

# **Tewkesbury Borough Local Development Scheme**

**2022-2024**

**DRAFT March 2022**



## **1. Introduction**

- 1.1 Tewkesbury Borough Council has a statutory responsibility to prepare and maintain a Development Plan for its area. This sets the planning vision for the Borough and is used to guide the determination of planning applications.
- 1.2 As part of its ongoing responsibility, the Borough Council must prepare and maintain a Local Development Scheme (LDS) which outlines the timetable for the preparation and review of those Local Development Documents (LDD) which are classed as Development Plan Documents (DPD). DPDs are also commonly known as 'Local Plans'. Specifically, the Planning and Compulsory Purchase Act 2004 (as amended), sets out that an LDS must:
  - Contain a brief description of all LDDs which are to be prepared as DPDs and the content and geographic area to which they relate;
  - Identify which documents are to be prepared jointly with one or more other local planning authorities; and
  - Set out a timetable for producing and the revision of DPDs, with key milestones.
- 1.3 The Borough Council last adopted an LDS in January 2021, which has now been superseded by this document.

## **2. Background**

- 2.1 The LDS for Tewkesbury Borough is a formal document which identifies the timetable for the preparation of future Development Plan Documents (DPDs) which together will constitute the 'Development Plan' for the area. For Tewkesbury, this currently includes the emerging Gloucester, Cheltenham, and Tewkesbury Joint Core Strategy Review ('JCS' Review) and the emerging Tewkesbury Borough Plan. The last fully adopted Tewkesbury Local Plan dates from 2006 (The Tewkesbury Borough Local Plan to 2011 – March 2006). A number of policies in this plan were formally 'saved' by the Secretary of State for Communities and Local Government in 2009.
- 2.2 The Gloucester, Cheltenham, and Tewkesbury Joint Core Strategy (JCS) was adopted in November 2017. It is a co-ordinated strategic development plan that sets out policies for how the area will develop between 2011 and 2031. On adoption, Policies in the JCS replaced a number of policies from the Tewkesbury Borough Local Plan to 2011.
- 2.3 The JCS has been under review for some time. As the first formal part of this process, an Issues and Options consultation took place between November 2018 and January 2019. [Further details are available on the JCS website](#). However, important legislative and national planning policy changes now indicate that a full (rather than partial) review of the JCS is necessary, and it would also be appropriate for the same reasons to re-title the emerging document to Joint Strategic Plan ('JSP').
- 2.4 Underneath the adopted Joint Strategic Plan, each of the authorities are progressing a 'district plan', which will deliver the JSP locally and address any other issues and opportunities specific to that local authority.
- 2.5 The Development Plan is also made up of any Neighbourhood Development Plans

(NDP) that are 'made'. NDPs are developed by local communities, with support from the Borough Council. Therefore, these plans are not directly progressed by the Borough Council and the timescales for their development are largely dependent on local communities. As such, the LDS does not contain detail on the timescales for any emerging neighbourhood development plans.

- 2.6 The Development Plan also consists of the Waste Core Strategy and the Minerals Local Plan, which are also DPDs. However, these are the responsibility of Gloucestershire County Council and subject to a separate LDS. As such, they are not dealt with in this document.
- 2.7 The Planning and Compulsory Purchase Act 2004 (as amended) sets out what Local Planning Authorities are statutorily required to do in preparing LDDs.
- 2.8 The Act (as amended) outlines the types of LDD that the Council must prepare (or may choose to prepare):

**Development Plan Documents (DPDs):** DPDs are key documents and form a part of the Statutory Development Plan, including Local Plans, the Waste Local Plan, Minerals Local Plan and Neighbourhood Development Plans. DPDs are subject to public consultation and to public examination, which assess emerging Plans against the 'tests of soundness', legal compliance and the 'Duty to Cooperate' (there is a different process for Neighbourhood Development Plans). Planning applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The Waste Local Plan and Minerals Local Plan are the responsibility of Gloucestershire County Council and are covered by a separate LDS.

**Supplementary Planning Documents (SPDs):** SPDs are subject to a statutory process and public consultation, but not examination in public. They do not form a part of the statutory Development Plan but are a material consideration in the determination of planning applications. They are used to provide additional guidance on a policy or site allocation in DPDs. Tewkesbury Borough Council currently has four Supplementary Planning Documents (SPD): Flood and Water Management SPD (February 2018), the Tewkesbury Town Regeneration SPD (April 2019), the Affordable Housing SPD and a joint West Cheltenham 'Central Cyber Garden Community' SPD (April 2019).

