

TEWKESBURY BOROUGH COUNCIL

Report to:	Council
Date of Meeting:	20 September 2016
Subject:	Land South of Two Hedges Road, Woodmancote
Report of:	Julie Wood, Development Services Group Manager
Corporate Lead:	Rachel North, Deputy Chief Executive
Lead Member:	Councillor D M M Davies
Number of Appendices:	One

Executive Summary:

An electronic petition (e-petition) was received by the Council on 28 March 2016. The e-petition requests that the Council refuse any building on Green Belt land to the south of Two Hedges Road, Woodmancote. The exact wording of the e-petition is set out in Paragraph 2.1.

The Council has an agreed process for dealing with petitions, the detail of which is set out in Paragraph 1.3 of the Petition Scheme, which is attached as Appendix 1. This report has been produced to enable Members to consider the request of the petitioners.

The Council, within its planning framework, is able to allocate sites for future development, which are then tested through public consultation and wider stakeholder engagement through public examination. This level of local policy making would be part of the Tewkesbury Borough Plan. Any future planning application would also be considered by the Council's Planning Committee.

Recommendation:

That Council requests Officers to consider the issues raised by the Petition as part of the Borough Plan process.

Reasons for Recommendation:

To determine an appropriate course of action as required by the Petition Scheme.

Resource Implications:

Officer time in considering the issues raised as part of the Borough Plan process.

Legal Implications:

The Petition must be considered in accordance with the Council's Petition Scheme. The Scheme sets out a number of options for the Council following consideration of the Petitioner's request.

Planning applications must be determined by the Planning Committee in accordance with all the material planning considerations including Green Belt policy and the impact of proposals on community infrastructure.

Risk Management Implications:

Any risks associated with land use designations will be recorded during the development of the

Tewkesbury Borough Plan.

Performance Management Follow-up:

Consideration of policy options will be considered by the Council.

Environmental Implications:

None directly related to the report other than the planning policy issues raised.

1.0 INTRODUCTION/BACKGROUND

1.1 The Council's Petition Scheme; approved 28 September 2010 (based on the national model scheme) is designed to allow the public to have easy access to information about how to petition their local authority and they will know what to expect from their local authority in response. Included within the Scheme is the requirement to have a Council debate should a certain number of signatures be achieved. Tewkesbury Borough Council has set that threshold at 100 signatures. The current e-petition qualifies for a Council debate.

1.2 The legislation also recommends a 15 minute maximum period for the debate and recognises that the issue may be referred to another Committee where the matter is not one reserved for Council. The purpose of the requirement for Council debate therefore, is not to ensure that the final decision relating to the Petition is made at that Council meeting but to increase the transparency of the decision making process, ensuring that debates on significant Petitions are publicised with sufficient notice to enable the Petition organiser and public to attend. It also ensures that local people know their views have been listened to and they have an opportunity to hear their local representative debate their concerns. The outcome of debates will depend on the subject of the Petition.

2.0 THE PETITION

2.1 The electronic petition (e-petition) was received on 28 March 2016 from Mr J Morrish. It had 306 signatures, which is in excess of the 100 signatures required to trigger a Council debate. The wording of the petition is set out below:-

'We the undersigned petition the council to Refuse any building on the Green Belt land to the South of Two Hedges Road, Woodmancote.'

2.2 The Council is therefore required to debate the Petition in accordance with the Petitions Scheme. The process for dealing with Petitions, agreed by Tewkesbury Borough Council is attached at Appendix 1. Paragraph 5.1 of the Petitions Scheme states that the Petition organiser will be given five minutes to present the Petition at the meeting and the Petition will then be discussed by Councillors for a maximum of 15 minutes. The Council's response to a Petition will depend on what a Petition asks for and how many people have signed it, but may include one or more of the following:-

- taking the action requested in the Petition;
- considering the Petition at a Council Meeting;
- holding an enquiry into the matter;
- undertaking research into the matter;
- holding a public meeting;
- holding a consultation;

- holding a meeting with petitioners;
- referring the Petition for consideration by the Council's Overview and Scrutiny Committee;
- calling a referendum; or
- writing to the Petition organiser setting out the Council's views about the request in the Petition.

3.0 BACKGROUND INFORMATION TO THE SUBJECT OF THE PETITION

3.1 The Petition has been submitted in response to concerns about a potential development of up to 152 homes at the land to the south of Two Hedges Road by Cavendish Homes. The site also formed part of a site option, consulted on through the Tewkesbury Borough Plan – Draft Policies and Site Options document in February 2015. In addition to this, the site has also been submitted as an omission site to the Joint Core Strategy examination.

3.2 The justification for the petition sets out:

Woodmancote and Bishop's Cleeve (which have no separation and are effectively one town) has experienced significant building and expansion over the last decade with major developments still ongoing in Bishop's Cleeve. This has dramatically increased the demand on local amenities, schools and infrastructure..... In fact it could be argued that Woodmancote and Bishop's Cleeve have had more than their fair share of building, as once all building is completed, it will become overwhelmingly bigger than Tewkesbury, which is the Borough Town.

There is therefore no sufficient argument to expand Woodmancote and build on the Green Belt land, destroying our beautiful fields, trees, hedges and habitat for much wildlife. Building here will not only increase the urban development in the approaches to the beautiful Cleeve Hill but also increase the demand on the already over stretched community assets.

