

14 July 2016

Tel: 01242 602173

Matthew Tyas
Planning and Development Services,
Tewkesbury Borough Council
Council Offices,
Gloucester Road
Tewkesbury, Glos GL20 5TT

Dear Mr Tyas,

Planning Application 16/00539/OUT: Trumans Farm, Gotherington

I write to set out the objections of the Campaign to Protect Rural England Gloucestershire Branch to the proposed development.

Summary

This application should be refused for the reasons set out in detail below. The proposed development, if permitted, would do significant damage to the local landscape and its amenity, including to the setting of the AONB. It would be contrary to Saved Policy LND2 of the Tewkesbury Local Plan to 2011, cannot be justified in terms of the emerging Joint Core Strategy or consequential local plans (as far as they carry weight) and fails to meet the criteria set out for sustainable development in the NPPF.

Detailed Argument

This objection has taken the following into account:

- The National Planning Policy Framework
- National Planning Practice Guidance
- The adopted Tewkesbury Local Plan
- The emerging Joint Core Strategy and embryonic Tewkesbury Local Plan
- The draft Gotherington Local Development Plan
- All the documents which accompanied the planning application, in particular the Planning Statement and Landscape and Visual Impact Assessment

As is made clear below, we consider landscape and visual effects to be the most important single issue in the determination of this application. We also take account of recent appeal decisions, two at Alderton, like Gotherington a village close to one of the outliers of Jurassic limestone which form part of the Cotswold Area of Outstanding Natural Beauty. These have helped to create a highly distinctive landscape in this part of the Borough, and in adjoining parts of Worcestershire.

Chairman:

Major Tom W Hancock D.L. Saltway House, The George, Winchcombe, Glos GL54 5LJ. Tel: 01242 602173

Hon Secretary/

David N Bayne Hamfield House, Ham Road, Charlton Kings, Cheltenham GL52 6NG. Tel: 01242 237074

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The Campaign to Protect Rural England exists to promote the beauty, tranquillity and diversity of rural England by encouraging the sustainable use of land and other natural resources in town and country.

The Site and its Surroundings

Members and other representatives of CPRE inspected the site and visited all the viewpoints identified in the applicant's Landscape and Visual Assessment on 4 July 2016.

Our consideration of landscape and visual effects is set out below.

The Development Plan

The development plan consists solely of the Tewkesbury Borough Local Plan adopted in 2006, running to 2011.

The emerging development plan consists of the Joint Core Strategy (JCS) being prepared by Gloucester City, Tewkesbury Borough and Cheltenham Borough Councils. The Tewkesbury Local Plan which will flow from it is still at an early stage and has yet to take account of public consultation.

As part of the evidence base for the emerging Tewkesbury Local Plan, the site was included in the Assessment of Land Availability (ALA) of March 2016. It is identified as site 45, with an area of 4.05 hectares and a nominal capacity of 76 dwellings. The pro-forma describes it as suitable, but also as unavailable and unachievable. Its apparent suitability must be strongly qualified by the fact that the ALA, like nearly all similar documents in England, identifies as potentially suitable land with a capacity far greater than the number of dwellings required, especially in rural areas. The disclaimer on page 2 of the ALA states in emboldened text that *"planning applications will continue to be treated on their own merits"*.

The Gotherington Neighbourhood Development Plan

The most recent draft of the Gotherington Neighbourhood Development Plan 2011-2031 (GNDP) is dated November 2015. It is at the Regulation 16 stage. Among other things, it proposes in Policy GNPD2 three sites as allocations for housing with a combined capacity of about 46 dwellings. This draft policy also includes criteria to be met by any additional sites which may be required in the event of the JCS or the Tewkesbury Local Plan setting a higher housing requirement for the village.

Criterion (b) relates to the village's east-west orientation and criterion (c) to the AONB. The proposed development is considered to be contrary to both.

The GNPD can make no further significant progress at least until the JCS is adopted.