The Council has also recently prepared a Draft Local Heritage List Selection Criteria for Tewkesbury Borough SPD and a Draft Shopfronts, Shutters and Signage: Design Guidance for Tewkesbury Borough SPD. Both have been through an initial stage of consultation and adoption is expected in the Spring this year. Further information on both of these Draft SPDs, can be found within Section 5 below.

The Council may decide to update the above SPDs or develop additional SPDs to provide guidance to support the Local Plan. However, these are not DPDs and therefore their production is not subject to the LDS.

**Statement of Community Involvement (SCI):** each local planning authority must prepare a SCI setting out its policy of how residents, businesses and others will be involved in the preparation of local development documents.

- 2.9 As noted above, Parish Councils or Neighbourhood Forums can prepare Neighbourhood Development Plans for their area. Once 'made', NDPs form part of the Development Plan for the area that they cover. Neighbourhood planning is community-led, with support provided by the Local Authority. The timetable for the preparation of NDPs and the primary resources for doing so are the responsibility of the Parish Council or Neighbourhood Forum. Therefore, the LDS does not include information on the preparation of NDPs.

### **3. Tewkesbury Borough Council's Development Plan**

- 3.1 Tewkesbury Borough Council is currently progressing two DPDs; the Tewkesbury Borough Plan, and the review of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy.
- 3.2 These plans, together with the County Council's minerals and waste DPDs, and any 'made' Neighbourhood Development Plans, will form the 'Development Plan' for Tewkesbury Borough. Once adopted, this means that all development must be in accordance with these plans and any neighbourhood development plans, unless there are material considerations that would indicate otherwise. (Section 38 (6) of the Planning and Compulsory Purchase Act 2004).
- 3.3 As noted above, in preparing these DPDs, the Council must consult the public in accordance with an agreed Statement of Community Involvement (SCI). The Council's SCI was adopted in May 2013 and has recently been reviewed. Adoption of the revised SCI by the Council is expected in April 2022.
- 3.4 Table 1 below explains how the different documents relate to one another.

<b>Tewkesbury's Local Development Documents</b>			
<b>Development Plan Documents</b>	<b>Statement of Community Involvement (SCI)</b>	<b>Supplementary Planning Documents (SPD)</b>	<b>Local Development Scheme (LDS)</b>
<b>Joint Strategic Plan (JSP)</b>	Explains how the community can get involved in the preparation of planning documents.	Other documents which give advice to supplement policies and proposals in the JCS, Borough Plan and County Council DPDs.	This project plan setting out the programme for preparing Development Plan Documents.
Will set out the long-term spatial vision for Gloucester City, Cheltenham, and Tewkesbury Boroughs. Will identify strategic sites and policies to deliver the vision.			
<b>Tewkesbury Borough Plan (TBP)</b>			
Will deliver the JCS locally. Identifies and allocates local sites for development. Contains criteria- based policies against which all development within the Borough will be determined.			
<b>Waste Core Strategy</b>			
Produced and maintained by Gloucestershire County Council and subject to a separate LDS			
<b>Minerals Local Plan</b>			
Produced and maintained by Gloucestershire County Council and subject to a separate LDS			
<b>Neighbourhood Development Plans (NDP)</b>			
There are seven 'made' NDPs at the current time and a number of Draft NDPs currently under preparation. NDPs are led by the community and can be developed by Parish Councils or designated Neighbourhood Forums.			

**Table 1 – The Development Plan, SPDs, the SCI and the LDS**

## **4.0 Emerging Development Plan Documents**

### **Tewkesbury Borough Plan DPD**

4.1. On adoption, the Tewkesbury Borough Plan (TBP) will sit beneath the strategic level adopted JCS, covering the period from 2011 to 2031 and provide the local-level growth strategy for the Borough. The TBP will help to meet the level of growth set out in the JCS through smaller-scale site allocations and by providing specific policy guidance for development in the area. The TBP allocations will specifically focus on housing sites at Tewkesbury town, Rural Service Centres and Service Villages as well as sites for employment growth around the Borough.

4.2. Following scoping and draft options consultation, a TBP Preferred Options document was published for consultation between October and November 2018. The Pre-Submission Plan consultation was carried out October 2019 and the plan submitted to the Secretary of State on 18 May 2020. Examination in Public (EiP) took place over five weeks during February and March 2021. The examining Inspector's post hearings Main Modifications letter was received on 16th June 2021. In this letter the Inspector provided his current view as to what modifications would be required to make the Plan 'sound'.

