

Inspector's Interim Report on the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy.

1. The examination of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (JCS) has proved to be complex and controversial and has attracted considerable public participation and suggestions for amendments throughout. Since the Plan's submission to the Planning Inspectorate in November 2014 substantial additional evidence has been submitted and several round table discussions have taken place generating additional information. This has resulted in the need to reconsider a large number of matters and consequently to bring forward proposals for significant amendments to the Pre-Submission JCS¹.
2. Throughout the three stages of hearings between May 2015 and April 2016, the JCS team have agreed to many changes to the JCS, which they intend to put to Council Members in due course. Whilst the general thrust of many main modifications has been agreed in principle, for most of them the exact wording is yet to be put forward. Moreover, there are still a number of outstanding matters which require my further consideration and, where appropriate, recommendations for modifications.
3. This interim report (IR) deals with those outstanding matters and, at the request of the JCS team, recommends additional strategic allocations to meet the identified housing requirements of the JCS area. In general, I have not covered those proposed main modifications that have already been agreed during the hearing sessions, except to the extent that they usefully set the background to recommendations within this paper. All findings within this IR are preliminary and will be reviewed as necessary in the light of all information before me when completing my formal, final report to the JCS authorities.
4. Following receipt of this IR, the JCS team have agreed to complete the drafting of all main modifications, including those which have already been agreed and those which flow from this report. This wording will be discussed at the forthcoming main modifications hearings commencing on 21 July 2016. Main modifications should include updates on Strategic Allocations Policies², and updated evidence should be provided on infrastructure needs for the initial 5 years³ and on the Infrastructure Delivery Position Statements⁴ to cover my recommendations on strategic allocations.

¹ SUB 100

² Drafts set out in EXAM 167

³ EXAM 225

⁴ EXAM 168

5. Thereafter, I understand that the JCS team will seek member approval for the finalized list of main modifications, which will then go out to public consultation for a minimum six week period. The JCS team are now invited to provide a suggested programme with time scales going forward for the remainder of the examination.

Objectively Assessed Housing Need (OAHN)

6. The demographic OAHN for the Gloucestershire Housing Market Area has been assessed⁵ in accordance with the National Planning Policy Framework (NPPF) and the Planning Practice Guidance (PPG). This assessment uses the 2012-based population and household projections as the starting point, making adjustments based on appropriate assumptions and judgements to come to the demographic figure of 31,830 dwellings. The overall figure is then broken down into figures for the three districts resulting in demographic needs of 13,290 dwellings for Gloucester, 9,900 dwellings for Cheltenham and 8,640 dwellings for Tewkesbury. I accept the workings of this assessment and the resultant figures.
7. Nonetheless, taking account of updated economic evidence and the Councils' revised economic strategy for the JCS area, in my judgement, the full OAHN should be economically led to accommodate the proposed 39,500 jobs target. Given the uncertainties of economic forecasts, a broad-brush approach to assessment is appropriate. Therefore, taking the average number of required dwellings in the adjusted employment OAHN note⁶, with a range between 31,200 and 36,600, seems a reasonable approach. This results in an OAHN of 33,500 dwellings for the JCS area for the Plan period (2011-2031). 33,500 is, therefore, the OAHN for the JCS area.

The Strategic Housing Market Assessment (SHMA)

8. The scale and mix of various tenures and types of housing has been re-assessed in the Strategic Housing Market Assessment (SHMA) Further Update⁷. I am minded to accept the workings of this update save for one aspect of affordable housing. However, before dealing with affordable housing, I would like to stress the need for clarity in the JCS over the way older people's and students' accommodation is dealt with.

Older Peoples' Housing

⁵ EXAM 119

⁶ EXAM 164

⁷ EXAM 118

9. Within the OAHN the SHMA identifies the need for 1,456 C3 use retirement/sheltered market housing units and 1,011 C2 use extra-care housing units over the plan period. There is also an identified need for 1,558 non-specified institutional class C2 bed spaces⁸, which are to be provided over and above the OAHN and would usually be in care homes or nursing homes. However, I understand from RPS's evidence⁹ and the JCS Older Peoples' Housing note¹⁰ that extra-care housing is sometimes used as an alternative to care homes/nursing homes and that the distinction between these housing types is blurred.
10. I am not aware of any guidance on whether extra-care housing units should be included or excluded in the OAHN. Therefore, it seems to me that, as long as there is clarity over how it is being dealt with, that is acceptable. As the supporting evidence includes 1,011 extra-care units within the OAHN, if any additional extra-care units are planned from the 1,558 bed spaces, they should be added to the OAHN for consistency and the OAHN be accordingly increased. This should be clearly reflected in the JCS and any split between districts shown. Only on this basis should new extra-care units be counted towards supply in meeting OAHN.
11. Overall, to provide clarity, the JCS should set out the scale and type of older people's housing that is counted within the OAHN and that which is not. Numbers should be set down so as to avoid potential confusion in the future when considering supply against housing requirements. The JCS should also set out how and where it is envisaged the institutional spaces over and above the OAHN will be delivered.

Student Accommodation

12. The SHMA indicates that additional growth in student numbers is estimated to result in about 450 new private dwellings in the private rented sector over the plan period, although this growth has largely been accounted for in the OAHN and, therefore, no additional provision is required. However, there is an additional need for campus accommodation over and above the OAHN¹¹. The JCS should reflect this by setting out clearly the potential additional units of accommodation required and how and where it is envisaged this accommodation will be provided.

Affordable Housing Need

⁸ Broken down as Cheltenham 126, Gloucester 425 and Tewkesbury 1,007 (EXAM 224)

⁹ Post Stage 3 hearing submission no16

¹⁰ EXAM 224

¹¹ EXAM 191

13. The aspect of the affordable housing need assessment, about which I have reservations, is the treatment of single person households under the age of 35 years who can afford a room within shared private rented accommodation but cannot afford a one bedroomed flat. The question in relation to these households is whether they are in need of affordable housing.
14. The JCS team's SHMA Note¹² states that the affordable housing need figure, calculated in line with the PPG, is 638 units per year. This is on the basis of single person households under 35 years being accommodated in one bedroomed self-contained housing. Nonetheless, because the benefits system only provides assistance for single person households under 35 years to be housed in shared accommodation, the SHMA calculation excludes them from affordable housing need. This reduces the annual figure by 218 to 420 units.
15. There is no basis in the NPPF or PPG for reducing affordable housing need on the basis of the workings of the benefits system. Consequently, in my judgement, the affordable housing need figure should stand at 638 units per annum.

Housing Requirement - Policy Uplift for Affordable Housing and to Boost 5 year Housing Land Supply

16. Based on the viability evidence¹³, the JCS team's Affordable Housing Delivery Note¹⁴ and its Policy Update¹⁵, the proportion of affordable housing that is deliverable through market housing schemes, will not meet the affordable housing need. This is the case, even taking account of the economic uplift to the democratic OAHN of 1,670 dwellings, and assuming that all strategic allocations and other housing development provide the suggested percentages of affordable housing¹⁶.
17. Furthermore, it is likely that some strategic allocations will not deliver the required percentages of affordable housing. For example, during the hearing sessions there was much debate over what level of affordable housing the brownfield MOD Ashchurch site would provide in reality, given

¹² EXAM 175

¹³ EXAM 176

¹⁴ EXAM 177

¹⁵ EXAM 178

¹⁶ 35% for strategic allocations; no contribution for sites of less than 10 dwellings; 20% for sites of 11 dwellings or more in Gloucester City and 40% in Cheltenham Borough and Tewkesbury Borough

the uncertainties over its potential contaminated land issues¹⁷.
Winneycroft was also said to be unable to deliver expected levels of affordable housing.

18. Although there are other possible sources of affordable housing, as set out in the Affordable Housing Note¹⁸, these numbers are comparatively small and there is no certainty over how much will come forward.

Consequently, in accordance with the PPG, consideration should be given to increasing the total housing figures in the JCS to help deliver the required number of affordable homes. Increasing the housing requirement by 5% would assist in delivering these much needed affordable homes.

