TEWKESBURY BOROUGH COUNCIL

Report to:	Council (Extraordinary)
Date of Meeting:	25 October 2016
Subject:	Joint Core Strategy: Main Modifications
Report of:	Julie Wood, Head of Development Services
Corporate Lead:	Mike Dawson, Chief Executive
Lead Member:	Councillor D M M Davies
Number of Appendices:	Seven

Executive Summary:

The Joint Core Strategy (JCS) is the strategic planning document being prepared jointly by Gloucester City, Cheltenham Borough and Tewkesbury Borough Councils to provide a framework for meeting the development needs of the area over the plan period from 2011 to 2031.

Since submission of the JCS in November 2014 the Inspector has undertaken a detailed examination of the June 2014 Pre-Submission JCS as it was agreed by the three Councils. In June this year the Councils met to note the Interim Report of the Inspector, and the key points for change she identified through it. The overview of her findings were presented to that meeting as Appendix A and the minutes of that meeting are available here:

http://minutes.tewkesbury.gov.uk/ieListDocuments.aspx?CId=256&MId=2367&Ver=4

The purpose of this report is to:

- Update Members regarding progress on the JCS after the Council meetings in June 2016, which were followed by hearings in July and the Inspector's Note of Recommendations made at the hearing session on 21 July 2016 (dated 25 July 2016).
- Advise Members about the work undertaken to address the conclusions and recommendations of the Inspector regarding the June 2014 Pre-Submission JCS.
- Seek approval of the proposed main modifications to the June 2014 Pre-Submission JCS for the purposes of undertaking formal public consultation into Post Submission Proposed Main Modifications to the JCS.
- Advise Council of the next steps in the JCS process, including arrangements for consultation about the Proposed Main Modifications.
- To identify key evidence and supporting documents which are related to the recommended Proposed Main Modifications

Leaders of the JCS authorities on 19 September 2016 and the Chief Executive of Tewkesbury Borough Council, as Chair of the JCS Strategic Issues Board, on 23 September 2016 each wrote to the Inspector on outstanding key issues of concern, in particular 5% affordable housing uplift, allocation of Twigworth and Fiddington. The Inspector responded on 6 October 2016, her response provided is at Appendix 3.

Council should note that supporting evidence, Examination Documents, Background Papers, Maps and the full 'track changes' version of the JCS associated with the Proposed Main

Modifications are available electronically from the JCS website at: www.gct-jcs.org

This main modification report is also being considered by Cheltenham Borough Council on Tuesday 18 October and Gloucester City Council on Monday 24 October.

The Council is being asked to approve the proposed modifications as detailed within Appendix 1 – these being the changes the JCS Councils consider make the plan sound and capable of adoption. These modifications will then be made available for public consultation and form part of the emerging plan policies for the purposes of development management. It will be for the Inspector to set out in her final report, whether she is satisfied that the plan can be made sound with main modifications.

Recommendation:

The Council is asked to:

(1) approve for public consultation the proposed main modifications to the June 2014 Pre-Submission Gloucester, Cheltenham and Tewkesbury Joint Core Strategy as set out in Appendix 1 to this report (including proposed modifications to the Proposals Map and Key Diagram) as those it endorses and considers necessary to make the JCS sound.

(2) delegate authority to the Chief Executive of Tewkesbury Borough Council, the Corporate Director of Services and Neighbourhoods of Gloucester City Council and the Director of Planning of Cheltenham Borough Council in consultation with the relevant Leaders of each those Councils to make minor changes to the proposed main modifications and proposed modifications to the Proposals Map and Key Diagram) in terms of formatting, presentation and accuracy, including any minor changes arising from the consideration of the proposed modifications by each of the Joint Core Strategy Councils, prior to publication for consultation purposes.

(3) agree that Appendix Ai "Indicative Site Layout - Twigworth urban extension", Appendix Aii "the City of Gloucester Proposed Primary Shopping Area, Primary Frontage and Secondary Frontage" and Appendix B "Superseded Development Plan Policies on Adoption of the JCS" be incorporated into the proposed Main Modifications to the June 2014 Pre-Submission Gloucester, Cheltenham and Tewkesbury Joint Core Strategy as set out in Appendix 1 to this report (including proposed modifications to the Proposals Map and Key Diagram) as those it endorses and considers necessary to make the JCS sound.