The Supply of Land for Housing

CPRE is aware that for some time now Tewkesbury Borough has not been able to demonstrate a five year supply of land for housing, and there is little or no prospect of its doing so until the major allocations in the Green Belt proposed in the Joint Core Strategy (JCS) are confirmed by the adoption of that plan. Thus we acknowledge that paragraph 49 of the NPPF is engaged, subject to the qualification set out below.

The JCS Inspector's Interim Report issued on 26 May 2016 identified an objectively assessed housing need (OAHN) for the JCS area of 33,500 dwellings, a significant increase on the figure in the Submission Draft JCS; the report then goes on to add a further 5% (1,675 dwellings) to ease the difficulties of the provision of affordable housing, and of land availability.

The Inspector endorses the strategic approach of the JCS broadly to accommodate as much of the total housing requirement as possible adjacent to existing urban areas. Recognising that a proportion needs to be allocated to Tewkesbury Borough, the Inspector also recommends that the main focus for meeting the additional requirement should be adjacent to Gloucester and to Tewkesbury Town, specifically the allocation of land at Twigworth (originally included in the JCS, but excluded from the draft submitted for Examination) and adjacent to the A46 at Fiddington.

These sites alone will not make up the numbers, however; the JCS authorities will now have to decide where any additional shortfall should be located (including potentially in

Stroud and Wychavon Districts) and in particular decide how much of it should be assigned to the principal settlements and service villages in Tewkesbury. The Inspector has made it clear that she does not expect there to be a major increase in the proportion of new housing in service villages such as Gotherington. CPRE supports this view.

In the present context, paragraph 154 of the Interim Report is vitally important. It states in full *“the JCS team indicated at the March hearing session that additional capacity could be considered in the Tewkesbury Local Plan and distributed across the borough. However, scattering such a large amount of housing around the Tewksbury villages would not be the most sustainable approach. More appropriate would be the allocation of strategic sites close to Tewkesbury Town, which is identified as the second most important tiered location in the settlement hierarchy, after Gloucester and Cheltenham”*.

Paragraph 47 of the NPPF refers to housing market areas, rather than local authority areas, as the basis for the calculation of the years supply of housing, although in practice the local authority area is almost always used.

It is worth emphasising however that in this part of the Borough, the objective of paragraph 47 of the NPPF, to boost significantly the supply of housing, has been amply met by the granting of planning permission in mid-2012 on the Homelands Farm and Cleevelands developments on the northern edge of Bishop's Cleeve. The Homelands Farm development will eventually extend to within a few hundred metres of Gotherington. Both developments have made significant progress, and is capable of meeting local demand and need for many years to come. Paragraph 49 is a means to the end of significantly boosting the supply of housing. If the end has already been achieved, as it has in this part of the Borough, the force of paragraph 49 is in our opinion diminished. In any event, the proper remedy for a shortfall in housing land supply is the prompt allocation of strategic sites in a development plan, not the piecemeal release of smaller sites in relatively unsustainable locations such as this.

Recent Appeal Decisions

CPRE has been actively involved in many recent appeals in Tewkesbury Borough, whether decided by written representations, informal hearing or public inquiry. We acknowledge of course that appeals, like planning applications, are decided on the merits of the individual case. However, we believe that some lessons can be drawn from these recent cases.

Appeals were allowed at Twynning (58 dwellings; PINS reference 3001706) and at Alderton (47 dwellings; 24 dwellings; PINS references 2209001 and 3001584). The site at Twynning was not the subject of any landscape designation; the two sites at Alderton were located in the Special Landscape Area forming the foreground to the AONB and Alderton Hill, one of three outliers of Jurassic limestone in the area.

Two appeals were dismissed at Alderton (59 dwellings, 53 dwellings; PINS references 2222147 and 3003278). Again, both sites were located in the Special Landscape Area. Landscape was held not to be a major issue in the latter; but was considered important in the former, where the extension of the village into the open countryside (and the impact on the setting of the medieval parish church) were found to weigh against the proposed development.

