JCS as a key location for significant housing and economic growth. The JCS identifies the provision of 9,899 new dwellings and around 40 hectares of B class employment land within the Tewkesbury area in the plan period.

To support this, the JCS Strategic Allocation site A5 designates 14 hectares lying to the south of Ashchurch and the A46 for the provision of employment land, a green infrastructure network of around five hectares and high quality public transport facilities to and within the site. The delay in the release of land at previous Strategic Allocation A8, the MoD Ashchurch site, has resulted in its removal from the local plan, causing a shortfall of 2,450 dwellings in the Tewkesbury housing supply and 20 Ha of employment land.

Given this shortfall, the Council is in the process of evaluating the development potential in the Ashchurch area, and it is intended that a strategic, comprehensive and plan-led approach will be adopted.

It is the view of the JCS authorities that the Tewkesbury area has a sufficient five year housing supply, and to deal with the requirement after 2024-2025, an immediate housing supply review is being undertaken following the adoption of the JCS in December 2017.

The Tewkesbury area is bounded to the north by the South Worcestershire Development Plan (SWDP) area which is the joint development plan of the three local authorities of Malvern Hills, Wychavon, and Worcester City. The SWDP (2016) plans for 280 hectares of employment land over the plan period from 2016-2030, 28,400 dwellings and an increase in retail provision of around 50,000m<sup>2</sup> net floorspace.

It is clear that Tewkesbury as well as the surrounding region is planning for significant growth needs in housing and employment, with the strategic aim of creating sustainable development.

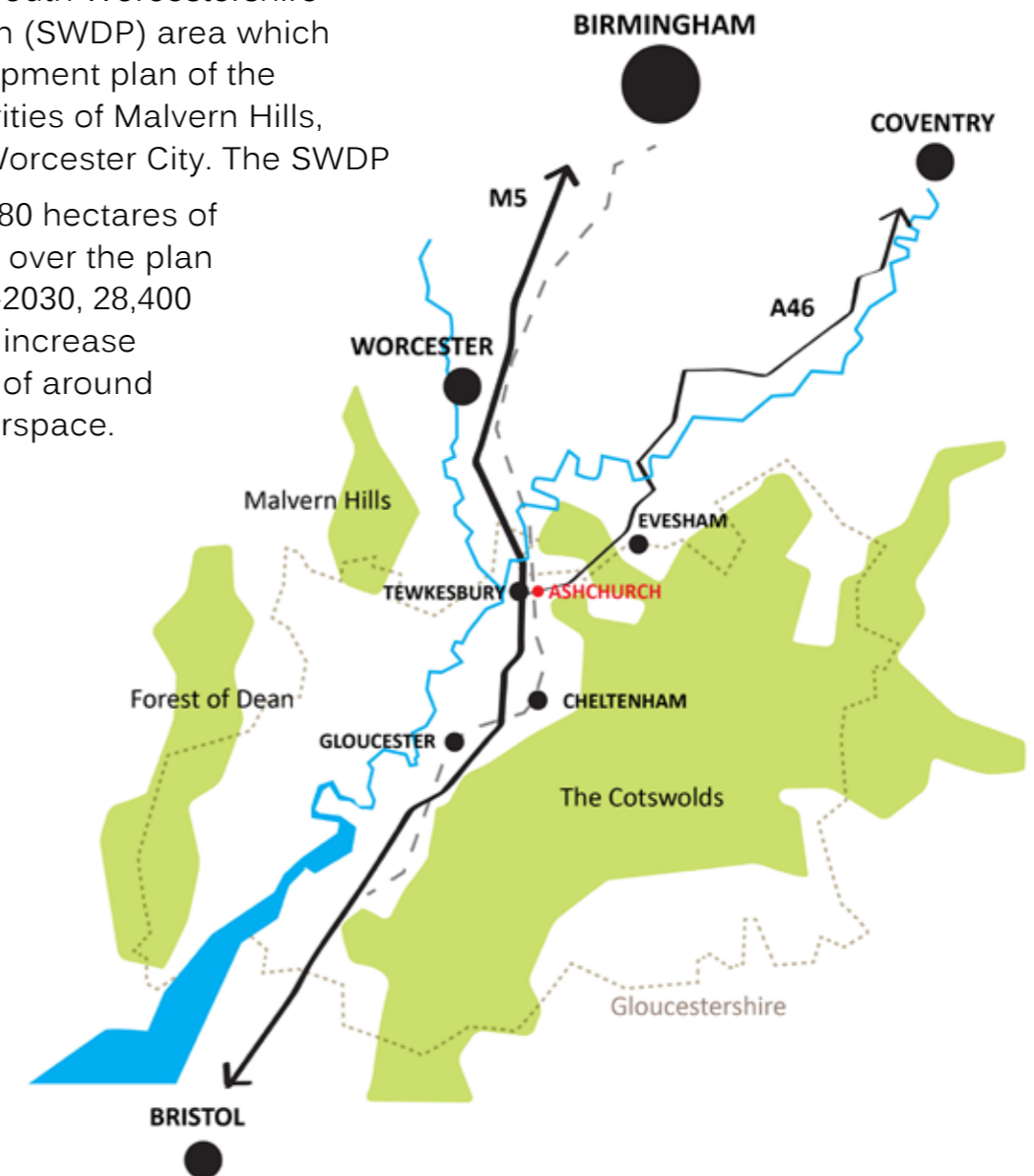


Figure 2: Tewkesbury regional context

## 1.2 Site Analysis

A Baseline Analysis report was completed by BDP in September 2017, which analyses in detail the existing conditions and opportunities that have been used to guide the development of this concept masterplan. The key characteristics are summarised here.

### Character of the area











Ashchurch lies to the east of Tewkesbury market town. The two areas are physically separated by a green gap, and they have varied urban characters. Tewkesbury is a historic market town with a concentrated settlement pattern, while the Ashchurch area consists of more modern development. It comprises two industrial areas, Tewkesbury Business Park and Ashchurch Business Centre; the MoD Ashchurch site; and the residential district of Northway, all of which have developed in a linear form along the north of the A46. The area is bisected by the M5 and the mainline rail line from Birmingham to Bristol, which presents severance issue. The two areas have a functional relationship, with Tewkesbury providing town centre functions for these outlying suburban areas. The identity of the area as a whole could be strengthened to enhance its identity as a location for living and working.

### Employment location and potential

Ashchurch is regarded as a prime employment location. It supports a range of high skilled companies working in high tech and innovation sectors. It is also close to universities.

The current supply of employment premises in the area is extremely limited. One of the JCS aims in planning for strategic economic growth is to enable existing businesses to expand/combine their locations, and attract similar kinds of businesses to move to the area.

The setting of Tewkesbury and its surrounding countryside, along with its excellent transport connections, offers an attractive quality of life to companies looking to locate and to workers looking for homes. By balancing jobs and homes, the masterplan offers people an opportunity to live and work in the same area.

-  INDUSTRIAL PATTERN
-  MODERN/ CUL-DE-SAC RESIDENTIAL PATTERN
-  MEDIEVAL PATTERN
-  CHURCH GROUNDS
-  SCHOOL GROUNDS
-  SMALL SETTLEMENTS
-  FLOODING ZONES
-  AREA OF HISTORIC IMPORTANCE
-  KEY WILDLIFE SITE
-  IMPORTANT OPEN SPACE

### MoD Ashchurch site

The 64.4ha army base site was due to be released by the MoD for the delivery of up to 2,125 new homes. However, the MoD will now be retaining the site for another 10 years, with a smaller portion (15.8ha) potentially to be disposed of earlier. It is anticipated that the site will come forward in the longer term. The based is bounded to the north by a railway spur from the mainline, which serves the base with intermittent train use.

### Transport issues

The area enjoys excellent proximity to Junction 9 of the M5; however there are severe capacity and congestion issues at this junction and along the A46 which must be addressed to facilitate strategic development and provide site access. This is discussed fully in Section 3.3.

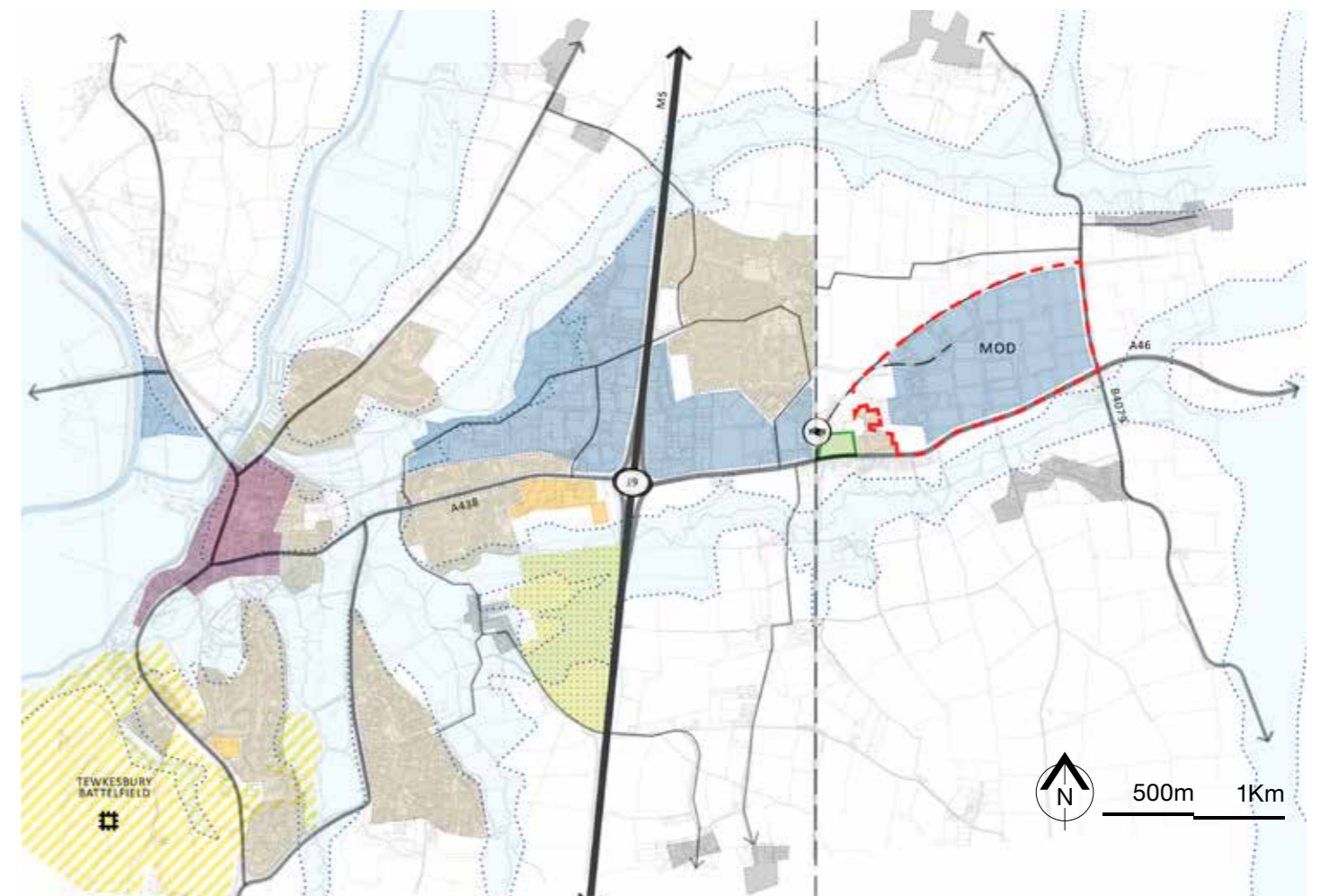


Figure 3: Urban form and environmental constraints



## 1.3 Benchmarking

### Small towns with strategic growth

A number of small rural towns in England are undergoing strategic growth. The following examples have been chosen as relevant illustrative benchmarks for the Tewkesbury area due to their relative location, size of the existing population, potential for growth in both employment and housing, infrastructure strategies and overarching aims of creating sustainable development. Many of these places are aligned with the government's initiative to promote housing delivery through new garden towns, garden villages and eco towns.

#### Didcot Garden Town

Didcot is located near North Wessex Downs AONB, within a growth corridor with good existing transport links. However, significant infrastructure is required to realise its growth potential.

The Didcot Garden Town Masterplan (to 2031) brings together landscape, infrastructure, housing and economic principles of a 'garden town' into a plan for the next 20 years. It envisages 15,000 new homes for a range of occupants, and 20,000 new jobs.

The similarities between Ashchurch and Didcot lie in their connectivity, high quality landscape and fundamental drive for sustainable growth. Didcot Garden Town aims to attract visionary science and advanced technologies, whilst inspiring green living for its residents. While the level of growth is significantly greater, the aims of Didcot therefore resonate with the essential vision for Ashchurch in driving sustainable economic growth in a green, well-connected location.

#### Bicester Eco-Town

Bicester has been chosen due to its overarching aim of achieving growth for a sustainable community as an exemplar Eco-town. The masterplan identifies large growth areas, a town centre action area and a strategic transport and movement network.

The masterplan envisages a total of 10,300 new homes: 6,579 new homes up to 2031 and a further 3,581 by 2040, between 15,000 to 20,000 new jobs on land allocated for business, manufacturing, industrial and research employment.

#### Evesham

In addition to additional housing growth, Vale Business Park is a three phase development which started with 41 hectares of employment land in the late 1990s, was extended by 25 hectares with phase two in 2006, however, parts of this outline permission remain undeveloped. A further 34 hectares of employment land have recently been identified with development recently commenced.

Figure 4: Benchmarking other strategic town growth

	Tewkesbury	Didcot	Bicester	Evesham
Existing Population	19,778	29,341	33,846	23,567
Housing Growth	2500 – 5,000 – 7,500	15,000	10,000	1,500
Employment Growth	35 ha – 85ha – 120ha	20,000 new jobs	20,000 new jobs	34 ha
Future Population	26,000 – 32,000 – 38,000	68,000	59,000	27317





### High tech employment parks

The following employment areas provide examples of the type of businesses, quality of environment and mix of uses that could inform the Tewkesbury area:

- Amsterdam Science Park: 70 Ha of accommodations for science, business, housing and leisure. It shares with Ashchurch the advantage of being in a very accessible location (next to the A10 ring road) with excellent road and transport connections, close to a historic centre and next to natural features such as the Amsterdam Canal and Flevopark.



Figure 5: Amsterdam Science Park

- EPFL Innovation Park, Lausanne: Bio or chemical laboratories plus modular office space for a total of 5.5Ha. The park hosts more than 160 companies, over 120 startups, 23 large companies and around 20 services providers, over 2000 people mainly engineers, researchers, scientists and administrative staff work for companies in the Innovation Park. Similar to Ashchurch, the area hosts high tech/cybernetic businesses and enterprises. The park is located near public transport and car parking is based on the principle of sharing. A variety of building typologies range from light industrial to office/startups. A richness of architectural character is achieved by some iconic buildings (e.g. library and learning centre) that contribute to the identity of the place.



Figure 6: EPFL Innovation Park, Lausanne

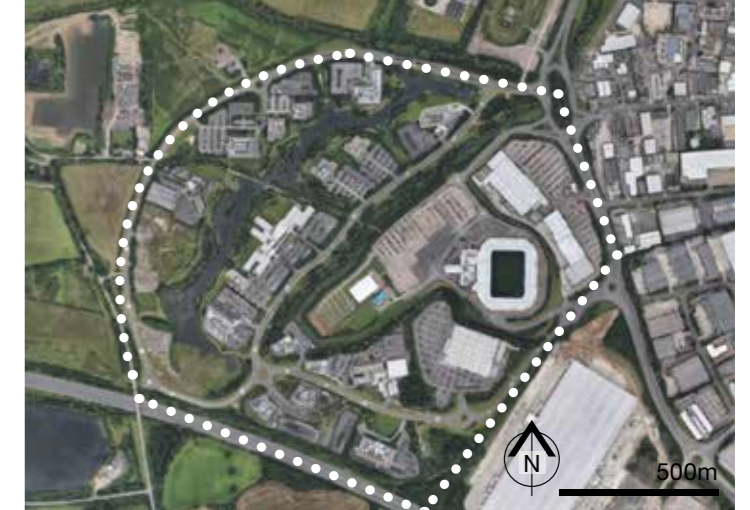


- High Tech Campus, Eindhoven: The 'smartest' km<sup>2</sup> in the Netherlands, with more than 160 companies and institutes, 11,000 researchers, developers and entrepreneurs working on future technologies and products. The campus is designed around a social hub known as The Strip, housing a conference centre, restaurants and shops, which allow people from different companies and fields to meet. The area shares with Ashchurch the location "at the edge" of town, near a motorway junction and the way it has been designed to work within the landscape, creating a stimulating yet peaceful working atmosphere. It has a "rural" look, but it is not a "fenced" development. It links visually and physically with the surrounding areas.



.....  
Figure 7: High Tech Campus, Eindhoven

- Green Park, Reading: 78 Ha hosting different businesses from major global to smaller niche companies. The park's location, architecture, landscaping and amenities are designed to encourage productivity. It spreads along the Foundry Brook, with lush natural settings that are integrated within the wetland and parkland, sensitively landscaped and planted to create a topography of natural contrasts that encourages biodiversity (more than 50 bird species have been observed, while Longwater Lake is home to an abundance of fish). All Green Park buildings have solid 'green' credentials.



.....  
Figure 8: Green Park, Reading





### The development opportunity

Ashchurch currently functions as a suburb of the main historic town centre of Tewkesbury. Ashchurch itself is regarded as a prime employment location with two existing business areas and has become renowned over the past 30 years for technology based industries, high tech engineering and distribution. Junction 9 of the M5 in particular has been recognised as an important business location, with access to Tewkesbury town centre in the west, Cheltenham and Gloucester in the south and Worcester in the north. The area is accessible by public transport via the Ashchurch for Tewkesbury rail station, which has been identified for enhancement in the JCS (December, 2017) in order to provide good quality services and facilities for the area.

The Thinking Place emerging visioning exercise has highlighted how Ashchurch is very much considered as a part of Tewkesbury but at the same time it keeps its own identity as the less historic and more commercial part.

With the existing residential community at Northway and a number of sites to the south and east which are ideally placed to accommodate new housing development, there is potential for the area around the station and St Nicholas Church to be re-envisioned as the local centre for Ashchurch. The aims of the Sustainable Communities Strategy for each local

authority within the JCS area has been summarised as the following “a sustainable natural and built environment, a thriving economy, and a healthy, safe and inclusive community.”

Ashchurch possesses the foundations to help deliver the vision of a sustainable community which essentially encourages people to live and work locally.

### Why Ashchurch?

In terms of the location of strategic growth Ashchurch offers the following advantages:

- Good existing and potential transport connections in terms of a junction on the M5 and train services;
- Few landscape/environmental protections in the immediate area;
- Close proximity to 3 Areas of Outstanding Natural Beauty;
- Large brownfield MOD site which is likely to come forward for redevelopment;
- Existing established historic town and town centre;
- Existing employment area with a range of businesses; and
- Large areas of land not located within flood plains.

While there are a range of challenges to delivering growth in Ashchurch, the potential of the area when compared to other locations is significant.



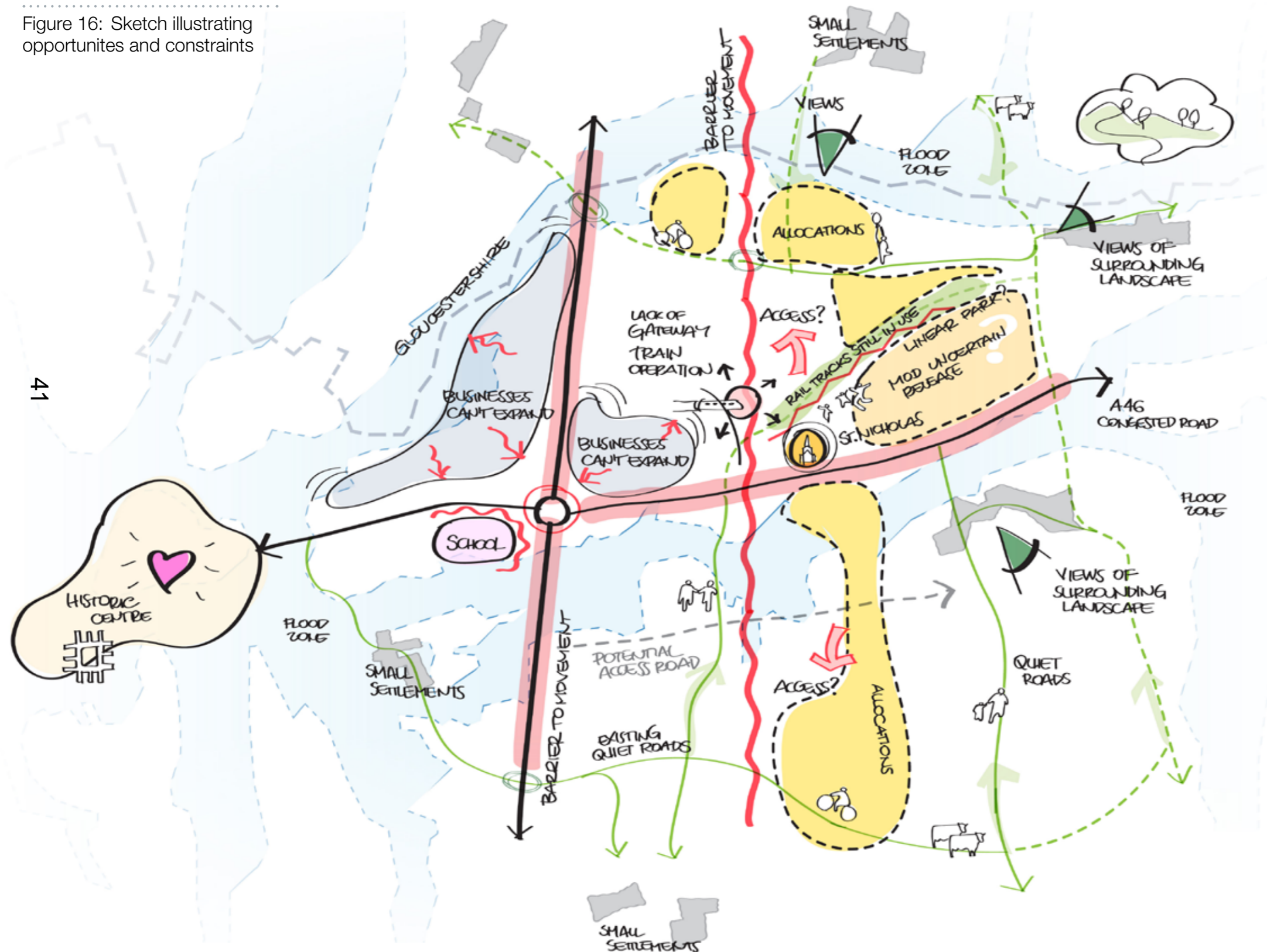
Figure 14: View of the MOD from Aston Fields Lane



Figure 15: View of the surrounding hills

## 2.1 Opportunities and constraints

Figure 16: Sketch illustrating opportunities and constraints



With its outstanding natural assets and transport links the Tewkesbury area makes a fantastic location for people to work and live.

To realise its potential for future growth, the area needs to build upon the following identified strengths and opportunities:

### Strengths

- Proximity to major vehicular transport links (M5, A46) and railway station
- Outstanding natural settings, picturesque views of the surrounding hills
- Proximity of historic Tewkesbury town centre and rich heritage
- Rich wildlife areas
- Inclusion in the JCS as a strategic location for development
- Growing businesses want to expand/combine their sites and businesses willing to move to the area
- Growing population seeking housing
- High percentage of population cycling



### Opportunities

- Create a new community heart / character for Ashchurch, based around St. Nicholas Church
- Improve train operations
- Reduce the impact of vehicles, improve and promote sustainable transport offer
- Presence of small settlements that could be integrated in the main network
- Create an extensive network of cycle and quiet routes and green infrastructure using existing natural assets, canals and landscape features

At the same time a successful strategy must take into account the issues and constraints presented by the area:

### Issues

- Perception of Tewkesbury as a “detached” place and a place affected by flooding
- A46 is a busy road and cuts through Ashchurch
- Pressure to deliver housing and employment space
- Sites in multiple ownerships
- School accessed by major vehicular road
- Railway tracks and M5 cause severance and prevent east-west movement
- Lack of green belt/AONB protection risks piecemeal and speculative development without a guiding masterplan framework

### Constraints

- Severely limited transport capacity at J9 and on A46
- Delayed release of MOD site (uncertain)
- MOD rail spur line still in use (uncertain) causing severance
- Extensive flood zone areas along the brooks running east-west
- Flood zones between Ashchurch and Tewkesbury



Figure 17: St. Nicholas Church from the Railway Station side



Figure 18: Significant shortcomings in service frequency at Ashchurch Station

## 2.2 Development principles

The vision for the masterplan is for the sustainable growth of the Tewkesbury area, building on the existing market town and its outlying neighborhoods and employment areas, and balancing the delivery of jobs and housing while respecting the natural, rural character of the area. The masterplan must embed sustainable movement habits from the outset.

A set of development principles underpins the masterplan. These seek to address the constraints currently faced while embracing the opportunities for redevelopment.

### 01. Define a local character for Ashchurch

Draw upon the existing built and natural assets around St Nicholas Church to form a local centre / village green that creates an identifiable sense of place for Ashchurch. Preserve and enhance the unique quality of the natural and built surroundings.

### 02. Put Tewkesbury on the map

Strengthen the functional relationship and physical connections between Tewkesbury market town and its surrounding suburban areas, Ashchurch and Northway, to integrate and raise the profile of the area as a whole. Enhance the function of the railway station, through greater service frequency and potentially changing its name.

### 03. Build a sustainable community

Create a desirable place that attracts people to live and work locally, meets the diverse needs of existing and future residents, and is sensitive to their quality of life and environment. Provide community uses such as schools and local services in neighbourhood centres, with “bumping spaces” where people can interact and meet. Deliver the right balance of jobs and housing, attracting graduates and young families to locate in the area.

### 04. Transformation to a sustainable movement environment

Prioritise modal shift at the heart of the development strategy, through the integration of homes, jobs and facilities and delivery of high quality walking, cycling and public transport infrastructure, centred around a new ‘Sustainable Corridor’.

### 05. Support infrastructure delivery

Supplement the sustainable movement principle with necessary managed increases in road-based travel. Deliver a new southern development road to relieve the A46.

### 06. Promote an active, healthy quality of life

Encourage access to the area’s excellent natural assets. Support the local community to take part in outdoor activities, sports and leisure, food production, environmental protection and active maintenance of all green spaces and innovative “green living” projects.

### 07. Create a place within a landscape

Create an extensive network of green infrastructure, incorporating existing natural assets and planning for their expansion. Preserve existing features of the area such as trees, stream courses, vegetation and small settlements, and use the existing brooks as flood storage areas. Promote further wetland creation and restoration. Protect ecology and biodiversity and defining strong environmental strategies.

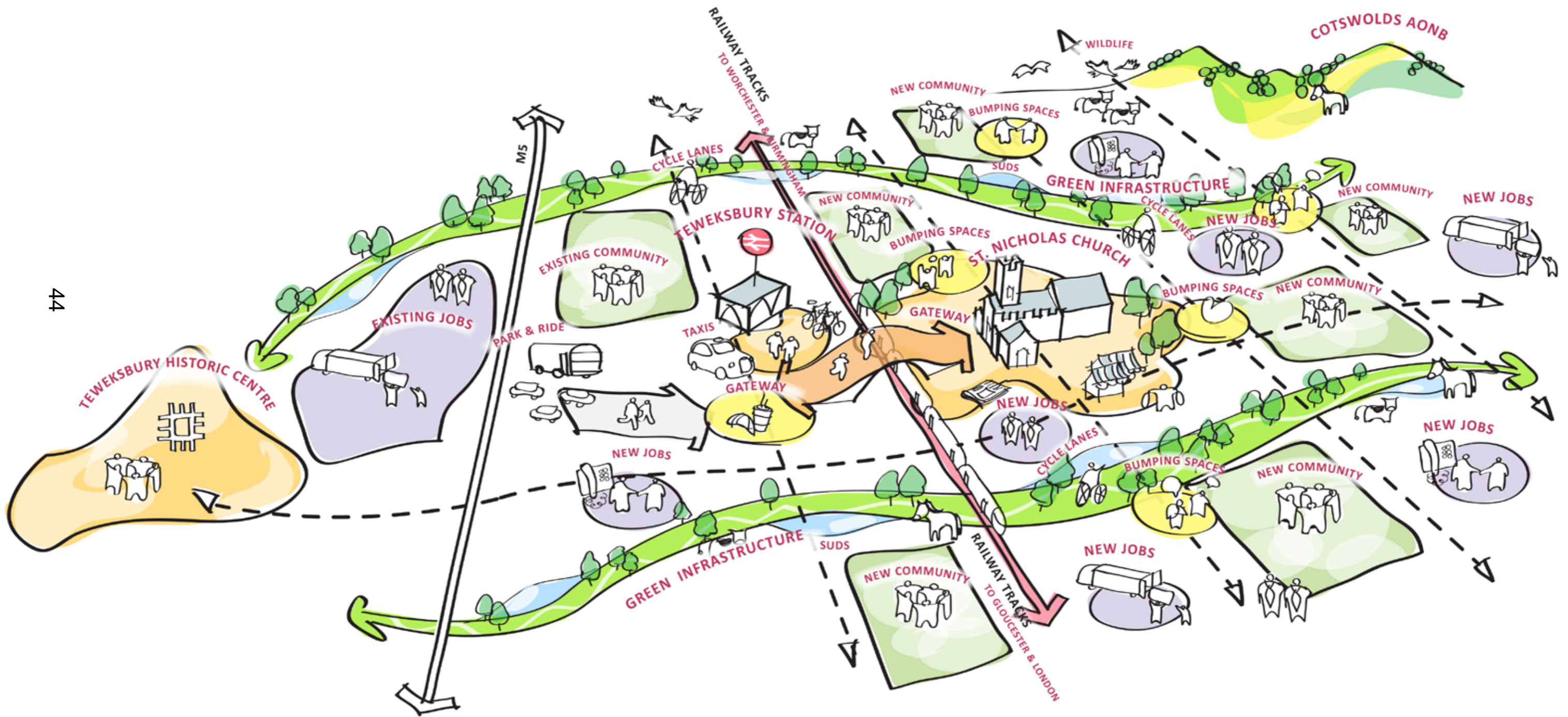
### 08. Create a flexible framework that guides development

Guide the delivery of development sites in a spatial pattern that is informed by key existing landscape features, and a network of local centres. Provide a framework for phased growth that can respond flexibly to changing needs.





Figure 19: Illustration of the development principles







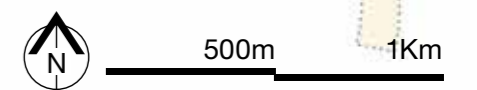
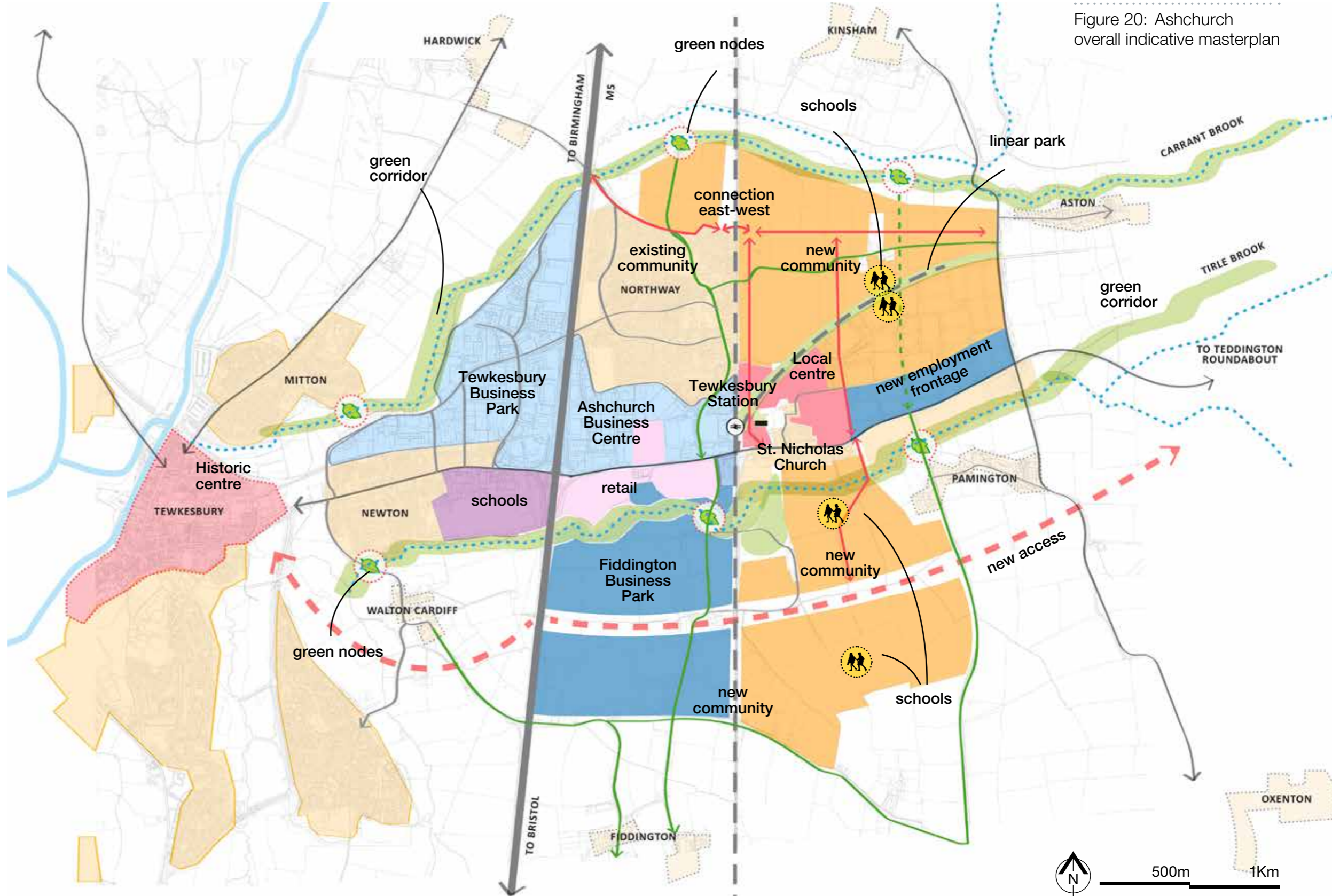
### 3.1 Concept masterplan

This diagram shows the complete Concept Masterplan.

Figure 20: Ashchurch overall indicative masterplan

46

- HISTORIC CENTRE
- MIXED-USE LOCAL CENTRE
- EXISTING COMMITTED RESIDENTIAL AREAS
- POTENTIAL RESIDENTIAL AREAS
- EXISTING EMPLOYMENT AREAS
- POTENTIAL EMPLOYMENT AREAS
- EXISTING SCHOOL
- COMMITTED RETAIL
- EXISTING SMALL SETTLEMENTS
- RAILWAY
- CANAL / BROOK
- NEW TRANSPORT
- CONCEPT SOUTHERN DEVELOPMENT ROAD
- EXISTING QUIET ROADS
- POTENTIAL QUIET ROADS
- POTENTIAL GREEN INFRASTRUCTURE
- KEY LANDSCAPE NODES





### 3.2 Assumptions and approaches

The following assumptions and design approaches have been adopted in the development of the masterplan.

#### Housing Density

Based on our initial analysis there are three distinct existing urban patterns defining the urban form of the study area:

- A. Historic Medieval pattern
- B. 20<sup>th</sup> century cul-de-sac residential pattern
- C. Out of town/ industrial pattern

The observed density of the modern residential settlements is in the range of 24-45 units/ Ha.

In particular the Northway residential community (B2) has an observed net density of approximately 30 units/ Ha.