(4) delegate authority to the Chief Executive of Tewkesbury Borough Council, in consultation with the Leader of Tewkesbury Borough Council, to progress and sign the joint planning statement with Wychavon District Council and thereafter any formal memorandum of agreement in respect of the delivery of development on land at Mitton making a contribution towards Tewkesbury Borough's housing requirements.

Reasons for Recommendation:

See section 2 below.

Resource Implications:

See section 6 below.

Legal Implications:

The purpose of the examination of the JCS is to assess whether the JCS has been prepared in accordance with the duty to co-operate, legal and procedural requirements and whether it is sound (as set out in paragraph 182 of the National Planning Policy Framework ("NPPF") and a

local planning authority should only submit a plan which it considers sound. The JCS was submitted for examination on 20 November 2014.

The Pre-Submission Version of the JCS (June 2014) ("June 2014 JCS") was the publication version upon which representations were made and as the Inspector considered that there have been the subsequent changes (which have not yet undergone public consultation) as set out in the Submission Version of the JCS (November 2014) that go beyond what would fall within the category of minor amendments, the Inspector has been considering the June 2014 JCS during the examination rather than the Submission Version of the JCS (November 2014).

The Inspector has indicated that she is minded to find a number of the policies in the June 2014 JCS unsound; during the hearings and also initially within her Preliminary Findings dated 16 December 2015 and now within her Interim Report dated 26 May 2016.

The Inspector is therefore indicating that she would not be able to recommend that the June 2014 JCS is adopted without modifications and that the JCS can only be found to be sound with main modifications. The Inspector has invited the JCS team to draft a set of main modifications, including those which have already been discussed during previous hearings, those which flow from the Interim Report recommendations, those discussed during the July 2016 hearings (which were held for the Inspector to discuss the implications of the Interim Report with the JCS authorities in terms of any queries or complications they may have had in advance of preparing modifications) and those within the Inspector's Note of Recommendations made at the hearing session on 21 July 2016.

If the proposed modifications as detailed within Appendix 1 are approved for consultation, though still not representing the policies of an adopted plan, these will then form part of the emerging plan policies as the JCS Councils are seeking to be found sound and capable of adoption. It will be for the Inspector to set out in her final report, whether she is satisfied that the plan can be made sound with main modifications and if so, the exact wording of main modifications to be made.

Under Section 23 of the Planning and Compulsory Purchase Act 2004, it is not possible to adopt a development plan document, that an Inspector has only found to be sound with main modifications, without the all the main modifications as recommended in an Inspector's final report. Save for any minor amendments, which (taken together) do not materially affect the policies set out in the development plan document; the wording must be as the main modifications set out within the final report.

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Risk Management Implications:

Delay to the progress of the Joint Core Strategy examination and adoption of the plan means that the Council will not have an up to date local plan for the area. The absence of the Joint Core Strategy could result in an uncoordinated approach to development, leading to inappropriate and incremental development being allowed on appeal that does not take account of cross boundary implications and requirements for supporting infrastructure, with the potential for adverse environmental impacts. There are applications already submitted relating to strategic sites identified through the JCS and other major applications pending that are being hindered by delays in progressing the plan. It is therefore critical that examination is advanced as quickly as possible. The recent government consultation on New Homes Bonus indicates that there is a significant risk of losing the bonus in relation to new development if the Borough were to halt plan making or if it were to fail to progress towards adoption in 2017. In addition, a written statement by the Housing and Planning Minister on 21 July 2015 set out that in cases where no Local Plan has been produced by early 2017 the Government will intervene to arrange for the Plan to be written.

Performance Management Follow-up:

Subject to Council approval, the proposed main modifications will be subject to a formal consultation period that will take place between November 2016 and January 2017. Following this, further examination hearing sessions will be held to deal with representations made through the consultation. The Inspector will then produce a final report which will be reported back to the Councils to consider the formal adoption of the plan.

Environmental Implications:

Delay to the progress of the Joint Core Strategy could further result in an uncoordinated approach to development. It is important that future growth is plan-led to ensure that combined impacts on the environment and the infrastructure needs of the wider area are taken into account. The comprehensive approach to environmental impacts cannot be fully assessed through incremental and piecemeal growth. The JCS is being assessed through a sustainability appraisal process and Habitats Regulation Assessment (HRA) which consider the environmental, social and economic outputs of the Plan and ensure that development meets the needs of both present and future generations. The Sustainability Appraisal supporting the JCS encompasses Strategic Environmental Assessment as required by EU Directive (2001/42/EC). In addition HRA has been 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. A Sustainability Assessment Addendum is included within the appendices of this report.