A proposal for 35 dwellings at Gotherington itself was dismissed in September 2015 (PINS reference 3002522). Here, the site was located in the Special Landscape Area again forming the foreground to the AONB, this time at Oxenton Hill, the second of three outliers of Jurassic limestone in the area.

A decision has yet to be issued in respect of a proposal for 38 dwellings at Butts Lane Woodmancote, in part of the AONB (PINS reference 3138954) following an informal hearing held on 19 and 20 May 2016.

The two strands CPRE draws from these cases are as follows:

- Five year land supply has (inevitably) been an issue at all of them; but has by no means been an overriding factor.

- Landscape has been a determining issue in some cases even where the site was not located in the AONB.

Planning Statement

CPRE has examined the applicant's Planning Statement. We note the account of pre application consultations and discussion with Council officers.

It is clear from paragraphs 5.7 and 5.8 that that applicants have not made the effort to calculate the likely yield of primary age pupils, assess the capacity of the village primary school, or suggest an appropriate solution in the event of the pupil yield exceeding any existing spare capacity. The ability of primary age children to attend school in their own community is an important component of sustainability, and the failure of the application to address this issue properly is a serious shortcoming.

We note the proposed provision of 30 units of affordable housing, 40% of the total. The Parish Housing Needs Survey Report, carried out by Gloucestershire Rural Community Council and published in June 2014, contains a great deal of relevant local information. CPRE believes that the Borough Council should pay particular attention to this document in its consideration of the application. The Report concludes at paragraph 9.1 that *"there are 8 households with a local connection which have self-identified themselves in need of affordable housing in the parish"*.

This is about a quarter of the number of affordable units which the applicant proposes. It can be concluded that although the situation may change, the need for affordable housing in the parish is at present limited, and the provision of units over and above the identified need cannot be considered a benefit of the proposal to be taken into account in relation to paragraph 14 of the NPPF.

Paragraph 7.20 quotes adopted Local Plan Policy LND2 in full. We disagree strongly with the statement which follows at 7.22 that there is no policy impediment on landscape or visual grounds to the development of the site.

We note the extensive quotation from the PPG at paragraph 7.57. We consider that this does not necessarily lend support to the proposed development: to refuse permission need not be contrary to this guidance. Applications must be determined on their individual merits. Development elsewhere in the village on a more appropriate scale could well achieve the support for sustainable rural communities which this guidance sets out to foster.

We disagree with the applicant's interpretation at 7.62 of the current strategic planning situation, for the reasons given above under 'The Supply of Housing'. We note also the content of the following paragraphs which address the issue of how much housing should be provided at Gotherington. The figure of 752 dwellings for the service villages, to the extent that it carries any weight at all, is already out of date and until such time as a total figure for the service villages and for individual settlements in that category emerges, it is (once again) a question of determining any application on its merits.

We disagree with paragraph 9.4 in suggesting that any environmental benefits derive from this proposal. The assertion that the development will integrate successfully with the existing village is unsupported, as is the statement that the development will enhance the area. To say that *"it will provide the opportunity for residents to engage more meaningfully with the AONB landscape beyond the site"* verges on the absurd.

Finally we disagree strongly with the (again) unsupported assertion at 9.5 that the proposed development "clearly" represents sustainable development.

Transport Issues

CPRE understands that the service 527 to which the Transport Statement refers has been withdrawn; services W1 and W2 provide an hourly service to and from Cheltenham. The important issue in our opinion is not just the existence of such services but the likelihood of their being used. The implications of the Census figures for car ownership and method of travel to work attached as Appendix 1 are discussed below under the subheading Sustainability.

CPRE understands that local residents have taken measurements of highway widths in the vicinity of the site and are not persuaded that the proposed arrangements can be satisfactorily accommodated.

We note that the application is in outline with all matters reserved except for access. Our interpretation of the word access in this context is that it means the main vehicular access.

