

# TEWKESBURY BOROUGH COUNCIL

<b>Report to:</b>	Council
<b>Date of Meeting:</b>	26 September 2018
<b>Subject:</b>	Preferred Options Tewkesbury Borough Plan
<b>Report of:</b>	Head of Development Services
<b>Corporate Lead:</b>	Deputy Chief Executive
<b>Lead Member:</b>	Lead Member for Built Environment
<b>Number of Appendices:</b>	One

## **Executive Summary:**

The Tewkesbury Borough Plan (TBP), as the second-tier plan, is being prepared to complement the Joint Core Strategy (JCS) to provide a framework for development in Tewkesbury Borough to 2031.

This report seeks Council approval to publish the Preferred Options version of the TBP for public consultation under Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

This 'draft' consultation document identifies development site options and a suite of draft policies.

## **Recommendation:**

- 1. To approve the Preferred Options Tewkesbury Borough Plan, set out in Appendix 1, for public consultation under Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012.**
- 2. To delegate to the Head of Development Services, in consultation with Lead Member for the Built Environment, the correction of any minor errors such as spelling, grammar, typographical and formatting changes that do not affect the substantive content of the plan.**

## **Reasons for Recommendation:**

To agree the Preferred Options TBP for public consultation and to enable the Council to progress the preparation of the TBP to help meet its identified growth needs.

## **Resource Implications:**

The preparation of the Preferred Options Tewkesbury Borough Plan has already involved a significant amount of officer resource from within the Planning Policy team as well as support from the wider Council.

Approval of the document for consultation will mean additional officer time in undertaking the consultation, organising and advertising the plan, attending consultation events, and analysing responses.

**Legal Implications:**

The Council is required to have an up to date local plan (development plan documents) for its area and must prepare it in accordance with legislative requirements, including ensuring the compliance with the Statement of Community Involvement, and must contain a reasoned justification for the policies contained in it.

The development plan for Tewkesbury Borough is made up of the development plan documents which have been adopted or approved in relation to its area and the neighbourhood development plans which have been made in relation to that area.

If to any extent a policy contained in a development plan for an area conflicts with another policy in the development plan the conflict must be resolved in favour of the policy which is contained in the last document to be adopted or made (as the case may be).

Legislation requires that, where a development plan document contains a policy that is intended to supersede another policy in the adopted development plan, it must state that fact and identify the superseded policy.

The Preferred Options Tewkesbury Borough Plan has been produced for public consultation under Regulation 18 of the Town and County Planning (Local Planning) (England) Regulations 2012 as a key document in the Council's development plan. The consultation will inform the drafting of a version of the Tewkesbury Borough Plan for submission to the Secretary of State (which itself will then be subject to a period of publication for representations before it is submitted).

**Risk Management Implications:**

Failure to progress the Tewkesbury Borough Plan will have an adverse impact on the Borough's ability to provide sufficient sites for housing and employment growth to meet the requirements set out within the adopted Joint Core Strategy.

While the JCS sets out strategic policies, the Borough Plan is required to provide the locally specific policies and guidance that will help guide and determine proposals for new development in the area. Without these policies the Borough Council is in a weaker position in ensuring that new development is of a high quality, is sustainable and meets our objectives for growth in the Borough, in support of the rural area and in implementing the housing and economic objectives of the Council

The Borough Plan is also critical to identify the smaller-scale site allocations for housing and employment, particularly in the Borough's rural settlements. In regard to housing sites, this is vital to ensure that the Council can maintain a five-year supply of land. If the Council cannot demonstrate a five-year supply then its local plan policies may be considered out of date. This could result in a more unplanned approach to development, leading to inappropriate and incremental development being allowed on appeal that does not take account of requirements for supporting infrastructure, with the potential for adverse environmental impacts.

**Performance Management Follow-up:**

Subject to the approval of the TBP for public consultation, the responses to the consultation and the implications on the plan will be reported back to Council prior to the consideration of the Pre-Submission of the Tewkesbury Borough Plan and its formal submission to the Secretary of State and an examination in public. Examination of the plan will be independently overseen by the Planning Inspectorate.