1.0 INTRODUCTION/BACKGROUND

1.1 On 31 May 2016 the JCS Councils received the Inspector's Interim Report regarding her examination of the JCS up to that date. The Inspector's Interim Report was published as EXAM232 and is available to view at:

http://www.gct-jcs.org/Documents/Examination-Document-Library-6/EXAM232---JCS-Inspectors-Interim-Findings---31052016.pdf

The JCS Councils each met in June 2016 (Tewkesbury Borough Council meeting on

28 June 2016 and Cheltenham Borough Council and Gloucester City Council each meeting on 30 June 2016) to review those findings and resolved to:

- Note the Interim Report of the Inspector;
- Agree that the JCS officers attend the July hearings to discuss the Interim Report and the recommended way forward with the Inspector, identifying specific consequences and key points arising from the finding to the Inspector; and
- Agree that a summary of comments made by Members at the Council meetings held by the JCS Authorities be passed to the JCS Inspector for consideration.

Cheltenham Borough Council also resolved to undertake an urgent review on Local Green Space for those areas affected by the Inspector's Interim Report.

1.2 During July 2016 hearings (on 6-7 July 2016 and 19-21 July 2016) were held in light of the Interim Report, and the resolutions of Council above. These hearings covered issues such as which strategic allocations should be included in the JCS, safeguarded land, further evidence on retail, a further site visit to Leckhampton, the JCS housing trajectory and Local Green Space. The hearings agenda are available to view at:http://www.gct-jcs.org/Documents/Examination-Document-Library-6/Agenda-for-JCS-hearings-on-6-and-7-July-2016.pdf and http://www.gct-jcs.org/Documents/Examination-Documents-Library-7/Agenda-JCS-Hearings-19-21-July.pdf

1.3 On the last day of the July hearings, 21 July 2016, the Inspector made a statement on progress of the examination and the next steps to be taken. The Inspector's Note of Recommendations made at the hearing session on 21 July 2016 was subsequently published as EXAM 259 and is available here: http://www.gct-jcs.org/Documents/Examination-Documents-Library-7/EXAM-259---Inspectors-Note-of-Recommendations-from-21-July-2016.pdf

1.4 In the Inspector's Note of Recommendations, she requested that Main Modifications be made available for her by Monday 19 September 2016 for checking.

1.5 Consequently, the JCS officer team has formulated the Proposed Main Modifications on the following basis:

- Those suggested by the JCS Councils during the hearing process in evidence either in response to the Inspector's questions or in response to matters raised by those making representations on the plan (including through Statements of Common Ground).
- Those identified through the Inspector's Interim Report and Note of Recommendations.

1.6 It should be noted that the Inspector is only required to be concerned with matters associated with the soundness of the JCS and not with simply trying to improve the emerging plan. It can therefore be assumed that where Main Modifications are recommended these are required to make the Plan sound.

1.7 The Proposed Main Modifications formulated following the July 2016 hearings are set out in Appendix 1 to this report and are discussed in Section 2 below. If approved, consultation on the Main Modifications can take place between November 2016 and January 2017, meeting the expectation that main modifications consultations will follow the statutory requirements in respect of Pre-Submission consultation of 'at least six weeks'. The Inspector will receive the full responses to this consultation and consider them in January 2017. The Inspector has already confirmed that further hearings on the main modifications will take place after the public consultation.

1.8 Leaders of the JCS authorities on 19 September 2016 and the Chief Executive of

Tewkesbury Borough Council, as Chair of the JCS Strategic Issues Board, on 23 September 2016 each wrote to the Inspector on outstanding key issues of concern, in particular 5% affordable housing uplift and the allocations at Twigworth and Fiddington. The Inspector responded on 6 October 2016, her response provided is at Appendix 3, the implications arising are set out in Section 2 below.