Figure 21: Existing urban patterns

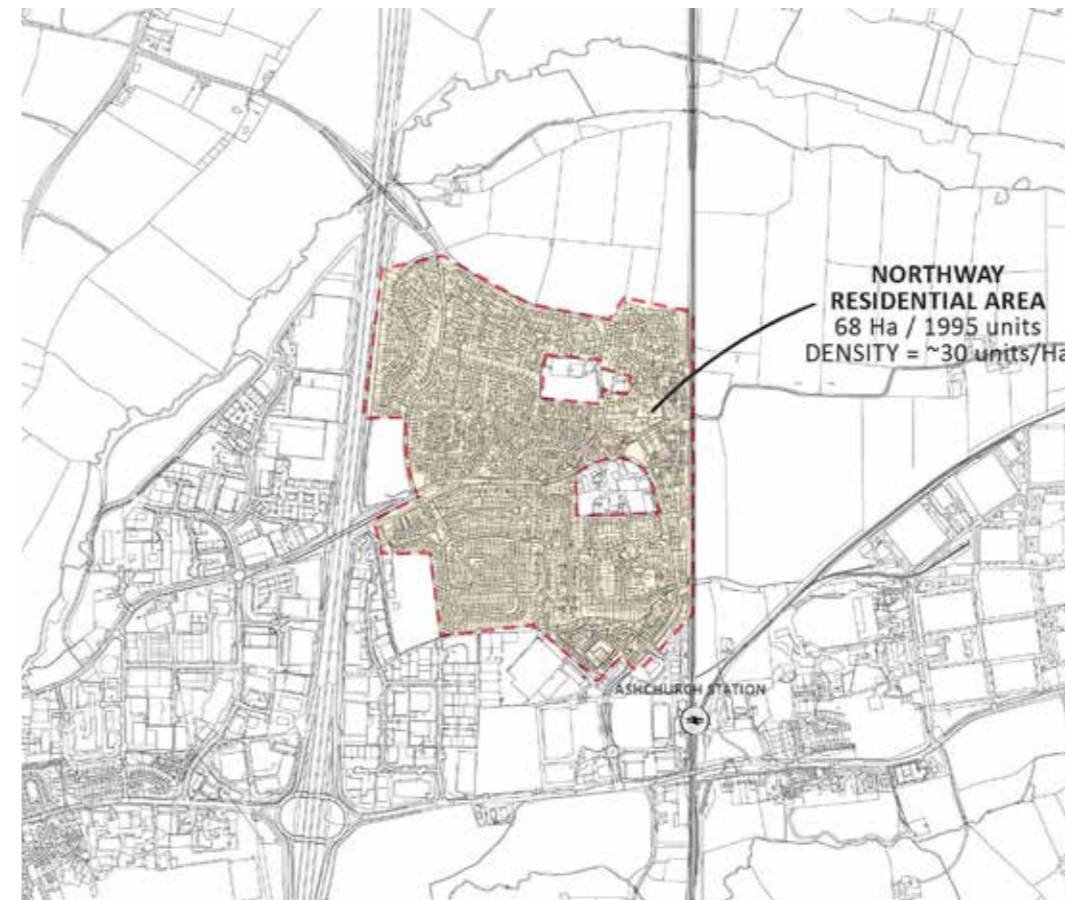
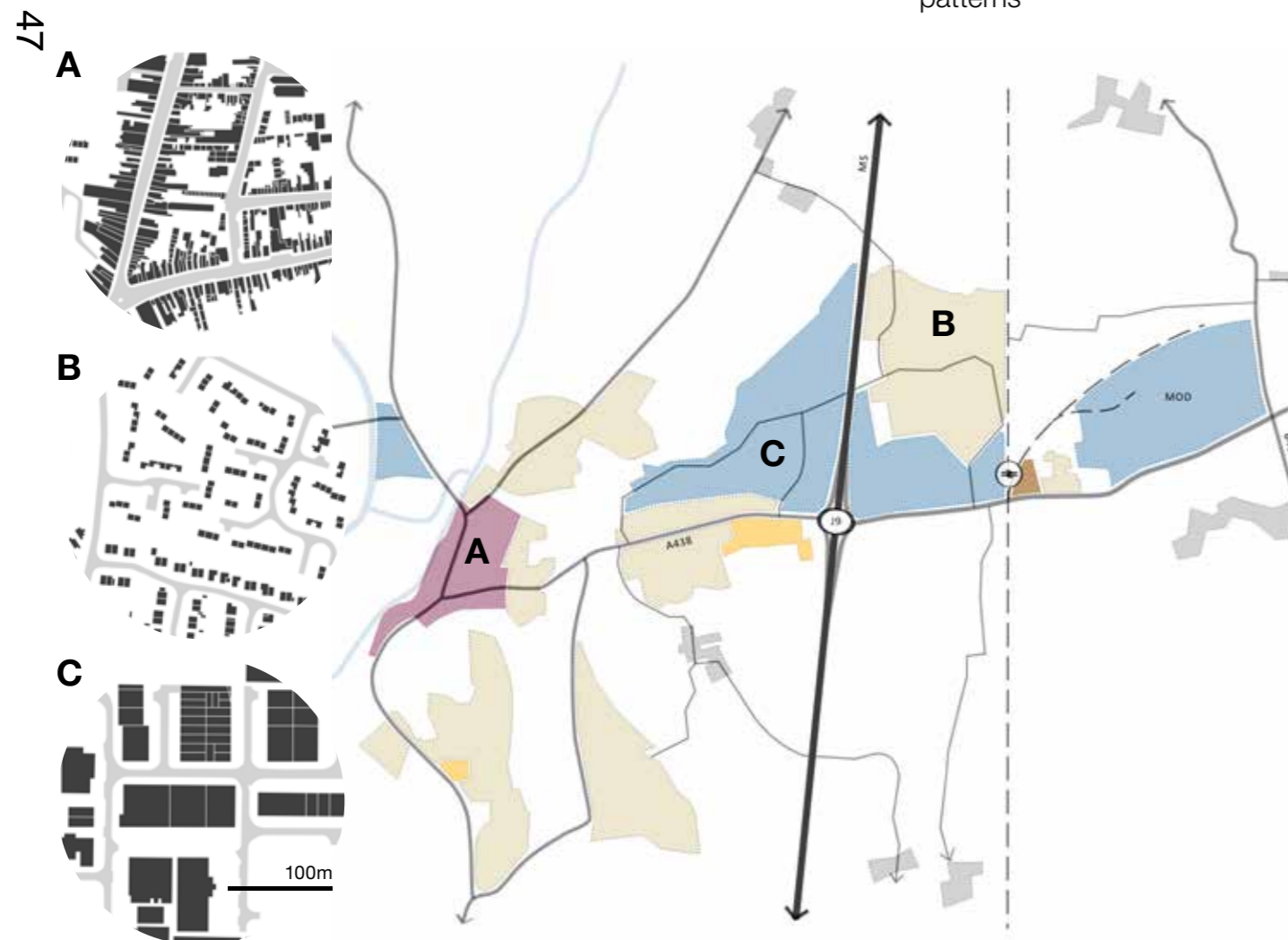


Figure 22: Northway residential development



Figure 23: Density precedents

Comparison with best practice residential examples across the UK shows how different density parameters translate into architecture to shape places with different characteristics.

The examples illustrated on this page show a residential density ranging from 20 to 50 units/Ha:

- Water Colour, Redhill, Surrey (2007): approximately 20 units/Ha
- Poundbury, Dorchester (phase 1 started 1993): approximately 34 units/Ha
- Accordia, Cambridge (started 2003): approximately 40 units/Ha
- Newhall Be, Harlow Essex (completed 2012): approximately 50 units/Ha



Based on this analysis, an average density<sup>1</sup> of 30 units/Ha is considered to best fit the Ashchurch context. This can be blended into a variety of densities to differentiate character areas within the masterplan. For instance, density in the local Ashchurch centre may increase to 50 units/Ha, whereas some of the areas more distant from the centre and in more sensitive landscape settings could decrease to 20 units/Ha.

The role of public open space will be key in creating good quality residential developments at the proposed density.

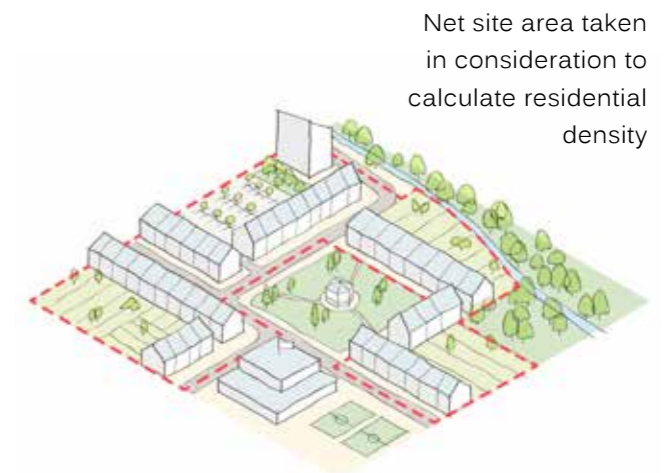
This approach is consistent with best practice examples in similar settlements, but also fits the key masterplan principle of promoting sustainable transport in the area.

<sup>1</sup> The parameters described in this section refer to the definition of net area density (as opposed to gross density).

In calculating density, the net area is defined as the land that is available for residential development or the area of developable land. The measurement of net site area includes access roads within the site; private gardens; car parking areas; and incidental open space and amenity areas. This usually takes into account half the width of adjacent roads. It excludes: flood risk areas as shown on the diagram on this page, buffer zones (e.g. along railway tracks and roads), community uses such as schools and health centres.



Flood risk zones



Net site area taken in consideration to calculate residential density



**Employment density**

The majority of existing employment and light industrial uses in the Ashchurch area are located within Tewkesbury Business Park and Ashchurch Business Centre.

These two areas extend to 110 Ha and, based on travel to work data, support approximately 10,100 jobs. This results in approximately 92 full time employees (FTE) per hectare.

49



Figure 24: Existing major businesses in Ashchurch

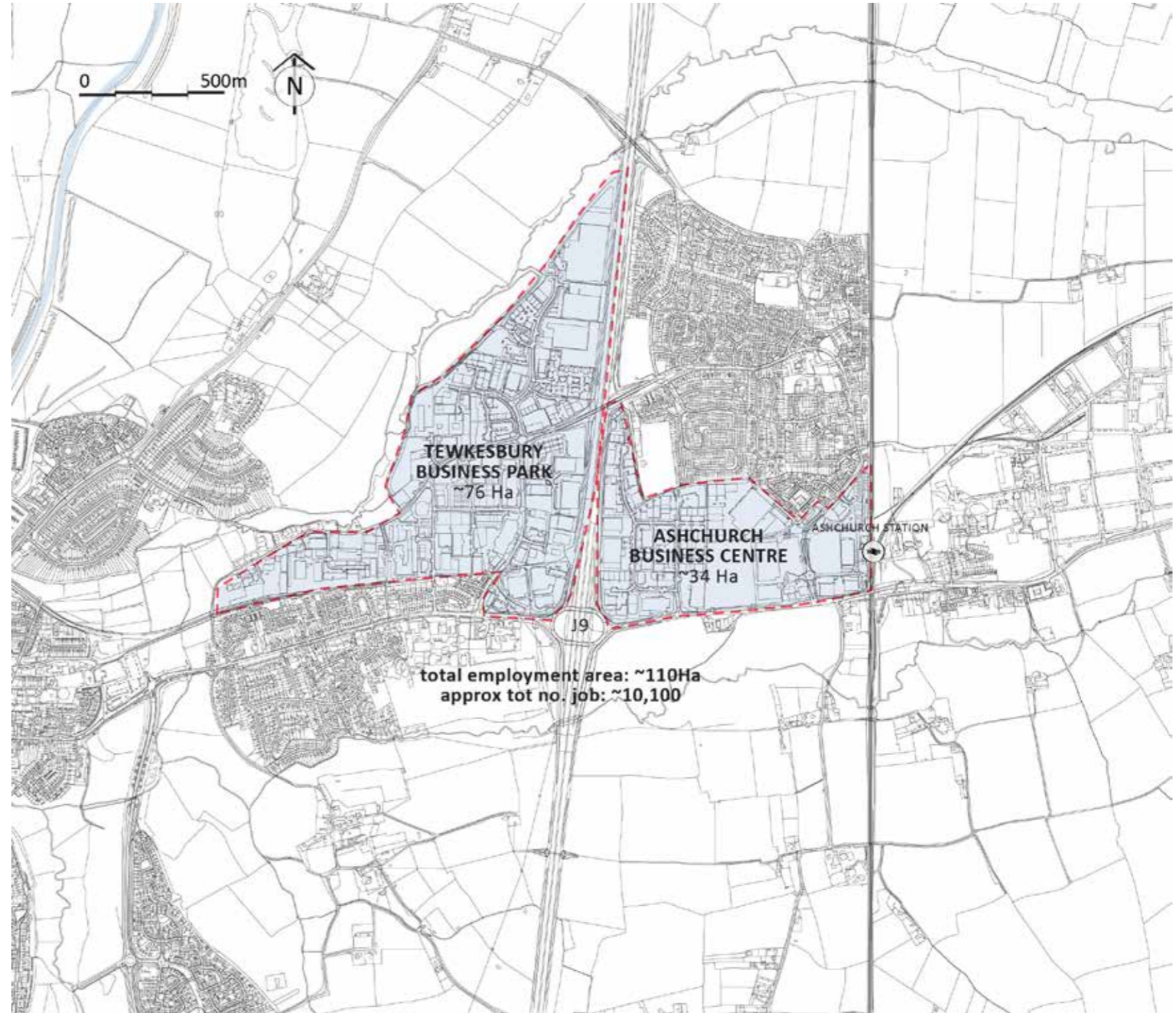


Figure 25: Ashchurch existing employment areas



Based on the assumption that the average plot ratio (building GEA/ site area) is 0.5, a total employment floor area of 550,000m<sup>2</sup> generates an average employment density of 54 m<sup>2</sup>/FTE.

According to the HCA employment density matrix (2015) this value corresponds with the job categories ranging from light industrial to distribution centres (Class B1C, B2, B8 uses).

In preparing the draft masterplan we have illustrated two scenarios for jobs yield - one based on the existing employment density (54m<sup>2</sup>/FTEs), and a second scenario envisaging a denser economic use. This scenario targets an average of 36m<sup>2</sup>/FTEs, which may encompass several types of B floorspace including more Class B1 office use and compact business types such as workspaces, small business premises and workshops in more prominent locations (such as the local centre).

The potential new employment scenario would translate into an increase of roughly 50% of employment density, as shown on the table below.

Figure 27: Scenario 1 - as existing (92 FTEs/Ha)

Scenario 1	no FTEs	site area (Ha)	assumed plot ratio	total empl. GEA (site area x plot ratio)	existing employment density (m <sup>2</sup> /FTEs)	no. FTEs/Ha
	10,100	110	0.5	550000	54	92

Figure 28: Scenario 2 - target density (139 FTEs/Ha)

Scenario 2	target employment density (m <sup>2</sup> /FTEs)	no FTEs (GEA/ employment density)	no. FTEs/Ha
	36	15278	139

50

Use Class	Sub-Category	Sub-Sector	Density (sqm)	Notes
B1a Offices	General Office	Corporate	13	NIA
		Professional Services	12	NIA
		Public Sector	12	NIA
		TMT	11	NIA
		Finance & Insurance	10	NIA
	Call Centres		8	NIA
B1b	R&D Space		40-60	NIA lower densities will be achieved in units with higher provision of shared or communal spaces
B1c	Light Industrial		47	NIA
B2	Industrial & Manufacturing		36	GIA
B8	Storage & Distribution	National Distribution Centre	95	GEA
		Regional Distribution Centre	77	GEA
		'Final Mile' Distribution Centre	70	GEA
Mixed B Class	Small Business Workspace	Incubator	30-60	B1a, B1b - the density will relate to balance between spaces, as the share of B1a increases so too will employment densities.
		Maker Spaces	15-40	B1c, B2, B8 - Difference between 'planned space' density and utilisation due to membership model
		Studio	20-40	B1c, B8
		Co-Working	10-15	B1a - Difference between 'planned space' density and utilisation due to membership model
		Managed Workspace	12-47	B1a, b, c

Figure 26: HCA employment density matrix (2015)



Figure 29: different typologies of employment with different densities: from small works spaces to distribution centres



### 3.3 Urban form and character

Key to the success of the masterplan is that new developments are underpinned by strong and appropriate design principles to achieve the quality that make the Tewkesbury area a place people aspire to live:

- A place that blends into nature
- Make the most of surrounding views
- Permeable and legible pattern, ease of movement and sustainable transport
- Appropriate building scale and massing
- Sensitive roofscape
- High quality landscape of public realm
- Building frontages interacting with streets

Figure 30: Water Colour, Surrey



- Balance of private/ semi-private/ public spaces
- Variety in architectural character
- A range of building typologies to suit a wider demographic
- Balanced mix of uses complementing the residential offer

Figure 31: Accordia, Cambridge





### 3.4 Development phasing

An indicative phasing approach has been defined which aims to establish a coherent strategy for new developments to fit with the existing context and the emerging proposals around the Ashchurch area.

This can be broken down into a short term scenarios matching the local plan period, and longer term growth scenarios.

**Short term**

- Phase 1 extends to 2031, matching the time line proposed by the JCS and aiming to deliver the shortfall of jobs and homes outlined in the document (ie left by the loss of the MoD site). Road transport upgrades would be required to deliver this growth in capacity terms.

**Long term**

- Phase 2 shows potential developments that could happen after 2031, with the potential unlocking of the MOD site;
- Phase 3 includes all the developments whose access would be unlocked by the new vehicular link to the south; and
- Phase 4 goes further, describing potential further expansion of Ashchurch and outlines the final masterplan.

These phases are illustrated in phasing diagrams on the following pages, with the amount of development provided that can be achieved and an indication of necessary infrastructure.

MASTERPLAN SUMMARY	Total number of residential units	Employment			Total site area to retail	Total site area to education
	average density 30 units/Ha	Total site area to employment (Ha)	NO. FTEs		(Ha)	(Ha)
			At a job density of 91 FTEs/Ha	At a job density of 145 FTEs/Ha		
PHASE 1	3180	46	4232	6394	2	1.5
PHASE 2	1485	28	2576	3892	0	1.5
PHASE 3	1185	0	0	0	0	1.5
PHASE 4	2160	46	4232	6394	0	1.5
<b>FINAL MASTERPLAN</b>	<b>8010</b>	<b>120</b>	<b>11040</b>	<b>16680</b>	<b>2</b>	<b>6</b>

Figure 32: Masterplan phasing

### Phasing principles

The following considerations have been made to shape the location and phasing of the concept masterplan:

- Because of the urgent demand for employment land, commercial areas are allocated in Phase 1 on areas directly accessible from existing / easily opened connections, namely the Fiddington area, enabling existing businesses to grow and new businesses to locate here.
- Land around the Railway Station and St. Nicholas Church has been allocated as mixed-use with the aim of becoming the new local centre for Ashchurch and a place of arrival from the station.
- The release of the MOD land is currently uncertain and will be reviewed in 10 years. Smaller releases to the west and east are being evaluated at the time of report preparation. Due to this uncertainty, the MOD land has been introduced in Phase 2. Some MOD land becomes part of the mixed-use quarter, whereas the southern strip along the A46 is more suitable for employment development because of its visibility/proximity from the road.
- The HCA owns a piece of land located between the railway tracks and St. Nicholas Church (highlighted in red on this diagram). This lands is immediately available for delivery and its development is key to allow connections and therefore enable access to the northern areas
- Areas facing onto flood zones along the two brooks are considered as

buffer/amenity areas. Here, residential development is envisaged in decreasing density, integrating with nature at the edge.

- The masterplan concentrates on developing land to the eastern side of the railway tracks first, with the aim of creating a compact community with walkable neighbourhoods that eliminate fragmentation.
- In phase 4 the concept masterplan allows for potential future expansion to the south.

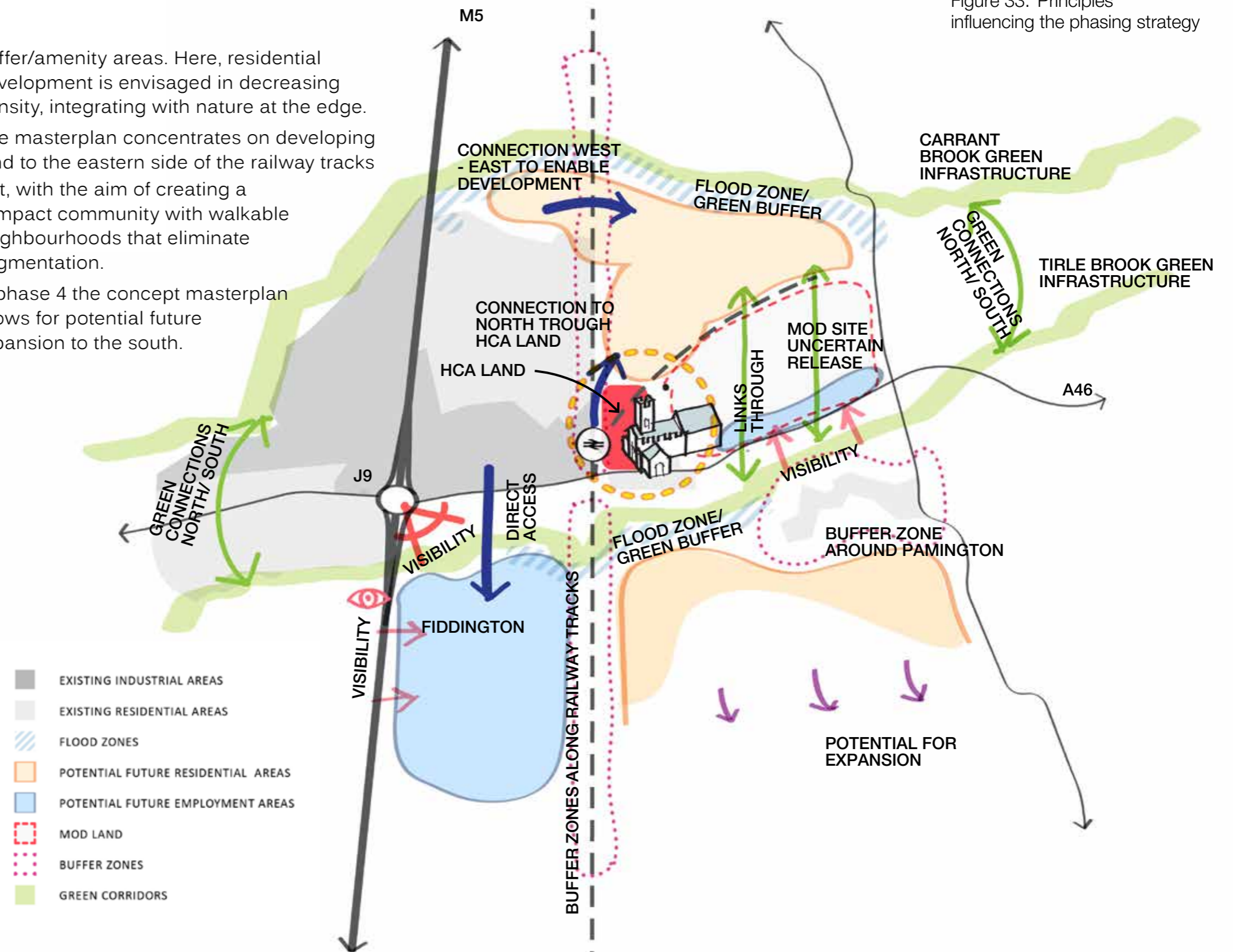


Figure 33: Principles influencing the phasing strategy



### Masterplan sites

This plan shows the sites taken into consideration and tested in developing the masterplan.

These sites are categorised as:

- Sites with planning approval
- Residential sites put forward through the SALA process
- Land owned by the HCA and ready to be developed (deliverable)
- Sites subject to planning application
- Land identified by this masterplan that may be developable in future, but whose availability is unconfirmed.

Some of these sites have been excluded from the final masterplan because they have been considered too far from the core of development.

The parcels of land identified by this masterplan but whose availability is unconfirmed have mostly been considered as part of the final phases of the masterplan process, as their release is considered more challenging.

Site numbers correspond to the phasing tables on the following pages.

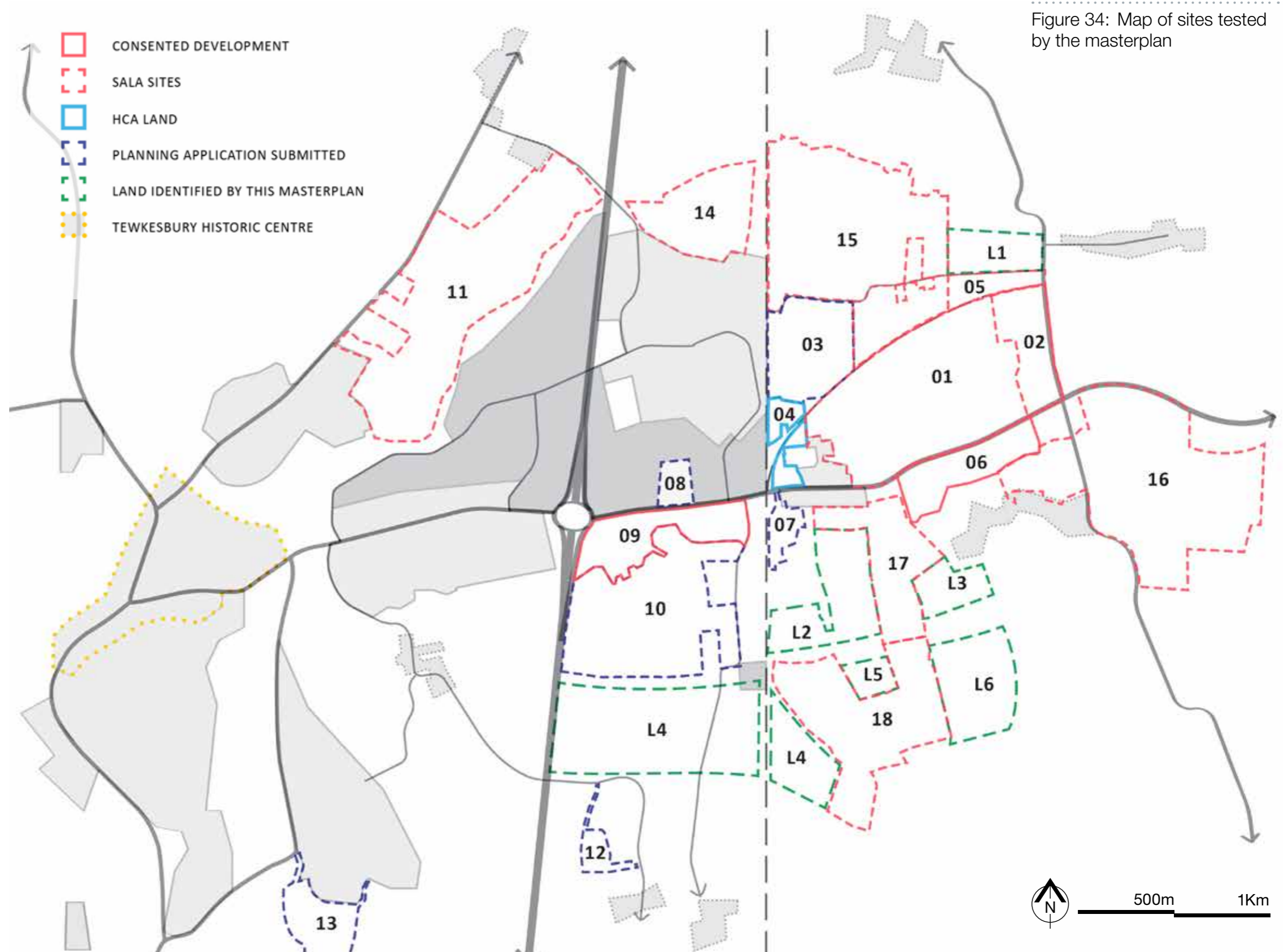


Figure 34: Map of sites tested by the masterplan



**Pre-Masterplan**

This plan shows the existing Ashchurch context with the permitted development pipeline, which is considered to be the starting pre-masterplan scenario.

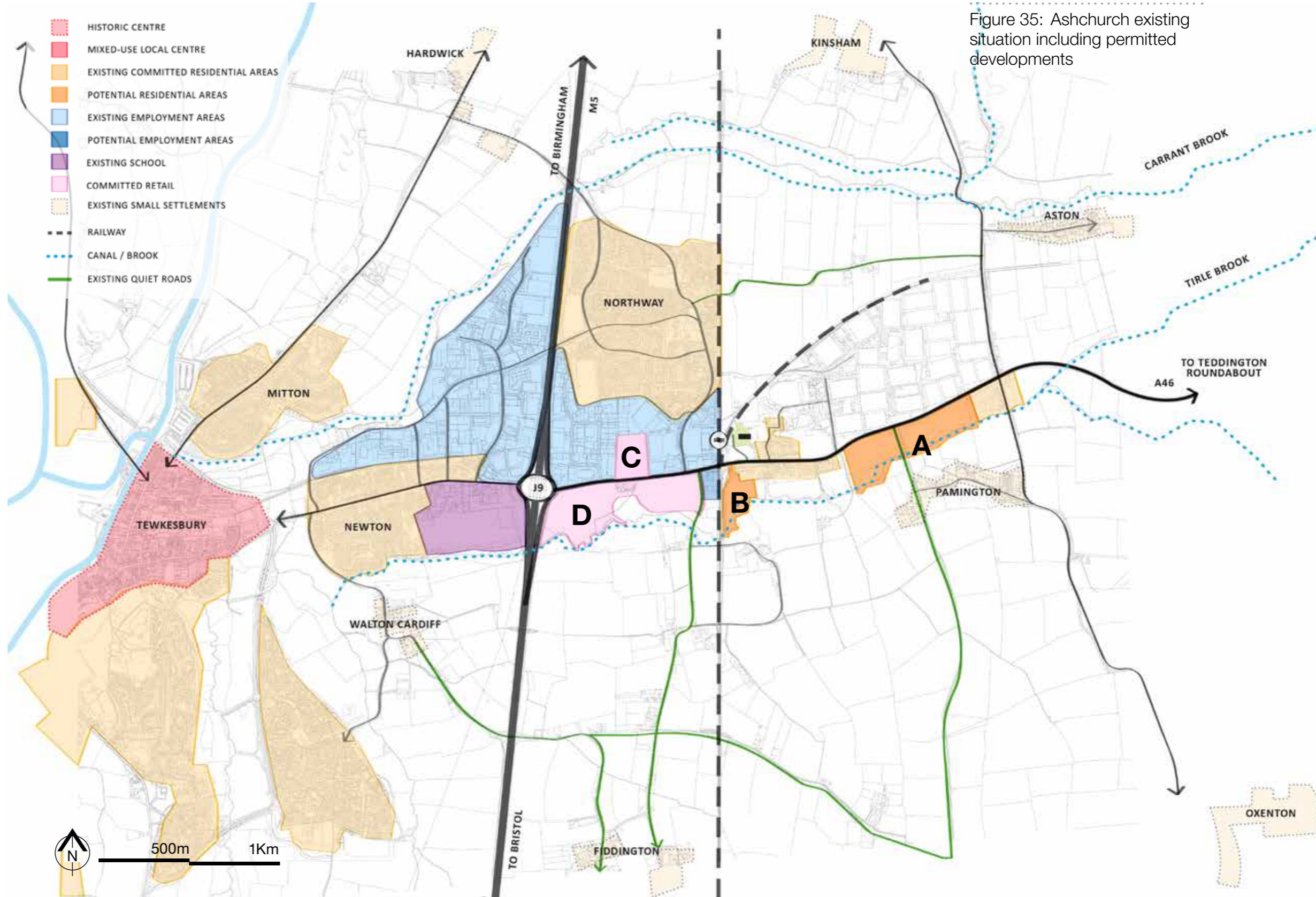


Figure 35: Ashchurch existing situation including permitted developments



**Phase 1 - to 2031**

Phase 1 envisages the development of the areas north of the MOD base, the HCA land and the Fiddington site, delivering:

- 3,180 new homes
- 46 Ha new employment land
- local centre with retail/services
- new primary school
- northern Green Infrastructure corridor

PHASE 1		SITE AREA
		Ha
3	MOD Hitchins (Aston Fields Lane)	21.5
4	MoD HCA Land	6
5	Land east of MoD Hitchins	6.5
10	Fiddington	48
14	Land at Northway	22.5
15	Land north of Ashchurch depot	76
L1	additional land near Aston	10

In terms of transport:

- There is not a transport solution yet for this quantum of development in this phase. This is a gap in the current Concept Masterplan.
- All development loads onto current A46.
- Northern link needed with crossing over mainline rail, joining up existing roads.

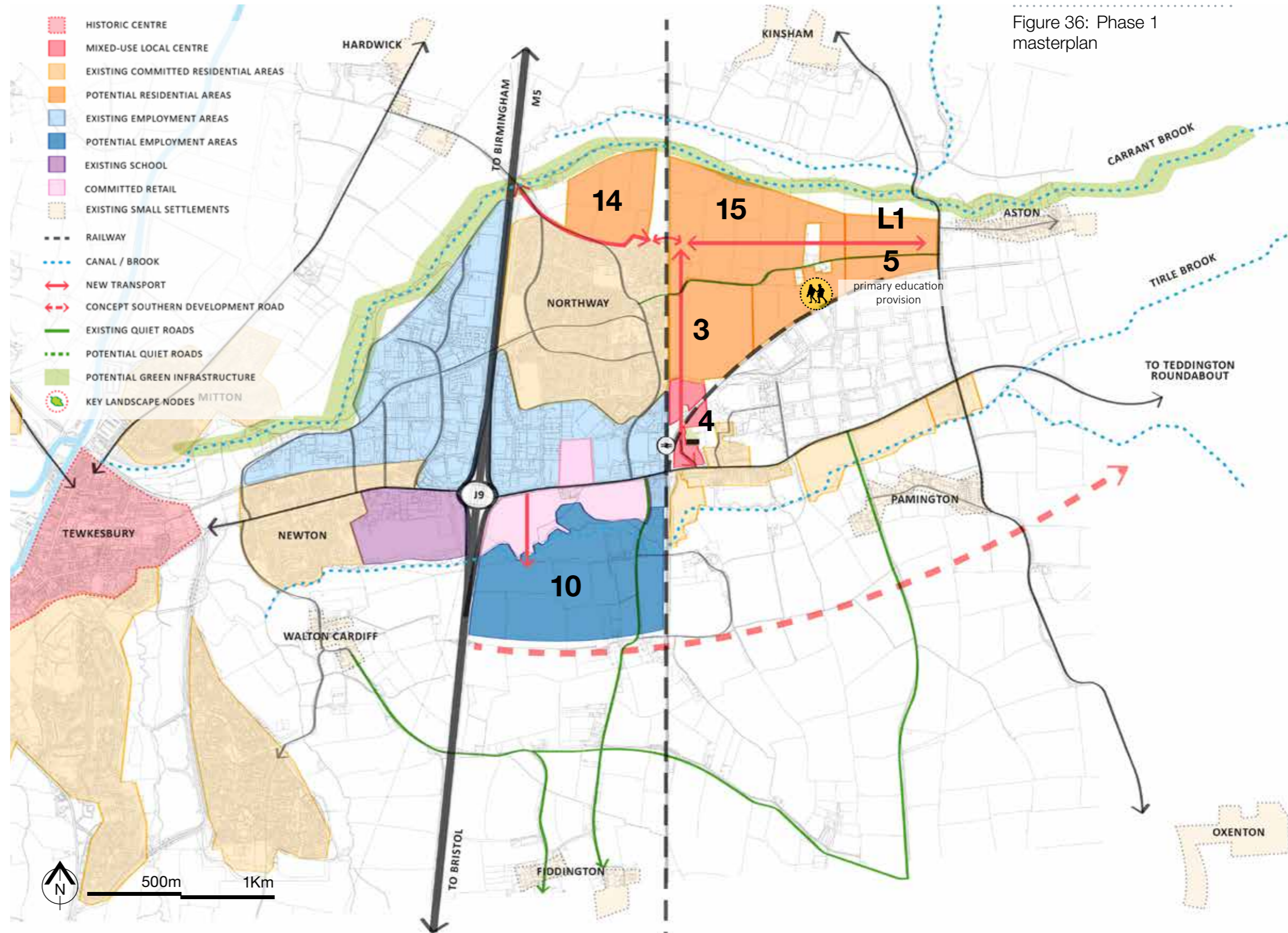
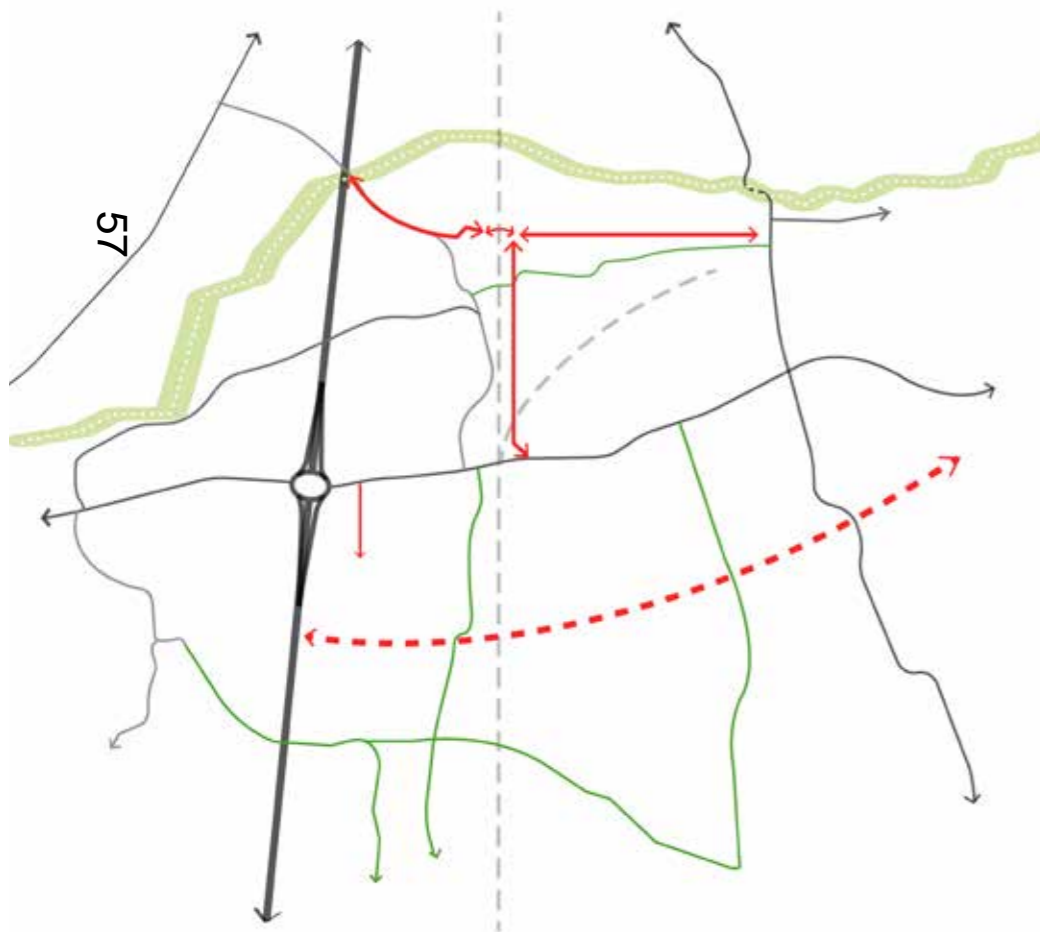


Figure 36: Phase 1 masterplan

Figure 37: Phase 1 area schedule

Additions to the existing road pattern necessary to enable phase 1 development are illustrated on the diagram below.

There is a gap in the Concept Masterplan as to how this quantum of development in this Phase is supported. Further consideration needs to be given to bringing forward the southern development road.