19. I have considered the OAHN and the effect of a 5% uplift in the light of NPPF paragraph 14, and whether the adverse impacts of meeting either the OAHN or the uplift would significantly and demonstrably outweigh the benefits, or whether specific policies in the NPPF indicate that development should be restricted. In my judgement, whilst there will be adverse environmental impacts from development, and land will need to be removed from the Green Belt to provide supply, I have not found sufficient reason to lower the OAHN or to refrain from adding a 5% uplift.

20. Whilst this may still leave a shortfall in affordable housing, there is a balance to achieve, and in view of the constraints to development within the JCS area and the limited availability of suitable sites, a greater uplift would be inappropriate. Therefore, in my judgement, a 5% uplift should be made to the economic led OAHN.

21. There is another reason for considering an uplift and this is with respect to the deliverability of the five year housing land supply. As shown in the latest housing trajectories¹⁹ much of the five year housing land supply is expected to come forward from the strategic allocations. However, these allocations have long lead-in times and could be prone to slippages in the rates of delivery.

22. The trajectories may not be achievable if completions are delayed and, therefore, it would be advisable to provide for some additional housing, which could meet a possible shortfall. Uplifting the housing requirement and increasing supply would give more certainty of delivery and provide choice and flexibility to adapt to rapid change, thereby increasing the

¹⁷ The Viability Assessment (EXAM 176, p70) states that the MOD part of the Ashfield allocation (1,900 units) is at risk of not being viable if 35% affordable housing is required

¹⁸ EXAM 44A

¹⁹ EXAM 226

chances of maintaining a five year supply, and avoiding JCS housing policies becoming out of date.

23. For these reasons, there should be a policy uplift of 5% on 33,500 (1,675), making a total housing requirement of 35,175 dwellings. In order to boost significantly the supply of housing in accordance with national policy, this requirement should be expressed as a minimum figure. There is no justifiable reason to defer the provision of any of the housing requirement to the next Plan review and full provision should be made now within the JCS.

Supply

24. There is currently a shortfall in supply, which has accumulated since the start of the plan period. The question over whether this should be accounted for via the Sedgefield or Liverpool method was debated at the March hearings. Whilst the PPG generally prefers the Sedgefield method, there can be circumstances in which the Liverpool method is justified.

25. As indicated above, the 5 year housing land supply relies heavily on strategic allocations coming forward at pace, and consequently there is a risk that not all units will deliver on time. Moreover, the housing buffers add to the required supply. As agreed at the March hearing, a 20% buffer should be added to the 5 year housing land supply for both Tewkesbury and Cheltenham, and a 5% buffer for Gloucester. These buffers should be applied to the housing requirement plus the shortfall, not just the housing requirement.

26. On the figures presented in the most recent trajectories²⁰ only Tewkesbury could demonstrate a 5 year housing land supply using the Sedgefield method. Whilst the figures will change with the recommendations set out in this report, there is nonetheless a good argument for using the Liverpool method. In order to increase the chances of maintaining a 5 year housing land supply, particularly in the case of Cheltenham, I take the view that the Liverpool method is justified.

27. Turning to lapse rates, I note that they have only been applied to small sites of between 1 and 4 dwellings. Whilst it is appropriate to restrict lapse rates to small sites, I take the view that small sites should include those of up to 10 dwellings²¹.

²⁰ EXAM 226

²¹ This is in contrast to "Major Development" which is defined in the Town and Country Planning (Development Management Procedure)(England) Order 2015 as, amongst other things, the provision of 10 or more dwelling houses.

28. Updated trajectories should be prepared for inclusion in the JCS, taking account of the matters set out above and to accord with all other recommendations in this paper. Set out below is my recommendation to the JCS authorities to liaise with Stroud and Wychavon District Councils over the potential supply of land within these districts to meet the JCS area's housing requirement. Depending on how discussions proceed, there may be difficulties in saying with sufficient confidence if or when this potential might become available. Consequently, the trajectories may need to be caveated accordingly.

Employment

29. Employment issues have attracted extensive discussion at hearing sessions and round table events. Informed by updated employment evidence²², my current view is that these issues have been resolved by appropriate proposals for main modifications, as generally suggested in the JCS Economic Update Note of February 2016²³, and as supplemented by my recommendations expressed during hearing sessions.

30. These modifications include making an employment-led strategic allocation at West Cheltenham to ensure sufficient employment land is available within the JCS area. All that remains is for the JCS team to complete the wording of the proposed main modifications, including additions/amendments to the suggested text in the Update Note²⁴ as appropriate.

Retail

31. At the first retail hearing in June 2015 I expressed concern about a number of matters including the absence of up to date retail evidence on need and supply, the lack of town centre boundaries and primary shopping area frontages for the three main centres, and the failure to consider the need for strategic allocations. I also felt that insufficient opportunity had been provided to involve interested persons from the retail sector in the plan making process.

32. Accordingly, I suggested a round table discussion with relevant participants to feed into the additional retail evidence I required²⁵. The result was the production of a Retail Study Update and subsequent

²² Particularly EXAM 138 and EXAM 182; EXAM 180 contains a list of new employment evidence submitted during the examination

²³ EXAM 180

²⁴ EXAM 180 Appendix 3

²⁵ EXAM 78

amendments/additions²⁶ arising partly from issues discussed at the January 2016 hearing.

33. There is now substantial agreement on the methodology and assumptions that underpin the retail floorspace requirements, although issues remain over whether Gloucester's market share should be increased in order to reclaim trade lost to other destinations. However, I do not propose discussing market shares in this paper.
34. For the reasons discussed at the March hearing session, and as set out below, I am recommending an immediate review of JCS retail policy and the question of market shares would best be addressed along with other retail matters as part of that review. In the interim, a constant market share, as put forward in the updated evidence, will suffice.
35. With respect to other matters, as set out in my Retail Issues note²⁷, progress has been disappointing despite further round table discussions and three hearing sessions. These shortcomings relate mainly to supply and town centre boundaries.
36. The evidence suggests that, on a constant market share basis, a substantial unmet comparison goods need will arise within the plan period for Cheltenham and Gloucester²⁸. Whilst both centres are shown to have sufficient supply up to at least 2021, the shortage becomes apparent for the period up to 2026. Cheltenham's shortage up to 2026 is shown to be 18,039 sq m net, rising to 37,928 sq m net by 2031, and Gloucester's is shown as 11,125 sq m net, rising to 29,286 sq m net by 2031. I accept these figures which, as agreed in the developers' and JCS team's statement of common ground²⁹, could be expressed as minima within the JCS and not caps, in the interests of positive planning.
37. Whilst JCS Strategic Objective 2 (town centres) aims to ensure provision of sufficient retail uses within designated centres, it is unclear from the evidence how Cheltenham and Gloucester's needs are to be met. Although a few large potential schemes have been suggested for Gloucester³⁰, I understand that some of them are no longer to be retail led³¹, whilst at least one potentially suitable site, the Peel Centre, has been omitted.

²⁶ EXAM 136 & 136A; EXAM 194

²⁷ EXAM 169A

²⁸ EXAM 194 section 3 paragraph 1 Table 1, and EXAM 219

²⁹ EXAM 192

³⁰ EXAM 136B; EXAM 199

³¹ See for example WYG statements of 3 and 18 March, and RPS/CgMs statement of 7 March

38. The JCS indicates that supply will be dealt with in the forthcoming district plans. However, this takes no account of the strategic nature of the sites under consideration, which are for major development of more than local impact. The NPPF requires strategic priorities to be set out in the plan³², and the strategic part of the plan is the JCS. Therefore, strategic allocations should be considered through the JCS plan making process.
39. However, in view of the dearth of site evidence before me, the lack of sustainability appraisal, and the fact that no call for strategic retail sites has been made during the preparation of the JCS, I am not in a position to make strategic retail allocation recommendations. Waiting for this evidence would cause a significant delay to the JCS and would not be in the public interest.
40. Nonetheless, as there are sufficient retail commitments in place to provide the required floorspace to beyond 2021, there is no short term unmet need to satisfy. Therefore, in consideration of the Dacoram judgement³³ and Peel Land and Property's legal submissions³⁴, a policy commitment to undertake an immediate review of JCS retail policy would resolve this soundness issue. Accordingly, I recommend an immediate review.
41. Of further concern is the failure to include town centre boundaries in the JCS for Cheltenham, Gloucester and Tewkesbury, which are centres with more than a local impact. This is particularly so for Gloucester, which has no extant local plan and, therefore, no existing defined town centre boundary.
42. The JCS team have recently suggested including within the JCS³⁵ the City Centre boundary for Gloucester and the Primary and Secondary Shopping Frontages³⁶, as proposed for the emerging City Plan. However, the City Centre boundary does not include the Peel Centre, which lies adjacent to it. Whether the Peel Centre should be so included largely depends on the City Centre's retail capacity being able to meet Gloucester's unmet needs, and the suitability of the Peel Centre. It is not possible to adequately assess these matters on the information before me.
43. Nonetheless, as I am suggesting an immediate review of retail policy, boundary designations could readily be revisited as part of that review. This is my recommendation. In the interim, and on the basis of the

³² NPPF paragraph 156 second bullet point

³³ EXAM 35C

³⁴ EXAM 217

³⁵ EXAM 192

³⁶ EXAM 219 Appendix 2

evidence before me, the suggested emerging City Plan boundaries should be included in the JCS.