2.0 PROPOSED MAIN MODIFICATIONS

2.1 To advance the JCS, the Councils will need to approve the proposed main modifications which will then be subject to formal public consultation. The Inspector needs to be satisfied that any recommendations made in the Inspector's Final Report, being ones that make the plan sound, have been sufficiently consulted upon. It is not lawful to adopt a Plan as originally submitted where an Inspector has required modifications to be made for the Plan to be sound. It will only be possible to adopt a Plan which includes all the main modifications the Inspector recommends within the Final Report.

2.2 A large number of changes are proposed through the main modifications and are set out in Appendix 1. However some key points have been drawn out below for particular consideration.

2.3 **The overall housing requirement of 35,175 dwellings between 2011 and 2031 in the JCS area (including a 5% uplift to boost affordable housing delivery and flexibility in housing supply).** Although the Leaders of the JCS authorities have written to the Inspector regarding the Inspector's recommendations on this 5% uplift, the Inspector has not revised her view that the housing requirement should be composed of:

i. a demographic component (31,830) which comprises the natural growth of the population in the population and household projections, **plus**

ii. an economic uplift of an additional 1,670 dwellings (which would bring the figure to 33,500) to reflect increased housing need to accommodate the increased number of jobs (39,500) being planned for in the JCS area (estimates in the total number of dwellings required to accommodate this number of jobs ranged from 31,200 to 36,600); **plus**

iii. a 5% uplift to the above to increase affordable housing delivery and flexibility in housing supply - this gives an overall figure of 35,175 dwellings for the JCS area.

2.4 This splits into the following housing needs figures for each authority across the plan period:

Gloucester: 14,359

Cheltenham: 10,917

Tewkesbury: 9,899

2.5 Officers have presented evidence on a number of occasions to progress the question of the justification of the 5% uplift. The Inspector's Interim Report (EXAM 232) states that, based on evidence of viability and affordable housing delivery, the proportion of affordable housing that is deliverable through market housing schemes will not meet the full affordable housing need. As such, the Inspector has sought to increase the housing requirement (demographic OAN plus economic uplift) by a further 5% to help deliver the required number of affordable homes. Officers provided an additional note to the Inspector dated 15th July 2016 (EXAM 249) http://www.gct-jcs.org/Documents/Examination-Documents-Library-7/EXAM-249---JCS-Affordable-Housing-5-Uplift-Note.pdf to reinforce the JCS authorities' view that the application of the 5% uplift was arbitrary, that its deliverability of additional affordable housing units was uncertain and would result in further pressure to effectively meet the OAN of the JCS.

2.6 In responding to the request from JCS Leaders to reconsider the 5% uplift, the Inspector in her letter dated 6 October 2016 states "I have recommended a 5% uplift on the objectively assessed housing need based on the evidence before me and national planning policy and guidance."

2.7 There is no further new evidence which Officers are in a position to present to a future hearing session; as such are of the view that the 5% affordable housing uplift set out by the Inspector is a matter of soundness and should be included within the proposed modifications.

2.8 **The North West Cheltenham Strategic Allocation is reduced in capacity to 4,285 dwellings in the JCS as part of the Main Modifications.** The Inspector recommends that a green buffer should remain around the village of Swindon. As a result the buffer would displace housing which would reduce the capacity of the site by 500 units to 4,285.

2.9 **The Leckhampton Strategic Allocation is removed from the JCS as part of the Main Modifications**. Following detailed debate on landscape sensitivity and provision of local green space, the Inspector recommends an area be considered for build development which is thought to be too small to carry a development of strategic scale. The area will be reconsidered for local scale development (below 450 units) as part of the Cheltenham Plan. The Inspector accepts that a future traffic scheme for the site may be acceptable, but recommends that built development be contained within the green areas of the landscape and visual sensitivity plan (to the north of the site). The green area referred to can be found in the examination library at EBLO106 and is available to view here: http://www.gct-jcs.org/Documents/EvidenceBase/Appendix-4.pdf. An indicative 200 units has been included within the district capacity figure for Cheltenham Borough recognising the deliverability of part of this site.

2.10 **Leckhampton Farm Lane Planning Permission has been accorded to Cheltenham Borough Council's housing numbers (377 dwellings).** Whilst the Inspector is minded that the allocation of the Farm Lane site (which is within Tewkesbury Borough's administrative boundary) is not sound in the JCS, she has noted that there is an extant planning permission and that this can be accorded to Cheltenham supply figures, should Tewkesbury Borough Council and Cheltenham Borough Council agree. The planning permission is currently subject to legal challenge.