- EXISTING ROADS
- NEW ROADS
- - - CONCEPT SOUTHERN DEVELOPMENT ROAD
- EXISTING QUIET ROADS
- - - NEW QUIET ROADS
- GREEN LINKS

ASHCHURCH		RESI			RETAIL	EMPLOYMENT		
PHASE 1	SITE AREA Ha	SITE AREA TO RESI Ha	PROPOSED DENSITY units/Ha	INDICATIVE NO. RESI UNITS	SITE AREA TO RETAIL Ha	SITE AREA TO EMPLOYMENT Ha	existing no. FTEs/Ha 92	potential increased no.FTEs/Ha 139
							Scenario 1* NO. FTEs	Scenario 2* NO. FTEs
1	MoD Army Camp	64						
2	MoD east	15						
3	MOD Hitchins (Aston Fields Lane)	21.5	18	30				
4	MoD HCA Land	6	3	30	2	1	92	139
5	Land east of MoD Hitchins	6.5	6.5	30				
10	Fiddington	48				45	4140	6255
14	Land at Northway	22.5	14	30				
15	Land north of Ashchurch depot	76	54.5	30				
16	Land at Pamington Farm	78.5						
17	Land at Fitzhammon Park	22						
18	Land south of Smow Farm	43.5						
L1	additional land near Aston	10	10	30				
<b>TOTAL</b>		<b>413.5</b>	<b>106</b>	<b>N/A</b>	<b>3180</b>	<b>2</b>	<b>4232</b>	<b>6394</b>

The total number of jobs and homes delivered by Phase 1 (highlighted in yellow) is summarized in the area schedule on this page.

\*FTEs/Ha for scenario 1 and 2 refer to the parameters explained on p.21 of this report



### Phase 2 - MOD release

Phase 2 includes the MOD land, achieving a total of :

- 4,665 new homes (+1,485 homes)
- 74 Ha new employment land (+28 Ha)
- New primary/secondary school
- Extension to local centre and retail/facilities
- Local walking/cycling routes
- North-south Green Infrastructure routes

58

PHASE 2		SITE AREA
		Ha
1	MoD Army Camp	64
2	MoD east	15

In terms of transport:

- MOD release pre/post A46 improvements – not deliverable without southern road addressing A46 congestion
- Assumes MOD railway disused therefore north/south access road enabled

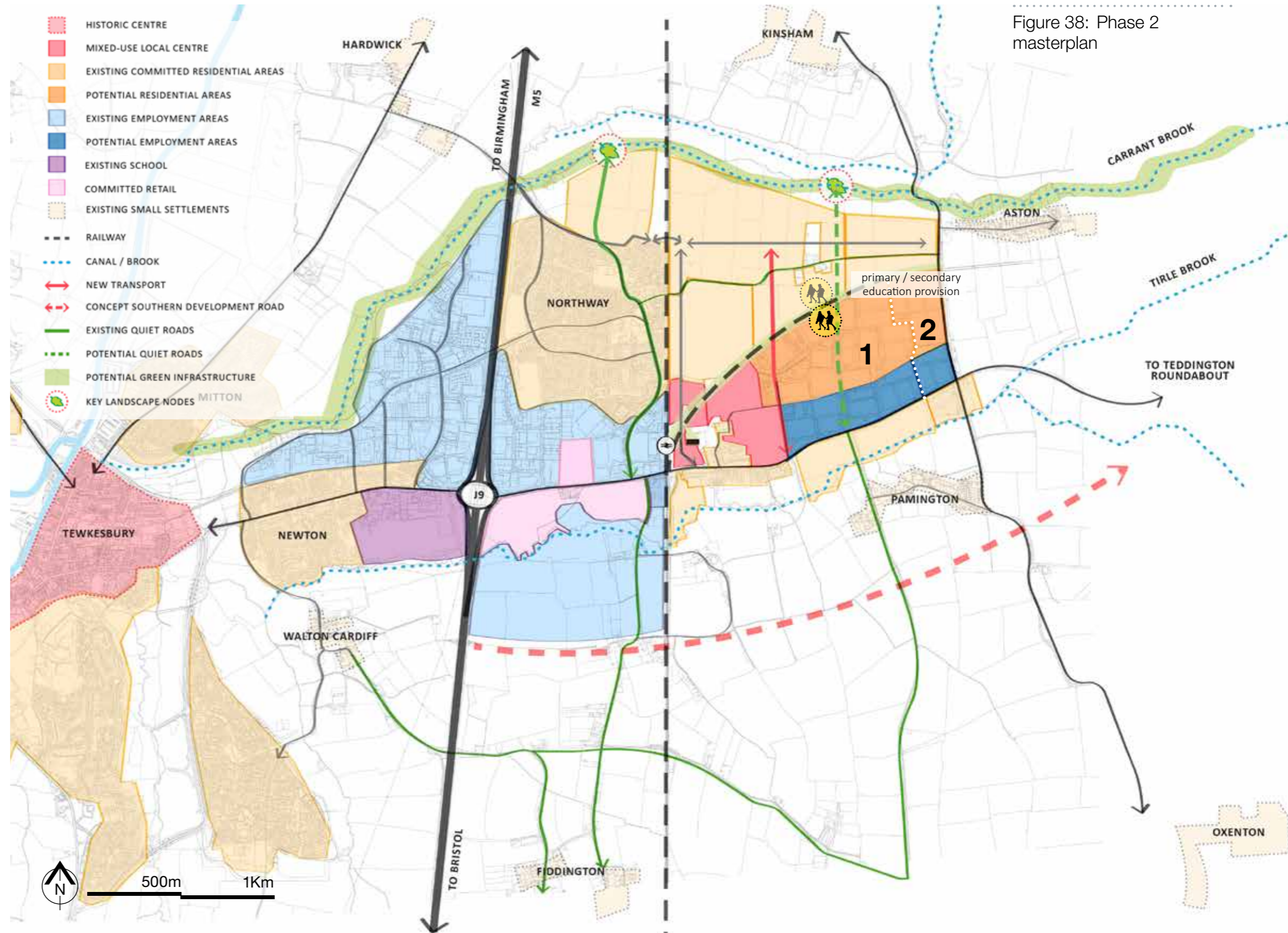
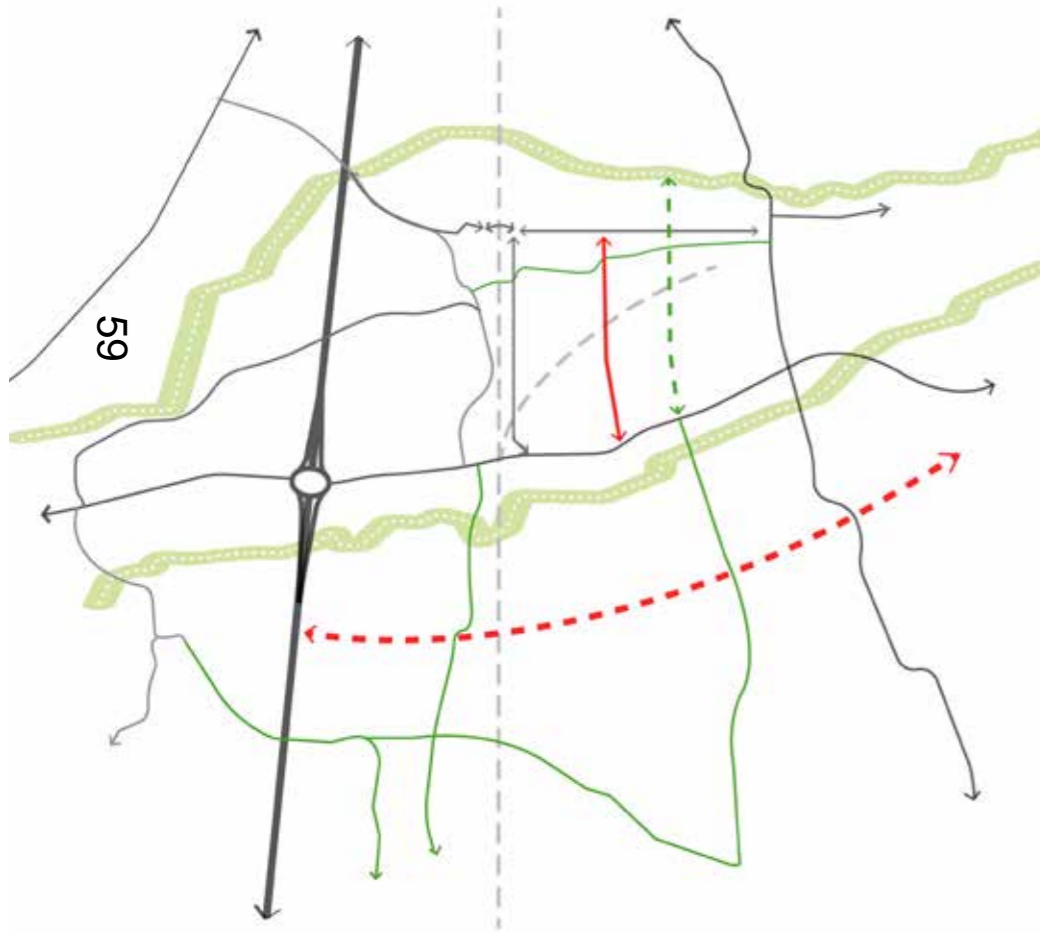


Figure 38: Phase 2 masterplan

Figure 39: Phase 2 area schedule

Additions to the existing road pattern necessary to enable phase 2 development are illustrated on the diagram below.



- EXISTING ROADS
- ↔ NEW ROADS
- ↔ CONCEPT SOUTHERN DEVELOPMENT ROAD
- EXISTING QUIET ROADS
- ↔ NEW QUIET ROADS
- GREEN LINKS

ASHCHURCH		RESI			RETAIL	EMPLOYMENT		
PHASE 2	SITE AREA Ha	SITE AREA TO RESI Ha	PROPOSED DENSITY units/Ha	INDICATIVE NO. RESI UNITS	SITE AREA TO RETAIL Ha	SITE AREA TO EMPLOYMENT Ha	existing no. FTEs/Ha 92	potential increased no.FTEs/Ha 139
							Scenario 1* NO. FTEs	Scenario 2* NO. FTEs
1	MoD Army Camp	64	38.5	30	1155	24	2208	3336
2	MoD east	15	11	30	330	4	368	556
3	MOD Hitchins (Aston Fields Lane)	21.5	18	30	540			
4	MoD HCA Land	6	3	30	90	2	92	139
5	Land east of MoD Hitchins	6.5	6.5	30	195			
10	Fiddington	48				45	4140	6255
14	Land at Northway	22.5	14	30	420			
15	Land north of Ashchurch depot	76	54.5	30	1635			
16	Land at Pamington Farm	78.5						
17	Land at Fitzhammon Park	22						
18	Land south of Smow Farm	43.5						
L1	additional land near Aston	10	10	30	300			
<b>TOTAL</b>		<b>413.5</b>	<b>155.5</b>	<b>N/A</b>	<b>4665</b>	<b>2</b>	<b>6808</b>	<b>10286</b>

The total number of jobs and homes delivered by Phase 2 (highlighted in yellow) is summarized in the area schedule on this page.

\*FTEs/Ha for scenario 1 and 2 refer to the parameters explained on p.21 of this report



### Phase 3 - Southern expansion

Phase 3 includes the development parcels which would be accessible following the creation of the new southern link road. This phase achieves a total of:

- 5,850 new homes (+1,185 homes)
- 74 Ha new employment land (+0 Ha)
- New primary school
- Southern Green Infrastructure corridor

60 PHASE 3		SITE AREA
		Ha
10	Fiddington	48
17	Land at Fitzhammon Park	22
L2	additional land east of railway	16
L3	additional land near Pamington	8

In terms of transport:

- A46 could become a local road
- Development site area between current A46 and new road is dependent on alignment
- New southern development road provides direct access to employment area (Fiddington) and residential areas, relieving pressure on A46
- Possible parallel service/ access road

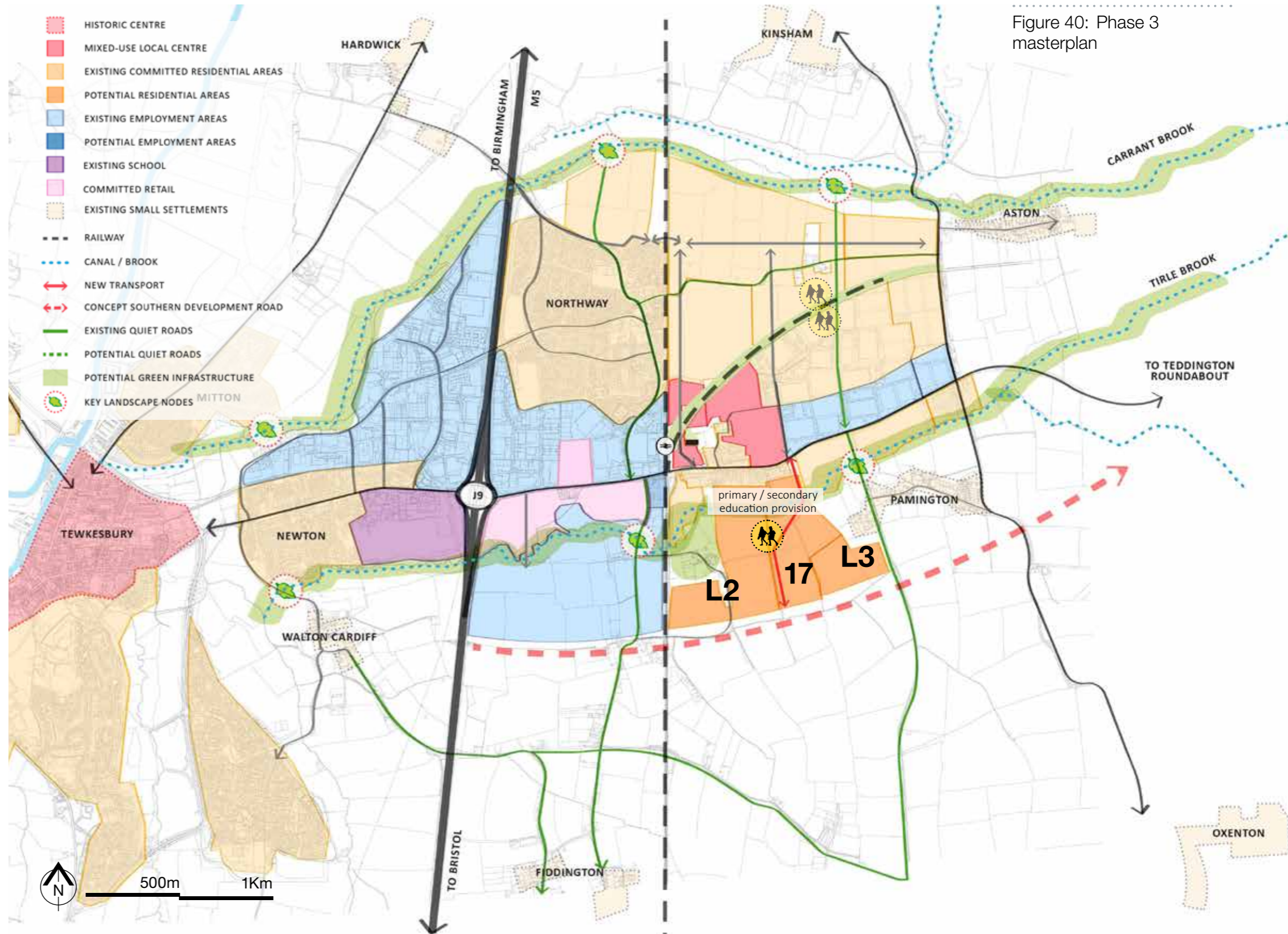
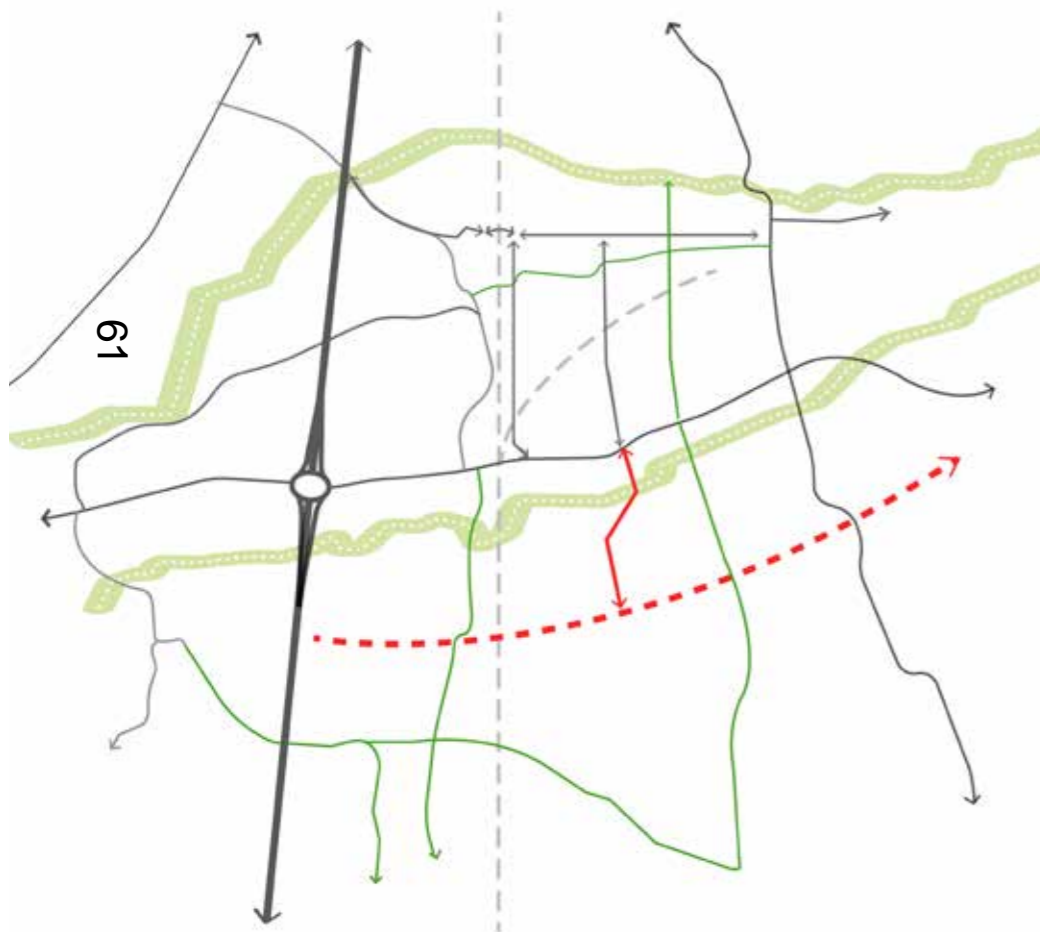


Figure 40: Phase 3 masterplan

Figure 41: Phase 3 area schedule

Additions to the existing road pattern necessary to enable phase 3 development are illustrated on the diagram below.



ASHCHURCH		RESI			RETAIL	EMPLOYMENT			
PHASE 3	SITE AREA Ha	SITE AREA TO RESI Ha	PROPOSED DENSITY units/Ha	INDICATIVE NO. RESI UNITS	SITE AREA TO RETAIL Ha	SITE AREA TO EMPLOYMENT Ha	existing no. FTEs/Ha 92	potential increased no.FTEs/Ha 139	
							Scenario 1* NO. FTEs	Scenario 2* NO. FTEs	
1	MoD Army Camp	64	38.5	30	1155		24	2208	3336
2	MoD east	15	11	30	330		4	368	556
3	MOD Hitchins (Aston Fields Lane)	21.5	18	30	540				
4	MoD HCA Land	6	3	30	90	2	1	92	139
5	Land east of MoD Hitchins	6.5	6.5	30	195				
10	Fiddington	48					45	4140	6255
14	Land at Northway	22.5	14	30	420				
15	Land north of Ashchurch depot	76	54.5	30	1635				
16	Land at Pamington Farm	78.5							
17	Land at Fitzhammon Park	22	15.5	30	465				
18	Land south of Smow Farm	43.5							
L1	additional land near Aston	10	10	30	300				
L2	additional land east of railway	16	16	30	480				
L3	additional land near Pamington	8	8	30	240				
TOTAL		437.5	195	N/A	5850	2	74	6808	10286

The total number of jobs and homes delivered by Phase 3 (highlighted in yellow) is summarized in the area schedule on this page.

\*FTEs/Ha for scenario 1 and 2 refer to the parameters explained on p.21 of this report

- EXISTING ROADS
- ↔ NEW ROADS
- ↔ CONCEPT SOUTHERN DEVELOPMENT ROAD
- EXISTING QUIET ROADS
- ↔ NEW QUIET ROADS
- GREEN LINKS



### Phase 4 - Future expansion

Phase 4 shows the future potential of the southern area, completing the masterplan. In total this could deliver up to:

- 8,010 new homes (+2,160 homes)
- 120 Ha employment land (+46 Ha)
- New primary/secondary school
- Continuation of Green Infrastructure network

62 PHASE 4		SITE AREA
		Ha
18	Land south of Smow Farm	43.5
L4	additional land south of Fiddington	58
L5	additional land south of new road	4
L6	additional land south of Pamington	20

In terms of transport:

- Southern road grants access to southern development
- Potential for southern road to link to Tewkesbury in the future

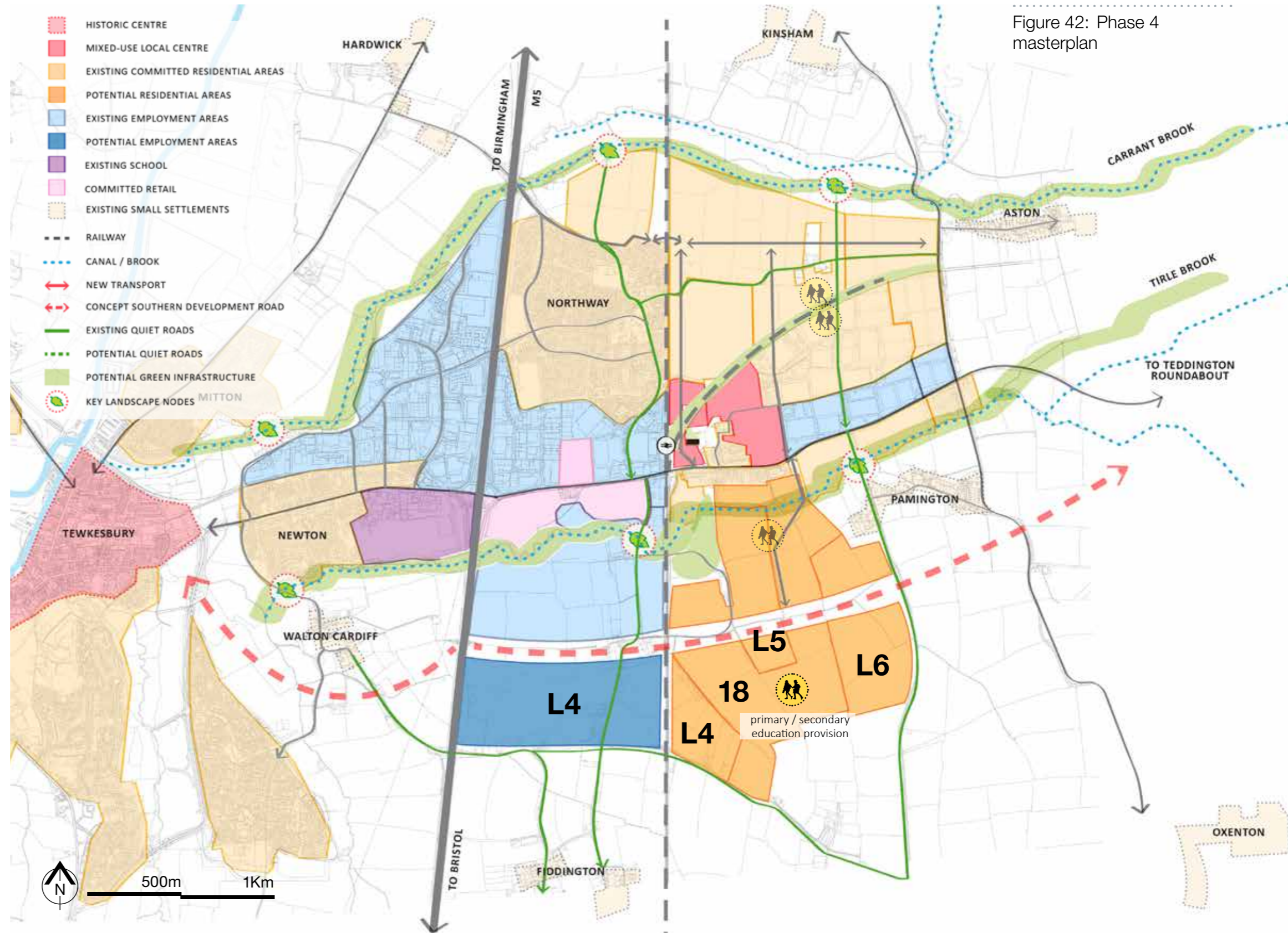
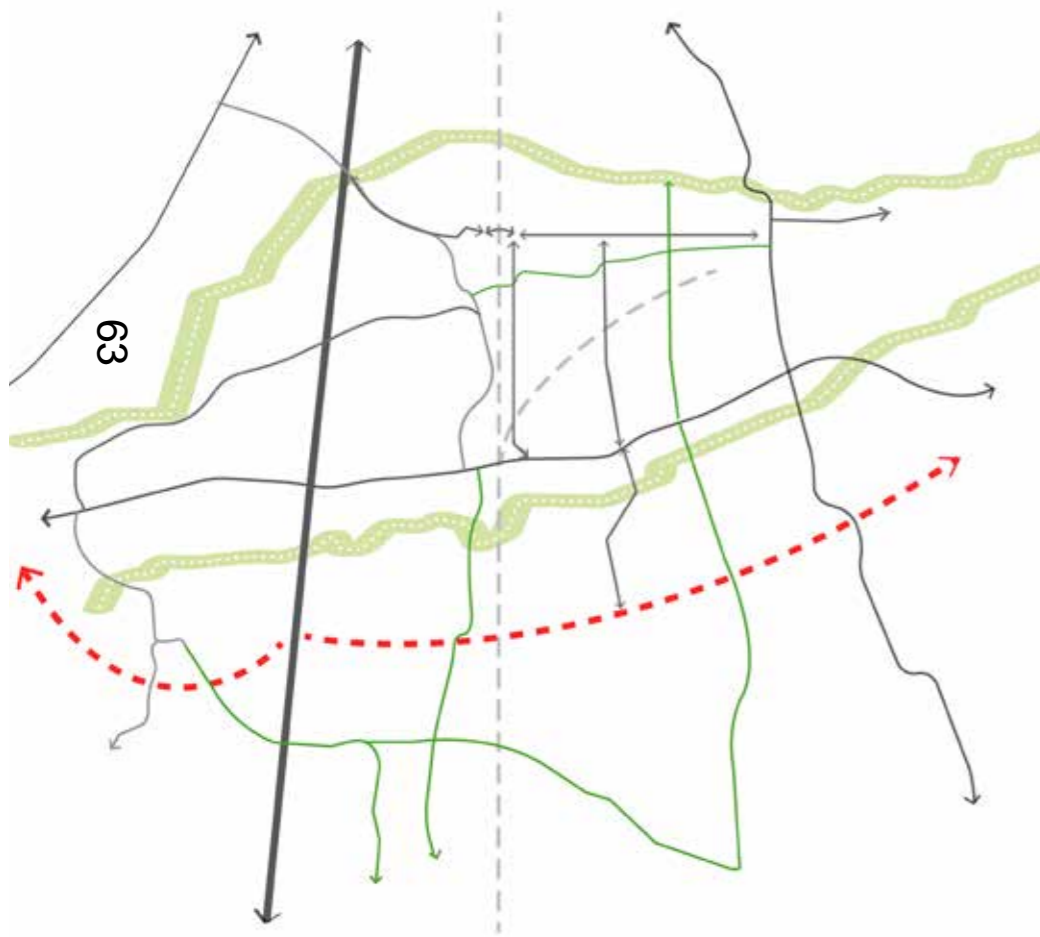


Figure 42: Phase 4 masterplan

Figure 43: Phase 4 area schedule

Additions to the existing road pattern necessary to enable phase 4 development are illustrated on the diagram below.



- EXISTING ROADS
- NEW ROADS
- CONCEPT SOUTHERN DEVELOPMENT ROAD
- EXISTING QUIET ROADS
- NEW QUIET ROADS
- GREEN LINKS

ASHCHURCH		RESI			RETAIL	EMPLOYMENT			
		PHASE 4	SITE AREA	SITE AREA TO RESI	PROPOSED DENSITY	INDICATIVE NO. RESI UNITS	SITE AREA TO RETAIL	SITE AREA TO EMPLOYMENT	existing no. FTEs/Ha 92
Ha	Ha		units/Ha	Ha	Ha		Scenario 1* NO. FTEs	Scenario 2* NO. FTEs	
1	MoD Army Camp	64	38.5	30		24		2208	3336
2	MoD east	15	11	30		4		368	556
3	MOD Hitchins (Aston Fields Lane)	21.5	18	30					
4	MoD HCA Land	6	3	30	2	1		92	139
5	Land east of MoD Hitchins	6.5	6.5	30					
10	Fiddington	48				45		4140	6255
14	Land at Northway	22.5	14	30					
15	Land north of Ashchurch depot	76	54.5	30					
16	Land at Pamington Farm	78.5							
17	Land at Fitzhammon Park	22	15.5	30					
18	Land south of Smow Farm	43.5	36	30					
L1	additional land near Aston	10	10	30					
L2	additional land east of railway	16	16	30					
L3	additional land near Pamington	8	8	30					
L4	additional land south of Fiddington	58	12	30		46		4232	6394
L5	additional land south of new road	4	4	30					
L6	additional land south of Pamington	20	20	30					
<b>TOTAL</b>		519.5	267	N/A	8010	2	120	11040	16680

The total number of jobs and homes delivered by Phase 4 (highlighted in yellow) is summarized in the area schedule on this page.

\*FTEs/Ha for scenario 1 and 2 refer to the parameters explained on p.21 of this report





## 4.1 Transport strategy

### Movement in Ashchurch Today

The road network tends to dominate movement issues in the Ashchurch area with long-standing concerns regarding the M5 and Junction 9 (J9) and the A46 overshadowing other opportunities relating to walking, cycling, bus and rail movement. Before considering how the masterplan development ambitions may be delivered in movement terms, present day movement issues and opportunities are summarised, beginning with that tending to attract the most attention, the road network.

### Road Network

The study area is dominated by the key road corridors of the M5, running north-south and the A46, east-west. Although conferring considerable local and strategic connectivity benefits by road, both corridors present several major issues for the area and local people, including community severance, challenging walking and cycling conditions and significant congestion impacts for all road users, including bus services.

Both road corridors have been subject to considerable technical study over many years, with work ongoing by Highways England, Gloucestershire County Council (GCC), Midlands Connect and the A46 Partnership Group. The consensus of these studies is that the provision of a new off-line corridor to supplement the A46 would be of significant benefit although there is no currently promoted alignment or delivery

programme for this route. It offers the prospect of: relieving the wider strategic road network; assisting development access via the relieved A46; and reducing traffic flows on the A46 alignment to the benefit of walking, cycling, bus movement and local amenity.

Key road network concerns relate to where road infrastructure is under pressure, incomplete or absent, and is summarised below:

- M5 J9 – northbound off-slip hard shoulder vehicle queuing and blocking-back representing a significant safety concern;
- A46 junctions and accesses through Ashchurch contributing to corridor congestion issues;
- Ashchurch Business Park connection to the A46 congestion during the evening peak period;
- A438 Ashchurch Road – congested during peak periods;
- A438 Ashchurch Road / Shannon Way congestion – development related improvements are planned which may include J9 improvements too [see note below on the Short Term Access Strategy];
- The A46 railway overbridge limits road width to a single lane in either direction; and
- Aston Cross junction – highway capacity



constraint by development on all arms with congestion during peak hours.

### The Road Network and Development Impact

#### Short Term Access Strategy

In parallel with the work undertaken in support of this masterplan, a road network traffic modelling study has been progressed separately to develop a short-term access strategy for development sites within the study area. The work, commissioned by

Gloucestershire County Council on behalf of Tewkesbury Borough Council, developed and applied a Paramics microsimulation model to assess the highways impact of a number of scenarios around the A46 corridor to facilitate site access.

The traffic model tests indicated that the assumed scale of development could have a significant impact on the highway network as there is insufficient capacity to absorb additional demand. Without additional measures being employed, there was a significant increase in delays and journey times along all key routes, including the A46.



The most significant intervention tested in the study was a new Northern Access Road proposal to cross the railway, connecting between Aston Fields Lane and Hardwick Bank Road and effecting closure of the level crossing. This provides an alternative east-west route and distributes traffic movements more widely across the road network. However, the modelling results indicated that this intervention would not be able to support additional growth taking place on the western MOD site (900 homes), leading

to significant congestion and delays.

Other scenarios, varying by physical intervention (link and junction improvements) and development demand, were also tested, though not a scenario with maximum development demand and the full range of physical interventions in place. The reason given was that the resultant delays were deemed to be at an unacceptable level, thus emphasising the limitations of these relatively localised and modest junction and road link improvements.

In summary, this study's findings indicate that although there is some evident benefit in enabling development access to specific land parcels in the short term through localised link and junction improvements, such measures will be of limited benefit, either in the near term or beyond in considering more ambitious development proposals. The prevailing issues of traffic demand, related vehicle delays and the limited road network connections available mean that more substantial and comprehensive road infrastructure improvement is required to support anticipated development. To minimise the related negative impacts of such infrastructure, severance, noise, visual impact etc, and to provide a more positive and active movement and living environment, then a related and comprehensive approach is required, predicated on sustainable transport.

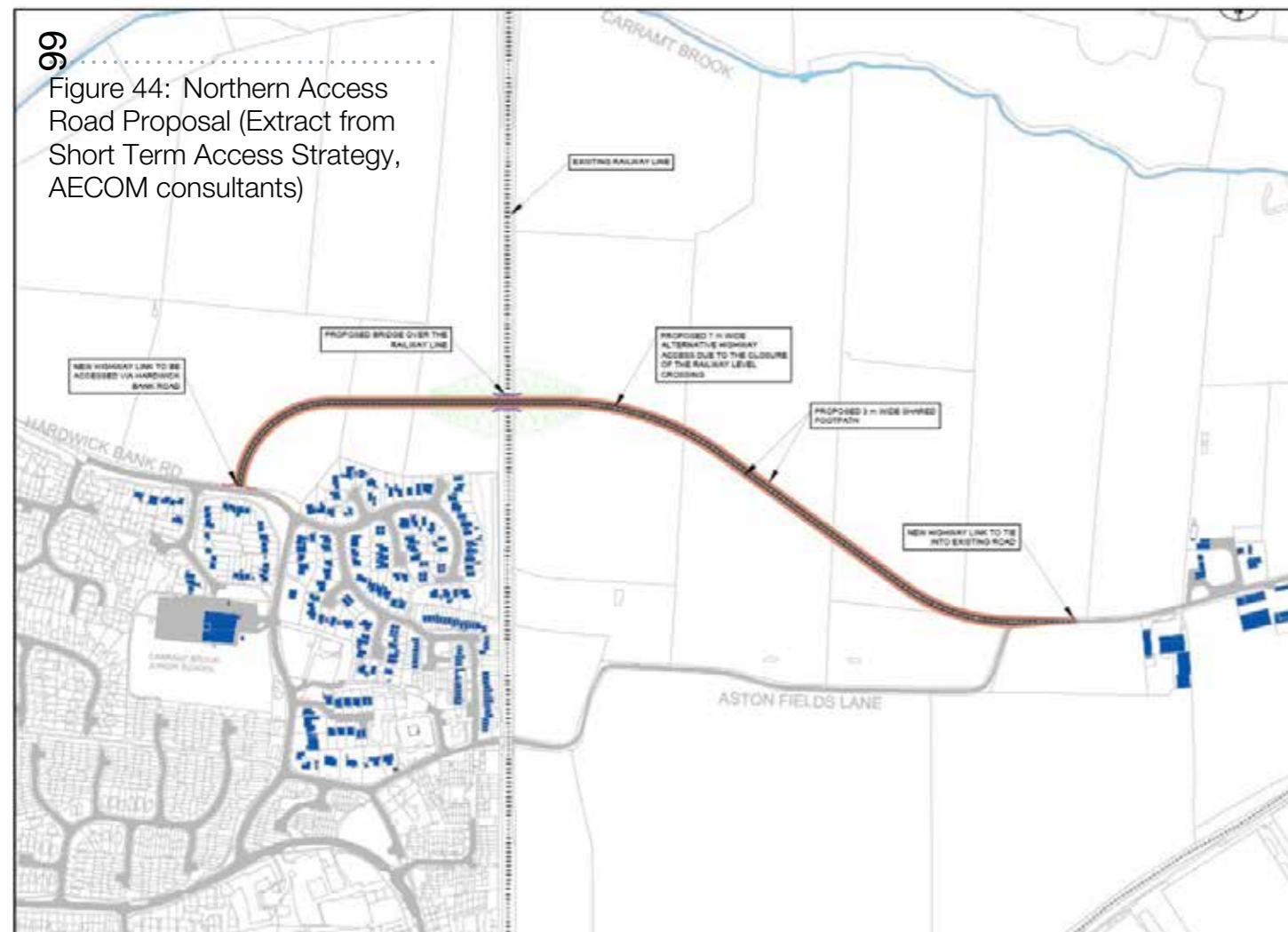
#### Masterplan High Level Development Impact Assessment

To inform this report, a separate and high-level assessment of the highway impacts of the masterplan has been undertaken by estimating the scale of trip generation that the masterplan would generate at the local (masterplan area) level.

The analysis estimated the number of trips for each development site using trip rates derived from technical work underpinning the Joint Core Strategy and also from the national TRICS trip rate database. Trip distributions and modal splits were taken from Census 2011 data.