44. With respect to Cheltenham and Tewkesbury, insufficient work has been carried out to identify updated town centre and shopping frontages. Therefore, the statement of common ground between developers and the JCS team³⁷ suggests putting the boundaries that are within the existing local plans into the JCS with a suitable note indicating they will be subject to review. Given my recommendations on an immediate retail review, this approach is appropriate and I recommend it.

Gypsies and Travellers

45. The issues of quantum and location of sites has exercised participants considerably over the course of the examination, and there has been almost universal objection to pitches being sited at strategic allocations. However, following the publication of new Government policy in August 2015³⁸, a new assessment³⁹ has demonstrated a reduction in the need for gypsy and traveller pitches from 151 pitches⁴⁰ to 82 pitches⁴¹, apparently due to temporary planning consents being made permanent and the evidence based use of a lower household formation rate⁴².

46. Taking the re-definition for planning purposes of Gypsies, Travellers and Travelling Showpeople in the new Government policy, which excludes non-travelling households, the need for 82 pitches is shown to further reduce to 28 over the plan period⁴³. On the same basis, a slight increase in the need for Travelling Show-people plots has been identified from 36 to 38, mainly due to the large numbers of children on site who will form their own households⁴⁴.

47. The methodology behind this assessment included undertaking a full demographic study of all occupied pitches, interviewing Gypsy and Traveller households, including those living in bricks and mortar accommodation, and considering the implications of the new Government policy⁴⁵. On the evidence before me, I am satisfied that the assessment

³⁷ EXAM 192

³⁸ Planning policy for traveller sites, August 2015

³⁹ EXAM 223B - Gypsy and Traveller Accommodation Assessment Draft Update Summary of April 2016

⁴⁰ Set out in the previous 2013 GTAA - EHO 117

⁴¹ See also EXAM 223A Fig 1

⁴² EXAM 223A paragraph 1.3

⁴³ EXAM 223A Fig 3

⁴⁴ EXAM 223A Fig 2

⁴⁵ EXAM 223B p2 onwards and Appendix A

has been appropriately carried out, and there is no reason for me to dispute the figures.

48. The evidence demonstrates that there is a five year land supply for pitches and plots and, indeed, that Gypsy and Traveller needs can be met throughout the plan period without the use of Green Belt sites⁴⁶. There is no longer a strategic requirement for Gypsy and Traveller sites as needs can be met on smaller sites. A main modification to Policy SD14 (Gypsies, Travellers and Travelling Showpeople) should set out the identified needs and how they are proposed to be met. The accommodation needs of those people who are no longer classified as Gypsies, Travellers and Travelling Showpeople⁴⁷ should be considered as part of the overall housing requirements addressed within the SHMA.

49. At the March hearing session the JCS team confirmed that it no longer proposed siting pitches at strategic allocations, but instead required a financial contribution towards Gypsy and Traveller needs. I requested viability evidence in support of the proposal and this has now been provided in the form of a Viability and Impact of Gypsy and Traveller note⁴⁸. The note indicates sufficient headroom for all residential sites to contribute.

50. Whist, in principle, a contribution is appropriate, taking account of the West Berkshire District Council Court of Appeal judgement⁴⁹, which upheld the Secretary of State's Written Ministerial Statement of 28 November 2014, affordable housing and tariff style contributions should not be sought from sites of 10 units or less. Therefore, subject to the exclusion of these small sites, a main modification requiring financial contributions is justified.

Spatial Strategy

51. For the reasons set out in my Preliminary Findings⁵⁰, I take the view that the JCS spatial strategy, which focuses on urban extensions to Gloucester and Cheltenham, and strategic allocations at Tewkesbury, is generally sound. However, there should be greater emphasis on the development potential of the wider Tewkesbury Town urban area to reflect its sustainable location for housing and its planned employment growth.

⁴⁶ EXAM 223A Figs 5, 6, 7 & 8 and section 4

⁴⁷ EXAM 223A Fig 4

⁴⁸ EXAM 223

⁴⁹ EXAM 229 SoS for Communities and Local Government v West Berkshire District Council and Reading Borough Council, 11 May 2016, [2016] EWCA Civ 441

⁵⁰ EXAM 146, paragraphs 22 to 37

Apportionment

52. Gloucester is unable to make any land contribution towards the urban extensions and, therefore, the Gloucester urban extensions consist of land within Tewkesbury district, which lies on the urban edge of Gloucester. Cheltenham makes some contribution towards the urban extensions from land within Cheltenham district. The remainder of the urban extension land lies within Tewkesbury district on the urban edge of Cheltenham. Other strategic allocations lie within the wider Tewkesbury Town area, close to Ashchurch within Tewkesbury district.

53. The JCS was produced on the understanding that each authority would maintain its own 5 year supply. The JCS Councils proposed apportioning supply between the three authorities so that housing on the edge of Cheltenham contributed towards Gloucester's and Tewkesbury's needs, and housing on the edge of Gloucester contributed towards Tewkesbury's needs. However, the proposed methodologies⁵¹ for distributing supply from shared urban extensions as they were built out seemed over-complicated and uncertain, potentially leading to 5 year housing land supply issues between authorities. None of the methodologies presented were effective and were, therefore, unjustified.

54. The primary reason for allocating urban extensions around Gloucester and Cheltenham is to meet the unmet needs of Gloucester and Cheltenham where that need arises. The proposed apportionment would not have fulfilled this aim. Keeping matters simple and allocating Gloucester's strategic allocations to Gloucester, Cheltenham's to Cheltenham, and those in the wider Tewkesbury Town/Ashchurch area to Tewkesbury, is the most logical and effective way forward. This is my recommendation, which the JCS team accepted verbally during the March hearings and which is reflected in the most recent housing trajectory⁵².

Green Belt Release

55. As set out in my Preliminary Findings⁵³, due mainly to land constraints around Gloucester and Cheltenham and their inability to meet need outside the Green Belt, exceptional circumstances exist for the release of some Green Belt land for Gloucester's and Cheltenham's urban extensions. However, Tewkesbury does not have such land constraints and there are sustainable strategic sites available in the vicinity of the wider Tewkesbury Town area, which are outside the Green Belt and accord with the spatial strategy. These alternative sites could make a

⁵¹ See for example EXAM 184

⁵² EXAM 226

⁵³ EXAM 146 paragraph 9 onwards

significant contribution to Tewkesbury's requirements and, if brought forward, would enable the urban extensions around Gloucester and Cheltenham to serve primarily the needs of those areas.

56. Consequently, taking a sequential approach to Green Belt release, Tewkesbury's reasonable alternative sites should be properly considered ahead of Green Belt urban extensions that are further away from Tewkesbury Town on the edges of Gloucester and Cheltenham and which are required in full for Gloucester's and Cheltenham's needs. Therefore, on the evidence before me, I am not persuaded that exceptional circumstances exist for the release of strategic Green Belt land to meet Tewkesbury's needs.