3.3 The emerging Joint Core Strategy, through Policy SP2 – Distribution of New Development, identifies how the development needs of Tewkesbury Borough are to be met. This includes the identification of a number of 'Rural Service Centres' and 'Service Villages' which will be expected to accommodate lower levels of development proportional to their size, function and proximity and accessibility to Cheltenham and Gloucester. The Policy SP2 identifies that the Service Villages will accommodate 752 new homes over the plan period to 2031. Sites to meet this requirement will be identified through the Tewkesbury Borough Plan or any Neighbourhood Plans. As a settlement with good access to services and good accessibility, Woodmancote has been identified as a Service Village. Bishop's Cleeve, along with Winchcombe, meanwhile has been identified as a separate settlement and is classified as a 'Rural Service Centre' due to its higher level of services. The two settlements have their own distinct housing requirement of 1,860 identified through Policy SP2.

3.4 The Tewkesbury Borough Plan Draft Policies and Site Options (February 2015) document consulted on potential sites options at Service Villages which could meet the growth identified through the Joint Core Strategy. At this early stage of the plan's development, all site options were considered where they were within and adjacent to a Service Village and it was evidence that they were available and deliverable. The sites consulted upon were not the Council's 'preferred options' but were included to enable the wider consideration of the potential development alternatives.

4.0 CONSIDERATION OF THE PETITION IN THE CONTEXT OF THE LOCAL PLAN/LDF AND OTHER REGULATIONS

4.1 Local planning policies, site allocations and the strategy for development in the Borough will be established through the emerging Tewkesbury Borough Plan. Meeting the development needs set out in the Joint Core Strategy for Rural Service Centres and Service Villages, including identifying suitable sites, would need to be considered and established through the plan making process.

4.2 As part of the local plan for the area, the Borough Plan is subject to the Town and Country Planning (Local Planning) (England) Regulations 2012. These Regulations set out the process that the Borough Council must follow in creating local plans. They require local authorities to go through several stages of development and formal consultation and ultimately submit the plan to the Secretary of State for independent examination. These Regulations must be followed in order for the Borough Council to adopt a legally compliant and sound local plan and policies. Planning policies cannot be brought into effect without following this due process.

4.3 Local plans must also be in conformity with the National Planning Policy Framework (NPPF) which sets out that for a plan to be sound it must be positively prepared, justified, effective and consistent with national policy. As part of this, plans should be based on a proportionate evidence base which needs to support and underpin plan policies, providing the justification as to why they are sound. In allocating sites for new development, the Borough Council would need to be able to justify the approach it is taking and provide evidence to support it.

4.4 The emerging Borough Plan is at an early stage of its development with an initial draft plan consulted on in February and March 2015. Through future stages of the Borough Plan it will be necessary to undertake further review of potential sites options and the strategy for distributing growth amongst the Service Village. This will include considering further evidence on issues such as Green Belt, landscape, infrastructure and transport.

4.5 There therefore remains scope to develop the strategy and policies around new development further. This will enable the local community to put their views forward on the approach to be taken in the plan, including issues raised in this Petition. The plan, as it progresses through its various stages of development, will also require the agreement of Members of the Council who will be able to consider each of the sites being presented.

5.0 CONSIDERATION OF THE PROPOSALS THROUGH THE DEVELOPMENT MANAGEMENT PROCESS

5.1 Any planning application submitted in advance of the consideration of the site through the Local Plan process will be considered on its merits, in accordance with planning policy/guidance in force at the time.

5.2 As set out above, the site is located in the Green Belt. Government policy on Green Belts is contained in the NPPF. The NPPF sets out certain circumstances where new buildings in the Green Belt are considered to be appropriate and as such new buildings would be acceptable in principle. Examples of this are agricultural/forestry buildings, appropriate facilities for outdoor sport and recreation, limited infilling in villages, and limited affordable housing for local community needs.

5.3 New open market developments would however constitute inappropriate development in the Green Belt. The NPPF sets out that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. This guidance is reflected in saved policy GRB1 of the adopted Tewkesbury Borough Local Plan.

5.4 Any application would also be subject to a wide range of other planning policies including saved policy GEN11 of the Tewkesbury Borough Local Plan which sets out that permission will not be granted unless the infrastructure and public services necessary to enable the development to take place are available or can be provided, including demands made by the scheme on the local infrastructure and local community needs.

5.5 Any planning application would be considered in light of the above planning guidance and policies and any other material planning considerations, including the views of the local community.

6.0 OTHER OPTIONS CONSIDERED

6.1 None.

7.0 CONSULTATION

7.1 None.

8.0 RELEVANT COUNCIL POLICIES/STRATEGIES

8.1 As set out in section 4 above.

8.0 RELEVANT GOVERNMENT POLICIES

8.1 As set out in section 4 above.

9.0 RESOURCE IMPLICATIONS (Human/Property)

9.1 Officer time in considering the issues raised as part of the Borough Plan process.

10.0 SUSTAINABILITY IMPLICATIONS (Social/Community Safety/Cultural/ Economic/ Environment)

10.1 Any proposal for a policy as suggested in the Petition will need to be considered in light of the NPPF and other relevant policies/guidance/legislation through the Borough Plan process.

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

11.1 None.

12.0 RELATED DECISIONS AND ANY OTHER RELEVANT FACTS

12.1 As set out in Section 4 above.

Background Papers: None.

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Appendices: One – Petitions Scheme.