The key findings of this analysis are:

- the scale of the development and estimated impact for all development phases would require significant increases in capacity on the A46 and at the M5 Junction 9, with later phases requiring provision of a dedicated new east-west road link to the south of the development area to provide specific development area access;
- the daily movement profile for the employment land use is especially onerous in terms of vehicle trips on the M5 northbound off-slip - a particular issue due to the congestion pressures and associated safety concerns experienced currently; and
- the volume of trips through the residential Northway area is such that managing that flow should be very carefully considered to minimise traffic impact on residents.



We also note that the information supplied by GCC's transport consultants indicates that the modelled JCS growth was distributed over a wide area including Ashchurch, Pamington, Fiddington and Bishops Cleeve. Concentrating this demand into a tighter area around Ashchurch places greater pressure on the local highway network, particularly the A46, serving to emphasise the road network's shortcomings in responding to development demand.

At the highest level, the principal conclusion confirms the common understanding that the existing road network offers little in the way of further capacity for additional development. Therefore, this report recommends that to accommodate very substantial growth in the Ashchurch area, major development delivery road infrastructure and comprehensive sustainable living interventions will need to be brought forward with the minimum of delay. Clearly, the delivery of new road infrastructure involves substantial lead times, but sustainable modal shift initiatives can be planned and provided for at the outset, and further developed over time.

Rail

Ashchurch for Tewkesbury station is clearly of significant benefit to the area, being well positioned on the rail network and serving many stations / destinations including northbound to Birmingham New Street and southbound to Cheltenham Spa, Gloucester and Bristol. This advantage is though compromised by present day significant shortcomings in service frequency. During the morning and evening peak hours there are direct services to Birmingham which travel between Cardiff and Nottingham, with one service a day travelling to Stanstead via Leicester. Strengthening these existing connections with more frequent services would make Ashchurch for Tewkesbury station considerably more appealing to potential rail users and a very considerable contributor to sustainable transport mode shift in support of masterplan delivery.



Bus

Services are limited with coverage focussed on Tewkesbury town centre to the west with limited coverage to the east. The Northway residential and employment area is served by only two routes, serving Tewkesbury town centre, the rail station and Cheltenham. Ashchurch itself is only served by school bus routes, with the nearest bus stops for services to Tewkesbury town centre and Cheltenham located at the railway station and on Northway Lane.

More widely, buses provide connections between Cheltenham, Gloucester, Bishop's Cleeve and Evesham. Given this patchy coverage, and the variable quality of bus passenger facilities, the travel mode share for Tewkesbury is, unsurprisingly, below the average for Gloucestershire, while bus travel to work within Tewkesbury is lower still. Notably, congestion on the A46 is cited by operators as a significant barrier to bus routes operation and coverage.

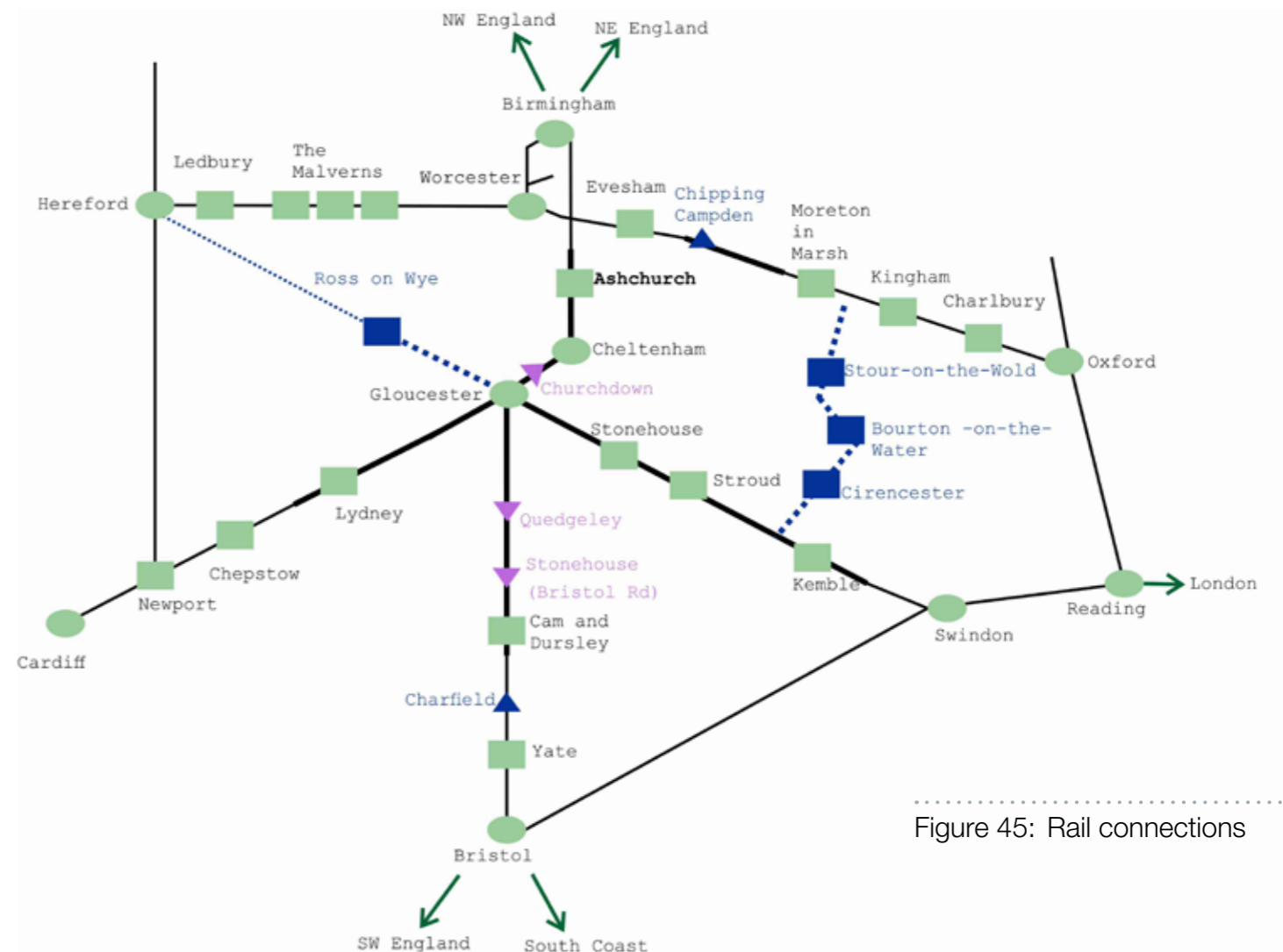


Figure 45: Rail connections



Walking and Cycling

Despite the issues of congestion and severance associated with the A46 and M5, the latter worsened on the east-west axis by the railway line, cycling is a popular travel mode throughout the area. As a counter to the road network difficulties, cyclists benefit from the area's linear form, it's generally favourable topography, and quiet links, where motorised vehicle flows are generally low. There has been considerable investment in promoting cycling in recent years as a meaningful local access mode which has seen a very encouraging level of take-up across the area as evidenced by its untypically high travel mode share.

For walkers and cyclists, addressing the key severance axes of the M5, A46 and railway line through the provision of dedicated and high-quality crossings would contribute greatly to walking and cycling movement across the area. A key focus of the masterplan will be to actively promote and encourage walking and cycling, building on the laudable momentum already evident in relation to cycling in the area.

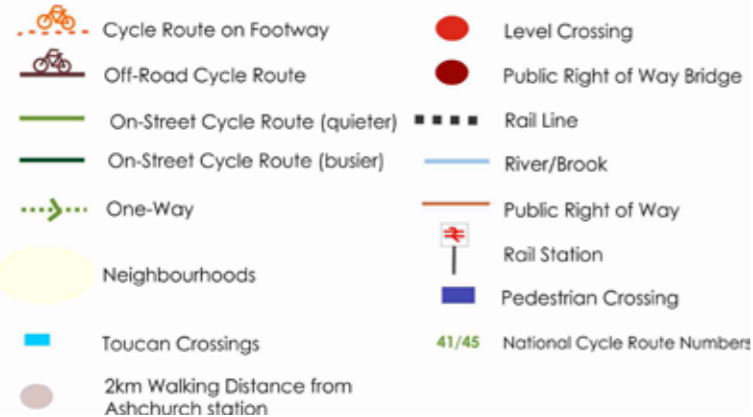
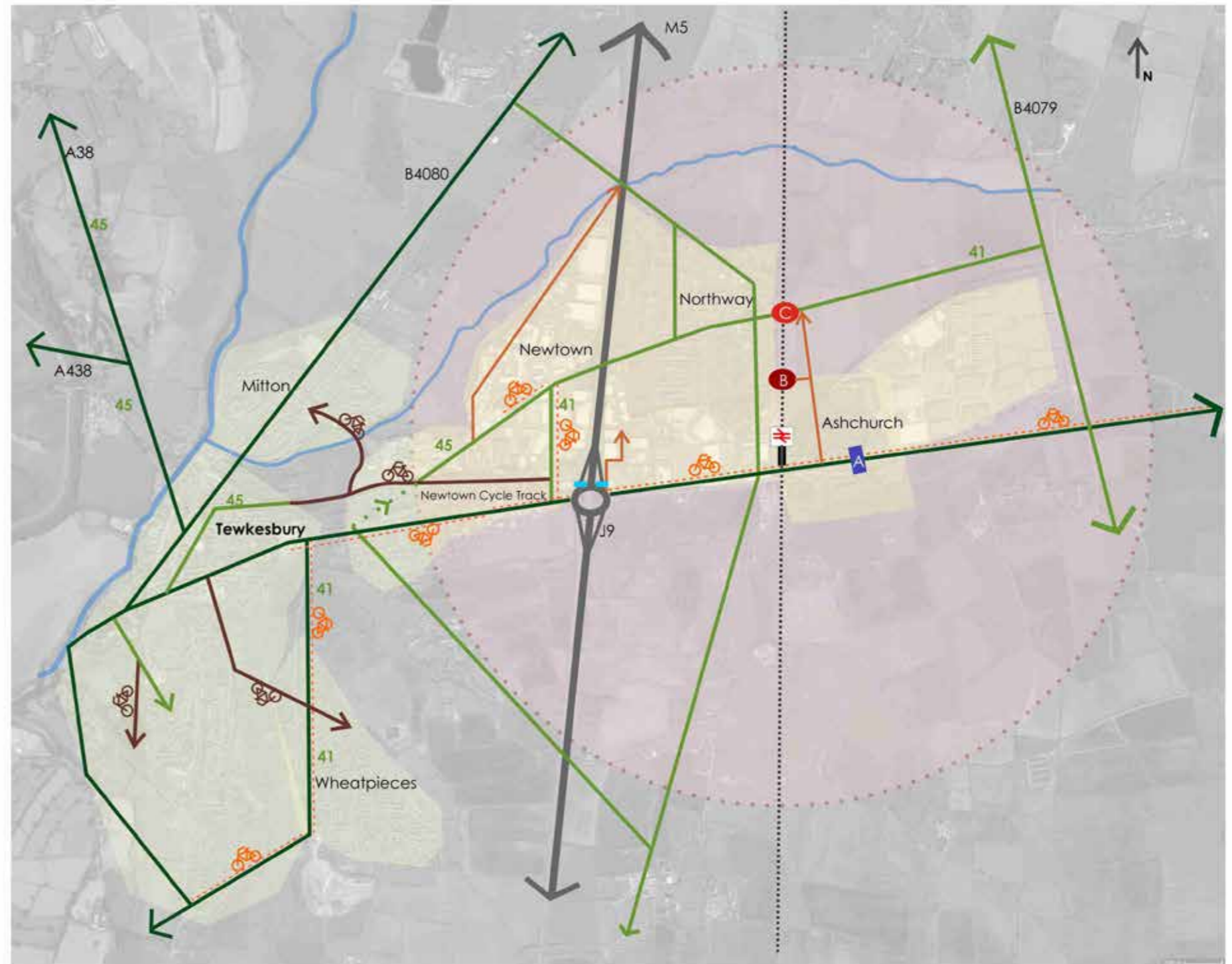


Figure 46: Existing Walking and Cycling Routes and Facilities



### Delivering the Masterplan

The key to successfully delivering the long-term vision is in planning development in such a way that it maximises sustainable travel mode use whether through the ready availability of high quality and appealing sustainable modes, area-wide connectivity improvements, or the arrangement and scale of land use types to encourage walking and cycling (co-location of homes and jobs). Relying on the traditional major highways infrastructure-based approach involves a high degree of uncertainty regarding delivery, very substantial infrastructure costs and a long lag period between construction and use. However, as stated, such infrastructure will be required to realise the scale of the Masterplan’s longer-term ambitions.

Very beneficial progress can though be made through the delivery of complementary physical infrastructure in the short-term allied to sustainable movement initiatives to provide for additional road network capacity gains and the impetus for achieving a truly sustainable travel mode culture in the long-term. Continuing to plan for development in the traditional way, i.e. awaiting uncertain major physical infrastructure delivery, may well compromise achievement of the desired development scale.

Accordingly, in developing short term and medium-term movement intervention scenarios, we should work-back from the desired end-state, that is the achievement of a high performing sustainable living /

movement environment. Actions in the short-term must look towards achievement of the long-term vision and be fully complementary to it. The future major road-based infrastructure should not be seen as evidence of a roads-led approach to new development delivery, but rather as representing a managed increase in road-based travel capacity proportionate to the scale of development, in the context of achieving a sustainable living / movement-based approach to providing the needed movement capacity.

### Transforming the Sustainable Movement Environment

The masterplan vision represents the transformation to a comprehensive sustainable transport environment, initiated in the short-term and progressed, developed and strengthened over time. The sustainable community principle will minimise reliance on personal motorised vehicles and embed a step-change towards active and sustainable transport through an attractive, accessible and highly legible movement network with optimally located housing, employment and leisure facilities. Some initiatives and interventions illustrative of this approach are shown below:

- Land use planning – development planned and arranged to be fully complementary to the achievement of maximising sustainable movement and greatly reducing the need to travel beyond the Ashchurch and Tewkesbury area through:
  - Encouraging a live-work culture
  - Providing locally based amenities, schools, medical facilities, leisure opportunities
  - Co-locating land uses where trips may be linked / shared
- Behavioural changes:
  - Promoting the area to people pre-disposed to active travel and sustainable living – identifying and emphasising the opportunities for a healthy and enjoyable lifestyle

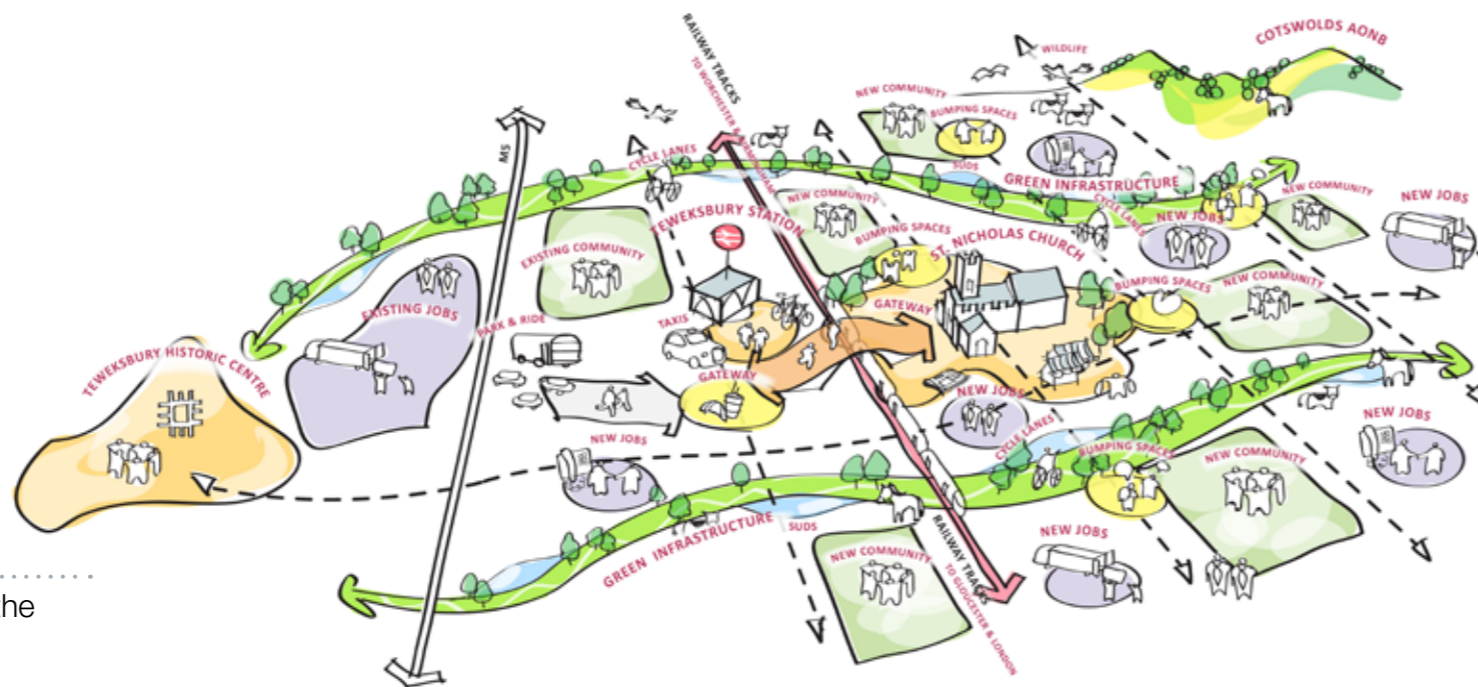


Figure 47: Illustration of the masterplan principles

- Active Travel – further increasing travel by cycle and on foot with new walk and cycle links connecting key sites, amenities, facilities and developments
- Rail improvements - significantly reducing service intervals to key destinations, providing a high quality station building for passengers and cycle / bus interchange facilities to further encourage people to rail use from private cars for medium-long distance travel
- Bus service improvements - providing high quality, reliable and convenient services as meaningful and attractive alternatives to personal car use for short-medium journeys
- Park & Ride
  - Provision for a substantial Park & Ride facility accessed from the new road with buses and in the future, likely autonomous vehicle shuttles to transfer people from their cars at the earliest opportunity from the strategic road network thereby minimising vehicles in Ashchurch & Tewkesbury
- Technological Change and Application:
  - Maximising the application of developing relevant technologies to optimise the sustainable movement environment, considering:
    - Autonomous personal and mass-transit
    - Mobility as a Service / Demand Responsive transport
    - Application of traffic modelling technology to manage road network operation and performance according to new transport means.

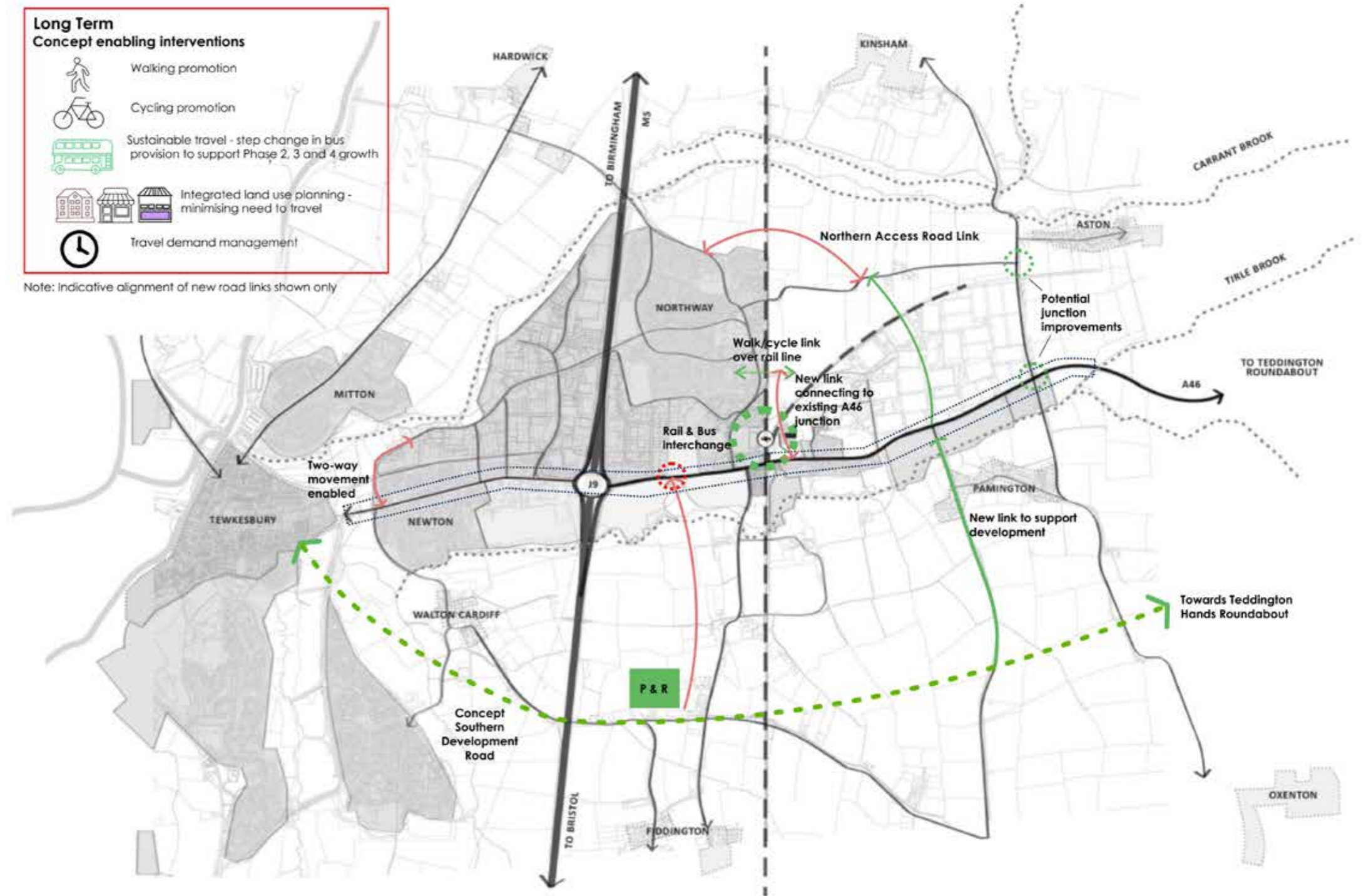


Figure 48: Long-term transport vision and interventions



### A46/J9 Concept Connectivity Improvements

A key major intervention would be the delivery of a new connectivity road to the south of the development area, running east-west. This very significant infrastructure intervention would facilitate the step-change in road-based movement conditions required to deliver the Masterplan's long-term vision for growth.

Amongst the benefits are:

- This road could provide dedicated development access junctions and alternative routing options for local access and development traffic, along with the ability to carry strategic traffic that currently passes through Ashchurch.

### Ashchurch – Tewkesbury Sustainable Corridor

With the Development Delivery Road in place, the present A46 alignment could be reimagined as a high quality, convenient and safe pedestrian, cycle and bus corridor connecting Ashchurch with Tewkesbury. Provision along this corridor should be made for mass transit solutions, in the shorter term buses and in the longer term driverless, demand-responsive services. Accordingly, the route should be designed adaptably to accommodate anticipated future movement patterns and needs. Presented as green and pleasant, it will be in keeping with the wider sustainable living environment.

Building on the progress made in the short and medium-term, the implementation of the initiatives and interventions above would be of the appropriate type and form to achieve the long-term vision of circa 8,000 new homes, and between 11,000 to 16,000 new jobs.



Figure 49: Ashchurch rail station



Figure 50: Visualisation of a sustainable movement corridor (image source: internet, not attributed)



### Short-term Enabling Interventions

#### Local connectivity

Currently, all activity areas feed into the A46, pressurising this principal traffic corridor. Improving local connectivity by providing new links and joining existing incomplete links will assist in relieving that pressure. These include:

- Two-way for entirety of Northway Lane;
- Northern link between Hardwick Bank Road and Aston Fields Lane (over the railway line);
- New link from the A46 (across the MOD rail line); and
- Specific, localised junction improvements at – M5 Junction 9 and Aston crossroads.

The delivery of the northern development plots rely on the provision of a northern link over the main rail line, overcoming severance and completing the link between existing local roads.

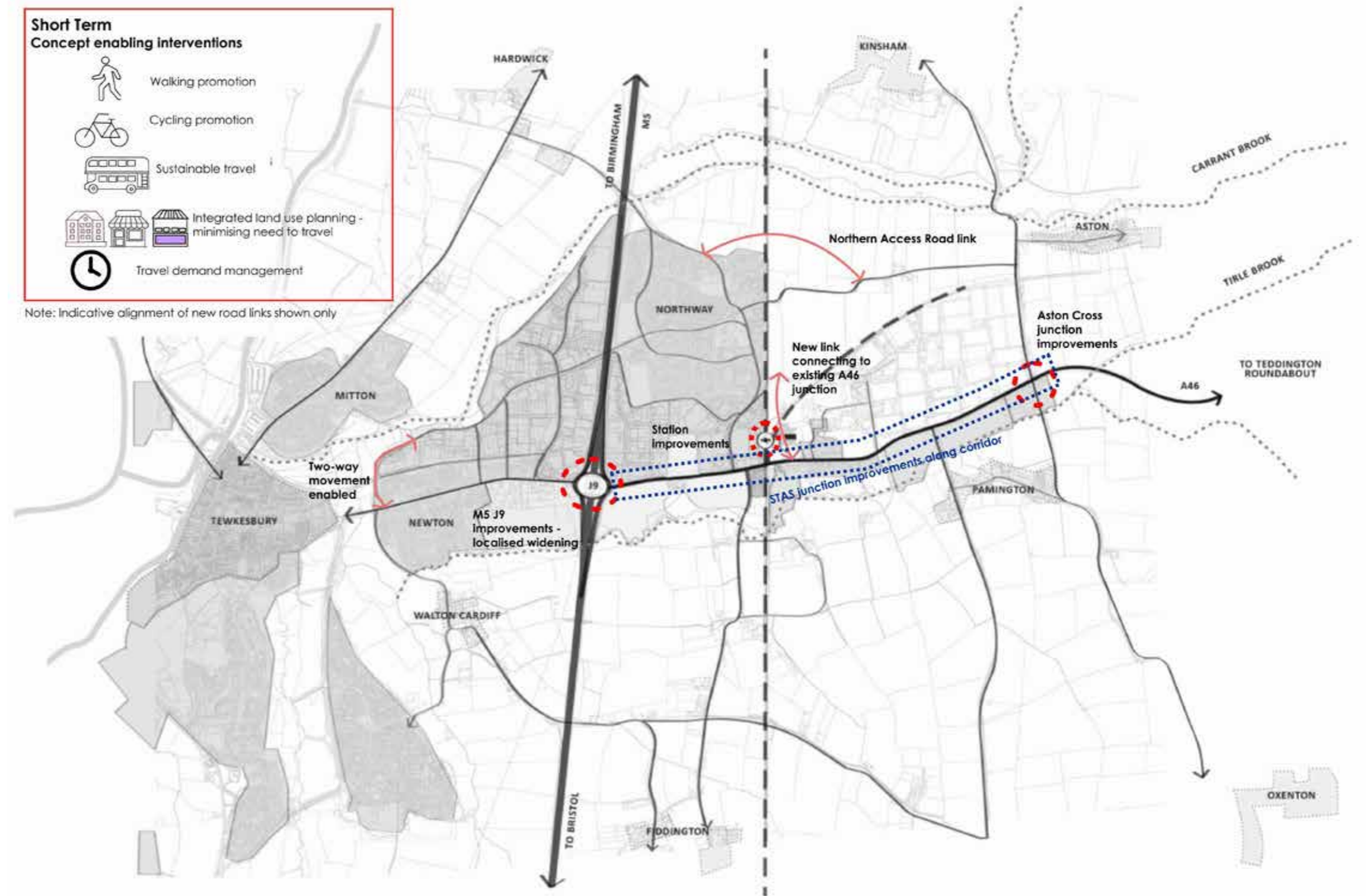


Figure 51: Short-term concept initiatives and interventions

### Medium-term Enabling Interventions

Between the short-term connectivity improvements and the long-term major infrastructure interventions, the medium term would see the deepening of the connectivity improvements and the commencement of infrastructural improvements:

- First stage of the link southwards from the A46 providing access for development, particularly around Fiddington;
- The related provision of the Park & Ride facility; and
- Further service improvements at Ashchurch station, with further services & facilities.

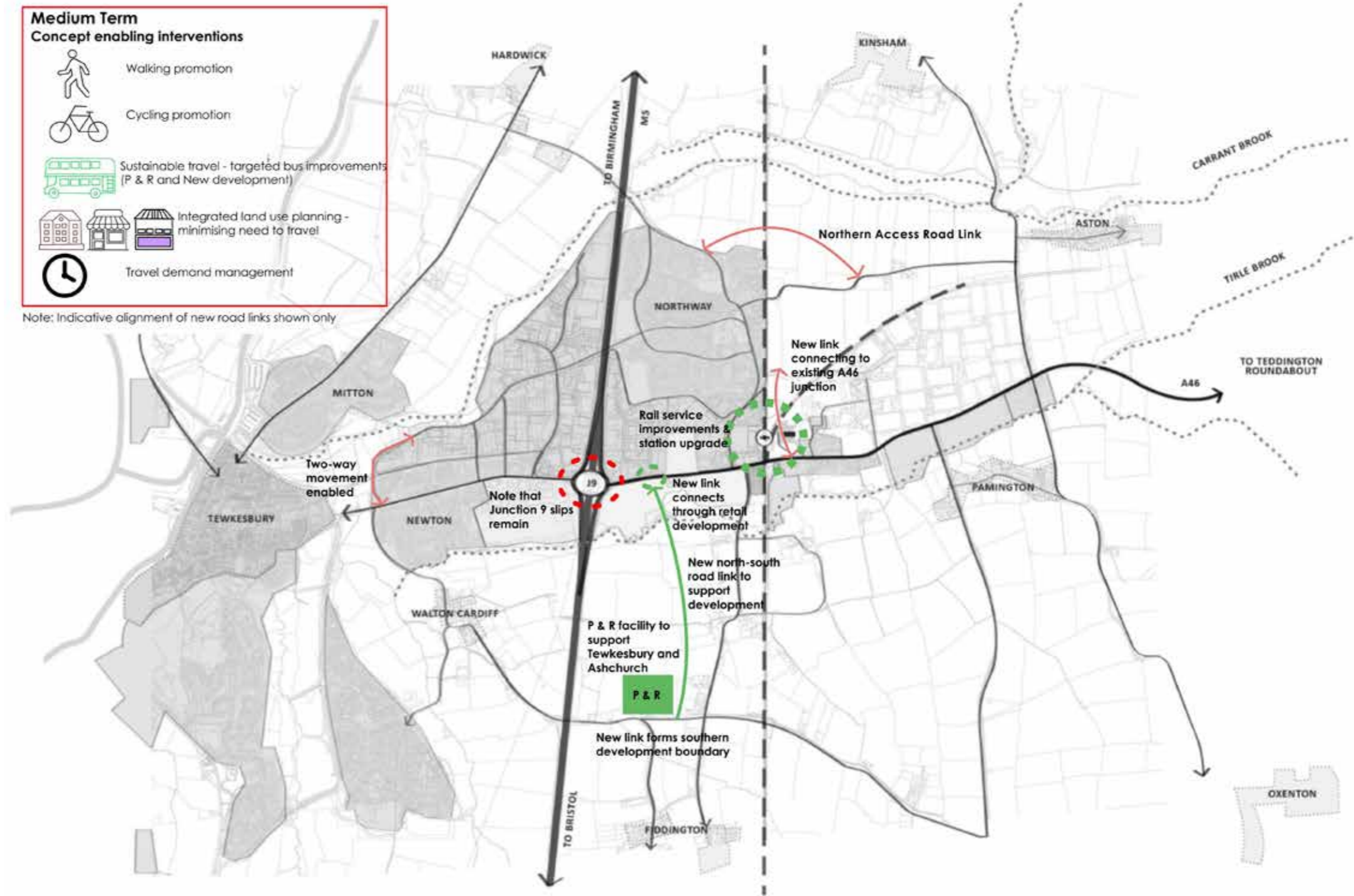


Figure 52: Medium-term masterplan concept initiatives and interventions



### Intervention schedule

The range of proposed Masterplan interventions and initiatives is summarised in the schedule opposite, indicating their short / medium / long term phasing.

Indicative transport intervention schedule	
Short-term 0 - 10 years	Travel Demand Management: <ul style="list-style-type: none"> <li>• Extensive walk, cycle, bus and rail promotion, new supportive facilities and public realm improvements</li> <li>• Smarter Travel Initiatives – area-wide travel planning, peak spreading, sustainable travel mode shift encouragement etc</li> <li>• Integrated land use / transport planning, provision of local services and facilities</li> </ul>
	Road links: <ul style="list-style-type: none"> <li>• Localised M5 Junction 9 improvements</li> <li>• 'Northern Access Road' link between Hardwick Bank Road &amp; Aston Fields Lane with closure of level crossing to south</li> <li>• New two-way road link on Northway Lane (j/w A438)</li> <li>• New road link over MOD rail line connecting to A46</li> <li>• Aston Cross A46 junction improvements</li> </ul>
	Rail improvements commence, rail services, station buildings and facilities
	Bus service improvements – frequency and coverage
Medium-term 10 – 15 years	Start of new Development Delivery Road (forming southern boundary to the masterplan)
	New north-south link connecting Development Delivery Road with current A46 through retail site
	Development links – providing improved local connectivity through the area, particularly for non-car modes
	Continued and strengthened integration of Travel Demand Management measures
Long-term 15 years +	New Park and Ride facility to south
	Development Delivery Road completion providing capacity for long-term development aspirations and congestion relief to the current A46
	Continued and strengthened integration of Travel Demand Management measures

.....  
Figure 53: Intervention schedule



## 4.2 Landscape strategy

The onsite and surrounding landscape offer a large number of social and environmental opportunities. Many of these tie into National Character Area 106, Natural England's suggestions for enhancing and managing the relationship between access to the natural environment, the conservation/enhancement of valuable ecological processes and increased health and landscape value for residents. Through development there are also opportunities to address systemic environmental issues with design. These include soil stabilisation and creation, pollutant mitigation, water purification, intensive agriculture mitigation and carbon offsetting.

### Key themes and features

- Create high value Green Infrastructure with both natural capital value and human scale education/play/recreation value. This aligns with the guidance of the "Building with Nature" programme, developing through a Knowledge Transfer Partnership between Gloucestershire Wildlife Trust and the University of the West of England. This brings together evidence and good practice guidance, creating a set of principles that planners and developers can follow to deliver high-quality green infrastructure. The LEP are considering making this a requirement in any future Growth Deal funding provided.