Re-balancing

57. In order to meet the three authorities' housing requirements there needs to be a re-balancing of land supply towards Gloucester and Tewkesbury. Despite the land constraints around Gloucester, there are appropriate options available. I therefore recommend additional urban extensions around Gloucester to replace supply from Cheltenham's extensions and to meet Gloucester's housing requirements. I also recommend additional strategic allocations within the wider Tewkesbury Town area, outside the Green Belt, to meet Tewkesbury's requirements and to replace supply from Gloucester's and Cheltenham's extensions.

58. Subject to a small increase in District capacity, Cheltenham has sufficient supply within its urban extensions to meet its requirements in full. Therefore, no additional allocations are recommended. However, a small release of Green Belt land is recommended adjacent to the north Cheltenham urban boundary to free up smaller sites for potential allocation in the Cheltenham District Plan.

Spatial Distribution - District Requirements

59. As previously stated, the demographic OAHN figures for the districts are 13,290 for Gloucester, 9,900 for Cheltenham and 8,640 for Tewkesbury, totalling 31,830, to which the overall economic uplift of 1,670 units and the 5% policy uplift of 1,675 units must be added to obtain the housing requirements for the districts.

60. With respect to the economic uplift, I have considered all representations on the issues relating to alignment of homes and jobs and it is clear that there are several ways of dealing with this and none are an exact science. It seems to me that the best that can realistically be achieved is a broad

brush approach to spatially aligning economic growth and housing in an attempt to roughly provide housing where new jobs are to be created.

61. Whilst accepting that the level of jobs generated at new employment sites may be uncertain, the distribution of additional housing to reflect the extent of employment land attached to each district seems the most appropriate approach. Therefore, the additional 1,670 dwellings should be split according to the extent of employment land proposed for each authority⁵⁴.
62. There appears to be about 238 hectares of employment land available⁵⁵. Whilst I recognise that not all of this land may ultimately come forward as employment land, on the evidence before me, it seems a reasonable basis upon which to distribute the additional housing requirement between the districts. On the figures provided it seems that about 134 hectares would be in Tewkesbury⁵⁶, 67 hectares around Cheltenham⁵⁷ and 56 hectares around Gloucester⁵⁸, totalling 257 hectares.
63. In percentage terms 52% would be in Tewksbury, 26% would be around Cheltenham and 22% would be around Gloucester. If the additional 1,670 dwellings were to be allocated according to these percentages, Tewksbury would have an additional 868 dwellings⁵⁹ totalling 9,508, Cheltenham an additional 434⁶⁰ totalling 10,334, and Gloucester an additional 367⁶¹ totalling 13,657. Adding a further 5% would result in a requirement of 9,983 for Tewkesbury⁶², 10,851 for Cheltenham⁶³, and 14,340 for Gloucester⁶⁴.

Need for Additional Allocations

64. For the reasons set out in my Preliminary Findings⁶⁵ I am minded to find that, with the exception of North Churchdown, the proposed strategic allocations are sound, subject to reductions in the extent of development at North West Cheltenham and Leckhampton. In reaching these conclusions, I have considered all additional evidence submitted subsequent to my Preliminary Findings.

⁵⁴ Including West Cheltenham which is intended to be added as a main modification

⁵⁵ EXAM 184 paragraph 2.7

⁵⁶ A8 MOD Ashchurch (20); A9 (34); existing undeveloped capacity (40); other sites (40)

⁵⁷ A5 (23); West Cheltenham (40); existing undeveloped capacity (3); other sites (1)

⁵⁸ A1 (9); A3 (17); A4 (3) existing undeveloped capacity (20); other sites (7)

⁵⁹ $52\% \times 1,670 = 868$

⁶⁰ $26\% \times 1,670 = 434$

⁶¹ $22\% \times 1,670 = 367$

⁶² $9,508 + 475 = 9,983$

⁶³ $10,334 + 517 = 10,851$

⁶⁴ $13,657 + 683 = 14,340$

⁶⁵ EXAM 146 paragraph 40 onwards

65. The proposed housing supply will not meet the identified requirements and there is a need for additional allocations to be made. The JCS team have asked me to identify potential sites for allocation to meet these unmet requirements. Based on the evidence before me and subject to further sustainability appraisal I set out below my recommendations.
66. Some of these recommendations relate to sites outside the JCS boundary in Stroud and Wychavon and bring into play the duty to co-operate under the Planning and Compulsory Purchase Act 2004. Under the Act Stroud and Wychavon have a duty to co-operate in maximising the effectiveness with which the JCS is prepared, as regards strategic matters⁶⁶. Both Stroud and Wychavon have recognised this duty and have made provision in the Stroud Local Plan and South Worcestershire Local Plan respectively, enabling consideration to be given to requests for assistance in meeting the JCS authorities' needs.

Gloucester

67. The housing requirement for Gloucester is 14,340 dwellings and the district capacity⁶⁷ is 7,685, leaving a residual requirement of 6,655 (14,340 – 7,685) dwellings.
68. Excluding North Churchdown, Gloucester's urban extensions (all within Tewkesbury) are said to provide 3,618 dwellings⁶⁸, made up from Innsworth (1,250) South Churchdown (868) and North Brockworth (1,500). This leaves another 3,037 (6,655 – 3,618) dwellings to find.
69. The planning application for Innsworth is for an additional 50 dwellings (1,300 dwellings) and the numbers for South Churchdown have increased by an additional 232 (to 1,100)⁶⁹. These additional 282 dwellings are said to be deliverable within the Plan period and could potentially bring the supply to 3,900 (3,618 + 282), leaving another 2,755 (6,655 – 3,900) dwellings to find.
70. There are few strategic-scale alternative sites around Gloucester that appear to be appropriate for allocation, and in order to meet Gloucester's remaining requirement in full, the co-operation of Stroud District will be required. However, before considering Stroud, I set out below recommendations for the allocation of sites within the JCS area.

⁶⁶ PCPA 2004, paragraph 33A

⁶⁷ Taken from EXAM 184, Table 2 and including completed sites, commitments, existing allocations, district plan potential and a windfall allowance

⁶⁸ SUB 100 Pre-Submission JCS Table SP2b and EXAM 184

⁶⁹ EXAM 185

Twigworth

71. The Councils' preferred location for Gloucester strategic allocations is to the north and west of the City, apparently to re-balance growth which has already occurred to the south. In this regard Twigworth (OM1)⁷⁰, to the north of the City, is an obvious choice for an additional housing led allocation, as I indicated at the March hearings. It has been assessed as making a limited contribution to the Green Belt and the JCS team has already suggested⁷¹ that it could reasonably be allocated if necessary.
72. I note that the JCS team's latest housing supply estimates⁷² indicate that Twigworth has a potential for 2,318 dwellings with 1,600 being deliverable during the plan period. An outline planning application for 750 dwellings, amongst other development, has already been submitted⁷³. However, at the March hearings when Twigworth's capacity was discussed, there seemed to be uncertainty over the deliverability of housing over and above the 750 dwelling application. Therefore, whilst I am satisfied that Twigworth has the capacity for additional dwellings, I question whether there are issues over the timing of delivery.
73. Twigworth has undergone Sustainability Appraisal, showing no major negative impacts, and was incorporated into the October 2013 Draft version of the JCS. Stagecoach indicates that it is probably the only Gloucester omission site within Tewkesbury district that is well located to take advantage of public transport⁷⁴.
74. The main issue around Twigworth appears to be flood risk and its separation from Innsworth by the functional flood plain. However, large parts of the site are outside the flood hazard zones⁷⁵ and the flood risk appears to be no worse than for Innsworth. Furthermore, the promoters of the 750 dwelling site only intend to build housing in Flood Zone 1. With respect to integration, a master plan has been produced for the 750 dwelling development, which appears to satisfactorily integrate this Twigworth site with Innsworth via green infrastructure.
75. In these circumstances, it seems to me that the primary objections to allocating Twigworth, at least for the 750 dwellings, have been overcome. My recommendation is, therefore, to allocate Twigworth for housing-led

⁷⁰ See EXAM 95 - map of allocations and omission sites

⁷¹ In their Matter 9 Statement (response to Qu. 159)

⁷² EXAM 226

⁷³ EXAM 140

⁷⁴ Stagecoach Matter 11 Statement

⁷⁵ ENAT 104 - Halcrow's Stage 2 SFRA - Flood Hazard Map drwg no 004 sheet no. 6 of 7

development of at least 750 dwellings, thereby raising the supply to at least 4,650 (3,900 + 750), leaving at most 2,005 (6,655 – 4,650) dwellings to find. The allocation could be increased if the JCS team demonstrate that more housing in this location is appropriate and deliverability is addressed.