### **Environmental Implications:**

The Tewkesbury Borough Plan must go through a sustainability appraisal process and Habitats Regulation Assessment (HRA) which consider the environmental, social and economic outputs of the Plan and ensures that development meets the needs of both present and future generations. The Sustainability Appraisal supporting the Preferred Options TBP encompasses Strategic Environmental Assessment as required by EU Directive (2001/42/EC). In addition, the Habitats Regulations Assessment 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. The TBP also contains policies to protect and enhance the environment of the Borough.

## **1.0 INTRODUCTION/BACKGROUND**

- 1.1** All local authorities are under a statutory obligation to prepare a development plan. Tewkesbury Borough Council has chosen to do this through the preparation of two key documents; the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (JCS) and the Tewkesbury Borough Plan (TBP). Together the two plans will provide the planning framework for the Borough until 2031.
- 1.2** The JCS was adopted in December 2017 and sets out the vision and objectives for the area together with strategic policies for shaping new development up to 2031. The JCS sets out the overall need for housing and employment growth in the area, the spatial strategy for meeting these needs, and allocates a number of larger strategic sites for development.
- 1.3** Whilst the JCS provides the higher level strategic part of the development plan, more detailed, locally specific planning policies and smaller-scale site allocations are to be progressed through individual district-level (second tier) plans. For Tewkesbury this is the TBP. A key role for the TBP is to help to deliver the development requirements and growth and spatial strategy of the JCS, the TBP therefore needs to be consistent and in conformity with it.
- 1.4** The TBP has now been progressed to a 'Preferred Options' version of the plan. This is still a draft stage of plan making which is to be subject to further public consultation. However, it marks a more advanced step in the development of the plan following the previous consultation as it moves towards its submission to the Secretary of State for its examination in public.

## **2.0 PREVIOUS STAGES OF THE TBP**

- 2.1** The first stage of the TBP was an initial 'scoping' consultation that took place in October/November 2013. This scoping document posed questions on what the key planning issues are in the Borough, what the plan's vision should be and what the policies of the plan should cover.
- 2.2** Following the scoping stage, the Council subsequently consulted on a 'Draft policies and site options' TBP during February and March 2015. The Draft TBP present a series of housing site options at the Rural Service Centres and Service Villages. In addition, the Draft TBP sought comment on a series of detail planning policies to help guide new development.

- 2.3** During the Draft TBP stage the JCS was submitted for its examination in public. The examination process took place from its submission in November 2014 until the authorities received the Inspector's Final Report in October 2017. During this time the uncertainty over the outcome of the examination meant that progress on the TBP had to be halted until this was resolved so that any subsequent version of TBP fully reflected the final JCS plan. However, since adoption of the JCS in December 2017 work has continued on the TBP in order to reach this Preferred Options stage.

### **3.0 DEVELOPMENT OF THE PREFERRED OPTIONS – Member Working Group**

- 3.1** A Member Working Group was established for the development of the TBP and officers and Members of the Group have been meeting since October 2017 to develop both the policies and the site allocations included in the Preferred Options. This process has involved detailed discussions on the proposed policies, on their wording, implementation and likely outcomes, to ensure that they will deliver the Council's objectives for growth. Similarly, the site options for housing and employment development have been reviewed and assessed in detail with the working group, including site visits, to find the most appropriate options for inclusion in this Preferred Options plan.
- 3.2** As a result of this work, the Preferred Options TBP presented with this report is supported and recommended by the Member Working Group.
- 3.3** The development of the plan has also involved cross-working amongst the Development Services team, including development management and communities and economic development teams. Specific input on the site assessment process has also come from the Council's urban design and landscape officers as well as liaison with County Council highways and education teams.

### **4.0 PREFERRED OPTIONS TBP – KEY TOPICS**

- 4.1** The Preferred Options TBP is split into a number of key topic areas under which a series of related planning policies and/or land allocations are presented. These topic areas are:
- Housing.
  - Economy and Tourism.
  - Green Belt.
  - Town Centres and Retail.
  - Environmental Factors (Urban and Natural).
  - Communities, Health and Recreation.
  - Transport and Accessibility.