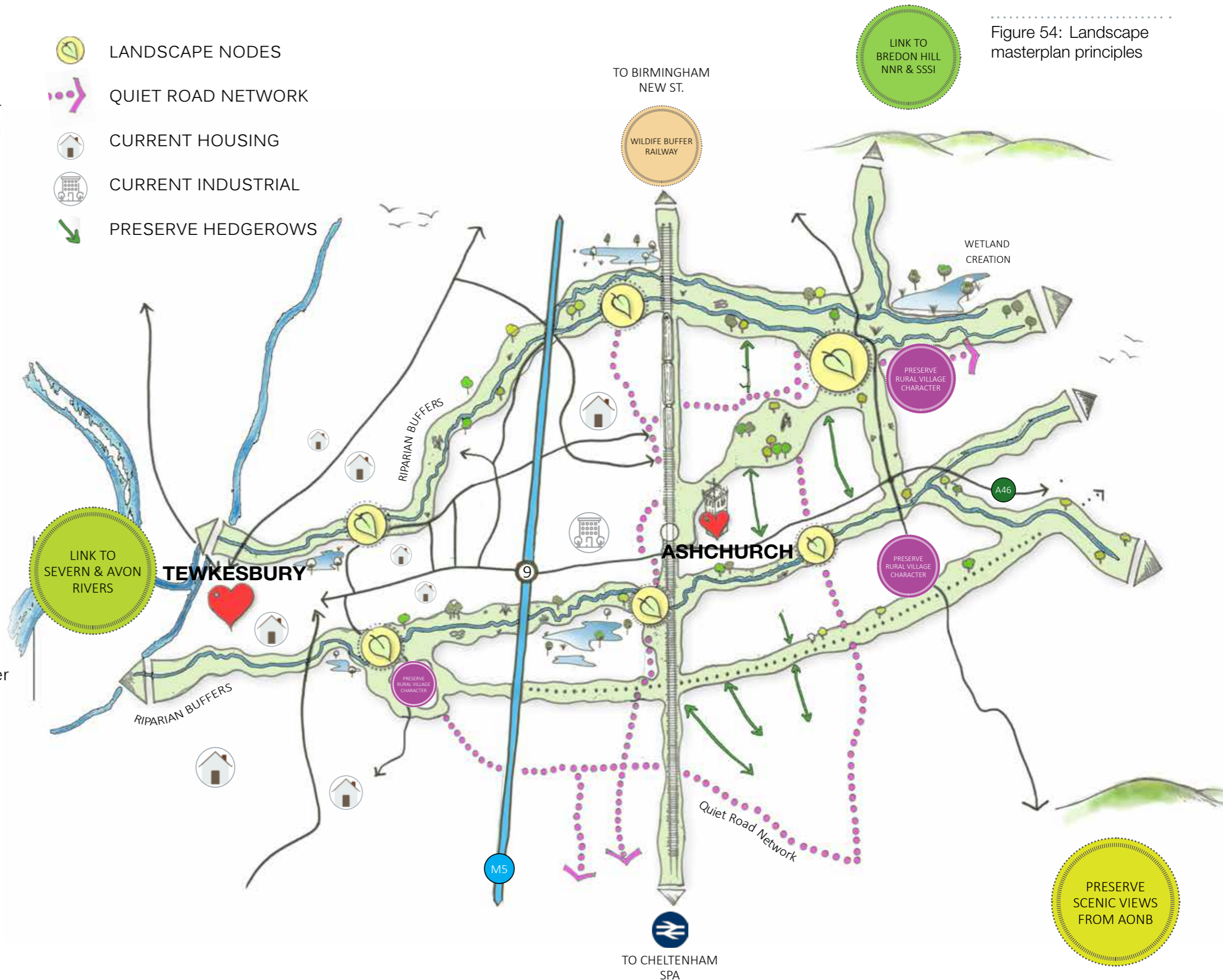
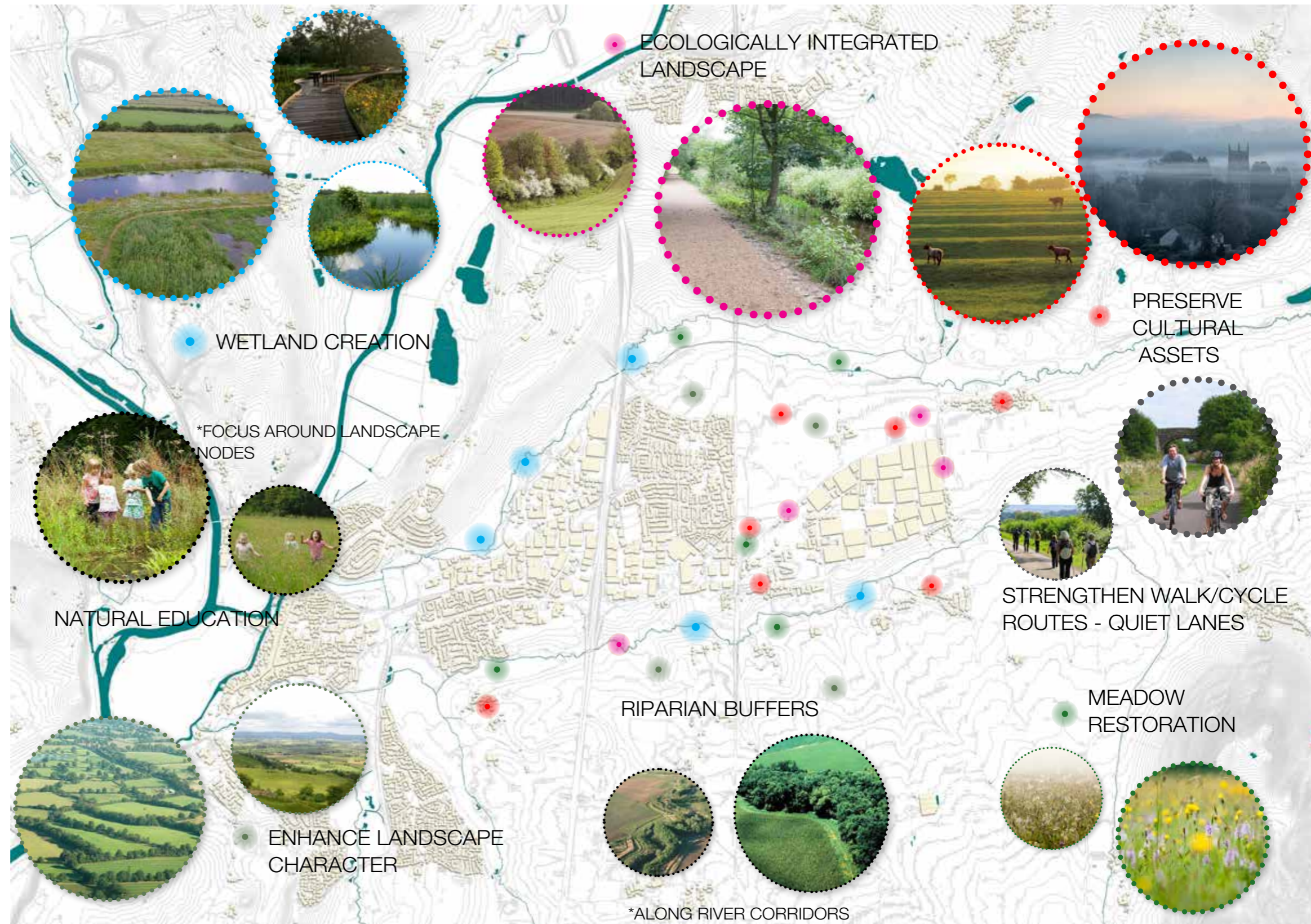


Figure 54: Landscape masterplan principles



Figure 55: Key principles

- Enhance and utilise the main riparian corridors along the river corridors to the north and south of the masterplan area with wider buffers, wetland creation and meadows.
- Add a network of footways and quiet lanes to preserve rural character and access to green spaces.
- Maintain the patchwork field structure character with hedgerows and woodland belts and landscape/wildlife nodes.
- Splay and visually fragment blocks of development with endemic copse and orchard character.
- Preserve archeological character of ridge and furrow.
- Create strong green links to Tewkesbury town centre.
- Enhance landscape views from surrounding AONB designations.
- Reserve natural floodplains to limit flooding and increase biodiversity of area/increase water quality. Increase storage capacity.
- Preserve the setting of the rural settlements (Pamington, Aston and Walton Cardiff)





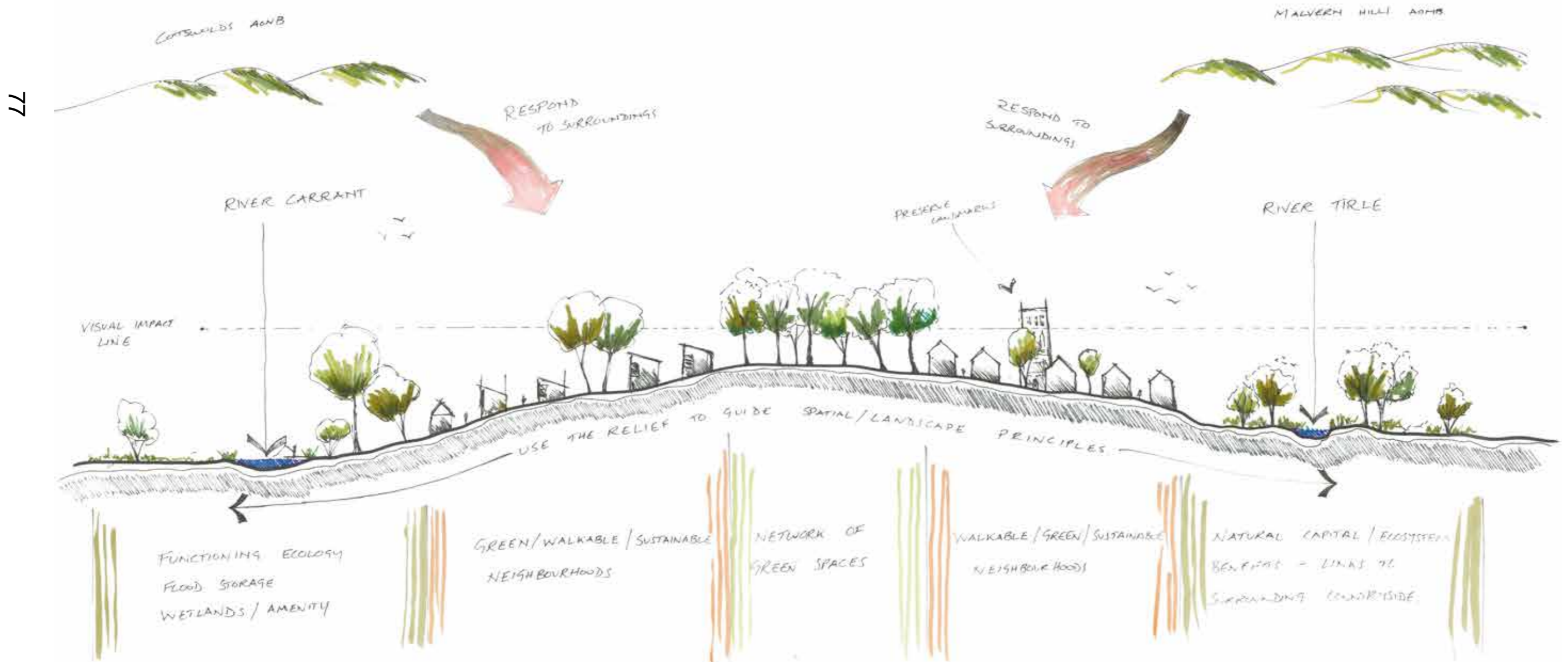
### Landscape visual principles

The surrounding rural hinterland looks down on the site from several historic and geologically characterful landscapes. In order to respond to these in a novel way, one must look to the landscape in order to preserve or enhance the scenic beauty of looking across the Severn and Avon vales.

Below are some conceptual principles which can drive the form and massing of development in order to maintain/enhance the rural character:

- use topography to drive density/ massing/locations for both domestic and commercial development.
- continue using hedgerow character to reduce block pattern of post-war urban grain.
- create green walkable streets which focus on pedestrian transport.
- create a network of internal green spaces within development to divert visual impact from surrounding hills, AONBS and SSSIS
- maximise the opportunity offered by the brooks to develop multi-faceted benefits from ecosystem services (such as flood storage) to amenity value & access.

Figure 56: Conceptual principles to respect surrounding views



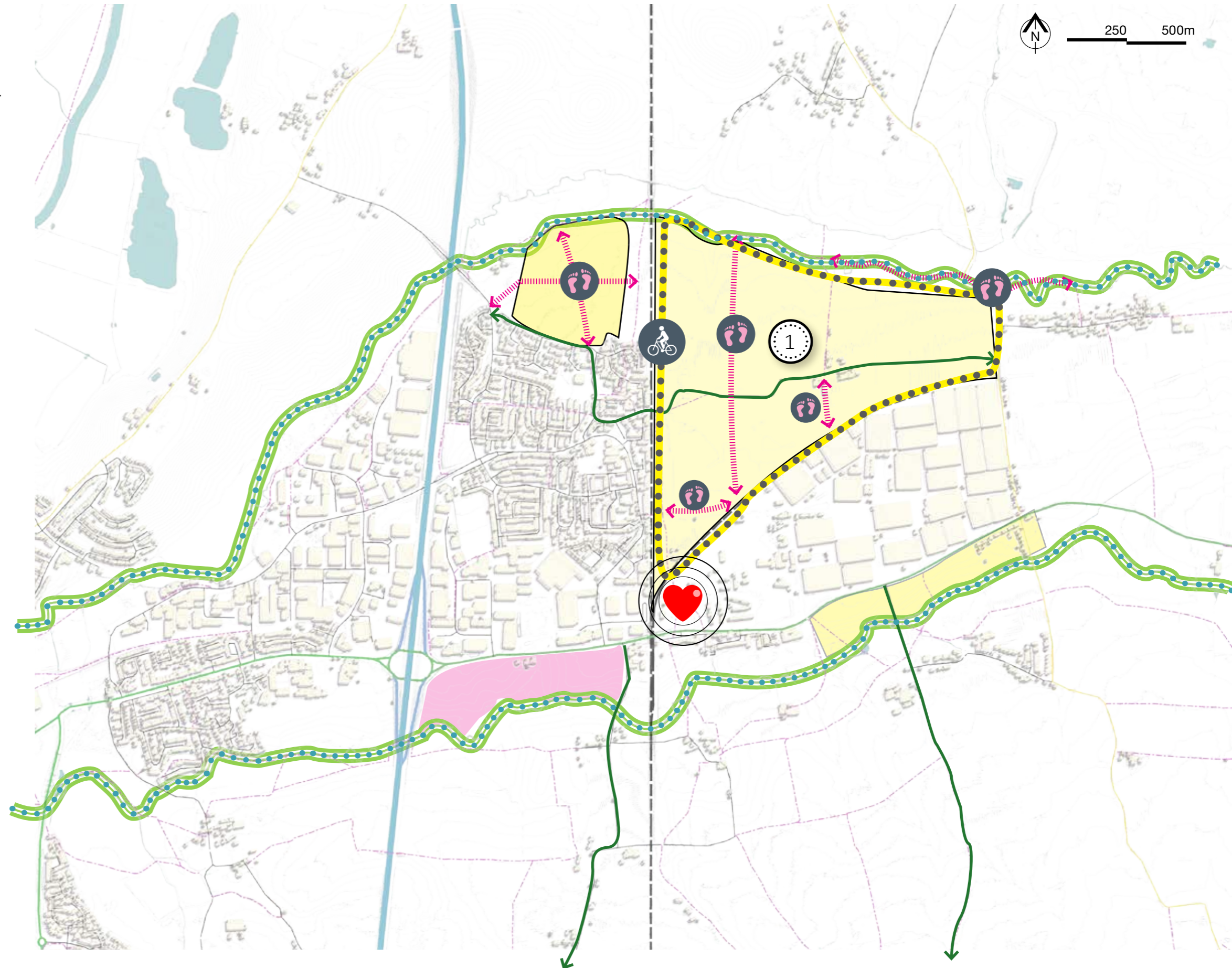
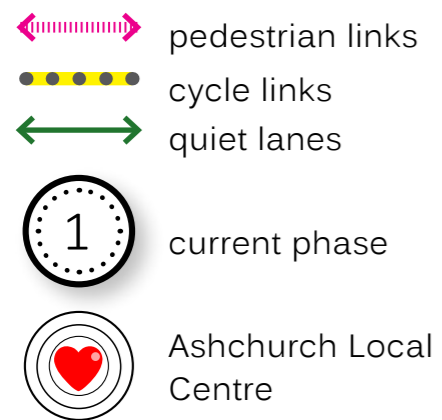


### Quiet lanes, cycle & footpaths - Phase 1

Throughout the delivery of the masterplan phases, build a movement network of footpaths, cycle ways and quiet lanes which progresses in a hierarchy as follows:



78








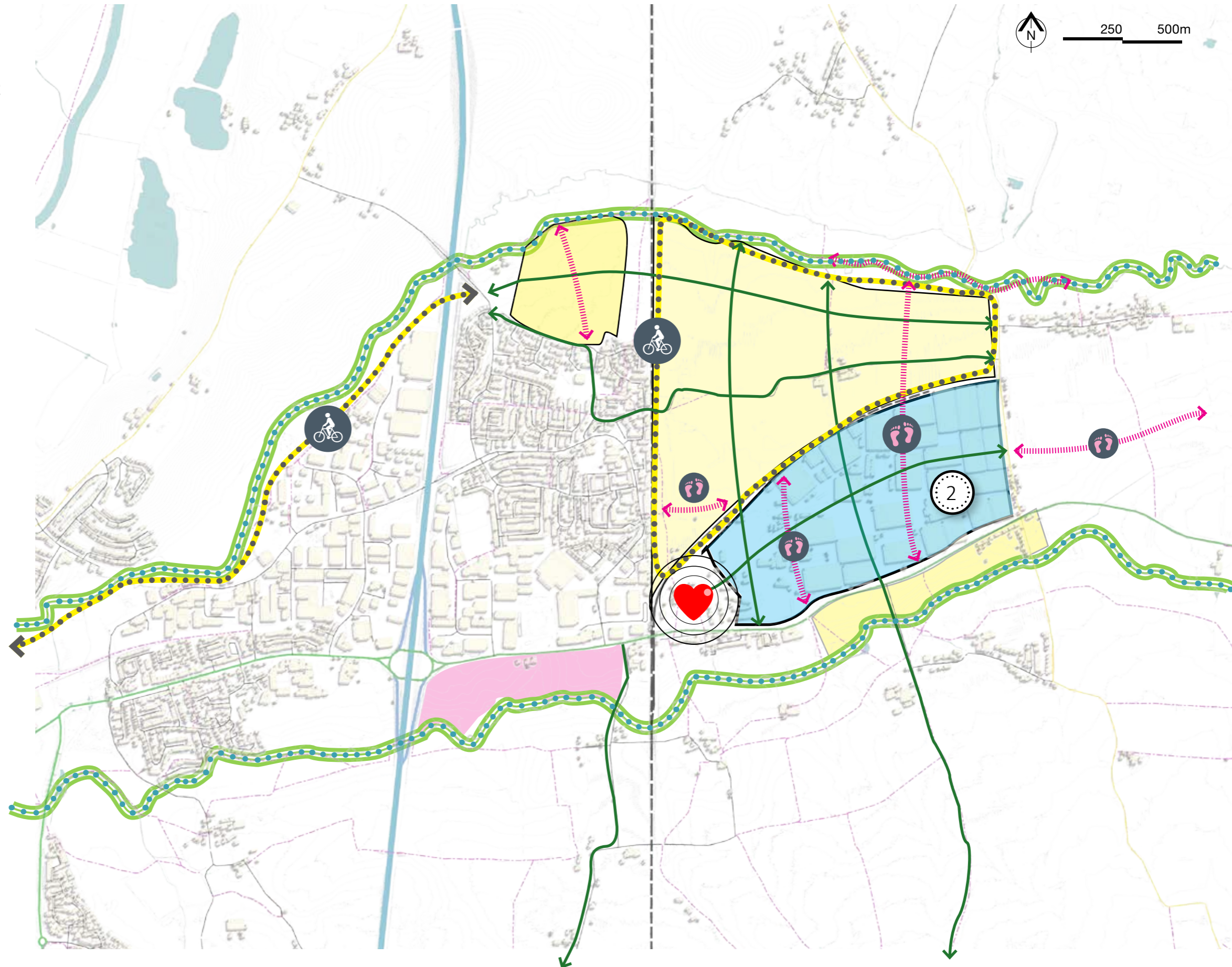


### Quiet lanes, cycle & footpaths - Phase 2

- Link to the town centre
- Tackle severance across the rail line
- Add longer cycle links

79

-  pedestrian links
-  cycle links
-  quiet lanes
-  current phase
-  Ashchurch Local Centre








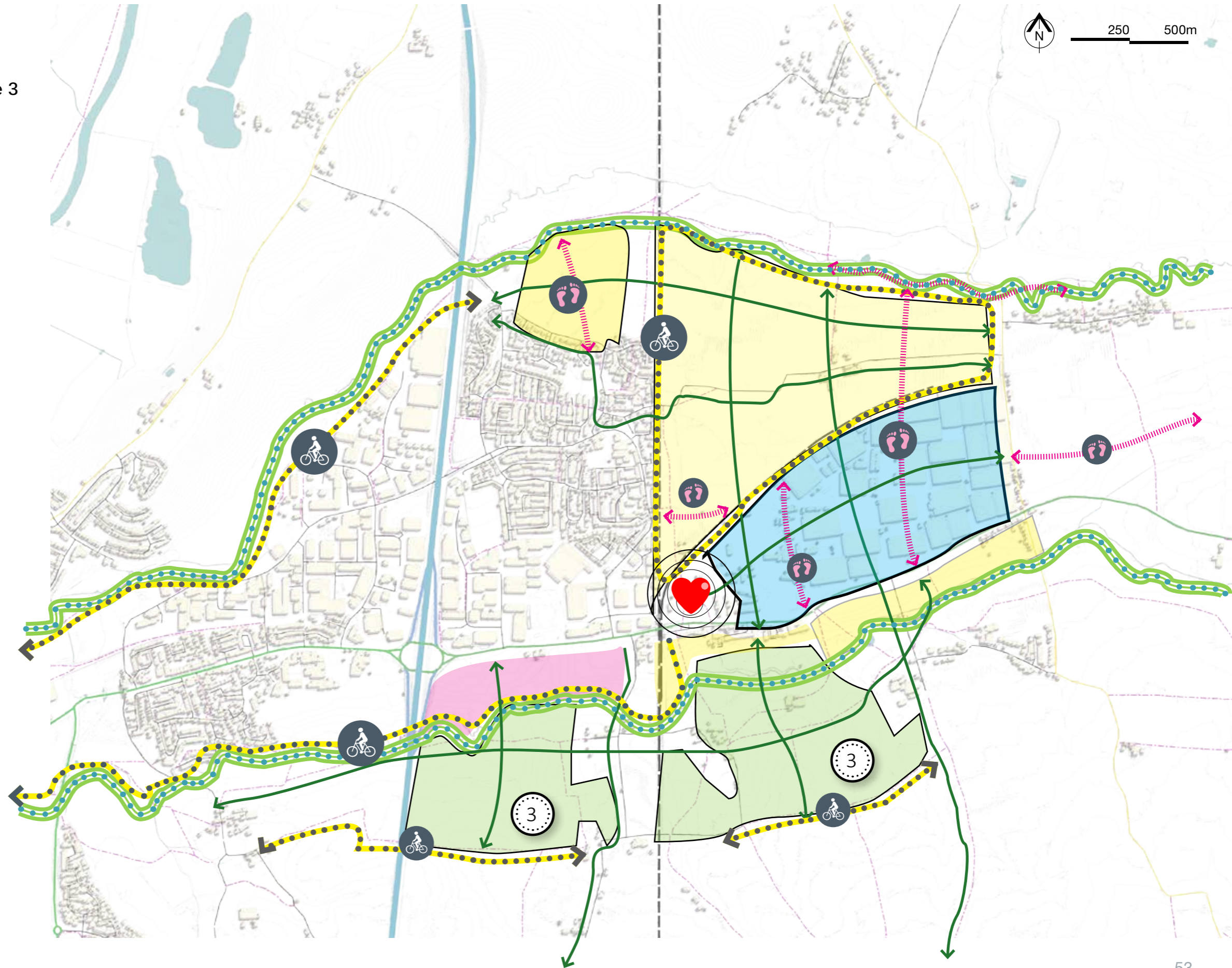


### Quiet lanes, cycle & footpaths - Phase 3

- Develop grid of new n-s and e-w connections
- Connect river corridors to north and south with masterplan
- Introduce longer cycle routes to Tewkesbury town centre

80

-  pedestrian links
-  cycle links
-  quiet lanes
-  current phase
-  Ashchurch Local Centre








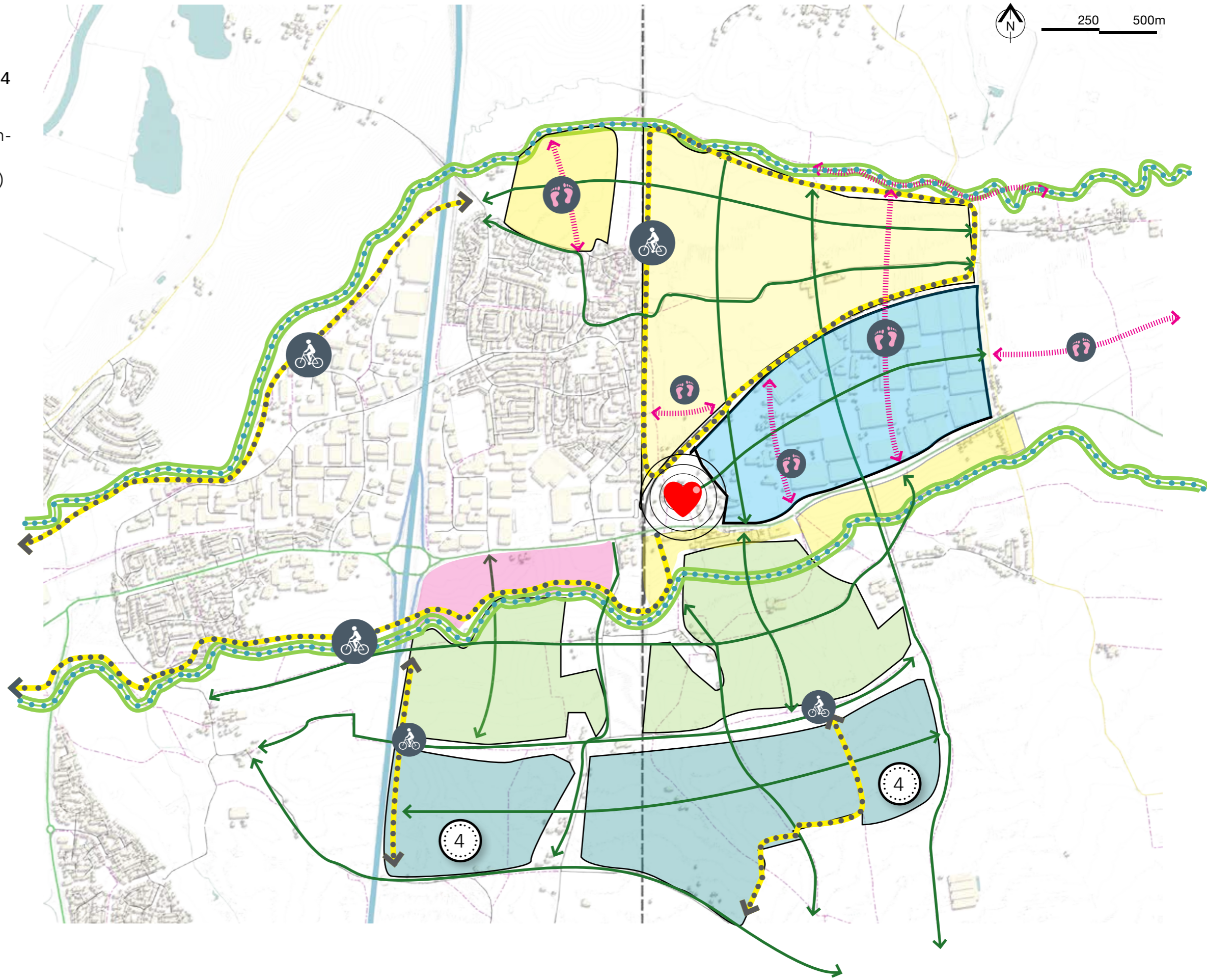


Quiet lanes, cycle & footpaths - Phase 4

- Introduce and connect the Ashchurch-Tewkesbury Sustainable Corridor (replacing the existing A46 alignment)

81

-  pedestrian links
-  cycle links
-  quiet lanes
-  current phase
-  Ashchurch Local Centre





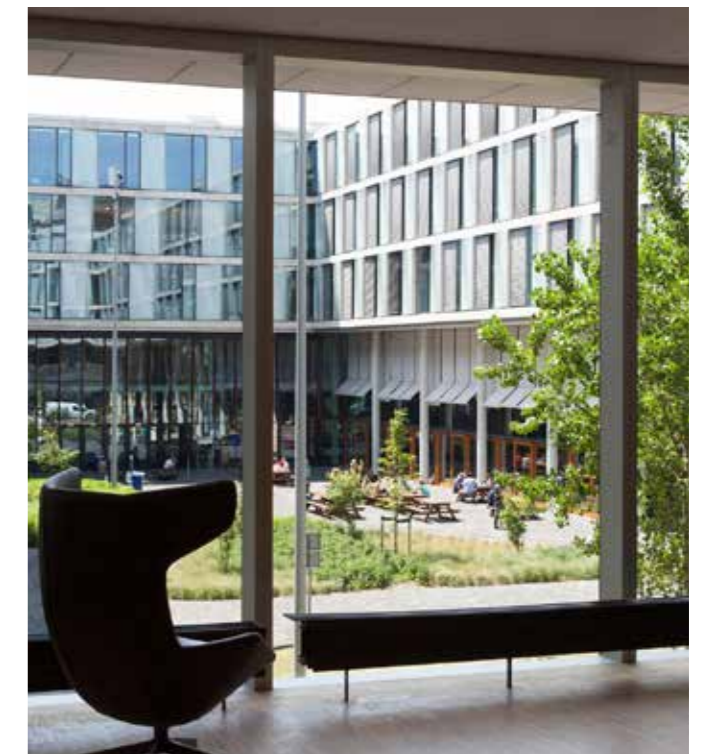
## 4.3 Economic strategy

### Existing context

Ashchurch has experienced strong population and jobs growth over the last 15-20 years. Between the Censuses of 2001 and 2011 the population grew by 17% and employment by 20%. These growth trends have continued since 2011. As a result of Ashchurch's growth running ahead of the JCS average, the area plays an increasingly significant role as an economic hub, centred around junction 9 of the M5. Latest data (BRES 2015) indicates around 10,000 jobs at Ashchurch. The current economic focus is on manufacturing and related activities, accounting for more than a third of employment, being home to a mix of business uses including a number of high tech and knowledge intensive users. However, there are employment opportunities across a diverse range of sectors. Strong market demand from employment occupiers is long standing and local agents Alder King report that the current shortage of readily available employment land is limiting the opportunity for both new occupiers to locate at Ashchurch and existing occupiers to expand in the area. This is consistent with an array of policy and strategy documentation published over recent years.

### Vision for growth

Both the Strategic Economic Plan (SEP) and Joint Core Strategy (JCS) place strong focus on the role of the M5 corridor, and its junctions, as the primary location for employment development in the coming years, encouraging development of the types of sectors and activities that are located at and attracted to Ashchurch. This positions Ashchurch at the core of current policy and strategy efforts to deliver and accommodate increased levels of employment to support a growing population. Tewkesbury Borough is targeting 8,900 additional jobs over the period 2011-31, equivalent to 20% growth. These figures are consistent with a JCS wide ambition of 39,500 additional jobs. Some 4,500 of the planned Tewkesbury Borough jobs are anticipated within the B-Class. The growth in service sector jobs is expected to predominate (6,400 additional jobs). No specific quantification of anticipated employment growth at Ashchurch is set out within existing policy and strategy documentation but the area forms a primary employment location in the Borough. Earlier iterations of the JCS set out proposals for 34 hectares of B-Class development at Ashchurch but the proposed allocations are unlikely to be delivered at the current time and there is a resulting shortfall in employment land provision which needs to be addressed and is a primary concern of this masterplanning exercise.



The SEP and JCS identify a number of potential employment locations along the M5 corridor at the respective junctions. This strategy is designed to enable employment growth to take place in proximity to each of the main towns. It is therefore important that the scale of employment growth is aligned to workforce growth at Ashchurch and Tewkesbury. Existing strategy documentation lacks clarity on whether each of the motorway junctions will serve a specific role and function, in terms of its target employment market, or whether they will each provide similar products. Understanding the potential role and function of Ashchurch within this M5 corridor strategy, also recognising the role of junctions to the north within Worcestershire, needs to be a priority to not only inform the masterplanning of Ashchurch but also other key development opportunities within the JCS area.

Whilst there is a need for greater clarity at a strategic level around the role, function and scale of employment and economic growth at Ashchurch to ensure masterplanning fits with the broader context, what is clear is that from both a commercial market and strategic perspective it is vital that the masterplan is able to deliver well located and readily available employment land to enable Tewkesbury and Ashchurch to continue in its role as a significant engine of the Gloucestershire economy. This will complement employment opportunity created through service activities (retail, education, health, leisure etc) across the wider Tewkesbury and Ashchurch area.

### Concept for Ashchurch

The economic focus should capitalise on the prominent location and excellent access to enable existing businesses to expand, accommodate new inward investors and allow new businesses to grow. Through provision of flexible and readily available employment land this will continue to support a broad based economy which aids resilience whilst supporting key opportunity knowledge intensive sectors. The JCS and SEP note key economic growth sectors including: Aviation; Cyber Technology; Energy; Engineering; Financial; Information Technology; Leisure; and Marketing and Public Relations.

Based on current activities and strengths the new business park at Ashchurch should target Energy, Engineering, Cyber Security and Information Technology related sectors, building around existing anchor tenants with knowledge intensive and high value operations. This creates an opportunity to develop a prominent high quality business park with a special focus on technology and innovation to complement existing mixed industrial and business areas.

A new high quality employment park must deliver the range of supporting facilities and amenities that modern occupiers and workforce are looking for. Appropriate incubation or innovation centre type facilities should also be located on the park to support both new and existing enterprises with a technology and innovation focus.



Figure 58: Grey Matter offices in Ashburton. They are located on the edge of Dartmoor National Park, employing highly skilled graduates and professional and offering the benefits of an outstanding natural location



## 4.4 Community infrastructure strategy

In terms of provision for existing and emerging community infrastructure the aims is:

- Make the most of existing provision
- Improve signposting/legibility/accessibility of existing facilities
- Explore opportunities to introduce uses that are currently absent
- Explore opportunities to enhance facilities that are currently under-represented
- Consider role of new facilities, public realm, and meanwhile/interim uses

### Education & Health

#### Population

An indicative development mix was calculated on the following basis:

Dwelling size	Development share
1 bedroom	10%
2 bedrooms	30%
3 bedrooms	30%
4 bedrooms	25%
5+ bedrooms	5%
<b>Total</b>	<b>100%</b>

Source: HJA

Data from the 2011 Census of Population has been analysed to assess the average number of residents in households by number of bedrooms in the dwelling. Data was analysed for the Tewkesbury Borough and Gloucestershire County areas. Figure 1.2 outlines the population at full occupancy when applying the results to the final indicative development mix. The average household size for the Proposed Development is estimated between 2.3–2.4 persons.

	Dwellings	Gloucestershire basis	Tewksbury basis
Phase 1	2,640	6,057	6,233
Phase 2	4,395	10,084	10,377
Phase 3	5,160	11,839	12,183
Phase 4	7,785	17,862	18,381

Source: HJA analysis based on 2011 Census data

Phase 4		2011 Census Analysis (persons per household)		Estimated Population Impact (based on 2011 persons per household)	
Dwelling Size	Indicative number of dwellings	Gloucestershire basis	Tewksbury basis	Gloucestershire basis	Tewksbury basis
1 bed	779	1.3	1.3	1,013	1,002
2 beds	2,336	1.8	1.8	4,306	4,299
3 beds	2,336	2.5	2.5	5,738	5,827
4 beds	1,946	2.9	3.1	5,552	5,972
5+ beds	389	3.2	3.3	1,254	1,282
<b>Total</b>	<b>7,785</b>			<b>17,862</b>	<b>18,381</b>

Source: HJA analysis based on 2011 Census data

No adjustment has been made for vacant or second homes. Whilst it is possible that there will be a level of frictional vacancy at any point in time, it was deemed prudent to ensure the full potential population was estimated for purposes of assessing socio economic effects.

A proportion of the population may be non-additional at both the Tewksbury and Gloucestershire levels. Average household size across the areas has been falling and is projected to fall in the coming years. This is in part a result of existing households splitting to form new households. As a result, a proportion of all new housing requirements is to meet the needs of

the changing household patterns of the existing population. That is, additional housing is required to accommodate the existing population. Analysis of the latest UK Government Household Projections for England (2014-based) indicates that approximately 12% of the growth in households over the period 2014–2029 is required to accommodate the 2014 population size, with the remaining 88% as a result of population growth. The cumulative approximate net additional population at each phase are outlined below:

	Low forecast	High forecast
Phase 1	5,345	5,501
Phase 2	8,899	9,158
Phase 3	10,448	10,751
Phase 4	15,763	16,221

Source: HJA analysis based on UK Government Household Projections (2014-based)

Education and childcare

Additional dwellings and associated population growth will increase demand for educational/early years provision in the local area. Based on the National Population Projections (ONS, 2014-based) for Gloucestershire, at 2029 approximately 1.2% of the population will be within each year of age 0-19 years. Based on the estimates of total population accommodated within the Proposed Development, this equates to the following maximum impact across each phase:

	Low forecast	High forecast	Forms of Entry
Phase 1	73	75	2.5
Phase 2	121	125	4.2
Phase 3	142	146	4.9
Phase 4	214	221	7.4

Source: HJA analysis based on UK Government Household Projections (2014-based)

Considering increased educational demand in the context of net additional population, the net impact is forecasted to be slightly less:

	Low forecast	High forecast	Forms of Entry
Phase 1	64	66	2.2
Phase 2	107	110	3.7
Phase 3	125	129	4.3
Phase 4	189	195	6.5

Source: HJA analysis based on UK Government Household Projections (2014-based)

On this basis the total population associated with new housing at Ashchurch has the potential to create demand for more than seven forms of entry throughout the educational system. This is equivalent to four, two-form entry primary schools and a new secondary school within the Ashchurch area. The need for school places increases in line with the phases of development, with broadly a requirement for one two-form entry primary school at each phase.

Health

The additional population as described above will create additional demand for primary healthcare services. A range of services are available in Tewksbury at present. The Gloucestershire County Council Local Developer Guide 2016 refers decisions on provision of health infrastructure to the NPPG:

“Local planning authorities should ensure that health and wellbeing, and health infrastructure are considered in local and neighbourhood plans and in planning decision making. Public health organisations, health service organisations, commissioners and providers, and local communities should refer to the NPPG to help them work effectively with local planning authorities in order to promote healthy communities and support appropriate health infrastructure”

They expect appropriate infrastructure to be secured through s.106 planning obligations.

The demographic modelling undertaken indicates likely demand of the following health workforce:

	GPs		Nurses		Admin/ non-clinical		Dentists	
	Low	High	Low	High	Low	High	Low	High
Phase 1	3.9	4.0	2.5	2.6	9.0	9.2	2.7	2.8
Phase 2	6.4	6.6	4.2	4.4	15.0	15.4	4.6	4.7
Phase 3	7.6	7.8	5.0	5.1	17.6	18.1	5.3	5.5
Phase 4	11.4	11.8	7.5	7.7	26.5	27.3	8.1	8.3

Source: HJA Analysis based on NHS Digital Detailed Tables September 2016, and NHS Dental Statistics 2016-17



An indicative review of education and health requirements is then suggesting four two-form entry primary schools, a new secondary school and a large GP practice might come forward when the full scheme is implemented.

Whereas the phasing of primary schools is roughly one per phase, for secondary schools this is subject to further investigation and information from Gloucester County Council.

In addition, in a future long-term potential scenario pictured by the masterplan, the current location of Tewkesbury Secondary School and Alderman Knight Special School - by the side of the motorway Junction 9 - would be more suited to become employment land and these could be re-provided elsewhere.

The preferred location for education facilities would be the neighbourhood centres emerging with each phase of the concept masterplan and for the health centre the new Ashchurch Local Centre.

The neighbourhood centres would be the cores of the new walkable neighbourhoods and the “bumping spaces” of the new community. Their provision would include education, local retail, recreation/play spaces, local food and beverage offer and potentially spaces dedicated for community use.

They are connected to each other and to the green infrastructures running along the brooks by a network of quiet roads and pedestrian/cycle links and all of them are located at ten minutes walking distance from Ashchurch Local Centre.