Winnycroft

76. The sites South of Winnycroft Lane/Corncroft Lane also appear appropriate for allocation in the JCS. Although these conjoined sites would not add to Gloucester's overall supply, having already been included in the district capacity as part of the emerging Gloucester City Plan⁷⁶, they can deliver over 600 dwellings on the built-up edge of Gloucester⁷⁷ and conform to the Spatial Strategy. A planning application has been made for up to 420 dwellings on one of the sites.

77. The sites are agricultural land, outside the Green Belt, and are of medium landscape sensitivity⁷⁸. They are in a sustainable location and Stagecoach supports them being brought forward into the JCS on public transport grounds. I understand that Gloucester City Council has already determined that the larger of the two sites is suitable for housing development but that a planning decision has stalled due to s106 issues. In my judgement, there do not appear to be any insurmountable planning constraints to allocating these two adjacent sites in their entirety.

78. Other strategic allocations composed of several adjacent sites have been included in the JCS and, as these two sites could together deliver above the JCS' minimum strategic site threshold, it seems anomalous to exclude them. The promoters of the sites have requested their inclusion in the JCS and allocating them now would give more choice, flexibility and certainty to the five year housing land supply. I therefore recommend that the sites at Winnycroft Lane/Corncroft Lane be allocated in the JCS as an urban extension and I note that the JCS indicated their agreement to this at the March hearing.

Sites outside the JCS area

79. On the evidence before me there appear to be no other appropriate sites to form additional, sustainable, urban extensions to Gloucester, which fall entirely within the JCS area and have not otherwise been counted within

⁷⁶ See Exam 188

⁷⁷ Matter 9 Statements – WYG on behalf of Barwood Development Securities Ltd; & JCS councils' response to Qu. 161

⁷⁸ Part of broad location G6 in EBLO 100; see also Matter 9 Statement of Barwood Development Securities Ltd.

Gloucester's district capacity. Nonetheless, there seem to be two reasonable omission sites on the southern edge of the Gloucester urban area in Brookthorpe/Whaddon (OM3)⁷⁹ and Hardwicke (OM4)⁸⁰, the former of which straddles the border with Stroud and the latter of which lies wholly within Stroud.

80. These sites are outside the Green Belt and, despite the City Council's desire to expand to the north, accord with the Spatial Strategy. I have driven and walked around these sites and the wider surrounding area. In my judgement they appear to be in sustainable locations, being close to local centres, employment opportunities and schools, and within reasonable distance of the City centre.

81. Whilst these sites have undergone initial sustainability appraisal showing no absolute constraints, they have been omitted from further assessment on the basis they are wholly or in part outside the JCS area in Stroud⁸¹. However, given the shortage of appropriate strategic housing sites around Gloucester, I am not convinced that this is a justified planning reason for rejecting these omission sites.

82. Under the duty to co-operate, Stroud District Council has signed a Statement of Cooperation with the JCS authorities to demonstrate its commitment to work with them to ensure OAHNs can be accommodated effectively⁸². Furthermore, its recently adopted Local Plan (November 2015) recognises the possibility of assisting the JCS authorities in meeting their housing needs⁸³.

83. The Stroud Local Plan has already started to be reviewed and the JCS authorities should engage with Stroud District Council with a view to discussing the potential for Stroud to contribute to Gloucester's requirements by allocating land at Brookthorpe/Whaddon and Hardwicke. Pending completion of this review, a specific Memorandum of Understanding could be entered into, setting out relevant details including scale, location and type of development. If Stroud agree to allocate part or all of these sites for Gloucester's needs in their Local Plan Review, their commitment to allocate and the type and scale of development should be set out in the JCS.

⁷⁹ See EXAM 95 for location

⁸⁰ See EXAM 95 for location

⁸¹ See for example SAPR100 pages 49 & 50

⁸² See appendices to SUB 108c

⁸³ EXAM 145 – Inspector's report on the examination of the Stroud District Local Plan, change number MM014

84. Part of the overall site, namely Land South of Grange Road, lies within the JCS area and is being considered for allocation in the Gloucester City Plan, having already been counted in the City's capacity figures. However, as part of the larger Brookthorpe/Whaddon site, it should be brought forward for allocation in the JCS, thereby providing more choice, flexibility and certainty in meeting the five year housing land supply.

85. I shall now set out specific reasoning in support of each site's allocation.

Brookthorpe/Whaddon

86. The site at Brookthorpe/Whaddon straddles the border with Stroud and consists of Land South of Grange Road within the Gloucester City area, together with a larger adjacent site within Stroud district. Whilst the Land South of Grange Road is being considered for inclusion in the Gloucester City Plan⁸⁴, I understand that the Stroud site, after being assessed as part of the Stroud Local Plan making process, was rejected as it was not needed to contribute to Stroud's OAHN.

87. I am told by the developers that the Grange Road Land has capacity for about 250 dwellings⁸⁵ and that the larger site overall could provide a housing led development in the region of 2,750 dwellings, together with a new primary school and local centre⁸⁶. Apparently the Regional Spatial Strategy Panel Report indicated that this area was suitable for about 1,500 dwellings, and this number is reflected in the Broad Locations Report for Broad Location G6, which covers the site⁸⁷. The developers have undertaken a suite of baseline studies to inform development design, and I understand that the site could move forward to planning application quickly.

88. The site is largely agricultural and is surrounded by built development to the north and west. It is bounded by the M5 Motorway to the south east and the railway line to the west. The Stroud Road (A4173) runs close to and partly adjacent to its eastern boundary. The Broad Locations Report⁸⁸ indicates that this area has varied landscape sensitivity although none of it seems to be highly sensitive. The report suggests that land to the north east closest to Robins Wood Hill and to the south west at Nass Farm is of medium sensitivity, with that to the far west being medium to low. In my judgement, landscape is not a bar to development.

⁸⁴ See EXAM 188

⁸⁵ Savills Matter 9 Statement

⁸⁶ Origin 3 Matter 9 Statement

⁸⁷ EBLO 100 p13

⁸⁸ EBLO 100, pp 12 & 13

89. Whereas the functional floodplain runs through the site along Daniels Brook, taking up about 7% of the site according to the developers, the masterplan shows it being used as well integrated green infrastructure. This, I am told, is integral to resolving flooding issues downstream in Gloucester and should be considered a benefit⁸⁹. The Broad Locations report also refers to the site's potential for flood betterment for downstream properties. On this basis, I accept this could be a benefit.
90. The Broad Locations Report suggests that there is poor transport connectivity to Gloucester City. Nonetheless, it points to Local Transport Plan proposals to expand the park and ride facility at nearby Waterwells, and the possibility of an additional rail station at nearby Huntsgrove. However, I understand that the Regional Spatial Strategy Panel did not find these facilities to be essential to allow development to proceed⁹⁰.
91. Stagecoach has indicated⁹¹ that a public transport service could be provided to the north of the site although large scale development to the south would put pressure on the existing local highway. Therefore, they say that some kind of north-south bus spine would be needed through the site, which should feed northwards into a bus advantage corridor to allow swift bus movements.
92. The developers suggest that such a major development would be more than capable of improving access to sustainable transport and also emphasise the potential for a new rail station on site, which is shown in their masterplan. Whilst I have not examined any viability evidence for this, it seems to me that, in principle, such a large scale development should be capable of resolving these transport issues.
93. Overall, in my judgement, there are no insurmountable constraints to developing the Brookthorpe/Waddon site and it would make an appropriate allocation to help meet the housing requirements of Gloucester and the JCS area.