The JCS provides overarching policies which presents strategic guidance on all of these topic areas. However, the Borough Plan is to provide the more detailed and locally specific policies on these issues, adding to the existing JCS policy.

## Housing (Allocations)

- 4.2** JCS Policy SP1: The Need for New Development sets out that there is a housing requirement of at least 9,899 new homes for Tewkesbury Borough. Policy SP2: Distribution of New Development provides the overall growth strategy for meet this requirement and sets the context for planning new development through the TBP. Policy SP2 states that:

*To meet the needs of Tewkesbury Borough, none of which is being met by the urban extensions to Gloucester and Cheltenham, the JCS will make provision for at least 9,899 new homes. At least 7,445 dwellings will be provided through existing commitments, development at Tewkesbury town in line with its role as a market town, smaller-scale development meeting local needs at Rural Service Centres and Service Villages, and sites covered by any Memoranda of Agreement.*

*Rural service centres and service villages as identified in Table SP2c below will accommodate lower levels of development to be allocated through the Tewkesbury Borough Plan and Neighbourhood Plans, proportional to their size and function, and also reflecting their proximity and accessibility to Cheltenham and Gloucester and taking into account the environmental, economic and social impacts including existing levels of growth over the plan period.*

*Over the plan period to 2031:*

- i. The rural service centres will accommodate in the order of 1860 new homes, and;*
- ii. The service villages will accommodate in the order of 880 new homes;*

The focus for the TBP regarding site allocations, therefore, is the growth potential at Tewkesbury Town, Rural Service Centres and Service Villages.

- 4.3** In order to identify all reasonable sites which could come forward to meet the requirements of Policy SP2 all available land adjacent to Tewkesbury town, Rural Service Centres and Service Villages was initially considered and detailed assessments were undertaken to judge their potential suitability for development. Sites were judged against national and local policy constraints as well as key environmental factors. Each site was given a score (from A – D) based on the assessment, with those rated A and B considered to be potentially suitable for development. The proposed housing allocations at the rural service centres and service villages have then been determined by considering which sites are suitable and then by having regard to the JCS Policy SP2 requirement for allocations to be proportional to their size and function, and also reflecting their proximity and accessibility to Cheltenham and Gloucester and taking into account the environmental, economic and social impacts including existing levels of growth over the plan period. A similar process was followed for allocations at Tewkesbury town although with less emphasis on the proportionality of growth to the size and function of the settlement on the basis that Tewkesbury is the Borough's principal settlement. The detailed explanation of the assessment process is provided in the TBP Housing Background Paper (September 2018).

- 4.4** Policy RES1 Housing Site Allocations is the culmination of this site assessment process and presents those sites considered to be preferred options for housing development. They include a variety of different sites across the Borough's settlements which can contribute towards meeting our identified housing needs. For each site the site area is presented as well as the potential site capacity. Also accompanying the policy, are site specific development principles for each site which sets out the key considerations for any new development.

- 4.5** In total the site allocations presented could deliver up to 170 homes at Tewkesbury Town, 181 homes at the Rural Service Centres, and 347 homes at the Service Villages. These figures do not include the amount of new housing that has already been committed at these locations due to existing planning permissions. When added to existing commitments these allocations would cumulatively provide 2027 homes at the Rural Service Centres and 1138 at the Service Villages. This amount of growth would exceed the minimum requirement of 1860 and 880 homes respectively for these locations though JCS Policy SP2. This additional supply will contribute to the Government's aim to boost the supply of housing and provide a sufficient, robust and flexible range of sites to ensure that the Borough can maintain a five-year housing land supply as required through the NPPF.
- 4.6** Settlement boundaries have also been updated for each of the Rural Service Centres and Service Villages (including the provision of new boundaries at Coombe Hill, Minsterworth, Norton, Stoke Orchard and Toddington) as well as at Tewkesbury Town and the 'Urban fringe settlements' adjacent to Cheltenham and Gloucester (e.g. Churchdown, Brockworth etc). The settlement boundaries are based on the existing ones identified in the Tewkesbury Borough Plan to 2011 and any respective Neighbourhood Plans, and expanded to include any new housing commitments and proposed site allocations where applicable.