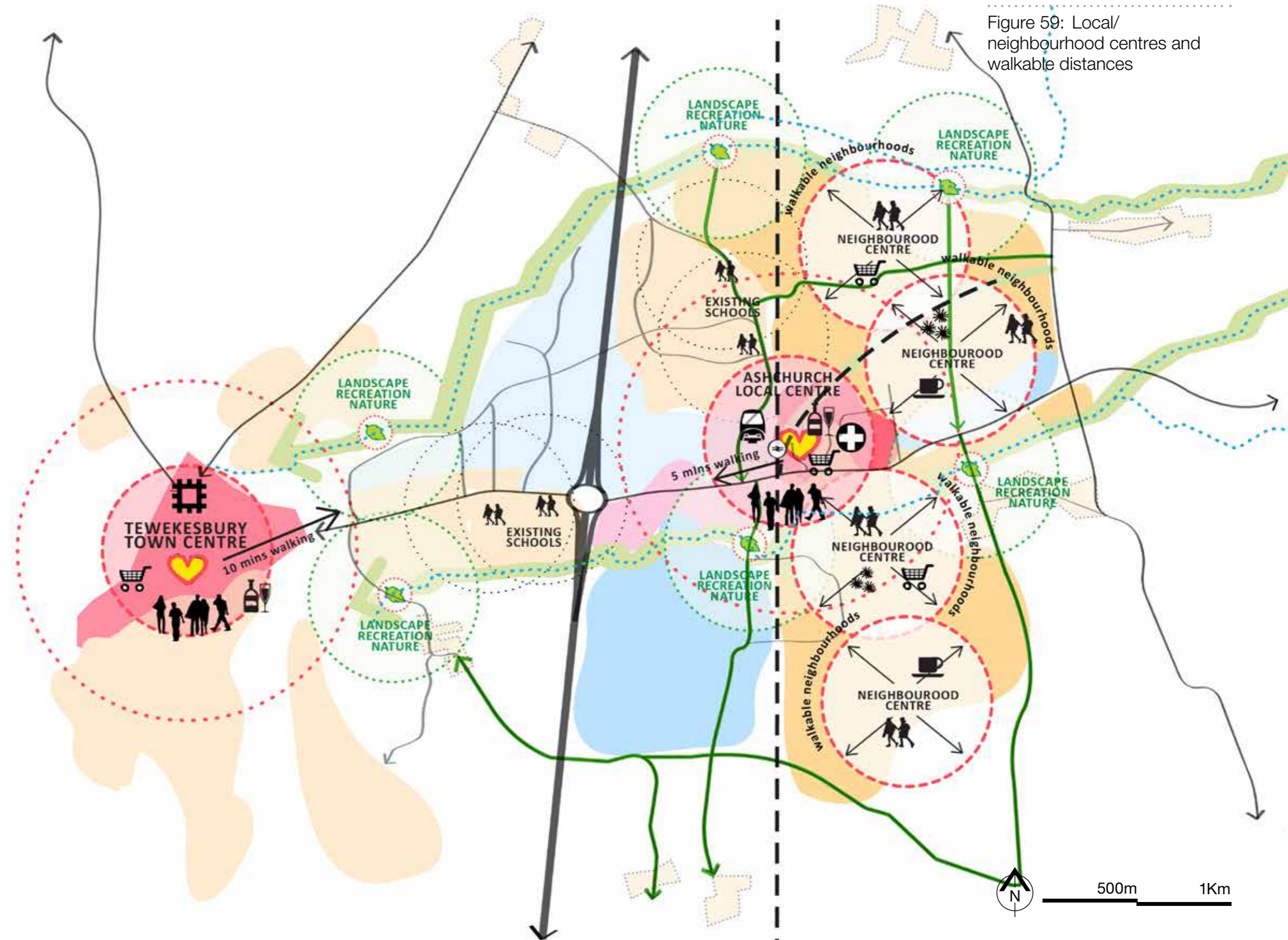


Figure 59: Local/ neighbourhood centres and walkable distances



## 4.5 Ashchurch Local Centre strategy

Whereas Tewkesbury Town Centre will maintain its role as the main historic centre, Ashchurch Local Centre will provide a proper gateway to Tewkesbury, while keeping its own distinct identity as the new contemporary core of the emerging community. This identity will be strongly related to the new businesses and opportunities coming forward in the area.

The existing railway station environs will become the new 'heart' of the Ashchurch community, with the provision of pedestrian/cycle friendly east-west link and an enhanced setting for St. Nicholas Church. This building provides an identifiable source of community identity and a traditional anchor for what could become a re-imagined 'village green'.

Surrounding this new heart for Ashchurch would be a mixed-use proposal that could meet local employment need and contribute towards the requirement for other community facilities such as local shops and retail outlets.

On the west and east of the enhanced station would be two gateway areas, each with different character.

The western gateway could provide local facilities for the near business park including park & ride space.

The eastern gateway would be the village green, using the existing vernacular buildings to accommodate new uses but at the same time create a distinctive and recognisable identity for Ashchurch (e.g. church, church farm buildings, barn).

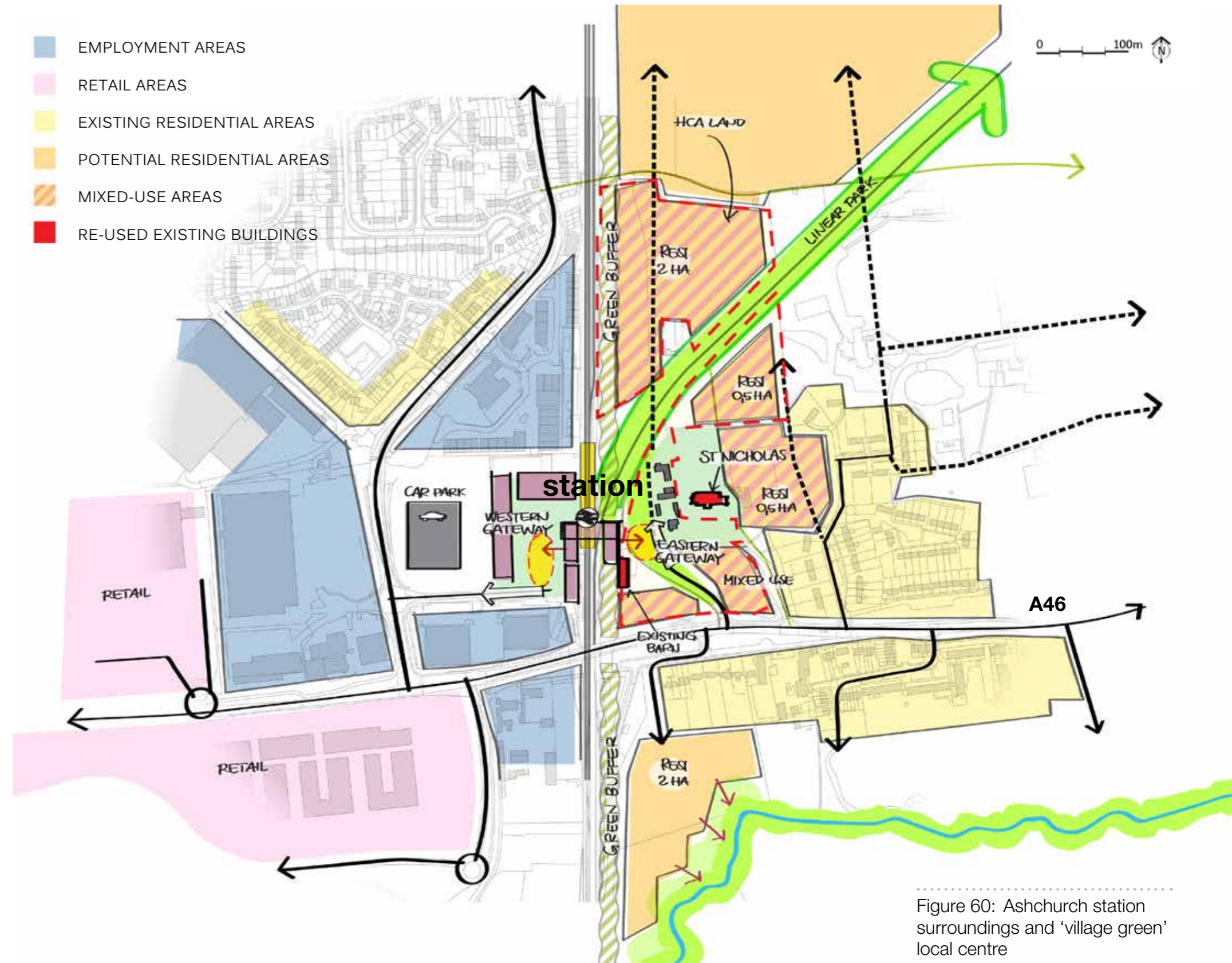


Figure 60: Ashchurch station surroundings and 'village green' local centre



The new centre, built mostly on the land owned by HCA, would offer a mix of uses (local retail, food and beverage, health facilities) serving the emerging community and new jobs.

Once decommissioned, a new linear park would be built along the MOD rail

spur, starting at the eastern gateway and potentially extending to Carrant Brook.

The vision for Ashchurch local centre is based on the assumptions that the HCA land would facilitate access to north, and the existing MOD rail tracks will come into disuse.

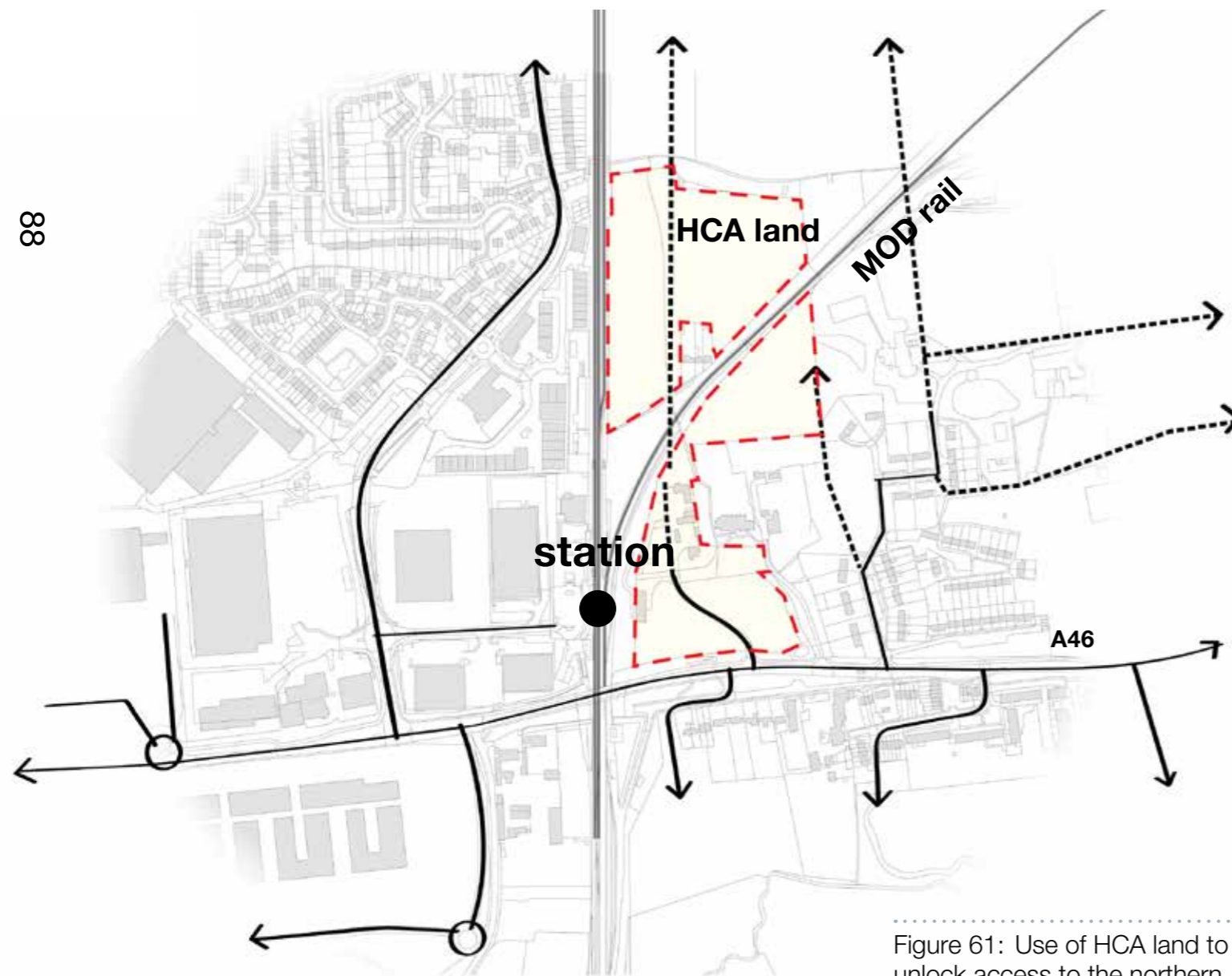


Figure 61: Use of HCA land to unlock access to the northern areas



Figure 62: Reuse of traditional buildings at Kingsway, Gloucester South



Figure 64: St. Nicholas Church



Figure 63: Linear parks along disused railway tracks



### Retail provision

The Ashchurch Local Centre could be servicing 3,000-3,500 dwellings, and based on commercial advice, could therefore be support the following:

- A larger format convenience retail store of circa 500 – 900 m<sup>2</sup>;
- Additional retail space of 2,000 m<sup>2</sup> in units sizes from 100 m<sup>2</sup> to 200 m<sup>2</sup> capable of combination;
- Typical local A1-5 uses as well as specific provision for a pharmacy, clinic or other health related use;
- Provision for a public house or restaurant of circa 1,000 m<sup>2</sup>;
- The potential to include some form of community use building of circa 1,000 m<sup>2</sup>;
- Potentially an element of D2 leisure of say 200 - 400 m<sup>2</sup>;
- Potentially there could be demand for a childrens day nursery of circa 500 m<sup>2</sup>;

The neighbourhood centres could potentially be supporting 500-1,000 new dwellings. At this level, local facilities could include:

- A small format convenience store of circa 400 m<sup>2</sup>;
- Additional retail space of 600 m<sup>2</sup> in unit sizes from 100 m<sup>2</sup> capable of combination;
- If the location is sufficiently prominent, there may be demand for a public house restaurant.

### Benchmark: Kingsway Local Centre, Quedgeley, Gloucester

The Kingsway scheme provides around 3,300 new homes, 12 Ha of employment, a 3,700 m<sup>2</sup> food store (separate to the local centre food retail provision), two schools, a doctors surgery (currently under construction) and a family pub / restaurant of 1,200 m<sup>2</sup> (also currently under construction and separate to the pub / restaurant). The commercial uses are some 0.75 miles from the local centre.

The local centre itself consists of approximately 2,500 m<sup>2</sup> of retail and pub restaurant space. This includes a 500 m<sup>2</sup> convenience store, café, estate agents and pharmacy. The local centre public house has been converted from former farm buildings much as we discussing for Ashchurch. The local centre land take is 3.6 acres but this include the low density element being the former farm buildings.

Alongside the local centre there is a new build community centre which sits on 0.2 Ha.



Figure 65: The Kingsway: community and cycling, retail, traditional architecture, nature, education





## 5.0 Conclusions and next steps

### Conclusion

This report outlines a Draft Concept Masterplan that tests the capacity of housing and business development that can be delivered sustainably in the Tewkesbury area, in the short and longer term. The tested scenarios indicate a potential development pipeline of up to 8,010 homes and 120Ha of employment land, of which:

- 3,180 homes and 46 Ha of employment are considered deliverable by 2031;
- 2,670 homes and 28 Ha are considered developable in the longer term,
- 2,160 homes and 46 Ha are identified broad locations for growth.

The Draft Concept Masterplan finds that the Tewkesbury area has potential to deliver strategic growth. It is a prime location to capitalise on business opportunities, and an attractive area to deliver new communities where people will want to live and work.

The presence of significant transport infrastructure constraints requires an approach that places infrastructure upgrades and modal shift at the heart of the development strategy. The key conclusions are that conventional highways infrastructure alone will be unable to facilitate this level of development.

Rather, there is a clear opportunity when planning for growth at this scale to embed sustainable choices at the heart of future communities, through urban form, movement strategies and integration of land uses, which together can encourage a fundamental shift in the way occupants will live and travel.

All of the development phases outlined in the Draft Concept Masterplan are reliant on the upgrading and delivery of infrastructure - sustainable transport, alongside new schools and local services, as well as enhancement of the role of Ashchurch for Tewkesbury station.

From the outset, the development of the Tewkesbury area needs to plan for transformational long-term growth. The strategy can be flexible and incremental, but it must avoid being piecemeal.

By taking a long-term approach, real benefits can be secured for both existing and new residents. Strategic growth offers a critical mass to fund key infrastructure improvements and deliver comprehensive, high quality design. Together, these components can deliver a vision of successful place-making.

Strategic growth on this scale requires ambition, as well as a positive approach that is honest and robust about finding solutions to infrastructure needs and constraints. The growth of the Tewkesbury area will require local support and buy-in from key regional and local stakeholders, as well as Highways England. The need for collaboration with multiple stakeholders and agencies demands a robust vision and project objectives, and an ability to articulate clearly the benefits of growth. This concept masterplan is the first step in setting a vision for the long-term potential of the area, and the necessary strategies to achieve this positively.

### Garden villages

The level of growth envisaged by the Draft Concept Masterplan corresponds to the government's promotion of new, locally-led garden villages (1,500 to 10,000 homes), recognising their vital contribution to the UK's growth.

To date, 14 garden village proposals have been awarded funding to investigate infrastructure requirements and will receive support in determine routes to unlock funding and delivery. Projects include Long Marston in Stratford-upon-Avon and Oxfordshire Cotswold in West Oxfordshire.

The government does not prescribe a set of fixed attributes for garden villages, but conceptualises them as distinct new places with their own community facilities, rather than urban extensions. They should be locally led in response to local housing need, and incorporate sustainability and good design. Larger proposals should consider their economic benefits and gain LEP support, and infrastructure needs should be clearly assessed. The government may also assist in brokering solutions to unblock delivery issues, advise on the setting up delivery vehicles, and help local authorities to resist speculative planning applications, in reward for planning for housing delivery.

Should another funding round for garden villages be opened up, it is considered that the Tewkesbury area would be well placed to seek garden village status and government support.

### Masterplanning - next steps

In order to progress from the Draft Concept Masterplan stage we have set out the next steps below:

- Refine Draft Concept Masterplan depending on steer and comments from Client Steering Group and Key Stakeholders
- Amend phasing to reflect the transport strategy and clarify infrastructure triggers
- Explore garden villages opportunity
- Make reps to the early JCS plan review
- Further modelling of the local and wider strategic impacts of the masterplan on transport infrastructure
- Engage with key stakeholders on key infrastructure provision (HE, GCC for transport and schools, Network Rail, NHS, bus companies)
- Engage with LEP on economic growth strategy to define a clear vision for the business park areas and integrate with their Growth Zone priorities
- Develop a Community Engagement Strategy to introduce growth concepts
- Continue alignment with Tewkesbury place story and place based proposals
- Assess emerging planning applications against Draft Concept Masterplan
- Work with holders of existing consents to eliminate conflicts with the Draft Concept Masterplan, for example A46 access improvements for Sainsbury's site
- Commission market testing of local absorption rates to develop the phasing trajectory.

### Transport - next steps

The technical analysis undertaken in support of this masterplan report has concluded that the focussing of wider JCS area growth in the Tewkesbury area serves to accentuate the commonly accepted shortcomings in the transport network. Added to this, our analysis of travel impacts at the local level (as with the yet to be released Short term Access Strategy), further accentuate these shortcomings.

The principal issue therefore is to resolve the substantial gap between the masterplan's growth ambitions and the ability to deliver the very substantial infrastructure that is likely to be required. In order to address this gap, we propose two parallel streams of investigation:

1. How to optimise / minimise travel demand (especially road-based) in terms of development:

- Scale
- Land use type
- Phasing

2. Transport infrastructure delivery schedule – identifying needs in relation to the above and with reference to those infrastructure proposals:

- Already tabled – notably the Short Term Access Strategy
- New proposals – i.e. those identified within this report and others yet to be identified.

Having considered 1 and 2 above, further modelling of the local and wider strategic impacts would then be needed to understand the potential benefits of

these network capacity improvements and demand changes.

The short-term scenario is naturally more straightforward to assess given the studies already undertaken (though yet to report), with the long-term scenario considerably more complex to consider and plan for given the range of uncertainties involved. Though the latter clearly would benefit from further investigation, particularly the issue of the Development Delivery Road, it is suggested that the medium-term scenario demands a similar degree of focus to that accorded the short-term to date given the apparent infrastructure capacity shortfall.

This report has concluded that sustainable living / movement is not only desirable in a wider sense, but will play a critical role in helping to deliver the growth ambitions. However, achieving the scale of mode shift needed will be challenging, and will require a close assessment of its likely ability to support the level of major growth sought.

### Urban design - next steps

This first stage of the Draft Concept Masterplan has defined a set of high-level design principles and a strategic framework for development, outlining:

- A spatial strategy to combine different parcels of land;
- A transport strategy capable of delivering the masterplan;
- Timeline and phasing programme;
- High level parameters for development (e.g. residential and employment density);
- An overarching landscape strategy; and
- The role and integration of the area within the wider context and surrounding settlements.

Based on the work undertaken at Stage 1, the second stage of the masterplan will define in more detail:

- Land uses, densities, heights and massing;
- Open space, townscape, green infrastructure and public realm strategies;
- How trees, planting and sustainable drainage system (SuDs) could help the successful integration of developments into the existing landscape fabric;
- Utilities, servicing and waste;
- Hierarchy of streets and streetscape design;
- Local character and definition of character areas, including a more detailed definition of the new local centre;
- Housing typologies, typical development layout options and their integration into the local context;

- Employment typologies, typical development layout options and their integration in the context; and
- Public transport, access, car and cycle parking needs.

Given the sensitivity of the area, Stage 2 could also include a set of design codes providing criteria for development in the different character areas, providing guidance and evaluation of their relative merits or drawbacks.



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## TEWKESBURY BOROUGH COUNCIL

<b>Report to:</b>	Council (Extraordinary)
<b>Date of Meeting:</b>	15 October 2018
<b>Subject:</b>	Community Infrastructure Levy (CIL) Formal Adoption of Charging Schedule and Supporting Policies, Approval of Regulation 123 List for Publication and Setting of a Commencement Date for Charging
<b>Report of:</b>	Community Infrastructure Levy Manager
<b>Corporate Lead:</b>	Head of Development Services
<b>Lead Member:</b>	Lead Member for Built Environment
<b>Number of Appendices:</b>	Six

### **Executive Summary:**

This report seeks Council adoption of a Community Infrastructure Levy (CIL) Charging Schedule and supporting policies, alongside approval of a list of infrastructure that may be funded from CIL (Regulation 123 list) for publication and to set a commencement date for charging of 1 January 2019.

### **Recommendations:**

#### **That Council APPROVE:**

- 1. The adoption and publication of the Tewkesbury Borough Council Community Infrastructure Levy Charging Schedule, modified in line with the recommendations of the Independent Examiner.**
- 2. The adoption of the following supporting policies:**
  - a. Payment by Instalments (Regulation 69b)**
  - b. Request for Review and Appeals (Part 10)**
- 3. The Regulation 123 List for Tewkesbury Borough Council for publication.**
- 4. The setting of a commencement date for charging of 1 January 2019, in line with Joint Core Strategy (JCS) partner authorities.**

### **Reasons for Recommendations:**

1. Adoption of the CIL Charging Schedule(s) enables each JCS Council to ensure that new development contributes proportionately to infrastructure provision, supporting the delivery of new development and economic growth identified in the adopted JCS (2011 to 2031) and the emerging district level plans, whilst taking into account the need to strike an appropriate balance which does not threaten viability.

2. Adoption of optional supporting policies ensures that larger developments can commence before full and final settlement of their CIL obligation in line with the regulations.
3. Publication of the Regulation 123 list is a legal requirement which sets out the infrastructure on which CIL may be spent.
4. Setting a commencement date in line with JCS partner authorities provides certainty and coherence to applicants, provides a short period of notification of the change being introduced and allows the completion of legal agreements negotiated under the former system of securing developer contributions.
5. Council should bear in mind that CIL accruing from development in Tewkesbury will not generate the total of funding required to deliver all the Borough's infrastructure needs. For this reason, it is important that the Council continues to work in partnership with the other JCS authorities, ensuring that the necessary infrastructure that will serve Tewkesbury's existing and new communities is funded through the new CIL arrangement.
6. Members should also be aware that the total CIL income to be generated is unlikely to be sufficient to fund all the area's infrastructure needs. It is, however, a mechanism to part fund that infrastructure, and efforts will need to continue to secure external and additional funding.

### **Resource Implications:**

This report includes the consideration of resource implications and is supported by estimates of income from CIL and the expenditure associated with the implementation of a service for 'Charging and Collection of the Levy'.

The indicative running costs for all three JCS authorities managing CIL over the first 3 years are:

Year 1 – £116,646.

Year 2 – £125,274.

Year 3 – £127,185.

These costs will be funded from the 5% admin allowed from the CIL income and any shortfall will be funded from the JCS funds held by Tewkesbury Borough Council.

Funding for the two members of staff who will carry out the Charging Authority functions for all three authorities in the first year of operation has already been agreed and is funded through the pooled JCS budget.

These staff costs, along with other set-up costs incurred prior to commencement, will be recouped from the maximum 5% of CIL Income that Regulation 61 allows Charging Authorities to retain for administrative costs (and in the first three years also set-up costs).

Any surplus from the 5% allowed for administrative costs must be retained in the re-investment fund for use on the provision of infrastructure.

Set-up costs for the three JCS authorities combined total £229,149, and in the further report to Executive Committee on Governance, recommendations will be made on how these should be funded along with the ongoing costs.

Income projections for the first three years, based on planned development in the JCS and three District Level Plans is estimated to be approximately £15 million\*.

Resource implications will also include the participation of Front Line, Support and Development Management Officers, Member and Committee Services Officers, Finance Officers, Community Engagement Officers and the support required of One Legal.

*\*This figure does not include income generated from windfall applications and as such is a cautious estimate which relies on development commencing in line with our projections.*



**Legal Implications:**

The power to charge CIL is contained within Part 11 (Section 205-225) of the Planning Act 2008 and the Community Infrastructure Levy Regulations 2010 (as amended). CIL is defined as the imposition of a charge; the overall purpose of which is to ensure that costs incurred in supporting the development of an area can be funded (wholly or partly) by owners or developers of land in a way that does not make development of the area economically unviable (Section 205(1) and (2) of the Act).

The recommendations are in conformity with the requirements of the 2010 CIL Regulations (as amended).

**Risk Management Implications:**

Whilst there is no requirement on local authorities to adopt or implement CIL, and Section 106 contributions can continue to be sought, the delivery of infrastructure has been heavily constrained since April 2015 when Section 106 pooling limitations came into force, which risk undermining the ability to deliver the level of economic development planned.

Once adopted the charging, collection, distributing, spending, monitoring and reporting of the charge becomes a statutory obligation. Should the measures being put in place to collect, spend and monitor CIL prove to be inadequate, and therefore collection is delayed or ineffective, spending poorly targeted or a lack of monitoring results in reduced receipts, this will be monitored by a governance structure which will be recommended to Executive Committee to receive reports on performance.

Should experience prove the CIL rates to have been set too high, and as a consequence development is unviable and does not happen or other policy requirements such as affordable housing are placed at risk then future planned periodic reviews will allow rates to be reviewed in light of not only current economic conditions but also that experience. However, this is highly unlikely based on the Examination of the viability evidence and opinion of the Independent Examiner.

**Performance Management Follow-up:**

Once CIL is implemented the Council must publish an annual report setting out CIL receipts and expenditure.

In order to be able to demonstrate that 'double dipping' has not occurred, that is spending CIL receipts on infrastructure projects that have also been funded through Section 106 contributions, which is explicitly prohibited by Regulation 123, new monitoring arrangements will need to be put in place for the Council's own Section 106 Agreements. Work will also need to be undertaken with the County Council, which currently enters into its own Section 106 (and Section 278 of the Highways Act 1980) Agreements, to provide detailed monitoring information.

The evidence base for the CIL will be kept under review and updated as required.

### **Environmental Implications:**

In choosing to adopt the CIL, the JCS Councils are promoting all three dimensions of sustainable development set out in the National Planning Policy Framework (NPPF):

- Economic – contributing to building a strong, responsive and competitive economy.
- Social – supporting strong, vibrant and healthy communities.
- Environmental – contributing to protecting and enhancing our natural, built and historic environment.

## **1.0 INTRODUCTION/BACKGROUND**

### **1.1**

The district authorities of Gloucester City Council, Cheltenham Borough Council, and Tewkesbury Borough Council have together developed and adopted<sup>1</sup> a Joint Core Strategy (JCS) which forms the upper, strategic level of their Local Plans to 2031. Alongside this each of the three JCS authorities are also developing their own district level plans which will sit underneath the JCS and, along with any Neighbourhood Development Plans made in the three areas, complete their Local Plans.

### **1.2**

To support the delivery of development identified in the JCS and the district level plans the three partner authorities have prepared an Infrastructure Delivery Plan (IDP) this formed part of the examination of the JCS and is being kept under review to guide delivery of strategic infrastructure. In addition, the three Councils are developing individual IDPs to support their emerging district level plans.

### **1.3**

Following the adoption of the Joint Core Strategy (JCS) in December 2017, and the work progressing the Tewkesbury Borough Plan, the challenge is now to deliver the development and critical infrastructure required. The introduction of a Community Infrastructure Levy (CIL) to part-fund new infrastructure would be a key step towards this. This report sets out the detail of the preparation of a Cheltenham CIL and seeks adoption of the charging schedule and related policies.

### **1.4**

Whilst Cheltenham has worked closely with Gloucester City and Tewkesbury Borough in developing CIL, each authority, as defined by the CIL regulations is a statutory 'Charging Authority' in their own right and are therefore being asked to adopt their own Charging Schedule, supporting policies and approve their Regulation 123 List for publication.

### **1.5**

This report provides the background and information to support the recommendation for adoption.

## **2.0 WHAT IS THE COMMUNITY INFRASTRUCTURE LEVY**

### **2.1**

The Community Infrastructure Levy (CIL) is a charge levied on new buildings and extensions to buildings according to their floor area. In this way money is raised from development to help pay for strategic and community infrastructure. This could include schools, leisure centres, older peoples care accommodation, roads and other facilities to ensure demands arising from the JCS are accommodated sustainably.

### **2.2**

CIL replaces only the Section 106 "tariff" approaches which have previously been used for this purpose. Section 106 must continue to be used for affordable housing and will be used for site specific infrastructure needed to make a specific development site acceptable in planning terms.

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<sup>1</sup> 11<sup>th</sup> December 2017

**2.3** CIL is calculated on the net increase in gross internal floor area (GIA) provided any existing floor area is in lawful use. That is a credit is allowed for any existing GIA which is demolished.

**2.4** Whilst CIL may be levied on most buildings that people 'normally go into' there is a national definition of liable development and a number of mandatory and discretionary exemptions:

Definition of Liable Development

- More than 100sqm of new floorspace.
- Less than 100sqm of new floorspace if one or more new dwellings are created.
- Conversion of a building no longer in lawful use.

**2.5** CIL income is not subject to the pooling restrictions imposed upon Section 106 Agreements in April 2015 and can therefore provide contributions towards infrastructure that arises as a result of development but is not directly related and therefore cannot be attributed to any one development site.

**3.0 HOW MUCH FUNDING COULD THE CIL GENERATE FOR TEWKESBURY**

**3.1** CIL will provide a new way for the Borough Council, JCS partner authorities and Parish Councils to fund infrastructure needs arising from development in their areas. Regulations require 15% of CIL from developments in a Parish to be paid to the Parish Council, subject to a cap of £100 per existing property, rising to 25% if they have adopted a Neighbourhood Development Plan.

**3.2** Whilst the exact amount of CIL income to be raised in Tewkesbury, and when this will be received, is difficult to forecast accurately, based on the Council's forecast of housing growth over the period of the JCS, to 2031 £21.7m could be received. It should be noted that this income is not 'new money' in that this would have been investment negotiated via Section 106 Agreements in the past, with the exception of some smaller sites.

**3.3** CIL income generated is anticipated to accrue gradually over the course of the first year of the scheme. For this reason, the governance arrangements to be put in place in relation to the expenditure of CIL income, retained by the Charging Authorities, will be considered by the JCS partners over the course of the first six months of the programme. These arrangements will be presented to Executive Committee for decision.

**4.0 THE RELATIONSHIP WITH PLANNING OBLIGATIONS**

**4.1** Section 106 contributions can continue to be sought, however, the delivery of strategic infrastructure in particular has been heavily constrained since April 2015 when Section 106 pooling limitations came into force allowing only contributions from up to five developments to be pooled to fund an individual infrastructure project.

**4.2** Because CIL income is not subject to these pooling restrictions it can provide contributions towards infrastructure whose need arises as a result of the cumulative impact of many developments but is not 'directly related' to any one.

**4.3** Section 106 must continue to be used for affordable housing and will be used for anything required just for a specific development site to make it acceptable in planning terms.



## **5.0 HOW THE LEVY WAS SET**

**5.1** Expert Evidence of the viability of CIL was commissioned by the JCS authorities from the District Valuer Service (DVS) in 2014 and 2015, Peter Brett Associates (PBA) in 2016 and Porter Planning Economics (PPE) in 2017.

**5.2** Expert Evidence of the need for infrastructure to deliver the growth proposed in the JCS, professional cost estimates and the identification of sources of funding and the gap, or shortfall in funding, which CIL will help to address was prepared by Arup in August 2014 and updated in an addendum to the IDP in December 2017.

**5.3** Based on the above evidence a Preliminary Draft Charging Schedule was prepared for statutory consultation.

**5.4** Formal Public Consultation: The CIL Charging Schedule has been developed through the Preliminary Draft Charging Schedule, the Draft Charging Schedule and the modifications stages, which were published for consultation between: May and June 2015; May and June 2016; and July and September 2017, respectively.

**5.5** Formal Public Examination: The Draft Charging Schedule was submitted to the Planning Inspectorate for Independent Examination on 26 July 2016. Hearings were held from 15 to 17 May 2018.

**5.6** The Planning Inspectorate Examiner's Report was received by the Council on 31 July 2018 (attached to this report as Appendix C). The report concludes that the Draft Charging Schedule passes all the statutory tests and recommends approval subject to certain modifications related to:

- adding another category of residential development, namely 450 dwellings and over; charged at £35 per square metre in Cheltenham and Tewkesbury and nil rated in Gloucester;
- restricting the 11 plus dwelling category to between 11 and 449 dwellings;
- reducing the out of centre retail rate from £100 per square metre to nil pending the outcome of the JCS review of retail and the gathering of further evidence; and
- adding West Cheltenham to the Tewkesbury charging schedule.

**5.7** The modified Charging Schedule (attached to this report as Appendix A), incorporating the Examiner's recommendations (Appendix C) is now being brought before Council to seek adoption in line with recommendation 1 of this report.

## **6.0 CIL IMPLEMENTATION AND PAYMENT**

**6.1** It is recommended that an implementation (commencement) date for the Charging Schedule to take effect is set for 1 January 2019. This will mean that all relevant planning applications granted permission on or after this date will be liable to pay the relevant charge. Applications for Reserved Matters determined from that date will also be liable for CIL except where they relate to Outline Permissions that were determined prior to the 1 January 2019.

**6.2** Two officers have been jointly employed on two-year fixed term contracts since early in 2018 by the three JCS partner authorities to work with each of the three Planning Authorities to ensure they are ready to implement CIL. Members and Officers are being briefed and engagement with development industry representatives and Parish Councils is planned. IT software has been purchased and is now being put in place and the two officers are preparing to initially undertake the CIL Charging Authority functions of the three JCS partner Councils jointly.

**6.3** Additional resources will be required in due course to operate the Charging Authority functions for the JCS partner Councils and these will be funded, as permitted by the Regulations, from the 5% of CIL income allowed for this purpose.

## **7.0 EXEMPTIONS AND RELIEF**

**7.1** The CIL Regulations allow for a number of exemptions from CIL to be claimed, some are mandatory and set nationally whilst some are discretionary and can be set locally by the Council as CIL Charging Authority.

**7.2** The CIL Regulations also allow for other policies, on 'exceptional relief' and 'requests to accept land and infrastructure in-kind' to be implemented at the discretion of the Local Authority. Whilst these policies were discussed at the Examination Hearings they were not included in the Examiner's recommendations. It is therefore proposed that periodic reviews of CIL and relief policies, which take account of economic conditions, property values and development costs are carried out. This would also provide an opportunity to review whether the Council considers any of the discretionary policies necessary.

## **8.0 THE CHARGING SCHEDULE**

**8.1** Following recommendations made by the Independent Examiner, Tewkesbury Borough Council's Charging Schedule comprises residential CIL rates differentiated by scale and geographical location which is set out in Appendix A to this report.

## **9.0 THE REGULATION 123 LIST**

**9.1** Local authorities adopting CIL are required to publish a list of the specific infrastructure or types of infrastructure to be funded by CIL and those which will continue to be funded by Section 106 Agreements. This is known as the Regulation 123 List. A draft of this list was published with the Draft Charging Schedule and considered at the Examination Hearings as part of the process. During the examination hearings changes were made to address the Examiner's concern that the list was not explicit enough to ensure 'double dipping' or paying for the same infrastructure projects from both CIL and Section 106 would not occur, as the regulations specifically prohibit this. Following the hearings and receipt of the Examiners report, in consultation with the County Council, further modifications have been made to ensure clarification on the uses to which CIL will be put and those to which Section 106 Agreements will be required. The resulting Regulation 123 List is attached to this report as Appendix F. It is recommended that the Regulation 123 List is approved for publication by Council.

## **10.0 LOCAL POLICIES FOR ADOPTION**

**10.1** Instalment Policy: Whilst the CIL regulations require payment in full within 60 days of commencement of development and receipt of the demand notice they also allow the authorities to introduce an Instalment Policy. An Instalment Policy will assist the viability and delivery of developments by allowing phased payments to take account of the likely rate of development. The Instalment Policy, attached as Appendix D, is recommended to be introduced at the same time as CIL comes into effect on 1 January 2019.

**10.2** Request for Review and Appeals Policy: Regulation 113 allows the request for a review of the chargeable amount. Regulations 114 to 119 allow appeals against the chargeable amount, apportionment of liability, a decision on charitable relief, a decision on exemptions for residential extensions and self-build housing, a surcharge, the deemed commencement date and the issue of a CIL stop notice. The Request for Review and Appeals Policy, attached as Appendix E, is recommended to be introduced at the same time as CIL comes into effect on 1 January 2019.