2.11 **A 1,100 dwelling and 45ha employment land strategic allocation at West Cheltenham (Phase 1) is introduced into the Plan through the Main Modifications.** Strategic allocation options have been considered through the plan making process in this area since the Broad Locations report in 2011, and allocation options were considered in 2013; the Hayden Sewage Treatment plant which forms part of the site and emits odour curtailed further development of the allocation at that time. Severn Trent is now working with the Council on measures to improve odour emissions, which when undertaken will release parts of the site for development. The latest statement of common ground outlining these measures and the emerging masterplan for the area is at EXAM 198 and is available to view here: http://www.gct-jcs.org/Documents/Examination-Document-Library-4/EXAM-198---Revised-SoCG---Land-at-Hayden-February-16.pdf. A priority for this proposed allocation is ensuring effective masterplanning of phase 1 and a future phase 2.

2.12 **West Cheltenham Safeguarded Land (phase 2) remains within the Plan.** The Inspector in her 'Note of Recommendations' identifies that the bar has been reached in demonstrating exceptional circumstances for the removal of this land from the Green Belt, to be safeguarded for future development of the West Cheltenham area in a future Plan review. This will be an important future growth direction for the town, and contains the Hayden Sewage Treatment works.

2.13 **North Churchdown Strategic Allocation has been removed from the Plan.** The Inspector has been consistent in her opinion from her Preliminary Findings that this strategic allocation is unsound, due largely to its impact on the strategic Green Belt gap between Gloucester and Cheltenham. This view continued throughout the recent sessions and therefore the site has been removed from the Plan

2.14 **Twigworth Strategic Allocation is in the Plan for 1,363 dwellings introduced through the Main Modifications to the plan.** The Inspector recommended within her Interim Report that a site at Twigworth should be allocated for housing-led development of at least 750 dwellings, with further capacity to be investigated by the JCS authorities. Within the Note of Recommendations the Inspector states that from feedback she received on the Interim Report that there may be scope for a strategic allocation at Twigworth and that further work aimed at allocating it within the JCS would be carried out.

2.15 **Fiddington Strategic Allocation has not been included within the Plan.** The Inspector recommended within her Interim Report that land at Fiddington be allocated for 900 dwellings. Within the Note of Recommendations the Inspector states that from feedback she received on the Interim Report that there may be scope for a strategic allocation at Fiddington and that further work aimed at allocating it within the JCS would be carried out.

2.16 The Chief Executive of Tewkesbury Borough Council, as the Chair of JCS Strategy Issues Board, wrote to the Inspector on 23 September 2016 to raise deliverability concerns in respect of the Fiddington site, in the response, dated 6 October 2016 the Inspector states "reasons for omitting Fiddington should be sound and properly evidenced". This site is not being proposed as a main modification to the plan. The evidence to support this decision is rooted in the on-going transport modelling work, mitigation options relating to the transport issues on the A46 and M5 Junction 9 have been tested and these raise deliverability concerns with this allocation. This specifically concerns the highway infrastructure needs and improvements that will be required along this corridor in order to deliver future growth in the Ashchurch area and beyond through Worcestershire and Warwickshire. Due to this uncertainty, it is not considered appropriate to allocate the site through the JCS at this time and to reconsider options for development through future plan review when more is known about the infrastructure needs of the A46. Officers are of the view that reserve site status is an appropriate mechanism to manage future release of the Fiddington site should the position be progressed by the Inspector through the next stage of the examination.

2.17 **Land at Mitton, to the north of Tewkesbury is not a JCS strategic allocation as it is within the Wychavon District Council area, however a planning statement has been prepared between Wychavon and Tewkesbury regarding meeting the housing requirements of Tewkesbury Borough.** The Inspector recommended that the JCS authorities engage in constructive discussions with Wychavon District Council with a view to seeking agreement on the release of land at Mitton to contribute towards Tewkesbury Borough's housing requirement. As a result the authorities have jointly prepared a planning statement which considers the early delivery of a Phase 1 development at Mitton for 500 dwellings that would contribute towards Tewkesbury Borough's requirements. Any further phases for the wider site (approximately 1,100 capacity in total) would be considered through a future review of the South Worcestershire Development Plan.