Hardwicke

94. Land at Hardwicke lies entirely within Stroud District on the south western urban edge of Gloucester. The developers suggest that the site can provide between 1,200 and 1,500 dwellings⁹² as well as a primary school and local centre, and the Broad Locations Report⁹³ indicates that broad

⁸⁹ Origin 3 Matter 9 Statement

⁹⁰ See Savills' Matter 9 Statement

⁹¹ Stagecoach Matter 11 Statement

⁹² See RPS Matter 9 Statement

⁹³ EBLO 100 pp14 & 15

location GA7, in which the site lies, has capacity for about 1,000 dwellings. I understand that the developer is in a position to progress with a planning application immediately.

95. Whilst the Broad Locations Report suggests that the site is poorly connected to Gloucester City, both in terms of transport and integration, I am not persuaded that this is the case. The site lies in close proximity to the A38, which seems to me to provide good access to roads linking the City centre and Gloucester Quays within reasonable journey times.
96. Stagecoach⁹⁴ is very supportive of its development from a public transport perspective and indicates that it could be instrumental in providing the opportunity for enhanced bus services to the area in general. I also note that the potential expansion of the Waterwells park and ride and the possibility of a new rail station at Huntsgrove would improve access.
97. The site is largely agricultural land, bordered to the north west partly by the Gloucester and Sharpness Canal, to the south by the Quedgeley Trading Estate West, and generally around the rest of the site by minor roads. The A38 lies in close proximity to the south and east. Development at nearby Quedgeley lies to the north and Huntsgrove development lies close by to the south.
98. The Broad Locations Report identifies the land sensitivity as medium to low, indicating that views and tranquillity have been degraded owing to nearby industrial units, new housing developments and the busy A38. Whilst there is a small area of the site (about 12%) that falls within the functional floodplain, the majority of the land is within flood zone 1 to which built development could be readily restricted. The developers suggest that there is opportunity for flood betterment over the existing situation.
99. Overall, in my judgement, there are no insurmountable constraints to developing the Hardwicke site and it would make an appropriate allocation to help meet the housing requirements of Gloucester and the JCS area.

Overall conclusion

100. Twigworth and Winnycroft appear to be appropriate sites to allocate for urban extensions within the JCS to help meet Gloucester's housing requirement and to give choice, flexibility and certainty in meeting the five year housing land supply and beyond. Brookthorpe/Waddon and Hardwicke also appear to be suitable sites which, if they come forward for

⁹⁴ See their Matter 11 Statement

JCS needs, could make up the balance of Gloucester's remaining requirement.

Cheltenham

101. The housing requirement for Cheltenham is 10,851 dwellings, and the district capacity⁹⁵ (excluding strategic allocations) is 4,827, leaving a residual requirement of 6,024 (10,851 – 4,827) dwellings.
102. The Cheltenham side of the North West Cheltenham allocation is proposed for 2,225 dwellings and the Tewkesbury side for 2,560⁹⁶, totalling 4,785. The Leckhampton allocation is proposed for 1,124 dwellings in the JCS but has since increased to 1,141⁹⁷, consisting of 764 dwellings on the Cheltenham side and 377 on the Tewksbury side. Taking this higher Leckhampton figure of 1,141, the total number of proposed dwellings amounts to 5,926 which, if accepted, would leave another 98 (6,024 – 5,926) dwellings to find.
103. I indicated in my Preliminary Findings, that I was minded to find both of these allocations sound, at least in part. This remains my view for North West Cheltenham, albeit with some reduction in housing numbers. With respect to Leckhampton, I take the view that the housing numbers should be substantially reduced, bringing it below the JCS threshold for strategic allocation within the JCS. I am therefore recommending its removal from the JCS. I shall now consider each proposed allocation in turn.

North West Cheltenham

104. My Preliminary Findings indicated that I had reservations about the numbers of dwellings proposed for North West Cheltenham and that built development should seek to avoid areas of high landscape and visual sensitivity⁹⁸.
105. The Landscape and Visual Sensitivity and Urban Design Report shows areas of high landscape sensitivity generally to the north west⁹⁹, and on my site visit I observed this land as appearing particularly sensitive. This area also forms the setting for the Grade II* listed Church

⁹⁵ Taken from EXAM 184, Table 2 and including completed sites, commitments, existing allocations, district plan potential and a windfall allowance

⁹⁶ SUB 100 pre-Submission JCS June 2014, p35 Table SP2b; and EXAM 184

⁹⁷ See EXAM 184

⁹⁸ EXAM 146, paragraphs 91 to 98

⁹⁹ EBLO 106, Appendix 4, p11

of St Mary Magdalen¹⁰⁰. I note that Indicative Site Layout 5 of the JCS¹⁰¹ appropriately avoids built development in this area and shows it as green infrastructure.

106. Further areas of high sensitivity are shown in the Urban Extensions Boundary Definition Study Report¹⁰² around the north west, north and north east of Swindon Village. From my two site visits to the area, and noting in particular the attractive approach to the village from the north east and the pleasant views of the Cotswolds and Malvern Hills, I concur with this analysis.

107. Also, the Historic Environment Assessment records potential concerns about development, stating that the allocation area contains heritage assets of medium significance, and that it makes a medium contribution to the setting of designated buildings within its boundary. It goes on to say that Swindon Village is a Conservation Area, with key views overlooking the allocation area, and predicts good archaeological potential¹⁰³.

108. From my site visits I noted inter-visibility between the Conservation Area and the site from the south west of the village and clear views of the church tower of St Mary Magdalene from the nearby public rights of way on the site. I also noted the locally listed Home Farm on the northern edge of the village and its agricultural setting.

109. It is important that these assets and views are protected. The Historic Environment Assessment suggests that development should preserve and, where possible, enhance the character and setting of Swindon Conservation Area and the Church of St Mary Magdalene. It also states that development should be designed so as to preserve the separation and landscape character of Swindon village¹⁰⁴.

110. Accordingly, on landscape/visual amenity and heritage grounds, in my judgement a green buffer should remain around the village of Swindon, and this is my recommendation. Swindon Parish Council has indicated what they believe to be an appropriate green area around the village and this could be used as a starting point for the JCS team to amend Indicative Site Layout 5 in the JCS¹⁰⁵.

¹⁰⁰ See ENAT 107, section 9 from p58

¹⁰¹ SUB 100, p150

¹⁰² EBLO 101, maps after p142

¹⁰³ ENAT 107, p65

¹⁰⁴ ENAT 107, p66

¹⁰⁵ SUB 100, p150

111. This green buffer would displace housing, which I understand would be in the order of 500 dwellings. The allocation should, therefore, be reduced by 500 units. Reducing the allocation by 500 increases the number of remaining dwellings to find to 598 (98 + 500).

Leckhampton

112. In my Preliminary Findings¹⁰⁶ I indicated that I was not minded to find the Tewksbury side of the Leckhampton allocation, West of Farm Lane, sound and that overall, built development should avoid areas of high landscape and visual sensitivity. Having considered additional evidence submitted since then, including Redrow's planning application documents relating to Land West of Farm Lane¹⁰⁷, I remain of this view.

113. Whilst the Cotswolds Conservation Board did not object to the West of Farm Lane planning application, the Board commented that the most suitable option for the land's future management and retention of character would be to leave it undeveloped as agricultural land¹⁰⁸. Although Natural England in their letter of August 2015 stated they did not wish to comment, deferring to the Conservation Board's knowledge of the location, they did raise significant concerns over the impact on the AONB in their earlier letter of November 2014¹⁰⁹.

114. I also note that the Council's Landscape Officer referred to stunning views from Leckhampton Hill from the Devils Chimney and Cotswold Way, which would be negatively impacted, bringing the perception of the southern edge of Cheltenham closer to the viewer with a greater mass of conurbation in view¹¹⁰. In my judgement, development on the West of Farm Lane site is environmentally unsustainable mainly due to its impact on the setting of the Cotswold Hills AONB and the high landscape and visual sensitivity of the site.

115. Tewkesbury Borough Council has granted planning permission for the West of Farm Lane site¹¹¹ and the developers are ready to proceed. Whilst it was suggested at the March hearing that this part of the allocation could be retained for pragmatic integration reasons, in my judgement, this is inappropriate. The permission is now being challenged by residents and a letter before claim has been issued¹¹². Consequently, the permission could be overturned. Given my finding of unsoundness

¹⁰⁶ EXAM 146, paragraphs 54 to 60

¹⁰⁷ EXAM 150 to 150J

¹⁰⁸ EXAM 190A

¹⁰⁹ EXAM 190A

¹¹⁰ EXAM 190A

¹¹¹ EXAM 227

¹¹² EXAM 227A

and the uncertainty surrounding the site, I recommend that it be removed from the allocation and the urban extension boundaries be accordingly redrawn.