## **11.0 NEXT STEPS**

### **11.1 Commencement:**

- A commencement date must be set on adoption and therefore the recommendation is that a commencement date is set, in line with our JCS partners, for 1 January 2019.
- Configuration, user training and deployment of the CIL IT management system.
- Publication of statutory notices and notification of individual applicants and the wider development industry the change being introduced.
- Completion of legal agreements negotiated under the former system of securing developer contributions.

**11.2** It is proposed to submit to Executive Committee, in due course, recommendations as to an appropriate mechanism for prioritising spending on qualifying infrastructure projects through the establishment of a governance structure that ensures delivery of infrastructure identified as critical in the JCS Infrastructure Delivery Plan (IDP) and efficient administrative arrangements for the charging and collection of the levy across the three JCS authorities.

## **12.0 OTHER OPTIONS CONSIDERED**

**12.1** The Council could choose to not adopt CIL and, instead, continue to rely only on income from Section 106 Agreements. However, the restrictions put in place which limit the ability to pool receipts from Section 106 Agreements, in April 2015, are likely to result in a loss of resources to fund, in particular, strategic infrastructure needs identified through the process of preparing the JCS. The use of CIL would address this loss of resources towards the funding gap for future infrastructure.

## **13.0 CONSULTATION**

**13.1** During the preparation of CIL a number of rounds of informal and statutory consultation began:

- An initial non-statutory consultation was carried out with Town and Parish Councils in the Spring 2012.
- Statutory Preliminary Draft Charging Schedule from May to July 2015.
- Statutory Draft Charging Schedule from May to June 2016.
- Statutory Statement of Modifications from July to September 2017.

## **14.0 RELEVANT COUNCIL POLICIES/STRATEGIES**

- 14.1**
- Tewkesbury Borough Council's Council Plan 2016 to 2020.
  - Joint Core Strategy 2011 to 2031.

## **15.0 RELEVANT GOVERNMENT POLICIES**

- 15.1**
- The National Planning Policy Framework (2018).
  - The Community Infrastructure Levy Regulations 2010 (as amended).
  - The Planning Act 2008.
  - The Town and Country Planning Act 1990.



**16.0 RESOURCE IMPLICATIONS (Human/Property)**

16.1 See above.

**17.0 SUSTAINABILITY IMPLICATIONS (Social/Community Safety/Cultural/ Economic/ Environment)**

17.1 The provision of necessary and appropriate infrastructure when required is essential to ensure sustainable development.

**18.0 IMPACT UPON (Value For Money/Equalities/E-Government/Human Rights/Health And Safety)**

18.1 Once adopted, the CIL will allow the JCS Councils and local neighbourhoods, to target the resulting revenue stream towards those types of infrastructure considered necessary to meet the needs of different areas, supporting the delivery of equality and diversity.

**19.0 RELATED DECISIONS AND ANY OTHER RELEVANT FACTS**

- 19.1
- 4 December 2012 - Council approved the work to draw up a Draft Charging Schedule.
  - 14 April 2015 - Council approved the Preliminary Draft Charging Schedule for consultation.
  - 19 April 2016 - Council approved the Modified Draft Charging Schedule for consultation.
  - 26 July 2017 - Council approved Draft Charging Schedule for publication with modifications and submission to examination.

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**Appendices:**

- A. Tewkesbury Borough Council Charging Schedule.
- B. Policy Maps.
- C. Examiner's Report (31 July 2018).
- D. Supporting Policies: Payment by Instalments.
- E. Supporting Policies: Request for Review and Appeals.
- F. Tewkesbury Borough Council Regulation 123 List.

# Tewkesbury Borough Council

Community Infrastructure Levy

## **Charging Schedule**

## 1. Introduction

- 1.1. Tewkesbury Borough Council have adopted this Community Infrastructure Levy (CIL) Charging Schedule as the Charging Authority under powers provided by Section 206 of the Planning Act 2008.
- 1.2. Tewkesbury Borough Council, along with Gloucester and Cheltenham have adopted a Joint Core Strategy (JCS). The JCS has a common evidence base including testing viability and infrastructure needs.
- 1.3. Viability and infrastructure evidence was prepared on a joint basis to support the plan and to allow the three JCS authorities to prepare their three Charging Schedules on a co-ordinated basis in order to appropriately address cross boundary infrastructure issues.
- 1.4. Although this joint evidence base has informed the Charging Schedules preparation, each of the JCS councils are CIL Charging Authorities in their own right and are required to prepare separate CIL Charging Schedules.
- 1.5. The Council submitted their Draft Charging Schedule to the Planning Inspectorate for Independent Examination on the 26<sup>th</sup> July 2016, hearings were held from the 15<sup>th</sup> to the 17<sup>th</sup> May 2018 and the Examiner recommended approval of this document, with recommended modifications on the 31<sup>st</sup> July 2018.
- 1.6. All relevant evidence can be accessed via the JCS website <http://jointcorestrategy.org>.
- 1.7. CIL sits alongside the current Section 106 regime rather than directly replacing it with regulations in place to ensure that there is a distinction between the two systems and that they do not overlap.
- 1.8. Specific infrastructure projects will therefore still be funded through Section 106 planning agreements, where these are directly related to a proposed development and are needed to make individual planning applications acceptable in planning terms.
- 1.9. The statutory tests for S106 agreements as set out in the Community Infrastructure Levy Regulations 2010 (as amended) and as policy tests in Paragraph 56 of the National Planning Policy Framework (2018) will still need to be applied. These tests being that they are:
  - necessary to make the development acceptable in planning terms,
  - directly related to the development, and
  - fairly and reasonably related in scale and kind.

## 2. Chargeable development

- 2.1. CIL is levied on the development of virtually all buildings that people 'normally go into'. The national definition of chargeable development identifies the following development types as liable for CIL:



- Developments of more than 100m<sup>2</sup> of new floorspace;
- Development of less than 100m<sup>2</sup> of new floorspace which results in the creation of at least one or more new dwellings;
- The conversion of a building that is no longer in lawful use.

### **3. Calculating the CIL Chargeable Amount**

3.1. CIL charges will be calculated in accordance with Regulation 40 of the Community Infrastructure Levy Regulations 2010 (as amended).

3.2. The Community Infrastructure Levy is generally chargeable on the net increase in gross internal floor space of all new development, except:

- Minor development: that is buildings or extensions where the gross internal area of new build is less than 100m<sup>2</sup>, other than where the development will comprise one or more new dwellings (in which case the new dwellings will constitute 'Chargeable Development', irrespective of their size);
- Where the CIL chargeable amount is calculated to be less than £50;
- Where the development is of buildings into which people do not normally go, or which they go only intermittently for the purpose of inspecting or maintaining fixed plant or machinery; or
- Where the development is exempt under Part 6 of the CIL Regulations (as amended).

3.3. In accordance with CIL Regulation 40, all CIL liability will be index linked to the Royal Institute of Chartered Surveyors (RICS) Building Cost Information Service (BCIS) All-in Tender Price Index though it is acknowledged that the use of other price indexes is also permitted.

3.4. As set out in the Community Infrastructure Levy Regulations 2010 (as amended), the calculation of the chargeable amount is based on gross internal area (GIA). The definition of gross internal area is not specified in the regulations; however, the generally accepted method of calculation is the RICS Code of Measuring Practice (6th edition, 2007).

### **4. Exemptions**

4.1. The Community Infrastructure Levy Regulations 2010 (as amended) provide for certain types of development to be exempt from CIL, which include:

- Development by registered charities for the delivery of their charitable purposes;
- Those parts of a development which are to be used as social (affordable) housing;

- The conversion of any building previously used as a dwelling house to two or more dwellings;
- Development of less than 100m<sup>2</sup> of new build floorspace, provided that it does not result in the creation of a new dwelling;
- The conversion of, or works to, a building in lawful use that affects only the interior of the building;
- Development of buildings and structures into which people do not normally go (e.g. pylons, wind turbines and electricity sub stations);
- Residential annexes and extensions (where the person who would normally be liable for the charge owns a material interest in the main dwelling and occupies the main dwelling as the sole or main residence);
- Self-build housing where a dwelling is built by the person who would normally be liable for the charge (including where built following a commission by that person) and occupied by that person as their sole or main residence.

4.2. Exemptions to chargeable development, whether mandatory or discretionary cannot automatically be given and applicants must therefore 'claim' the exemption using the appropriate forms available from the Borough Council website or the on-line Planning Portal.

## 5. CIL rates

5.1. The following rates are expressed in £ per square metre value.

5.2. For residential sites in Tewkesbury Borough Council's administrative area CIL rates are given in table 1.1 below.

5.3. Table 1.1 also sets out the CIL rates for strategic sites that are located within Tewkesbury Borough Council's administrative area.

*Table 1.1: Residential CIL rates*

		Community Infrastructure Levy (£ per m <sup>2</sup> )	Affordable Housing Requirement
<b>Generic sites</b>	Tewkesbury 10 dwellings and under	£104	0%
	Tewkesbury 11 dwellings and over	£200	40%
	Tewkesbury 450	£35	35%

	dwellings and over		
<b>Strategic sites</b>	A1 Innsworth	£35	35%
	A3 South Churchdown	£35	35%
	A4 Brockworth	£35	35%
	A5 Northwest Cheltenham	£35	35%
	B1 West Cheltenham	£35	35%
	B2 Twigworth	£35	35%

## 6. Other forms of development

- 6.1. Through the Examination process it was established that further work is needed to test other uses further, for example, there are different definitions for care homes, extra care and retirement living housing for older people and this may impact upon the potential to apply CIL.
- 6.2. In respect of retail, further viability assessment will be undertaken as part of the immediate review of the JCS and then periodically to establish changes in economic circumstances, after which the CIL charging rates will be reviewed on the basis of updated evidence.

## 7. Spending of CIL

- 7.1. Under Regulation 123 of the Community Infrastructure Levy Regulations 2010 (as amended) the charging authority will publish on its website their intention for how revenues raised from the levy will be spent. This will make clear what items will in future fall under the CIL rather than S106, but also show contributors and other interested parties what types of infrastructure the CIL could be spent on. In formulating the Regulation 123 list the Council will continue to work closely with other bodies to address strategic infrastructure and that delivered by other public authorities, for example, Gloucestershire County Council.
- 7.2. The CIL regime allows authorities to respond to changing local circumstances, by spending revenue from the CIL on different projects from those identified during the rate setting process. Therefore the Regulation 123 list will be continually reviewed and updated accordingly. Changes to the Regulation 123 list will be updated via the council website.

## 8. Duty to pass CIL to local councils

- 8.1. CIL regulations outline provision for receipts to be redistributed to local parish councils, or to be spent on behalf of designated neighbourhood forums. The proportion allocated to the local council, or spent on behalf, is dependent on the adoption of a neighbourhood plan. Where a



neighbourhood plan is in place, 25% of the CIL is passed to the local council. Where a neighbourhood plan is not adopted, 15% is passed to local councils, subject to a cap equivalent to £100 for every existing dwelling in that area.

## 9. Optional exemptions

9.1. The CIL Regulations allow Local Authorities to make certain choices about how to implement the CIL including allowing:

### 9.1.1. Payment by instalments (Regulation 69b)

Payment of a CIL charge is due from the date at which a chargeable development commences. The Council can offer the payment of CIL by instalments to provide flexibility and support for more complicated and phased developments. **An 'instalment policy' stating the parameters of this process was adopted alongside Tewkesbury Borough Council's Charging Schedule.**

### 9.1.2. Social housing relief (Regulation 49)

The Council can allow, at its discretion, relief from liability to pay a CIL charge to new market houses that are to be sold at no more than 80 per cent of their market value. **The authority have not currently adopted this form of relief.**

### 9.1.3. Land and infrastructure in-kind (Regulations 73&73A)

The Council can allow, at its discretion, the value of land transferred to the Council and infrastructure provided or constructed by a developer to be offset against the CIL charge. This enables developers to provide infrastructure that is needed to support new development, but is not directly related to a specific development, the opportunity to provide it directly rather than contributing towards it indirectly through the CIL. The value of land and infrastructure in kind would be determined by 'a suitably qualified independent person' (for example the Valuation Office Agency). **The authority have not currently adopted this form of relief.**

### 9.1.4. Relief for exceptional circumstances (Regulation 55)

Liability to pay a CIL charge on chargeable development is a statutory obligation and is non-negotiable. The Council can, however, in exceptional circumstances offer discretionary relief from liability to pay a CIL charge. Offering this relief provides the Council with some flexibility to deal with complex sites which are proved to have exceptional costs or other requirements which make them unviable. **The authority have not currently adopted this form of relief.**

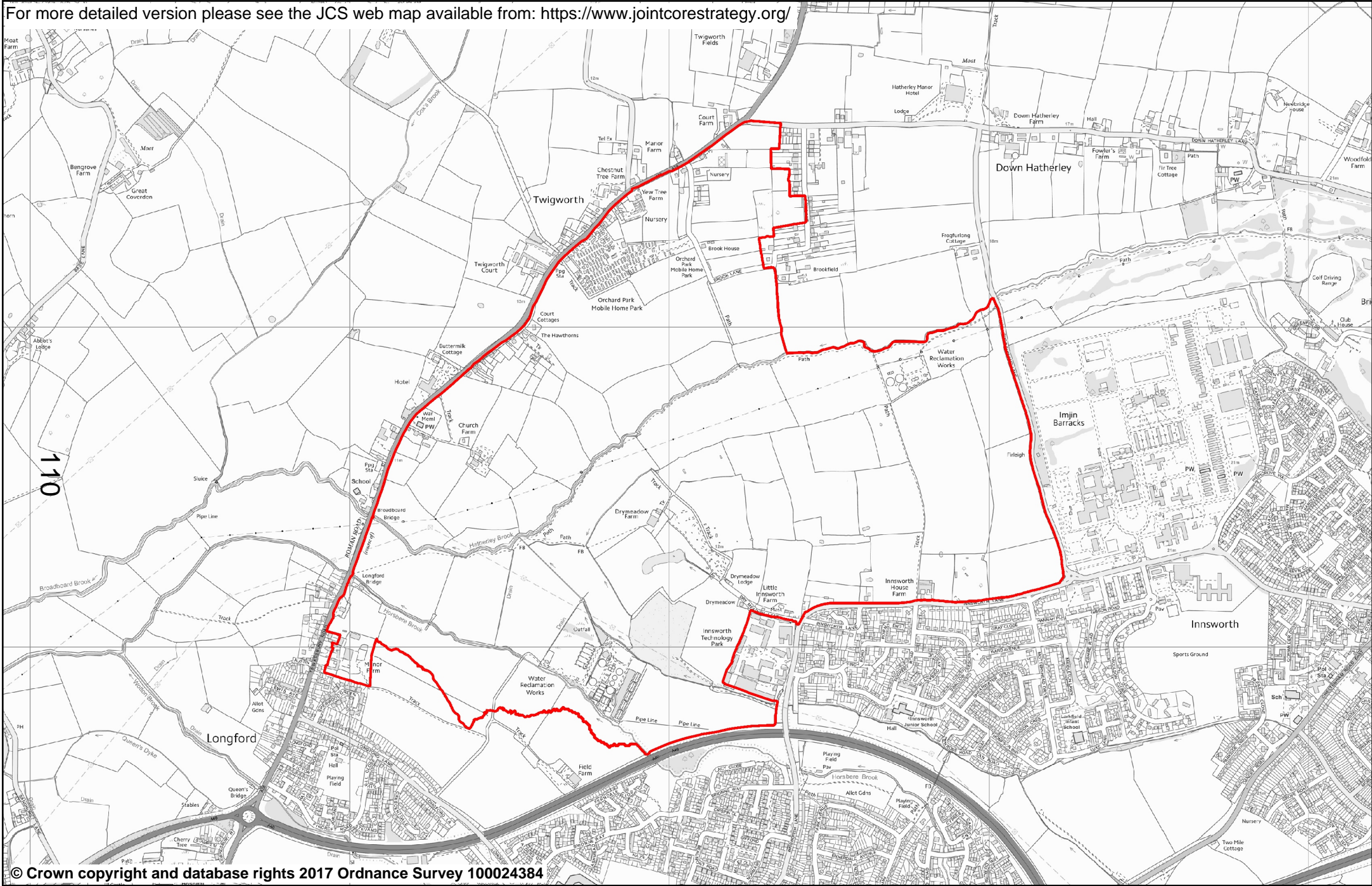
### 9.1.5. Relief for charitable investment activities (Regulation 44)

The Council can allow, at its discretion, relief from CIL liability to charity landowners where the greater part of a development is held as an

investment from which the profits are applied for charitable purposes. **The authority have not currently adopted this form of relief.**

END

For more detailed version please see the JCS web map available from: <https://www.jointcorestrategy.org/>



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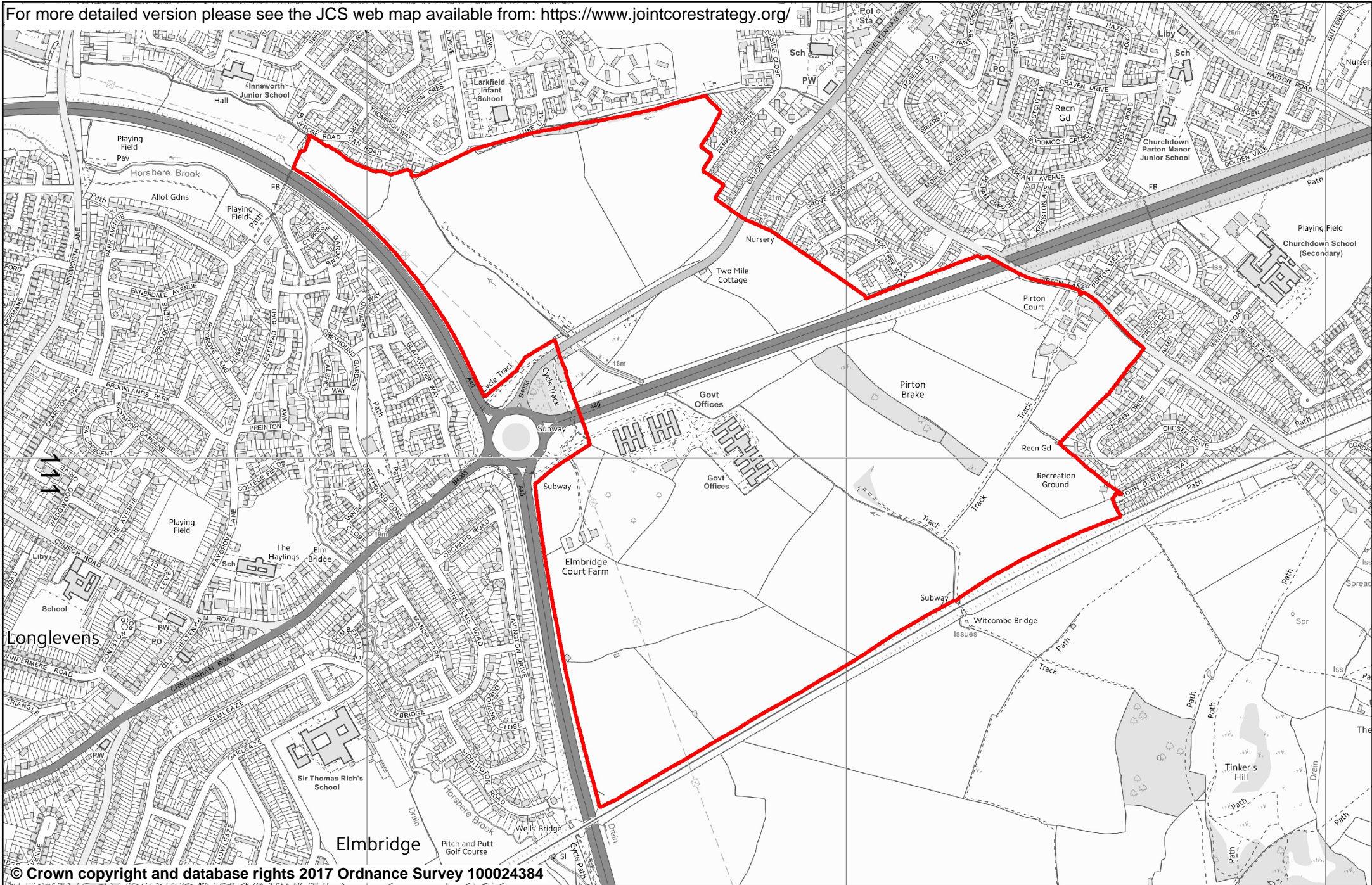


### JCS Innsworth & Twigworth Strategic Allocation for CIL Charging Schedule

1:15000



For more detailed version please see the JCS web map available from: <https://www.jointcorestrategy.org/>

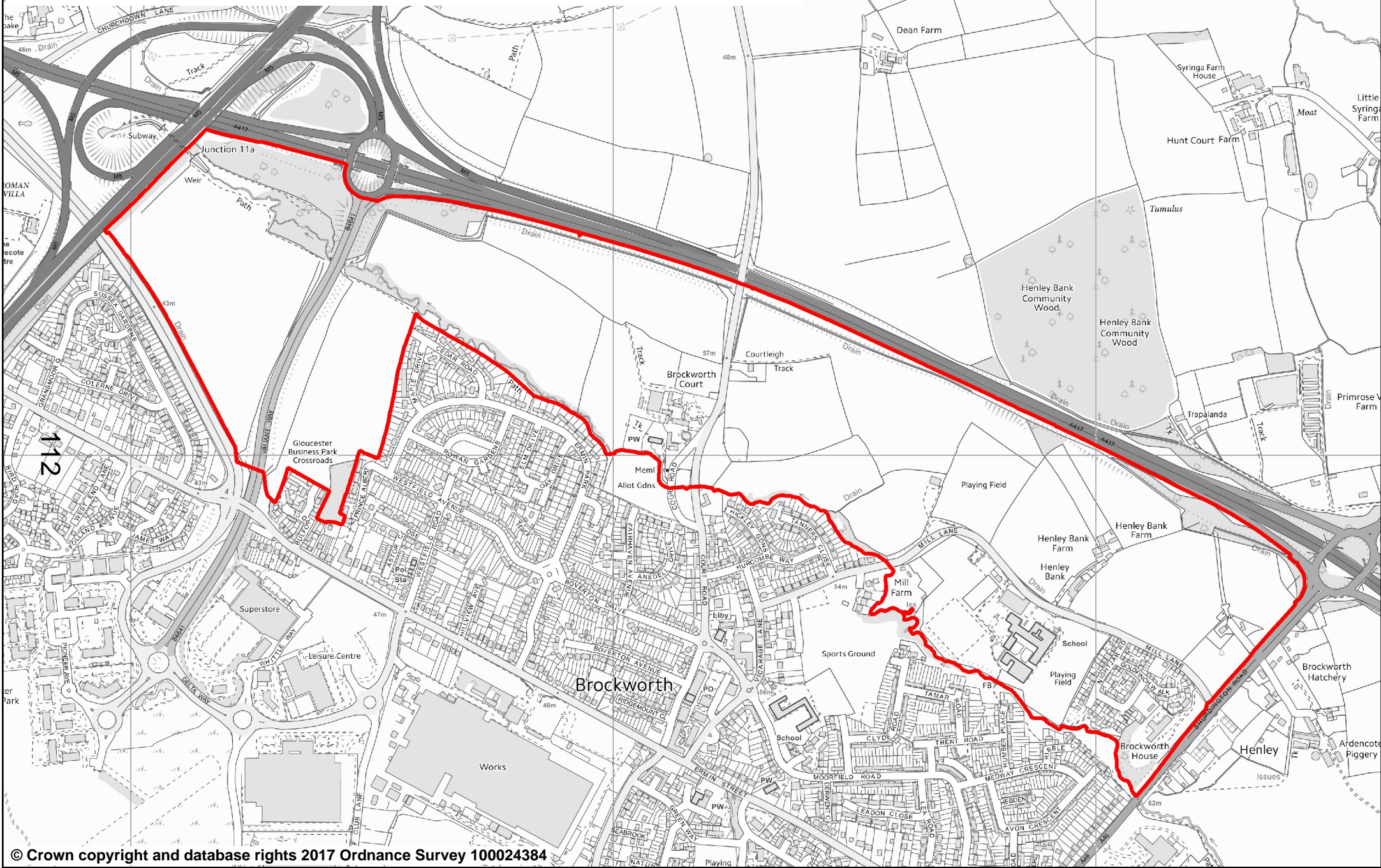


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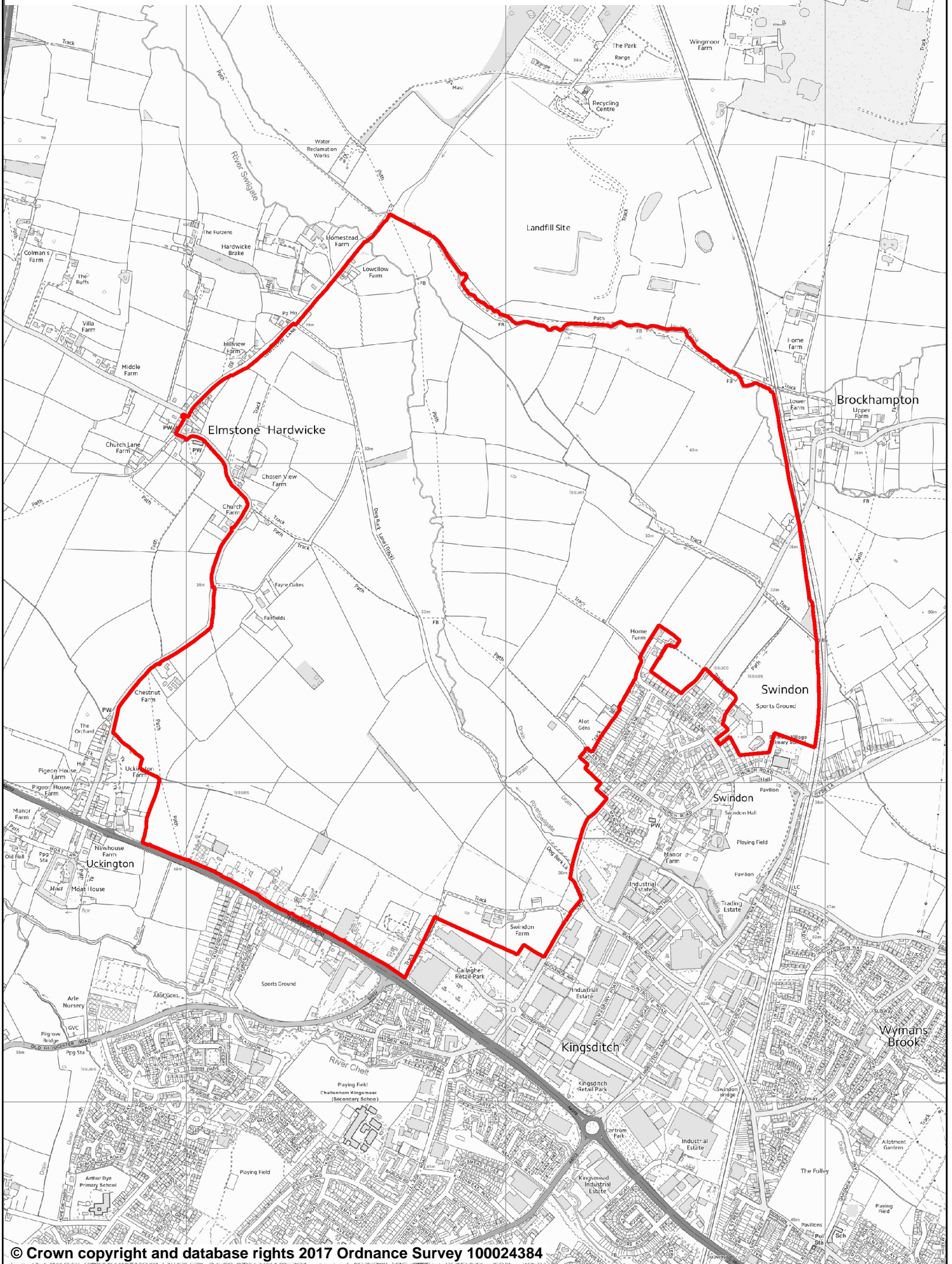
JCS North Brockworth Statigic Allocation for CIL Charging Schedule

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The Planning Inspectorate

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# **Report to Gloucester City, Cheltenham Borough and Tewkesbury Borough Councils**

**by Elizabeth C Ord LLB(Hons) LLM MA DipTUS**

**an Examiner appointed by the Councils**

**Date: 31 July 2018**

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PLANNING ACT 2008 (AS AMENDED)

SECTION 212(2)

## **REPORT ON THE EXAMINATION OF THE DRAFT GLOUCESTER, CHELTENHAM and TEWKESBURY COMMUNITY INFRASTRUCTURE LEVY CHARGING SCHEDULES**

Charging Schedule submitted for examination on 28 July 2016

Examination hearings held between 15 May 2018 and 17 May 2018

File Ref: PINS/B1605/429/1

## Non Technical Summary

This report concludes that, subject to modifications, the Gloucester, Cheltenham and Tewkesbury Community Infrastructure Levy charging schedules provide an appropriate basis for the collection of the levy in the three Council areas, as set out in the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy, adopted in 2017.

The modifications to the schedules that are needed to meet the statutory requirements are summarised as follows:

- Adding another category of residential development, namely 450 dwellings and over; charged at £35 per square metre in Cheltenham and Tewkesbury and nil rated in Gloucester;
- Restricting the 11 plus dwelling category to between 11 and 449 dwellings;
- Reducing the out of centre retail rate from £100 per square metre to nil;
- Adding West Cheltenham to the Tewkesbury charging schedule.

Subject to these modifications, the Councils have sufficient evidence to support the schedules and can show that the levies are set at a level that will not put the overall development of the areas at risk.

The specified modifications recommended in this report are based on matters discussed during the public hearing sessions and do not substantially alter the basis of the Councils' overall approach or the appropriate balance achieved.

## Introduction

1. This report contains my assessment of the Community Infrastructure Levy (CIL) Charging Schedules for Gloucester City Council, Cheltenham Borough Council and Tewkesbury Borough Council as required by Section 212 of the Planning Act 2008. It considers whether the schedules are compliant in legal terms and whether they are economically viable as well as reasonable, realistic and consistent with national guidance.
2. The three Councils have a Joint Core Strategy (JCS) which includes strategic allocations (SAs), other strategic matters, and development management policies. The JCS was adopted by Gloucester City Council on 27 November 2017, by Cheltenham Borough Council on 11 December 2017 and by Tewkesbury Borough Council on 5 December 2018. Following on from the JCS, each Council is aiming to have its own district level plan, which will include non-strategic allocations.
3. The Councils worked jointly to prepare the draft CIL charging schedules, (DCSs) which were published for consultation between 13 May 2016 and 24 June 2016. These schedules were amended by way of Statements of



Modifications (SoMs) in order to align the DCSs with the emerging modified JCS. Additional Ordnance Survey maps were appended to the schedules to reflect the changes. Consultation on the SoMs was held from 28 July 2017 to 29 August 2017 and then extended to 5 September 2017. It is the submitted DCSs as amended by the SoMs which form the basis of my examination and to which I refer in this report as the "modified DCSs".

4. In response to my Matters, Issues and Questions and points raised in the hearing sessions, the Councils put forward further modifications to the "modified DCSs", which are set out in CILEXAM006. These modifications have not been formally consulted upon and consequently do not form part of the "modified DCSs". Nonetheless, I have taken them into account in writing my report.
5. To comply with the relevant legislation the local charging authorities must set CIL rates in a charging schedule which strike an appropriate balance. This is determined by considering, on the one hand, the desirability of CIL funding for infrastructure required to support the development of their areas and, on the other hand, the potential effects of the CIL on the economic viability of development across their areas.
6. In the modified DCSs the Councils propose residential CIL rates differentiated by scale and geographical location. The CIL, which is expressed as £s per square metre (psm), would be as follows:

#### Gloucester

- 10 dwellings and under £0 psm
- 11 dwellings and over £45 psm
- Winnycroft strategic site £0 psm

#### Cheltenham

- 10 dwellings and under £148 psm
- 11 dwellings and over £200 psm
- Northwest Cheltenham strategic site £35 psm
- West Cheltenham strategic site £35 psm

#### Tewkesbury

- 10 dwellings and under £104 psm
- 11 dwellings and over £200 psm
- Innsworth strategic site £35 psm
- South Churchdown strategic site £35 psm
- Brockworth strategic site £35 psm

- Northwest Cheltenham strategic site £35 psm
  - Twigworth strategic site £35 psm
7. Only the Cheltenham modified DCS proposes a CIL for older persons sheltered retirement and extra-care homes, which would be as follows:
- Retirement homes £200 psm
  - Extra Care homes £100 psm
8. For retail development the CIL in the modified DCSs is zoned so that retail development outside the city/town centres of Gloucester, Cheltenham and Tewkesbury is proposed at £100 psm and development within the town centres is nil rated. No other CIL charges are proposed and, therefore, all other non-residential uses are nil rated.
9. Other material published alongside the modified DCSs, such as the proposed Regulation 123 lists and instalments policy does not come within the scope of my examination. Although the draft Regulation 123 lists are a component of the submitted evidence, it is for the Councils to consider the representations made in relation to these matters, and the approach to be taken to exemptions relief. I note the Councils' suggested amendments to the Regulation 123 lists in CILEXAM006, which aim to clarify the relationship between CIL and Section 106/Section 278 contributions and avoid any perception of "double dipping".

**Are the charging schedules supported by background documents containing appropriate available evidence?**

***Infrastructure planning evidence***

10. The Gloucester, Cheltenham and Tewkesbury JCS sets out the main elements of growth that needs to be supported by infrastructure provision in the period to 2031. Further detail is provided in the Infrastructure Delivery Plan (IDP) of August 2014 [INF001], updated by the IDP Addendum of December 2017 [CILEXAM003] and the various IDPs for the Strategic Allocations, which take account of the JCS DS7 transport modelling mitigation schemes. Statements of Common Ground and Position Statements obtained for the SAs provide additional information on infrastructure requirements within the next five years to enable these sites to go forward.
11. The key categories of infrastructure to which the Councils propose to direct CIL revenue are transport, education, community and culture, flood risk management, healthcare, and green infrastructure. The 2017 IDP Addendum indicates that some transport infrastructure funding has been secured from Highways England and the Local Growth Fund and that other monies will be sought from ad-hoc government funding opportunities. Nonetheless, that leaves a significant funding gap.
12. The 2014 IDP estimated a total infrastructure cost within the JCS area of £813.6 million and a funding gap in excess of £741 million. However, the estimated funding gap has changed as applications for SAs have come forward

and bids for external funding have been successful. For instance the transport DS7 mitigation, estimated at around £500 million at the time of issuing DS7, may reduce by as much as half due to external funding.

13. The *Infrastructure Funding Gap Analysis* of September 2016 [INF004] draws together and refines the IDP information to determine key requirements. It explains that initial benchmark-based assessments and delivery routes in the 2014 IDP are in large part not critical to delivery of the Plan, at least in the short term. After consultation with key service providers, confirmed priorities have evolved, resulting in a critical estimated funding gap, which is significantly less than the overall gap for all projects (critical, essential and desirable) set out in the 2014 IDP.
14. An analysis was done in 2016 and 2017 on the critical infrastructure related to SAs, based on feedback from developers, infrastructure prioritisation, funding options assessment and management of routes and implementation risks. For the first five years from when each SA comes forward, the funding gap for their critical infrastructure is estimated at approximately £73 million, excluding the "missing link" highway project, which is no longer considered critical in the delivery of the JCS.
15. The estimated strategic road infrastructure costs for the JCS area are £251,500,000, and there is no known funding for this; for Gloucester City Council, estimated infrastructure costs are £94,284,885 and known funding amounts to £31,391,429, leaving a gap of £62,893,456; for Cheltenham Borough Council costs are £150,499,669 and funding is £41,000,000, leaving a gap of £109,499,669; for Tewkesbury costs are £176,446,071 with funding of £80,500,000, leaving a gap of £95,946,071. Consequently, the overall costs are estimated at £672,730,625 and the known funding is £152,891,429, leaving a total funding gap of £519, 839,196, which includes the £73 million stated above.
16. Based on the information before me, the following CIL receipts are anticipated, taking account of relevant reductions for affordable housing (which is not liable for CIL), 5% of receipts allocated for administration, and an average 20% of CIL receipts passed on to Parish and Town Councils.
  - Gloucester City Council                    £4,706,910,
  - Cheltenham Borough Council        £21,499,003
  - Tewkesbury Borough Council        £14,266,344
17. The SAs currently without planning permission are estimated to contribute just over £9 million to these figures.
18. Although the expected CIL receipts are modest in comparison to the overall sizeable funding gap, they would nonetheless make an appreciable contribution towards infrastructure. I am satisfied that the figures are based on sound sources of evidence and that the introduction of a CIL regime is justified.

***Economic viability evidence***



19. The Councils commissioned a series of viability studies to support both the emerging JCS and the emerging DCSs. The most recent of these reports is the *Plan viability, Community Infrastructure Levy and affordable housing study*, of January 2016 [VIA009], which was supplemented by two reports for additional strategic sites [VIA007 & VIA008]. However, further updates to some of the assumptions underpinning these reports have been provided in the *GCT CIL MIQs Responses – Viability*, of December 2017 [CILEXAM002(a)], as has the note on *Residential Viability Assessment of Strategically Large Sites in the JCS Area* [CILEXAM007(b)]. For ease of reference, I refer to all of this body of evidence as the Viability Assessment (VA).
20. The VA follows a structured methodology, based on the Local Housing Delivery Group's 2012 report *Viability Testing Local Plans*, also known as "the Harman Report". This involves subtracting the costs of development (including profit and s106 costs but excluding land purchase) from the gross development value (GDV) to obtain a residual value for a site. A benchmark/threshold land value (the price at which a typical willing landowner would sell) is then subtracted from the residual value to determine whether there is any surplus remaining. If so, this "headroom" is the maximum amount theoretically available to pay CIL.