2.18 **Winnycroft, to the south east of the Gloucester city area has been added as a strategic allocation to the JCS.** This site is not located in the Green Belt, and has been included within the Gloucester residential capacity estimates for some time. The allocation encompasses the location of two adjacent outline planning applications for residential development which together have an estimated capacity of 620 dwellings between the two sites.

2.19 **Apportionment of Strategic Allocations to support relevant five year housing land supplies.** In the submission JCS, a sharing mechanism to support five year housing supply was set up to ensure that strategic allocations wholly or partly within Tewkesbury Borough could be used to meet demand in Cheltenham and Gloucester, but without explicitly setting out which sites meet which demands. The Inspector found that this mechanism was overly complex and uncertain. She therefore has recommended that in accordance with the spatial strategy, housing numbers from Strategic Allocations where they are adjacent to either Cheltenham or Gloucester should be accorded only to that Borough or City in supply terms. However, Ashchurch should be wholly for Tewkesbury's needs.

2.20 **Stepped Trajectories.** The Inspector has confirmed that stepped trajectories may soundly be used in the JCS implementation strategy subject to robust justification. This means that for Cheltenham, where early on in the plan period completions are lower because strategic allocations have not yet started delivering, the housing target for those years can be reduced. This results in a higher target in later years, but this higher target can be met because by that time strategic allocations will be fully delivering. For more information on the JCS housing trajectories (see the JCS Housing Implementation Strategy as on the JCS website).

2.21 **Employment Provision has increased to support around 39,500 jobs across the plan period, with a requirement for at least 192ha of B class land.** Through the submissions of industry through the examination and the work of aligning the JCS with the Gloucestershire Strategic Economic Plan (SEP), figures on job requirements and employment land needs have increased. The 'Employment Land Assessment Update October 2015' report by NLP for the JCS authorities concluded that there should be a minimum requirement for B class employment land of 192 hectares, this is an increase from 64 ha of employment land in the June 2014 version of the Plan. The Inspector's interim report recommended that the higher jobs target be adopted to ensure that the Plan fully adopts an economically led approach to objectively assessed need. This is an increase from provision 'for about 28,000 jobs' in the Pre-Submission JCS.

2.22 **The strategic allocations being proposed through the Main Modifications would bring the total supply in the JCS area to 33,582 dwellings.** This would leave a shortfall against the total housing requirement at Tewkesbury of 729 dwellings and Gloucester of 945 dwellings, for both Councils approximately 1.5 years supply. However, this shortfall occurs at the end of the plan period and both areas would have a good supply of housing land for the short to medium term. This will allow adequate time for a future review of the plan to explore further the potential for additional sites to meet the needs towards the end of the plan period. This would also allow the consideration of additional development options that may become available, both within and outside the JCS area.

2.23 The JCS **Vision and Objectives** contains further text explaining the spatial strategy, provision of high speed broadband is now included within the objectives, in line with the Inspector's recommended modifications, and the sections on sustainable travel and healthy communities have been expanded.

2.24 **Policy SD1 "Presumption in favour of sustainable development**" has now been replaced by national policy and guidance, and so has been deleted on the recommendation of the Inspector.

2.25 **Policy SD2 "Employment"** now prioritises B class uses on employment land at Strategic Allocation. It contains more detailed explanation text regarding alignment with the Gloucestershire Strategic Economic Plan, and priority sectors for growth and expands and reinforces support for the Cheltenham Racecourse, Staverton Airport, University of Gloucestershire and tourism and recreation.

2.26 **Policy SD3 "Retail"** looks to the saved policies on retail in the saved Tewkesbury and Cheltenham Plans, but contains shopping frontages policy for Gloucester City. Through the course of the examination and in within the Interim Report the Inspector has required an immediate review of retail policy in the JCS, which will need to be undertaken as soon as the JCS is adopted.

2.27 **Policy SD4 "Sustainable Design and Construction"** removes the requirement for major applications to gain 10% of their energy needs from renewable sources near the development. These requirements are no longer supported by national policy and guidance.

2.28 **SD5 "Design"** is a comprehensive design policy and has not changed significantly since the submission version of the JCS.

2.29 **SD6 "Green Belt"**, after detailed debate and legal opinion in the examination on the question of the role of district plans in Green Belt changes, this policy has been amended to allow for 'limited' green belt review to accommodate local site needs where required and exceptional circumstances exist. The Green Belt policy has been subject to a number of smaller amendments related to existing developed sites in the Green Belt, such as an expansion to the Cheltenham Racecourse Policy Area, and changes to the wording of policy on the sewage treatment works odour zone, in line with evidence contained in the statements of common ground referenced at paragraph 2.7 of this report. In addition a safeguarded area at Twigworth adjacent to the proposed strategic allocation is identified.