The Illustrative Master Plan shows this main vehicular access from Gretton Road midway along the northern boundary of the site. It also shows separate entrances to driveways or parking areas serving individual dwellings. In the event of the outline application being approved, and if these features form part of the reserved matters application, we would ask that the Borough Council be satisfied that this arrangement is not inimical to road safety.

There is a separate issue of the effect of the removal of several sections of the existing hedgerow to make way for these accesses.

Landscape and Visual Effects

As already indicated, we consider landscape and visual effects to be the most important single issue in the determination of this application.

The applicant's Landscape and Visual Impact Assessment (LVIA) acknowledges that the site lies in the Special Landscape Area, designed to protect the foreground to the Area of Outstanding Natural Beauty.

The relevant policy in the adopted Tewkesbury Borough Local Plan is LND2. Even though the Local Plan is time-expired (it ran until 2011), this is not the same as saying that this or any other policy is necessarily out of date. This is a 'saved' policy and is fully consistent with the spirit and purpose of the NPPF, particularly in its reference to valued landscapes at paragraph 109.

The site of the proposed development is a significant part of a valued landscape in two senses. First, although national policy has long discouraged the use of local landscape designations, the Special Landscape Areas in Tewkesbury Borough were defined for a particular purpose of continuing relevance. The boundaries of the Cotswold AONB, nationally defined using objective criteria, are complex in this part of the Borough and in the adjoining Wychavon District as a result of the three major outliers of Jurassic limestone: Bredon Hill, Alderton Hill and Oxenton Hill. There are two other such outliers nearby, Churchdown Hill and Robinswood Hill, close to and part of Gloucester respectively. These are further away from the main scarp, and for this and other reasons they are not part of the AONB. South of Gloucester however the AONB boundary broadly speaking follows the foot of the main scarp towards Bath. There is no special landscape area or equivalent to act as a buffer zone. In contrast, the complexity of the topography this part of Tewkesbury Borough requires a different approach involving a stronger measure of protection for areas adjoining the AONB and which form the foreground to it.

Secondly, the site is a valued landscape locally. The Gothenington Neighbourhood Development Plan (GNDP) is positively prepared in the sense that it has acknowledged the need to make provision for housing in the form of allocated sites, rather than rely entirely on windfalls. It has done so in the context of the JCS which has identified a dozen service villages of which Gothenington is one and suggested a level of housing provision for each of them. The GNDP has probably gone as far as it can, given that the JCS has not yet been adopted and the Tewkesbury Local Plan has made little progress. It is nevertheless significant that Trumans Farm was not one of the eight sites considered for inclusion in the GNDP, let alone among the preferred options; although it must also be acknowledged that the sites A to H did not represent an exhaustive list.

CPRE has examined the landscape sensitivity analysis undertaken by Toby Jones Associates on behalf of the Borough Council and dated November 2014. This study covered sites around a large number of the Borough's villages, Gothenington included. It is worth noting that this assessment was undertaken, in most cases if not every case, without any prior knowledge of any planning application. It can therefore be regarded as an objective assessment of not only sites within particular villages but also in relevant settlements across the Borough on a comparable basis. At the same time, however, this

approach is necessarily a broad one and is not the equivalent of the detailed assessment of a specific proposal on part of one of these areas.

Around Gotherington six sites, perhaps better described in some cases as broad areas, were identified. Goth-05 is one of the smaller areas, consisting of the application site plus the field to the north east. It is described as being of medium landscape sensitivity and medium visual sensitivity.

These considerations set the scene to address adopted Policy LND2 and the applicant's Landscape and Visual Assessment.

Policy LND2 states that proposals in Special Landscape Areas must demonstrate that *"they do not adversely affect the quality of the natural and built environment, its visual attractiveness, wildlife and ecology, or detract from the quiet enjoyment of the countryside"*.

CPRE considers the proposed development is contrary to this policy as it will indeed adversely affect the natural environment and its visual attractiveness. Furthermore, these adverse effects will be particularly marked as a result of the high density of public rights of way around Gotherington, thereby also detracting from the quiet enjoyment of the countryside.