### **Housing (Policy)**

- 4.7** The TBP provides a series of policies to provide guidance on future housing development in the Borough. This includes the approach to development within and outside of identified settlement boundaries (Policy RES2, RES3) as well as more general guidance applicable to any new housing development (Policy RES5) including issues such as affordable housing (Policy RES12), housing mix (Policy RES13) and self and custom build housing (Policy RES16). There are also detailed policies dealing with the reuse of rural buildings for residential development (Policy RES7), replacement dwellings (Policy RES9) and the extension of dwellings (Policy RES10).
- 4.8** Policy RES4 sets out an approach to housing at other rural settlements (those not identified within the settlement hierarchy, i.e. those without settlement boundaries) to allow for a more flexible approach to housing growth in order to maintain the vitality of settlements within the rural area. Policy RES4 allows for very small-scale residential development within and adjacent to the built-up area of the settlement. However, this must be of a size and scale that is proportionate to the size and function of the settlement and complements its form, character and landscape setting.

### **Economy and Tourism**

- 4.9** Policies EMP1 and EMP2 identify the Borough's Major Employment Sites and Rural Business Centres where there is general support for the principle of B-class employment development. The policy also allows for the expansion of these sites where appropriate.
- 4.10** Similar to the housing allocations through Policy RES1, a detailed site assessment process has been undertaken to look at the potential for new employment allocations and/or expansions of existing Major Employment Sites and Rural Business Centres. The detailed explanation of the assessment process is provided in the TBP Employment Sites Background Paper (September 2018). This has resulted in new sites being identified which would provide for a total of up to 45ha of new employment land.

- 4.11** In addition to these identified, and new employment sites, the Borough Plan provides policies for employment uses within existing settlement boundaries (Policy EMP3) and sets out the approach to development with the wider rural area (Policy EMP4). The plan also sets out general principles that should be considered for any new employment development proposal (EMP5).
- 4.12** Policies are provided that cover issues around agricultural development (Policies AGR1 to AGR4) and to cover tourism related development (Policies TOR1 to TOR5)

### **Green Belt**

- 4.13** In order to accommodate the allocation of new housing and employment land it has been necessary in some locations to propose the removal of the land from the Green Belt. This largely relates to residential development at Shurdington and employment development at business parks around Staverton. Policy GBR1 sets out where this Green Belt removal would occur. It is considered that there are exceptional circumstances present (as required by the National Planning Policy Framework) to justify these changes to the Green Belt to ensure that the Borough can meet its development needs in most sustainable way.
- 4.14** An approach to development at Gloucestershire Airport is presented (Policy GRB2) which provides for a more flexible approach to airport related employment development within an identified 'non-essential operational area'. This maintains the airport within the Green Belt but provides an approach to help with the growth of this important employment area.
- 4.15** A particular policy area (Policy GRB3) has also been identified around the existing Bamfurlong Operational Policing site, which is within the Green Belt, to provide support for development that relates to proposals for the redevelopment and intensification of the site for operational policy and partnering uses.

### **Town Centres and Retail**

- 4.16** Policy RET1 identifies the hierarchy of designated retail centres in the Borough, including Tewkesbury as the market town, Bishops Cleeve and Winchcombe as service centres, and 5 local centres. This policy sets out the general policy in regard to the development of main town centre uses in the centres. There is specific policy guidance for Tewkesbury town centre through Policy RET2 and for the other designated retail centres through Policy RET3. These policies are generally supportive of retail development but provide flexibility on the range of other town centre uses that may be considered acceptable to support their vitality and viability. Further policies deal with retail development in 'out of centre locations (Policy RET4) and single or small groups of shops within residential areas (Policy RET5).
- 4.17** Policies that deal with specific types of retail uses are also provided, including on hot food takeaways (Policy RET6), public houses and local shops (Policy RET7) and agricultural/horticultural retail (Policy RET8).
- 4.18** A specific policy dealing with Tewkesbury Town regeneration programme and the emerging Tewkesbury Masterplan is presented at Policy RET9. This policy also highlights the key regeneration sites of Healings Mill and Spring Gardens.