2.30 **SD7 – 12**, these are development management policies, which have been amended slightly to take into account recommendations from the Inspector, including expanding how Gypsy Traveller and Travelling Show-people are supported.

2.31 **SD13 Affordable Housing** – a number of changes have been made in light of government guidance on affordable housing thresholds and the latest CIL viability evidence. The changes include a 35% affordable housing proposal on strategic allocations, sites 10 and under at 0% affordable housing, and sites of 11 and over at 20% affordable housing for Gloucester and 40% affordable housing for Cheltenham and Tewkesbury.

2.32 **SD14 Gypsy Traveller and Travelling Show-people** - policy amended to reflect latest guidance contained in the Government's policy for traveller sites as well as an updated assessment of needs.

2.33 **INF1 and INF2** – updated to only 1 policy to eliminate duplication identified through hearing discussion with the highways authorities.

2.34 **INF6 Renewable Energy** – updated to move the issue of windfarm allocations to district plans and removal of the 10% on-site energy generation to reflect latest national guidance.

2.35 **Strategic Allocation policies** are updated as outlined above and individual sites policies have been added to provide detailed guidance for each allocation. SA1 policy updated to provide greater clarity on the masterplanning and infrastructure needs for each site.

2.36 Part 7 **Delivery, Monitoring and Review** – updated to include trajectory and five year housing supply information, review mechanism and reference to the devolution process.

2.37 **Maps** – changed accordingly to reflect sites and Green Belt changes.

3.0 CONSULTATION

3.1 Public consultation on the JCS has been extensive throughout its development, with the key consultation stages including:

- Key Issues & Questions – November 2009/February 2010.
- Developing the Preferred Option – December 2011/February 2012.
- Draft JCS – October/December 2013.

3.2 The Pre-Submission (June 2014) version of the plan was consulted upon during summer 2014 and the Submission JCS (November 2014), which included amendments with the Inspector subsequently considered to go beyond minor amendments was submitted to the Secretary of State for its examination in public. The representations to the Pre-Submission (June 2014) JCS were referred to the Inspector for consideration as part of the examination process and it is the Pre-Submission (June 2014) version which the Inspector has been examining.

3.3 The examination has been held in public with extended examination around key parts of the plan such as the objectively assessed need, economic strategy, strategic sites and local green space. Some Cheltenham Members (as Members of Parish Councils/other bodies) have played an active role in the examination sessions. Those who responded to the Pre-Submission consultation have, been able to submit evidence to the examination and appear at hearing sessions.

3.4 The JCS Member Steering Group has reviewed the proposed modifications and their justification together with direct engagement with the Leaders of the JCS authorities. Progress of the JCS examination has been reported regularly to the Planning and Liaison Member Working Group.

3.5 Council approval is sought on the Main Modifications plan for it to undergo a formal public consultation period expected to take place between November 2016 and January 2017.

4.0 RELEVANT COUNCIL POLICIES/STRATEGIES

4.1 Tewkesbury Borough Council Plan 2016-2020.

5.0 RELEVANT GOVERNMENT POLICIES

5.1 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.

6.0 RESOURCE IMPLICATIONS (Human/Property)

6.1 The consultation and examination process will involve a significant amount of officer time and therefore has human resource implications for the Council. This includes preparing for and running the consultation, processes and analysing the response, attending and giving evidence at hearing sessions and any additional work on the plan and its evidence base as the examination progresses.

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

7.1 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.

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

8.1 None.

9.0 RELATED DECISIONS AND ANY OTHER RELEVANT FACTS

9.1 None.

Background Papers: None.

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Appendices:

1: Table of Proposed Main Modifications.

1A: Maps.

1Ai: Indicative Site Layout - Twigworth Urban Extension.

1Aii: The City of Gloucester Proposed Primary Shopping Area, Primary Frontage and Secondary Frontage.

1B: Superseded Development Plan Policies on Adoption of the JCS.

2: Sustainability Appraisal (Integrated) Addendum.

3: Inspector's letter dated 6 October 2016.