#### *Residential*

21. Testing for sales values was based on a large sample of 1,253 new build transactions to provide high level assurances that the assumptions upon which the proposed CIL levels are based would not undermine the delivery of the JCS targets, particularly with regard to affordable and general housing provision. Using the Councils' most recent Strategic Housing Land Availability Assessments, generic "typology" sites were created, which are hypothetical sites that reasonably represent the types and sizes of development that are likely to come forward in the JCS area over the Plan period.
22. For residential properties, eleven or twelve typologies were modelled for each of the three authority areas, including brownfield and greenfield sites ranging from 2 dwellings to 400 dwellings, and consisting of houses, flats and mixed developments. Modelling for larger generic sites was generally based on assumptions similar to those used for SAs (ranging from about 500 dwellings to over 4,000 dwellings) with some proportionate adjustments.
23. Assumptions were made on the amount of net developable area for each typology as residential land values are based on the net area that can be built upon. Similarly, density, type and size of unit were modelled as this informs estimates of revenue based on saleable floor space. Taken as a whole, I consider that the assessments are representative of the types of development that are likely to come forward in the JCS area.
24. GDV for residential development was derived from a range of sources. New build sales prices for the period between January 2015 and August 2017 were analysed from Land Registry data and websites such as RightMove. Direct research with developers and agents operating in the area was also undertaken. By analysing price differentials by postcode, eight value zones were established, (three in Gloucester, three in Cheltenham and two in Tewkesbury), each with its own sales value (psm) for houses and flats.

25. Viability thresholds were calculated by determining planning led benchmark land values, which reflect policy requirements, potential planning obligations and, where applicable, CIL. The approach took the existing use value (EUV) plus an uplift, based on evidence of sites on the market to provide an informed guide to existing values. This is in accordance with the advice in the PPG (as revised in July 2018), which explicitly supports the use of EUVs plus a premium as the basis for benchmark land values. A review of viability appraisals in support of planning applications, published data on land values and discussions with JCS authorities' officers and the local development industry was also undertaken to provide comparative evidence.
26. A range of benchmark land values have been used, adjusted according to location. For greenfield typologies, the benchmark land value was taken as the average agricultural price for the South West plus a premium. According to Government published advice, £21,000 per hectare was used, uplifted between 10 and 20 times depending on location and an analysis of land transactions. For brownfield land, transaction data from the District Valuer Service and COSTAR (a commercial property database) was used to obtain likely reuse values and an industry standard premium of about 25% was applied.
27. Although there is a margin of uncertainty in the assumptions used, the benchmark land values are consistent with the approach in the PPG and provide adequate high level approximations of what may be considered to be a reasonable return to a willing landowner.
28. The VA assumes that the JCS policy target for affordable housing will be met. For SAs, other than Winnycroft, for which the VA indicates no contribution for affordable housing could be supported, this amounts to a minimum requirement of 35%. Non-strategic sites of 11 dwellings or more or with a maximum combined floorspace greater than 1,000sqm have a minimum requirement of 20% in Gloucester and a minimum 40% requirement in Cheltenham and Tewkesbury. No affordable housing contribution is sought on sites with 10 dwellings or less.
29. Following the Rent Review in July 2016, transfer values are based on what is typically offered by three local Registered Providers. For affordable rented properties, values have been estimated at 55% of market housing, social rent at 45% of market housing and for intermediate properties, a figure of 65% has been used. The mix of affordable rented, social rent and intermediate properties tested varied with each local authority and whether in respect of a strategic allocation or otherwise. This seems reasonable.
30. Build costs are based on 2016 quarter three data from the Build Cost Information Service (BCIS), published by the Royal Institution of Chartered Surveyors, and rebased to JCS area prices using BCIS defined adjustments. Higher costs are estimated for small to medium sized developers who are unlikely to be able to achieve economies of scale, as is more common for volume and regional house builders. This is a reasonable approach that reflects appropriate industry costs and aligns well with the time period for updated sales values (January 2015 to August 2017).

31. Assumptions for opening up costs such as utilities, land preparation, sustainable drainage systems and spine roads, are scaled in progressive tiers according to the number of dwellings on site. This appropriately reflects proportionate growth in infrastructure costs which increase with the size of development.
32. For brownfield sites an allowance of £200K per hectare has been made for abnormal costs such as remediation and demolition. For any additional abnormal costs that might arise, it would be expected that they be taken off the benchmark land value as they would reflect a sub-standard site for delivering housing, which would reduce the sale price of the land accordingly.
33. With respect to section 106 infrastructure costs, it is assumed for the majority of generic sites that infrastructure requirements are likely to be met off site through CIL. Therefore, section 106/278 infrastructure costs would be significantly scaled back and in many cases would not apply. Where site specific obligations are required, the evidence suggests that generally there will be sufficient headroom to fund these costs at past average levels.
34. An average developer profit of 20% of GDV was assumed for all open market units, which is a commonly used figure in high level viability assessments of this nature. A reduced level of 6% was assumed for affordable homes to reflect the lower risk to the developer, and is in accordance with Homes England's recommendations.
35. Assumptions for other costs appear to reflect industry standards such as externals (eg garden space around dwellings and car parking and those elements that make up the gross internal area, including circulation space within apartment blocks) at 10% of build costs, professional fees at 10% of build costs plus externals, and a contingency at 4% of build costs plus externals.
36. Similarly land purchase costs relating to surveyors fees (1% of land value), legal fees (0.75% of land value) and development finance (6.5% of land value), and sales fees on open market housing (3% of GDV) all seem reasonable and in conformance with industry norms. Stamp duty land tax assumptions reflect the changes brought about in legislation from April 2016.
37. Bespoke assessments were undertaken for each of the SAs within the JCS. The threshold land values were based on professional judgement and the research that informed the generic site typology testing. Sales value analysis followed that for generic typologies except that a premium of 7.5% was applied to reflect the investment made in creating new places, and place making evidence which supported this uplift.
38. Estimates for SA opening up costs were derived from experience and site promoter consultation. The various levels assumed fall within the suggested range set out in the Harman Guidance, which puts strategic infrastructure costs typically at between £17,000 and £23,000 for larger scale schemes. Section 106/278 costs are assumed at £15,000 per dwelling based on discussions with the promoters of two SAs, consultation with the JCS authorities and experience elsewhere. This appears to fall at the upper end of obligation agreements already reached and hence makes reasonable provision.



*Older persons housing*

39. The VA tested four areas for sheltered retirement and extra-care properties, namely the three urban areas of Gloucester, Cheltenham and Tewkesbury, and the rural area of Tewkesbury. Some assumptions are the same as for residential, although there are also differences in several key assumptions.
40. Many of the assumptions used were informed by the Retirement Housing Group (RHG) guidance. The RHG consists of developers and housing managers who provide strategic advice on best practice for policy decisions affecting the retirement housing sector and it is appropriate that their guidance be taken into account.
41. In setting threshold land values, there were only a few examples of land acquisitions that the VA could draw upon. Nonetheless, taking the information available, as for residential above, the existing use value plus a premium was appropriately established. It was assumed that older persons housing would be located within or close to the town centre and would be a brownfield alternative use site. Therefore, the threshold land value was based on an employment use plus at least 25% uplift for securing an alternative use. Land values tested in Gloucester were around £750,000 per hectare rising in Cheltenham to about £1,500,000 per hectare.
42. In accordance with RHG guidance, sales values for 1 bed and 2 bed sheltered properties were respectively taken at 75% and 100% of a 3 bed semi-detached dwelling. As a sense check, the resulting psm price was compared to retirement properties on the market and found to be comparable. Although there were no retirement properties on the open market in the JCS area at the time of compiling the VA, examples elsewhere with similar values were relied upon in accordance with RHG guidance. To calculate sales values for extra-care properties, again based on RHG guidance, a 25% uplift was applied to sheltered property values. Sizes and densities were established by analysing a number of existing schemes.
43. Costs were taken from BCIS data but reflect the "Gloucestershire wide" figure for 1-2 storey flats uplifted by 9% for sheltered retirement and 13% for extra-care. This takes account of an additional allowance made for demolition and remediation associated with brownfield land of £200K per net hectare within the town centre and £100K per net hectare elsewhere. Other assumptions reflect local market conditions or follow industry standards.

*Commercial*

44. Whilst non-residential development was also tested, apart from retail development outside the city/town centres, CIL was generally found to render development unviable. Consequently, apart from out of town centre retail, the modified DCSs set a nil rate for these other types of development.
45. I was not satisfied with the robustness of the evidence for out of centre retail and, at the hearing sessions, the Councils therefore agreed that the proposed CIL charge for out of centre retail should be withdrawn in order to obtain more

supporting evidence and review retail CIL rates. This would be done in conjunction with the JCS retail review currently underway. I find this to be a pragmatic and sensible step to take and, consequently, I consider the evidence for non-residential CIL rates no further.

### **Conclusion**

46. The modified DCSs are underpinned by a comprehensive IDP. The VA is logical and overall, subject to my specific findings below, the methodology and assumptions used are reasonable. On this basis, the evidence which informed the modified DCSs is robust, proportionate and appropriate.

### **Are the charging rates informed by and consistent with the evidence?**

#### **Residential rates**

47. Some criticism was made of the value zones that were derived from house prices analysed by postcode. However, these value zones show that each local authority area itself provides an appropriate CIL charging zone since, in broad terms, the values differ significantly between each authority area. Although there is some information indicating differing land values within the identified value zones, these are not so marked as to justify amending the boundaries or introducing any further complexity to the schedules through additional CIL zones. This is in accordance with the Planning Practice Guidance (PPG) which advises that undue complexity should be avoided when setting differential rates.
48. Concerns were raised over any CIL charge that might be imposed on the MOD site at Ashchurch, which was initially proposed as a SA in the JCS and then withdrawn because of delivery issues. There are suggestions that at least part of the site might come forward during the Plan period and viability evidence indicates that this large brownfield site would be unviable with CIL at the generic sites rate for 11 dwellings and over. However, the Ashchurch area of the JCS is currently being reviewed and there are other brownfield and greenfield sites that are also under consideration in that area. Consequently, it would be premature to select parts of the MOD site now for special treatment when viability and CIL rates for the wider area will be revisited as part of the review.
49. In accordance with the PPG, the Councils have not set CIL rates at the margin of viability but have allowed for a buffer to respond to changing markets and to avoid the need for frequent updating. This provides a safeguard in the event that GDVs have been over-estimated or costs (including abnormal costs) underestimated, and to allow for variations in costs and values between sites. The Councils have assumed that the charges should be no more than two thirds of the overage/headroom, leaving a buffer of at least one third. However, for many generic typologies and strategic sites, the buffer is significantly larger, allowing for greater variation in the cost and value assumptions without compromising viability, and providing greater scope to absorb abnormal costs, should these arise.
50. The evidence for the SAs demonstrates that in Cheltenham and Tewkesbury a CIL rate of £35 psm as proposed is viable, although in Gloucester, charging CIL would not be so, and therefore £0 psm is appropriate for the Winnycroft SA. For generic typologies, the VA indicates differences in headroom according to site

size, with larger sites of 11 plus units having more headroom than smaller typologies. Therefore, the differential rates proposed for typologies of 11 dwellings or over, and for 10 dwellings or under, are justified.

51. However, large generic sites of a strategic size, namely those of 450 dwellings and over, are likely to be subject to significant site infrastructure costs, similar to those for SAs. Consequently, the test results for these larger generic sites indicate that they would not viably support the higher generic CIL rate. However, they would support a SA rate of CIL.
52. Therefore, the modified DCS should be amended to reflect a charging rate for sites of 450 dwellings or over of £35 psm in Cheltenham and Tewkesbury and £0 psm in Gloucester. Consequently, the 11 dwellings and over rate should be restricted to developments of between 11 and 449 dwellings. I therefore recommend **Modification 1**, which sets out these changes.
53. It was argued by developers that the infrastructure costs for some SAs have been underestimated to the extent that a contribution towards CIL would not be viable. However, that is not borne out by the evidence. In any event, the sizable buffer applied should generally absorb any variations.
54. Concerns were expressed over changes made to the DS7 transport infrastructure mitigation package, which feeds into the SA opening up costs and section 106 obligations. However, during the JCS examination it was made clear that DS7 was only one potential package of overall mitigation measures, which could change. Infrastructure provision is an iterative process and is expected to evolve. From the submitted evidence, I am satisfied that appropriate account has been taken of potential transport costs when setting the CIL rates.

### ***Older persons' housing rates***

55. Assuming a buffer of a third of the headroom, the testing indicates that only sheltered retirement and extra-care properties in Cheltenham would be viable. Older persons' housing in Gloucester and Tewkesbury have therefore appropriately been nil rated.
56. Within Cheltenham, the headrooms for sheltered retirement and extra-care properties are enough to withstand the proposed CIL charges of £200 psm and £100 psm respectively. They should also be broadly sufficient to absorb variations in the assumptions used.

### ***Commercial rates***

57. The nil rate proposed for all commercial uses apart from out of town centre retail is supported by the submitted evidence. Furthermore, as indicated above, the out of town centre retail rate in the modified DCS has been appropriately withdrawn by the Councils pending an immediate review. Consequently, I recommend **Modification 2**, which reduces the rate for out of town retail development from £100 psm to £0 psm.

### ***Conclusion***



58. Overall, subject to the modifications indicated, the proposed CIL rates are informed by and consistent with the evidence.

**Does the evidence demonstrate that the proposed charging rates would not put the overall development of the area at serious risk?**

59. The Councils' proposals to set CIL rates on the basis described above for dwellings and older persons housing are based on reasonable assumptions about development values and likely costs. The evidence suggests that most residential and older persons development will broadly remain viable across the JCS area if the proposed charges are applied.
60. The exceptions to this are larger generic typologies of at least 450 dwellings, which are more akin to SAs. To preserve viability, the evidence suggests that these larger sites should be charged the CIL rate for SAs of £35 psm for Cheltenham and Tewkesbury and £0 psm for Gloucester, rather than the higher generic typology rates.
61. Furthermore, there is insufficient evidence to demonstrate a commercial CIL rate of £100 psm for out of town centre retail. Consequently, so as not to adversely impact on viability, pending an immediate retail review, out of centre retail development should be nil rated.
62. As noted above, the rate of £35 psm for the West Cheltenham SA is viable. This is a cross boundary site with a part in Tewkesbury Borough Council's area as well as Cheltenham Borough Council's area. I have noted that the SoM for Tewkesbury does not refer to the West Cheltenham SA in its text as regards amendments for Table 1.2, although an Ordnance Survey map is appended to the SoM for this SA. This is clearly an unintended omission and I therefore recommend **Modification 3** to rectify this.
63. Subject to these identified modifications, the evidence demonstrates that broadly the proposed CIL rates provide sufficient flexibility to allow for variations in costs and values without adversely affecting viability or putting the overall development of the area at serious risk.

**Overall Conclusion**

64. In setting the CIL charging rate the Councils have had regard to detailed evidence on infrastructure planning and economic viability for the development markets in Gloucester, Cheltenham and Tewkesbury. The Councils have reviewed this evidence where necessary to ensure that there will be no serious risk to the viability of development. Subject to the modifications that I recommend, I find the Councils' approach to be realistic in terms of achieving a reasonable level of income to address an acknowledged gap in infrastructure funding, while ensuring that a range of development remains viable across the JCS area.

<b>LEGAL REQUIREMENTS</b>
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National Policy/Guidance	Subject to the recommended modifications, the "modified DCSs" comply with national policy/guidance.
2008 Planning Act and 2010 Regulations (as amended)	Subject to the recommended modifications, the "modified DCSs" comply with the 2008 Act and the 2010 Regulations, including in respect of the statutory processes, public consultation and consistency with the adopted JCS and IDP, and are supported by adequate financial appraisals.

65. I conclude that subject to the modifications set out in Appendix A the "modified DCSs" for Gloucester, Cheltenham and Tewkesbury satisfy the requirements of Section 212 of the 2008 Act and meet the criteria for viability in the 2010 Regulations (as amended). On this basis, I therefore recommend that the "modified DCSs" be approved.

*Elizabeth C Ord*

Examiner

This report is accompanied by:

Appendix A (attached) – Modifications that the examiner specifies so that the Charging Schedules may be approved.

## **Appendix A**

### **Modifications specified by the examiner so that the "modified DCSs" may be approved.**

*These modifications apply to the Draft Charging Schedules [SUB001, SUB002, SUB003] as modified by the Statements of Modifications [SOM001, SOM002, SOM003]. The explanatory text in the schedules should be amended to reflect these modifications.*

#### **Modification 1**

In Table 1.2 *Residential CIL Rates*, under "Generic Sites" make the following amendments:

- add another category: "450 dwellings and over";
- for Cheltenham and Tewkesbury insert a CIL rate of £35 psm for this category;
- for Gloucester insert a CIL rate of £0 psm for this category;
- change "11 dwellings and over" to "between 11 and 449 dwellings"

#### **Modification 2**

In Table 1.3 for Gloucester and Tewkesbury and Table 1.4 for Cheltenham, *Non-Residential CIL Rates*, make the following amendments:

- For "Retail development outside town centre" change the rate from £100 psm to £0 psm.

#### **Modification 3**

In Table 1.2 for Tewkesbury, *Residential CIL Rates*, add another row:

- "B1 West Cheltenham" and insert a rate of £35 psm for this SA.



# Tewkesbury Borough Council

Community Infrastructure Levy

## Payment by Instalments Policy

### Community Infrastructure Levy (CIL) Instalments Policy

In accordance with Regulation 69B of the Community Infrastructure Levy Regulations 2010 (as amended), the Councils of Gloucester City, Cheltenham Borough and Tewkesbury Borough have produced this Instalments Policy for publication.

This policy allows persons liable to pay CIL to do so by instalments. As required by regulations, the time the first payment is due is calculated from the date the development is commenced at which time a demand notice will be issued setting out the Instalments Plan in detail.

Failure to submit the assumption of liability form (CIL Form 1), prior to commencement of development, will disqualify an applicant from paying by instalments and the total amount liable will become payable within 60 days of commencement of development.

In accordance with Regulation 83, failure to notify the charging authority of commencement through the submission of a statutory commencement notice (CIL Form 6) will result in the total amount liable, along with any surcharges and interest specified in the regulations, becoming payable immediately.

Failure to pay an instalment on or before the due date identified in the statutory demand notice will result in the total outstanding amount liable, along with any surcharges and interest specified in the regulations, becoming payable immediately.

#### INSTALMENTS POLICY:

**This Instalments Policy will take effect from 1<sup>st</sup> January 2019.**

**Table 1: Schedule of Instalments**

Total Amount of CIL Liability	Number of Instalments	Payment periods and Proportion of CIL Due			
		1 <sup>st</sup> Instalment	2 <sup>nd</sup> Instalment	3 <sup>rd</sup> Instalment	4 <sup>th</sup> Instalment
£100,000 or less	Two	50% payable within 60 days of commencement of development	50% payable within 6 months of commencement of development		
£100,001 to £1,000,000	Three	33% payable within 60 days of commencement of development	33% payable within 6 months of commencement of development	34% payable within 12 months of commencement of development	
£1,000,001 and above	Four	25% payable within 60 days of commencement of development	25% payable within 6 months of commencement of development	25% payable within 12 months of commencement of development	25% payable within 24 months of commencement of development





# Tewkesbury Borough Council

Community Infrastructure Levy

## Request for Review and Appeals Policy

## **Request for Review and Appeals Policy – Regulations 113 to 119**

**In accordance with the Community Infrastructure Levy Regulations 2010 (as amended) Tewkesbury Borough Council, acting in its capacity as CIL Charging and Collecting Authority, will allow applications for review and appeal.**

Regulation 113 allows a **review of the chargeable amount.**

- (1) An interested person may request a review of the calculation of a chargeable amount.*
- (2) A request for review must be made—
  - (a) in writing to the collecting authority; and*
  - (b) before the end of the period of 28 days beginning with the day on which the liability notice stating the chargeable amount subject to the request for review was issued.**
- (3) A request for review may be accompanied by written representations in connection with the review.*
- (4) If a request is made in accordance with paragraph (2), the collecting authority must review the calculation.*
- (5) The review must be carried out by a person senior to the person making the original calculation and who had no involvement in the original calculation.*
- (6) The collecting authority must consider any representations accompanying the request for review.*
- (7) Within 14 days of the review start date the collecting authority must notify the person requesting the review in writing of—
  - (a) the decision of the review; and*
  - (b) the reasons for the decision.**
- (8) In making a decision the collecting authority may either confirm the original chargeable amount or calculate a revised chargeable amount.*
- (9) A person may not request a review:
  - (a) of the decision reached on an earlier review; or*
  - (b) subject to paragraph (9A), once the relevant development has been commenced.**
- (9A) A review may be requested after the relevant development has been commenced if planning permission was granted in relation to that development after it was commenced.*
- (10) A review under this regulation will lapse if it was requested before the relevant development was commenced and the relevant development is commenced before the collecting authority has notified the interested person of the decision of the review.*
- (11) A person may not request a review under this regulation if a claim for relief has been submitted to the charging authority and the claim has not been withdrawn.*

**For the purposes of Regulation 113 the ‘Senior Person’ reviewing role will be undertaken by the Head of Development Services.**

Regulation 114 allows an **appeal of the chargeable amount.**

- (1) A person who has requested a review under regulation 113 and—
  - (a) is aggrieved at the decision on the review; or*
  - (b) is not notified of the decision on the review within 14 days of the review start date, may appeal to the appointed person on the ground that the revised chargeable amount or the original chargeable amount (as the case may be) has been calculated incorrectly.**
- (2) An appeal under this regulation must be made before the end of the period of 60 days beginning with day on which the liability notice stating the original chargeable amount was issued.*
- (3) A person Subject to paragraph (3A), a person may not appeal under this regulation if the relevant development has been commenced.*
- (3A) A person may appeal under this regulation after the relevant development has been commenced if planning permission was granted in relation to that development after it was commenced.*

*(4) An appeal under this regulation will lapse if it was made before the relevant development was commenced and the relevant development is commenced before the appointed person has notified the appellant of the decision on the appeal.*

*(5) Only one appeal may be made under this regulation in respect of a given chargeable development.*

*(6) Where an appeal under this regulation is allowed the appointed person must calculate a revised chargeable amount.*

For the purposes of Regulation 114 the ‘Appointed Person’ will be a **valuation officer** appointed under section 61 of the Local Government Finance Act 1988 or a **district valuer** within the meaning of section 622 of the Housing Act 1985

Regulation 115 allows an **appeal against the apportionment of liability.**

*1) An owner of a material interest in land (O) who is aggrieved at a decision of a collecting authority on the apportionment of liability with respect to that interest may appeal to the appointed person.*

*(2) An appeal under this regulation must be made before the end of the period of 28 days beginning with the day on which the demand notice stating the amount payable by O is issued.*

*(3) Paragraphs (4) to (6) apply where an appeal under this regulation is allowed.*

*(4) All demand notices issued by the collecting authority in respect of the relevant development before the appeal was allowed cease to have effect.*

*(5) The appointed person may quash a surcharge imposed by the collecting authority on the appellant.*

*(6) The appointed person must reapportion liability between each material interest in the relevant land.*

For the purposes of Regulation 115 the ‘Appointed Person’ will be a **valuation officer** appointed under section 61 of the Local Government Finance Act 1988 or a **district valuer** within the meaning of section 622 of the Housing Act 1985.

Regulation 116 allows an **appeal against a decision on charitable relief, a decision on the exemption for residential annexes and a decision on the exemption for self-build housing.**

116.

*(1) An interested person who is aggrieved at **the decision of a collecting authority to grant charitable relief** may appeal to the appointed person on the ground that the collecting authority has incorrectly determined the value of the interest in land in respect of which the claim was allowed.*

*(2) An appeal under this regulation must be made before the end of the period of 28 days beginning with the date of the decision of the collecting authority on the claim for charitable relief.*

*(3) An appeal under this regulation will lapse if the relevant development is commenced before the appointed person has notified the appellant of the decision on the appeal.*

*(4) Where an appeal under this regulation is allowed the appointed person may amend the amount of charitable relief granted to the appellant.*

116A.

*(1) An interested person who is aggrieved at **the decision of a collecting authority to grant an exemption for residential annexes** may appeal to the appointed person on the ground that the collecting authority has incorrectly determined that the development is not wholly within the curtilage of the main dwelling.*

*(2) An appeal under this regulation must be made before the end of the period of 28 days beginning with the date of the decision of the collecting authority on the claim for exemption for residential annexes.*

*(3) An appeal under this regulation will lapse if the relevant development is commenced before the appointed person has notified the appellant of the decision on the appeal.*

*(4) Where an appeal under this regulation is allowed the appointed person may amend the amount of exemption for residential annexes granted to the appellant.*

*(5) In this regulation “main dwelling” has the same meaning as in regulation 42A.*

116B.



- (1) An interested person who is aggrieved at **the decision of a collecting authority to grant an exemption for self-build housing** may appeal to the appointed person on the ground that the collecting authority has incorrectly determined the value of the exemption allowed.
- (2) An appeal under this regulation must be made before the end of the period of 28 days beginning with the date of the decision of the collecting authority on the claim for exemption for self-build housing.
- (3) An appeal under this regulation will lapse if the relevant development is commenced before the appointed person has notified the appellant of the decision on the appeal.
- (4) Where an appeal under this regulation is allowed the appointed person may amend the amount of exemption for self-build housing granted to the appellant.

For the purposes of Regulation 116 the ‘Appointed Person’ will be a **valuation officer** appointed under section 61 of the Local Government Finance Act 1988 or a **district valuer** within the meaning of section 622 of the Housing Act 1985.

Regulation 117 allows an **appeal against a surcharge.**

- (1) A person who is aggrieved at a decision of a collecting authority to impose a surcharge may appeal to the appointed person on any of the following grounds—
  - (a) that the claimed breach which led to the imposition of the surcharge did not occur;
  - (b) that the collecting authority did not serve a liability notice in respect of the chargeable development to which the surcharge relates; or
  - (c) that the surcharge has been calculated incorrectly.
- (2) Where the imposition of a surcharge is subject to an appeal under this regulation, no amount is payable in respect of that surcharge while the appeal is outstanding.
- (3) An appeal under this regulation must be made before the end of the period of 28 days beginning with the day on which the surcharge is imposed.
- (4) Where an appeal under this regulation is allowed the appointed person may quash or recalculate the surcharge which is the subject of the appeal.

For the purposes of Regulation 117 the ‘Appointed Person’ will be the **Secretary of State** or a **person appointed by the Secretary of State** following an appeal to the Planning Inspectorate.

Regulation 118 allows an **appeal against the deemed commencement date given in the Demand Notice.**

- (1) A person on whom a demand notice is served which states a deemed commencement date may appeal to the appointed person on the ground that the collecting authority has incorrectly determined that date.
- (2) An appeal under this regulation must be made before the end of the period of 28 days beginning with the day on which the demand notice is issued.
- (3) Paragraphs (4) to (6) apply where an appeal under this regulation is allowed.
- (4) All demand notices issued by the collecting authority in respect of the relevant development before the appeal was allowed cease to have effect.
- (5) The appointed person must determine a revised deemed commencement date for the relevant development.
- (6) The appointed person may quash a surcharge imposed by the collecting authority on the appellant.

For the purposes of Regulation 118 the ‘Appointed Person’ will be the **Secretary of State** or a **person appointed by the Secretary of State** following an appeal to the Planning Inspectorate.

Regulation 119 allows an **appeal against the issue of a CIL stop notice.**

- (1) A person who is aggrieved at a decision of a collecting authority to impose a CIL stop notice may appeal to the appointed person on either (or both) of the following grounds—
  - (a) that the collecting authority did not serve a warning notice before imposing the CIL stop notice; or
  - (b) that the chargeable development in respect of which the CIL stop notice was imposed has not commenced.
- (2) A CIL stop notice which is subject to an appeal under this regulation continues to have effect while the appeal is outstanding.
- (3) An appeal under this regulation must be made before the end of the period of 60 days beginning with the day on which the CIL stop notice takes effect.
- (4) On an appeal under this regulation the appointed person may—
  - (a) correct any defect, error or misdescription in the CIL stop notice; or
  - (b) vary the terms of the CIL stop notice, if the appointed person is satisfied that the correction or variation will not cause injustice to the appellant or any of the interested parties.
- (5) Where an appeal under this regulation is allowed the appointed person may quash the CIL stop notice.

For the purposes of Regulation 119 the ‘Appointed Person’ will be **appointed by the Secretary of State** following an [appeal to the Planning Inspectorate](#).

Regulation 120 defines the **Appeal procedure**.

- (1) An appeal under this Part must—
  - (a) be made in writing on a form obtained from the Secretary of State (or a form to substantially the same effect); and
  - (b) include the particulars specified or referred to in the form.
- (2) An appellant may withdraw an appeal at any time by giving notice in writing to the appointed person.
- (3) The appointed person must, as soon as practicable after receipt of an appeal, send—
  - (a) an acknowledgment of receipt to the appellant in writing, which must include—
    - (i) the reference number allocated to the appeal, and
    - (ii) the address to which written communications to the appointed person about the appeal are to be sent;
  - (b) a copy of the acknowledgement mentioned in sub-paragraph (a) to each interested party together with—
    - (i) a copy of the completed appeal form, and
    - (ii) notice that written representations in relation to the appeal may be sent to the appointed person before the end of the representations period.
- (4) The completed appeal form comprises the appellant’s representations in relation to the appeal.
- (5) Any written representations from the interested parties in relation to the appeal must be received by the appointed person before the end of the representations period.
- (6) On receipt of an interested party’s representations, the appointed person must, as soon as practicable, send a copy of those representations to the appellant and each of the other interested parties.
- (7) The appointed person must have received any comments the appellant and the interested parties have on each other’s representations in writing within 14 days of the end of the representations period (or such longer period as the appointed person may in any particular case determine) and the appointed person must, as soon as practicable after receipt, send a copy of those comments to each of the other parties to the appeal.
- (8) The appointed person must consider any representations and comments made by the appellant and interested parties.
- (9) The appointed person must notify the appellant and the interested parties in writing of—
  - (a) the decision on the appeal; and
  - (b) the reasons for the decision.

For the purposes of Regulation 120 the ‘Appointed Person’ will be either the **Valuation Office Agency**, the **Secretary of State** or a **person appointed by the Secretary of State**.

Regulation 121 provides direction on **Costs**

*The appointed person may make orders as to the costs of the parties to the appeal and as to the parties by whom such costs are to be paid.*

For the purposes of Regulation 121 the ‘Appointed Person’ will be either the **Valuation Office Agency**, the **Secretary of State** or a **person appointed by the Secretary of State**.

Applying for a review under Regulation 113

The Head of Development Services

CIL Review

Tewkesbury Borough Council

Public Service Centre

Gloucester Road

Tewkesbury

Gloucestershire

GL20 5TT

Appealing under Regulations 114, 115 and 116

Valuation Office Agency

Statutory Valuations Team (CIL)

SVT Hub

BP5202

Dunstanburgh House

Benton Park View

Longbenton

Newcastle upon Tyne

NE98 1ZZ

Appeal Forms and Guidance are available from <https://www.gov.uk/guidance/community-infrastructure-levy-how-to-make-an-appeal>

Hard copies are available for collection, on request, from:

Tewkesbury Borough Council

Public Service Centre

Gloucester Road

Tewkesbury

Gloucestershire

GL20 5TT

Appealing under Regulation 117, 118 and 119

The Planning Inspectorate

Enforcement Team

Room 3/26

Temple Quay House

2 The Square

Temple Quay

Bristol

BS1 6PN



Appeal Forms and Guidance are available from <https://www.gov.uk/guidance/appeal-a-community-infrastructure-levy-enforcement-notice>

Hard copies are available for collection, on request, from:

Tewkesbury Borough Council

Public Service Centre

Gloucester Road

Tewkesbury

Gloucestershire

GL20 5TT

# Tewkesbury Borough Council

Community Infrastructure Levy

## **Regulation 123 List**

## 1 Introduction

- 1.1 Regulation 123 of the Community Infrastructure Levy (CIL) Regulations 2010 (as amended) indicates that a Charging Authority can publish on its website a list of infrastructure projects or types of infrastructure that it intends will be, or may be, wholly or partly funded by CIL (other than CIL to which regulation 59E or 59F applies).
- 1.2 Infrastructure listed below – Regulation 123 list - Infrastructure Projects or Type (that may be wholly or partly secured through CIL) – will no longer be secured through S106 planning obligations or through S278 of the Highways Act (unless as part of the Highways England network). The exceptions to this are set out below in Exclusions from the Regulation 123 List (to be secured through S106, S278 or alternative means).
- 1.3 The intention is to ensure that there is no duplication in the use of both CIL and S106 from the same application for development for the same infrastructure project.
- 1.4 The list does not signify a commitment by the Council to deliver the project, nor does it indicate the Council’s CIL spending priorities.

## 2 Regulation 123

### 2.1 The Regulation 123 List

<b>Regulation 123 list – Infrastructure Projects or Type (that may be wholly or partly secured through CIL)</b>	<b>Exclusions from the Regulation 123 List – (to be secured through S106, S278 or alternative means)</b>
Primary Education (including Early Education Child Care) that is <b>NOT ‘directly related to an individual development’<sup>1</sup></b>	Provision that meets the CIL Regulation 122 tests- that is ‘necessary to make a specific development acceptable in planning terms’ <sup>2</sup> and ‘fairly and reasonably related in scale and kind to that development’ <sup>3</sup> and <b>IS ‘directly related to that development’</b>
Secondary Education (including Sixth Form within a Secondary School) that is <b>NOT ‘directly related to an individual development’</b>	Provision that meets the CIL Regulation 122 tests- that is ‘necessary to make a specific development acceptable in planning terms’ and ‘fairly and reasonably related in scale and kind to that development’ and <b>IS ‘directly related to that development’</b>
Further Education (outside	Provision that meets the CIL Regulation 122 tests.

<sup>1</sup> The Community Infrastructure Levy Regulation 2010 (as amended) Regulation 122,(2),(b)

<sup>2</sup> The Community Infrastructure Levy Regulation 2010 (as amended) Regulation 122,(2),(a)

<sup>3</sup> The Community Infrastructure Levy Regulation 2010 (as amended) Regulation 122,(2),(c)



<p>of Secondary Schools) that is <b>NOT “directly related to an individual development”</b></p>	<p>that is ‘necessary to make a specific development acceptable in planning terms’ and ‘fairly and reasonably related in scale and kind to that development’ and <b>IS ‘directly related to that development’</b></p>
<p>Special Educational Needs Facilities that are <b>NOT “directly related to an individual development”</b></p>	<p>Provision that meets the CIL Regulation 122 tests- that is ‘necessary to make a specific development acceptable in planning terms’ and ‘fairly and reasonably related in scale and kind to that development’ and <b>IS ‘directly related to that development’</b></p>
<p>Social and Community facilities including:</p> <ul style="list-style-type: none"> <li>• Community halls</li> <li>• Indoor sports and leisure facilities</li> <li>• Libraries</li> <li>• Faith and spiritual</li> <li>• Museums</li> <li>• Youth facilities</li> <li>• Health</li> </ul> <p>that are <b>NOT “directly related to an individual development”</b></p>	<p>Provision that meets the CIL Regulation 122 tests- that is ‘necessary to make a specific development acceptable in planning terms’ and ‘fairly and reasonably related in scale and kind to that development’ and <b>IS ‘directly related to that development’</b></p>
<p>Road network, cycle ways, &amp; footpaths that are <b>NOT “directly related to an individual development”</b></p>	<p>Provision that meets the CIL Regulation 122 tests- that is ‘necessary to make a specific development acceptable in planning terms’ and ‘fairly and reasonably related in scale and kind to that development’ and <b>IS ‘directly related to that development’</b></p>
<p>Other transportation infrastructure that is <b>NOT “directly related to an individual development”</b></p>	<p>Provision that meets the CIL Regulation 122 tests- that is ‘necessary to make a specific development acceptable in planning terms’ and ‘fairly and reasonably related in scale and kind to that development’ and <b>IS ‘directly related to that development’</b></p>
<p>Public realm that is <b>NOT “directly related to an</b></p>	<p>Provision that meets the CIL Regulation 122 tests- that is ‘necessary to make a specific development</p>

<b>individual development”</b>	acceptable in planning terms’ and ‘fairly and reasonably related in scale and kind to that development’ and <b>IS ‘directly related to that development’</b>
Open Space and green infrastructure that is <b>NOT “directly related to an individual development”</b>	Provision that meets the CIL Regulation 122 tests. that is ‘necessary to make a specific development acceptable in planning terms’ and ‘fairly and reasonably related in scale and kind to that development’ and <b>IS ‘directly related to that development’</b>
Strategic flood mitigation measures that is <b>NOT “directly related to an individual development”</b>	Provision that meets the CIL Regulation 122 tests. that is ‘necessary to make a specific development acceptable in planning terms’ and ‘fairly and reasonably related in scale and kind to that development’ and <b>IS ‘directly related to that development’</b>
Waste recycling that is <b>NOT “directly related to an individual development”</b>	Provision that meets the CIL Regulation 122 tests. that is ‘necessary to make a specific development acceptable in planning terms’ and ‘fairly and reasonably related in scale and kind to that development’ and <b>IS ‘directly related to that development’</b>
Economic Development Infrastructure that is <b>NOT “directly related to an individual development”</b>	Provision that meets the CIL Regulation 122 tests. that is ‘necessary to make a specific development acceptable in planning terms’ and ‘fairly and reasonably related in scale and kind to that development’ and <b>IS ‘directly related to that development’</b>

2.2 The Council may seek to secure S106/S278 contributions towards other projects where it is satisfied that the need meets the tests in Regulation 122 (2) of the CIL Regulations 2010 (as amended) and Paragraph 56 of the NPPF (2018) and it is not referred to above in the Regulation 123 List as funding for infrastructure to be wholly or partly funded by CIL.

2.3 The Council may spend CIL on projects not specified in the Regulation 123 list, above, where it funds infrastructure to support the development of its area.

2.4 The Council will regularly review the list to ensure that it reflects the Infrastructure Delivery Plan (IDP).

END