### **Environmental Factors (Quality Places)**

- 4.19** This section of the TBP provides a suite of policies which seeks to ensure that new development is of a high quality and that enhances the built environment. Policy DES1 looks to adopt the Governments 'nationally described space standards' which provides a standardised approach to the size of dwellings (internal floorspace). Policy DES2 and DES3 deal with street furniture, signs advertisements while Policy DES4 specifically deals with the design of shopfronts.
- 4.20** A number of policies in the plan concern the protection and enhancement of the Boroughs historic environment, including conservation areas (Policy HER1), Listed Buildings (Policy HER2) and locally important heritage assets (Policy HER5). There is also a specific policy dealing with the Tewkesbury 1471 battlefield (Policy HER6).

### **Environmental Factors (Natural Environment)**

- 4.21** Protection is given to the Borough's local landscape designations of the Special Landscape Areas (Policy LAN1) and the Landscape Protection Zones (Policy LAN2).
- 4.22** The TBP introduces a Strategic Gap policy (LAN3) which seeks to designated gaps between certain settlements in order to protect their separate identity, character, landscaping setting and prevent their coalescence. These strategic gaps are proposed for the areas between Bishop's Cleeve and Gotherington, Winchcombe and Greet, and Twynning and Church End.
- 4.23** The plan provides a policy for the protection of the Borough's biodiversity, geodiversity and important natural features (Policy NAT1), protection for the water environment (Policy NAT2) and seeks for new development to be designed to contribute and enhance the area's green infrastructure network (Policy NAT3).

### **Communities, Health and Recreation**

- 4.24** Policy HEA1 looks for new development to promote healthy and active communities through their design and consider the impacts of development on health. Policies RCN1 and RCN2 deal with the provision of public outdoor space, sport pitches and sports facilities and the contribution that new development should make in providing them to meet the needs of communities. There is a specific policy provide on the protection of allotments and community gardens (Policy RCN3) and of community assets (Policy COM1), including shops, community centres, pubs, libraries etc.
- 4.25** Policy COM2 requires new residential and commercial development to be provided with the infrastructure necessary to enable access to high quality broadband, while Policy COM3 provides guidance for proposals for telecommunications development.

### **Transport and Accessibility**

- 4.26** The TBP provides specific polices on pedestrian, cycle and public transport accessibility through Policies TRAC1 and TRAC2 and requires movement by foot, bike and bus to be fundamental considerations in the design on new major developments. A policy on parking provision for new development is present at Policy TRAC9.



- 4.27** Policy TRAC6 deals with the M5 Junction 9/A46 Corridor at Ashchurch to support the implementation of highway infrastructure improvements and states that new development along the corridor must not prejudice their delivery. In addition, a policy supporting the enhancement of the Ashchurch for Tewkesbury rail station is included (Policy TRAC5) which seeks to increase the frequency of train services and enhancements to the station facilities.

## **5.0 NEIGHBOURHOOD PLANNING**

- 5.1** The Borough currently has five 'made' neighbourhood development plans (NDP) and a number of others currently in progress. Where a NDP has been brought into force, the policies it contains takes precedence over the existing non-strategic policies in a local plan (such as the in the TBP) that cover that neighbourhood area. However, where they are in conflict they may be superseded by strategic or non-strategic policies (in the JCS or TBP) that are adopted subsequent to the NDP.
- 5.2** The TBP has been developed to, where possible, reflect the policies and allocations of existing and emerging NDPs. Therefore, in the main, there should be no conflict issues for existing NDPs with contents of the TBP. However, where there are any conflicts, the TBP as the latest plan, would take precedent.