We divide the viewpoints (VPs) into three groups:

- Close to the site: VPs 1 to 4
- East of the site: VPs 11 to 14
- North of Malleson Road and Gretton Road: VPs 5 to 10

Close to the site

Views of the site from these viewpoints are obscured by the substantial and continuous hedgerow running along the south side of Gretton Road along the northern boundary of the site and the field to the east. CPRE is however concerned about the landscape and visual effects which would arise from the breaking up of this hedgerow, not only to provide the principal access but potentially the additional gaps for individual driveways shown on the Illustrative Master Plan. The integrity of the hedge would be destroyed and the survival of its remnants not guaranteed.

East of the site

The site is partly visible from VPs 11 and 12, views of the nearer part of the site being obscured by the embankment of the Gloucestershire Warwickshire Railway (GWR). Ironically the parts obscured in this view are those which are set aside for landscaping; most of the proposed 75 dwellings are likely to be in view.

However, the site is much more prominent in views from VPs 13 and 14. Its development would in CPRE's opinion have a significant adverse effect in views from VP13 and indeed in the whole of the descent along the public right of way from VP14 past VP13 towards VP11. It would adversely affect the striking view to the west which includes the whole length of the Malvern Hills; May Hill and the Forest of Dean form the skyline to the south west. CPRE understands these views to be particularly valued by residents because of the effects of the setting sun in summer. From VP14, the landform in the foreground obscures views of land to the north and south of the site, focusing attention on the site itself.

North of Malleson Road and Gretton Road

The site is not only prominent in the view from VP5 itself but also in continuous views from the bridleway to the east and west of the viewpoint. It is also in intermittent view from the point where the right of way lies to the north of a hedgerow running westward from a point west of VP5. The development of the site would have a particularly adverse effect in views leading towards VP5 from the east and beyond it to the west. It would have a marked urbanising effect on the middle distance, where behind the site lies existing development in Gotherington, beyond that the rapidly developing Homelands Farm area and further away still the northern edge of Cheltenham in which the substantial buildings of the racecourse can clearly be seen. Although these do not in fact form a continuous built up area, in this view the impression of a continuous built up area is already quite marked. The construction

of housing on the site of the proposed development would exacerbate this to a significant extent.

Further to the west the background to the site is formed by Nottingham Hill itself, where the value of the SLA in providing the foreground to the AONB is very well demonstrated.

CPRE believes that the disposition of development on the site and the proposed use of the area closest to the AONB and the GWR as open space and landscaping will not significantly mitigate the landscape and visual impacts: the site will be read as one. It is not as if there remains a buffer zone of an agricultural field with a conventional boundary between the proposed houses and the AONB boundary. The GWR forms an appropriate boundary between the AONB and SLA, but it is precisely because the railway embankment is such a prominent and strongly defined feature in the landscape that development should not encroach on it.

In summary, we consider that the proposed development would have a marked adverse effect on the landscape, and on views from most of the viewpoints 5 to 14. Notwithstanding the efforts of the LVIA to show that the development would be acceptable in landscape terms, we conclude that the proposed development would have a significantly adverse effect on the landscape sufficient to warrant refusal.

Flood Risk

CPRE understands that local residents intend to submit evidence, written and photographic, relating to flood risk. We ask the Borough Council to give due regard to this issue in its overall consideration of the application.

Amenity

CPRE also understands that local residents intend to raise the issue of the effect of the proposed development on the amenity of existing dwellings in the vicinity. We understand that the masterplan is illustrative only, but would nevertheless again ask the Borough Council to give due regard to this issue in its overall consideration of the application.

Sustainability

Paragraph 7 of the NPPF outlines three dimensions of sustainability – economic, social and environmental.

In CPRE's opinion, the only significant contribution of the proposed development to the economic dimension will be temporary, in the form of employment in the construction industry. Consumer expenditure will overwhelmingly be outside the village.