4.4. A schedule of Main Modifications to the Pre-submission TBP were published for public consultation as the Main Modifications Tewkesbury Borough Plan (MMTBP). The consultation period ran from 1st November 2021 until 4th January 2022, after which time, the Main Mods consultation representations were passed to the Inspector, for review.

4.5. Following the Inspector's deliberations on any responses received, the Council can expect to receive the Inspector's Report confirming the soundness of the plan subject to those MMs. A fact check will be required to be undertaken by officers to check that all the facts in the report are correct. The Inspector will issue his final report, at which point, Full Council may formally adopt the Local Plan and it will receive full weight in planning decisions.

4.6. The estimated timetable for the TBP to adoption is therefore:

- Adoption – Spring 2022

4.7. Following formal adoption, the TBP will form part of the Development Plan for the Borough and will replace the saved policies of the Tewkesbury Borough Local Plan to 2011.

### **Joint Strategic Plan DPD**

4.8. The Gloucester, Cheltenham, and Tewkesbury Joint Core Strategy (JCS) Development Plan Document was adopted in December 2017. As outlined above, it is a co-ordinated strategic plan that sets out how the local authority areas of Gloucester City,

Cheltenham Borough and Tewkesbury Borough will develop between 2011 and 2031. It sets out a spatial strategy, planning policies and site allocations to deliver development needs, whilst protecting the natural and built environment.

4.9. A full review of the JCS (to be called the JSP) has now commenced and an Issues and Options consultation took place between November 2018 and January 2019. The adopted JCS included a commitment to undertake an immediate review of the plan in relation to housing supply and retail/town centre matters. However, in response to the plan-making requirements set out in the updated National Planning Policy Framework (2019), the scope of the review will be comprehensive and provide a full review/replacement of the Plan.

4.10. The estimated timetable for the preparation of the JSP to adoption is as follows:

<b>Milestone</b>	<b>Date</b>
Issues and Options consultation	Winter 2018/19 COMPLETE
Preferred Options consultation	Spring 2023
Pre-Submission Consultation	Autumn 2023
Submission to the Secretary of State	Early Spring 2024
Examination	Summer 2024
Adoption	Winter 2024/Spring 2025

More information can be found on the JCS website <https://www.jointcorestrategy.org/>

## **5. Other Local development Documents**

### **Neighbourhood Development Plans**

5.1 At the time of writing, there are seven 'made' Neighbourhood Development Plans and a number of Parish Councils or Neighbourhood Forums are actively working towards an NDP within Tewkesbury Borough. Further information for communities that may wish to develop their own NDP can be found on the Borough Council website here: [Neighbourhood planning — Tewkesbury Borough Council](#)

### **Supplementary Planning Documents**

5.2 As noted above, the Borough Council has adopted four Supplementary Planning Documents (SPDs) to support existing policies. SPDs provide clarity and guidance to policies contained within DPDs. In addition, two new SPDs are currently being progressed, as follows;

1. **Draft Shopfronts, Shutters and Signage: Design Guidance for Tewkesbury Borough SPD** – A six-week consultation took place, from Friday 17th September 2021 until Friday 29th October 2021 on the Draft Shopfronts, Shutters and Signage: Design Guidance for Tewkesbury Borough SPD. Only minor comments were received in respect of this SPD, however, in accordance with Regulation 12 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended), a Consultation Statement is required to be produced to show how the Council has responded to representations from the consultation. A further period of public consultation on the Consultation Statement is required (running between 3rd February 2022 and 4th March 2022). The Council will consider comments received and providing no substantive issues are raised, it is recommended to put forward the SPD for adoption to Full Council. Adoption is expected in Spring 2022.
2. The Council has recently prepared a **Draft Local Heritage List Selection Criteria for Tewkesbury Borough SPD**, which was approved for public consultation on 17 November 2021 at a meeting of the Council's Executive Committee. This consultation was held for approximately 6 weeks between Wednesday 1st December 2021 and Friday 14th January 2022. Following the consultation, the Council has considered comments received and amended the draft SPD accordingly. A consultation statement has been produced and will be consulted on alongside the amended SPD in accordance with the Town and Country Planning Regulations 2012 (12). Adoption is expected in Spring 2022.
3. The Council's adopted and Draft SPDs can be viewed here: [Local plan — Tewkesbury Borough Council](#)

## **6. Further information**

- 6.1 The Council's Planning Policy Team is responsible for maintaining this LDS and for preparing the various documents within the Local Development Framework. If you have any questions or would like any further information, please contact:

Planning Policy Team  
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