## **6.0 CONSULTATION AND NEXT STEPS**

- 6.1** If approved by the Council, the Preferred Options TBP will be published for a minimum six-week public consultation. This consultation will be undertaken in accordance with the Council's adopted Statement of Community Involvement. Dates and details of this consultation are to be confirmed, but it is likely to take place between mid-October and the end of November 2018.
- 6.2** The consultation period will be widely publicised, directly to those signed up to the planning policy consultation database, but also using the paper and social media and through promotion to Town and Parish Councils.
- 6.3** Following this consultation, officers will consider all representations received during this time and where appropriate make amendments to the TBP. A summary of the consultation responses received will be produced and provided to Council alongside a later iteration of the Tewkesbury Borough Plan.
- 6.4** The next step for the plan will be the Pre-submission TBP which will be again subject to public consultation. This will be final stage of plan making before the plan is formally submitted to the Secretary of State for its examination in public. This Pre-Submission consultation is anticipated to take place in Spring 2019.

## **7.0 RELEVANT COUNCIL POLICIES/STRATEGIES**

- 7.1** Tewkesbury Borough Council Plan (2016-2020).  
Adopted Joint Core Strategy (December 2017).  
Adopted Tewkesbury Borough Local Plan to 2011 (March 2006).  
Economic Development and Tourism Strategy (2017-2021).  
Housing Strategy (2017-2021).

## **8.0 RELEVANT GOVERNMENT POLICIES**

**8.1** The National Planning Policy Framework.

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

**9.1** None.

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

**10.1** The Tewkesbury Borough Plan must go through a Sustainability Appraisal/Strategic Environmental Assessment process and Habitats Regulation Assessment, which considers the environmental, social and economic outputs of the Plan and ensures that development meets the needs of both present and future generations.

The Sustainability Appraisal (integrating Strategic Environmental Assessment; Health Impact Assessment; and Equality Impact Assessment) (August 2018) can be viewed here: <https://drive.google.com/open?id=1jYQ3x76Vr1iMRsv1rkVqROWkvO7W7OwI>

The Habitats Regulations Assessment (August 2018) can be viewed here: <https://drive.google.com/open?id=1G0CqTr6OeeaCpwdF3nOofmU7qGeAs2MX>

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

**11.1** Each version of the Tewkesbury Borough Plan will be accompanied by a full range of assessments which will address equalities and other issues.

## **12.0 RELATED DECISIONS AND ANY OTHER RELEVANT FACTS**

**12.1** October 2017 – approval by Executive Committee of the updated Local Development Scheme for Tewkesbury Borough.

February 2015 – approval by Council of Draft Policies and Sites Options Tewkesbury Borough Plan.

July 2014 – approval by Council of Tewkesbury Borough Plan Regulation 18 Scoping Summary Response Report.

October 2013 – November 2013 Tewkesbury Borough Plan public scoping consultation.

May 2013 - approval by Council of the Statement of Community Involvement (SCI).

April 2013 - approval by Council of the Local Development Scheme for Tewkesbury Borough.

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### **Background Papers:**

National Planning Policy Framework (July 2018) and National Planning Practice Guidance.

Adopted Joint Core Strategy (December 2017).

Tewkesbury Borough Local Plan (adopted 2006).

Local Development Scheme for Tewkesbury Borough (October 2017).

Tewkesbury Borough Council Statement of Community Involvement (May 2013).

The Tewkesbury Borough Plan Regulation 18 Scoping Summary Response Report (August 2014).

The Tewkesbury Borough Plan Regulation 18 Draft Policies and Site Options Summary Response Report (July 2015).

Tewkesbury Borough Plan Housing Background Paper - Approach to Sites (September 2018).

Tewkesbury Borough Plan Employment Sites Background Paper (September 2018).

Sustainability Appraisal (integrating Strategic Environmental Assessment; Health Impact Assessment; and Equality Impact Assessment) (August 2018).

Habitats Regulations Assessment (August 2018).

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**Appendices:** 1. Preferred Options Tewkesbury Borough Plan.