In respect of the social dimension, the provision of housing cannot be regarded as an unalloyed benefit in a situation where alternative and better locations for housing are available. In relation to accessible local services, housing should be located closer to where such services already exist, or are capable of being provided. Services in Gotherington, although maybe typical of what villages of this size usually support, do not represent anything like the full range of higher order services that people require.

In respect of the environmental dimension, the proposed development will (in our view) emphatically not protect or enhance the natural environment, for reasons given above in respect of landscape and visual issues.

More specifically, the proposed development will not assist in reducing the use of the private car. Tables of figures from the 2011 Census for car ownership and method of travel to work in Gotherington are attached. Table 1 shows that there were 1.77 cars per household in Gotherington, significantly higher than in the Borough, which itself shows a much higher figure than England as a whole. Table 2 shows that 70% of journeys to work in Gotherington were made by car drivers, and fewer than 10% by sustainable means, i.e. on foot, by bicycle and on the bus. These figures may be (indeed, probably are) typical of many parts of rural England, but this only serves to illustrate the general point that development should be concentrated as far as possible in larger settlements in order to help reduce carbon emissions.

In this respect the proposal in the current draft Joint Core Strategy to accommodate a specific number of dwellings in the service villages, of which Gotherington is one, carries little weight – the broad distribution of housing in the Borough will be decided through the JCS Examination, and the more detailed distribution in the Tewkesbury Borough Local Plan, which is still at a very early formative stage.

In contrast, the Homelands Farm and Cleveland's developments provide a good example of how more sustainable development can be achieved. It provides opportunities for more sustainable access to a secondary school, a major supermarket, and to the extent that people choose to live close to their work, significant employment opportunities. These developments are also closer to Cheltenham and the higher order services and even greater range of employment that the town offers.

We conclude that on balance the proposed development cannot reasonably be considered to be sustainable.

The Planning Balance and Conclusion

It is difficult to assess the planning balance in policy terms because of the age of adopted policy and the limited weight that can be attached to emerging policy. This turns attention to the three dimensions of sustainable development set out in the NPPF. Our assessment is that the small benefits in the economic and social spheres are considerably outweighed by the adverse effects in the environmental sphere.

CPRE therefore asks the Borough Council to refuse the application.

Yours sincerely

Tom Hancock

Major Tom Hancock, DL
Chairman

Table 1**Car Availability**

	<u>Gotherington</u>	<u>%</u>	<u>Tewkesbury Borough</u>	<u>%</u>	<u>England</u>	<u>%</u>
All households	417	100.0	35156	100.0	22063368	100.0
No car	29	7.0	4775	13.6	5691251	25.8
1 car	136	32.6	14818	42.1	9301776	42.2
2 cars	185	44.4	11759	33.4	5441593	24.7
3 cars	46	11.0	2731	7.8	1203865	5.5
4+ cars	21	5.0	1043	3.0	424883	1.9
All cars	737		51220		25696833	
Cars per household	1.77		1.46		1.16	

*Source: 2011 Census***Table 2****Method of Travel to Work**

	<u>Gotherington</u>	<u>%</u>	<u>Tewkesbury Borough</u>	<u>%</u>	<u>England</u>	<u>%</u>
Residents 16-74	696		59685		38881374	
At home	58	13.8	2903	7.0	1349568	5.4
Train/UG	6	1.4	315	0.8	2371309	9.4
Bus	9	2.1	1895	4.6	1886539	7.5
Taxi	0	0.0	35	0.1	131465	0.5
M/cycle	5	1.2	459	1.1	206550	0.8
Car	297	70.5	28466	68.5	14345882	57.0
Passenger	17	4.0	1901	4.6	1264553	5.0
Bicycle	7	1.7	1828	4.4	742675	3.0
On foot	20	4.8	3549	8.5	2701453	10.7
Other	2	0.5	193	0.5	162727	0.6
Not in employment	275	39.5	18141	30.4	13718653	
Residents in employment	421	100.0	41544	100.0	25162721	100.0

Source: 2011 Census