116. As the Tewkesbury side of the allocation was proposed for 377 dwellings, removing this site increases the number of remaining dwellings to find to 975 (598 + 377).
117. From my site visit observations, the adjacent land, East of Farm Lane, is also highly sensitive to development mainly due to its proximity to the AONB and stunning views into and out of the AONB. The various significant heritage assets in the south of the site add further interest and sensitivity, rendering this area unsuitable for built development on environmental sustainability grounds. Therefore, the area to the south of the allocation, coloured red for high landscape and visual sensitivity on the Landscape and Visual Sensitivity plan¹¹³, should remain as green infrastructure.
118. Furthermore, the Urban Extensions Definition Study shows other areas of high landscape sensitivity¹¹⁴ scattered throughout the site. Additionally, there are important views from the A46 Shurdington Road across the site onto the Cotswolds Hills, the most spectacular being from the junction with Kidnappers Lane¹¹⁵.
119. Moreover, the site is crossed by an intricate network of footpaths over the fields, providing impressive views of the Hills from the site's own pleasant, rural environment. On landscape and visual grounds Natural England and the Conservation Board objected to the recently dismissed Bovis/Miller planning appeal for development of up to 650 dwellings on the Cheltenham side of this allocation¹¹⁶.
120. I note that the Cheltenham *Assessment of land availability*¹¹⁷ states "In general, a site is considered unsuitable where it is assessed as being of 'high' landscape sensitivity." On this basis, a large part of the site would be unsuitable for built development and, in my judgement, the extent of the proposed development should be significantly reduced.
121. Of further concern is the impact of traffic generation from the proposed allocation. The limited highway capacity on the surrounding roads has been highlighted in the evidence before me, and the issue has

¹¹³ EBLO 106, Appendix 4, p15

¹¹⁴ EBLO 101, maps after p90

¹¹⁵ EXAM 121C

¹¹⁶ EXAM 228, Inspector's report paragraphs 86, 208 and 212

¹¹⁷ EXAM 195A p8

recently been examined in detail at the Bovis/Miller Homes inquiry. I have considered the Inspector's report on this appeal¹¹⁸ and particularly the sections on transport. Taking account of the Inspector's finding that the cumulative impact of the proposed development would be severe¹¹⁹, this strengthens my view that the extent of residential development at this location should be significantly reduced.

122. Whilst Stagecoach highlights issues with new bus services to the south of the site, it supports some development on the northern flank on public transport grounds. It indicates that an existing bus service could directly serve the northern part of the allocation and that a small diversion might be possible, bringing a larger proportion of the allocation within convenient reach of a bus stop.

123. Overall, in my judgement, a limited amount of development could be supported towards the north of the site where public transport is more accessible, subject to the avoidance of land of high landscape and visual sensitivity. Therefore, for reasons of landscape/visual amenity and highway impacts, I recommend that the Cheltenham part of the site be allocated for a modest level of built development in the order of 200 dwellings.

124. This remaining modest level of housing would not classify as an urban extension and, therefore, it would be more appropriate to allocate the site in the emerging Cheltenham Local Plan rather than in the JCS. It is, therefore, my recommendation that the Leckhampton urban extension be removed in its entirety from the JCS.

125. As the Cheltenham side of the allocation is proposed for 764 dwellings, lowering the capacity to 200 reduces the overall supply by 564, thereby increasing the number of remaining dwelling to find to 1,539 (975 + 564).

West Cheltenham

126. An additional employment led site at West Cheltenham has been agreed for allocation by the JCS team, who suggest it is also suitable for about 500 dwellings, albeit the developers have put forward a figure of 750. This is in a sustainable location on the edge of Cheltenham and, for the reasons given in my Preliminary Findings¹²⁰, I recommend this site for allocation in the JCS. Allocating this site for 500 dwellings would reduce the remaining unmet requirement to 1,039 (1,539 – 500).

¹¹⁸ EXAM 228

¹¹⁹ EXAM 228, paragraphs 221 to 238 for transport conclusions

¹²⁰ EXAM 146, paragraphs 109 to 114

Non-strategic Green Belt supply

127. There are no other appropriate omission sites around Cheltenham of sufficient scale to form an urban extension, according to the JCS's size criterion of accommodating at least 450/500 dwellings. However, there are other smaller sites, which may be suitable for allocation, and which appear not to have been included in Cheltenham's urban capacity figure.
128. The JCS authorities have been clear that they require the flexibility to remove smaller areas of land from the Green Belt where exceptional circumstances exist and where such areas are required for designation in the emerging Cheltenham and Tewkesbury local plans¹²¹. Whilst they envisaged this process occurring through the district plans, these plans are still some way from examination and the delay in site release could adversely impact on the five year housing land supply for Cheltenham. Release of appropriate non-strategic scale areas in the JCS would assist in meeting Cheltenham's five year housing land supply requirement, which otherwise may not be met.
129. Whilst the JCS team recently stated that Cheltenham no longer requires further small scale Green Belt releases to meet its OAHN¹²², this was on the basis that there were sufficient sites within the town to meet this need along with development at North West Cheltenham, Leckhampton and West Cheltenham. However, with the removal of Leckhampton as an urban extension and the reduction in housing numbers at North West Cheltenham, smaller Green Belt sites should be re-considered. On the evidence before me, it would seem that several of these sites are likely to be more appropriate for allocation than the sensitive areas of the proposed Cheltenham urban extensions identified above.
130. That having been said, the JCS team has been clear that it does not wish to allocate sites below its 450/500 strategic threshold in the JCS, due largely to issues over sustainability appraisal of reasonable alternatives and consequent delays to the JCS. Although I raised concerns about this threshold in my Preliminary Findings¹²³, mainly due to Green Belt and five year housing land supply issues, I do accept the JCS team's submission that attempting to allocate smaller sites at this stage in the JCS examination, is likely to cause further, unwanted delay.

¹²¹ EXAM 196, 7th and 8th pages in, and EXAM 196E legal advice

¹²² EXAM 196, 7th page in

¹²³ EXAM 146, paragraphs 129 and 130

131. Nonetheless, there are some sites that should be further considered to increase Cheltenham's housing capacity, and this could be done through the forthcoming Cheltenham Local Plan. In order to aid this process, I have examined the Green Belt locations of these sites and whether exceptional circumstances might be demonstrated for their release.

132. This exercise has led me to the conclusion that there are some small areas of land, which could appropriately be removed from the Green Belt. Releasing these sites now through the JCS will facilitate development, where appropriate, without having to overcome Green Belt restrictions. This should enable suitable sites to come forward more quickly, thereby increasing Cheltenham's chances of demonstrating a five year housing land supply. In fact, from developer evidence, I understand that some sites could be progressed immediately. Overall, these smaller Green Belt sites could have the potential to supply Cheltenham's remaining housing requirement.

North Cheltenham

133. Smaller Green Belt sites exist within Cheltenham district, adjacent to Cheltenham's northern urban edge and far enough away from Bishop's Cleeve to maintain sufficient separation and avoid merging. Although these sites lie within the larger red parcels NE18 and NE22 of the AMEC report¹²⁴, indicating a significant contribution to the Green Belt, some smaller parcels close to the urban boundary have been assessed as having a lesser impact by the AERC report¹²⁵.

134. There are several sites along Cheltenham's north eastern urban edge, close to the racecourse, which appear from observations on my site visit to have potential for allocation, having reasonable access to facilities and, from a public transport point of view, being generally supported by Stagecoach. These include Land at Shaw Green Lane, Prestbury (OM15/CP022), Land off Apple Tree Close (OM17/CP017) and Land off New Barn Lane (CP016), all of which are in sustainable locations. Another officer identified site lies close by (CP015)¹²⁶. The three developer promoted sites together have an indicative capacity of 265 dwellings¹²⁷ and the officer found site has 35¹²⁸.

¹²⁴ ENAT 100 Fig 5.2

¹²⁵ EXAM 81 Fig C

¹²⁶ For locations of all these sites see Cheltenham Plan sites within EXAM 142

¹²⁷ CP022 – 200; CP016 – 13; CP017 – 52

¹²⁸ CP015

135. These sites were assessed in the AMEC report¹²⁹ as part of the larger NE22 parcel, but in the AERC report¹³⁰ they have been assessed under smaller parcels A9 and A5¹³¹ which have the lowest scores against Green Belt Purposes. Indeed they are largely surrounded by built development and, in my judgement, no longer contribute to Green Belt purposes. For this reason, exceptional circumstances exist, and I recommend that parcels A9 and A5 be released from the Green Belt.
136. I note that parcel A5 was considered for release in the Draft JCS to assist with the drawing of a more consistent Green Belt boundary, but was not taken forward because the sites within it were too distant to help with the needs of Gloucester and Tewkesbury Town¹³². The sites within A9 and A5 should only contribute to the needs of Cheltenham and their distance from Gloucester and Tewkesbury Town is irrelevant.
137. There are two other sites that lie close by, adjacent to each other and to the south eastern boundary of the racecourse, again in a sustainable location. These are officer identified site CPO 18 and the developer promoted site CPO 19¹³³. These sites were also assessed in the AMEC report as part of parcel NE22. However, as part of smaller parcel A6 within the AERC report¹³⁴, they were found to make an average contribution to Green Belt purposes. Indeed, they are bounded on three sides by built development and by the racecourse on the fourth, thereby substantially limiting their contribution.
138. Although CPO 19 would only provide 15 dwellings, CPO 18 has potential for 136 dwellings and might come forward in the future. Their removal from the Green Belt, along with existing built development to the east, would provide a strong, more logical Green Belt boundary. Therefore, for the reasons given, I find that exceptional circumstances exist for the release of this land and I recommend accordingly.
139. Altogether, adding the 15 developer promoted dwellings to the previously identified 265, this overall strip of land to the south and south east of the racecourse currently has potential to provide 280 dwellings towards Cheltenham's supply, and possibly more in the future.
140. There is another small area with potential for development within the large Broad Location C2 (OM 11), described as land to the north of

¹²⁹ ENAT 100 Fig 5.2

¹³⁰ EXAM 81 Fig C

¹³¹ EXAM 142 shows that A9 is the Shaw Green Lane site, identified as CP022, and A5 consists of the three smaller sites CP015, CP016 & CP017

¹³² EXAM 142, p17

¹³³ Cheltenham Plan sites within EXAM 142

¹³⁴ EXAM 81 Fig C

Cheltenham in the Broad Locations Report¹³⁵. The sustainability appraisal, which assessed sub areas of C2¹³⁶, indicated that sub area C2c (land to the West of Cheltenham racecourse) performed reasonably well against most sustainability objectives. With generally low landscape value, a location peripheral to a range of services, and the potential to positively impact on the vitality of the town centre, it recommended that this sub-area be retained in the JCS broad location search¹³⁷. Similar comments were made about the most southern part of C2d. These areas have not, however, made it into the JCS.

141. CP004, Land at Hunting Butts (west)¹³⁸, lies within the most southern part of sub area C2d in the far south western corner of Broad Location C2, where the Broad Locations report identifies the landscape as being of low sensitivity¹³⁹. The site has been given an indicative capacity of 229 dwellings¹⁴⁰. Although in AMEC segment NE18, the AERC report puts about half of this site within parcel G17¹⁴¹, which has an average Green Belt score, and the other half within AERC parcel G16, which has the highest score.
142. Nonetheless, the site abuts built development to the south and north-west and the railway line runs to the west. Beyond this, in close proximity, lies Swindon village and the North West Cheltenham urban extension, the building out of which will impact on the contribution CP004 makes to the Green Belt.
143. Given the need for housing and the site's sustainable location, I take the view that exceptional circumstances exist for the release of at least the southern part of the site which lies within AERC parcel G17. However, this would leave a weak Green Belt boundary. A more permanent, physical boundary would be along the northern edge of the site bounded by Hyde Lane. Therefore, it is more appropriate for the boundary to be redrawn along Hyde Lane, thereby extending exceptional circumstances to the whole site. I, therefore, recommend that the whole of CP004 be removed from the Green Belt.
144. There are other non-strategic sites promoted through the Cheltenham Plan, which lie along the northern urban edge of Cheltenham¹⁴² that are within sub area C2c¹⁴³, west of the A435. Whilst I

¹³⁵ EBLO 100 pp 18-20

¹³⁶ SA 104 Fig 2: map showing the broad locations broken down by sub area

¹³⁷ SA 104 p21

¹³⁸ Cheltenham Plan sites within EXAM 142

¹³⁹ EBLO 100 p19

¹⁴⁰ EXAM 142 Appendix 4

¹⁴¹ EXAM 81 Fig C; identified as CP004 in EXAM 142

¹⁴² EXAM 142 map showing Cheltenham Plan Issues and Options sites (June 2015)

have little information on these sites, I note that the Broad Locations Report¹⁴⁴ states that there is some potential for developing land west of the A435, close to the urban edge of Cheltenham and below the sensitive ridgeline, although the topography would be challenging in terms of integrating development into the landscape. Nonetheless, it indicates that the area has potential for about 300 dwellings. It is possible that a case could be made out to demonstrate exceptional circumstances for removal of a strip of Green Belt land in this location. The JCS team might consider revisiting this area.

West/North West Cheltenham

145. Other sites with potential are CP034 and CP035¹⁴⁵, which are developer promoted sites with indicative capacities of 207 and 59 dwellings respectively¹⁴⁶, totalling 266. They adjoin the northern boundary of the proposed West Cheltenham strategic allocation and, as with the West Cheltenham allocation, they lie in a sustainable location on the urban edge of Cheltenham. Whilst they form part of the large AMEC segment NE6¹⁴⁷, suggesting a significant contribution to the Green Belt, they are within the smaller F1 parcel of the AERC report¹⁴⁸, indicating an average contribution to the Green Belt.
146. Indeed, these sites lie within the small gap between the strategic urban extensions of North West Cheltenham to the north and West Cheltenham to the south which, once developed, will further reduce the contribution parcel F1 makes to the Green Belt. Consequently, exceptional circumstances exist for the removal of F1 from the Green Belt. The JCS team could consider either removing parcel F1 only, or finding a more consistent boundary between the two strategic allocations. Therefore, my recommendation is to redraw the Green Belt in this area following either option.
147. There are other omission sites south of the proposed West Cheltenham urban extension within AMEC segment SE10, which are assessed as making a significant contribution to the Green Belt by the AMEC report, but as making an average contribution by the AERC report¹⁴⁹. Nonetheless, they lie within the narrow gap between Cheltenham and Churchdown and play a critical role in the separation of

¹⁴³ SA104 Fig 2 & text on p21

¹⁴⁴ EBLO 100 p20

¹⁴⁵ Cheltenham Plan sites map within EXAM 142

¹⁴⁶ EXAM 142 Appendix 4

¹⁴⁷ ENAT 100 Fig 5.2

¹⁴⁸ EXAM 81 Fig C and EXAM 142 AERC sites

¹⁴⁹ EXAM 81 Fig C

Cheltenham and Gloucester. Therefore, they should not be promoted ahead of other more suitable sites.

148. *Small Green Belt Sites Contribution*

149. Overall, these additional identified sites have the potential for significant residential development. Taking the capacities of developer promoted sites alone, they add up to 735 dwellings (280 + 229 + 226). If these sites were to be included in Cheltenham's district capacity, this would bring the remaining dwelling requirement down to 304 (1,039 – 735). If other sites were incorporated along Cheltenham's northern boundary, such as those west of the A435 with a capacity of about 300 dwellings, Cheltenham's remaining housing requirements could be met in full.

Overall conclusion

150. The removal of Leckhampton as a strategic allocation and the reduction of housing numbers at North West Cheltenham leaves Cheltenham with a need to find alternative housing capacity. The newly proposed strategic allocation of West Cheltenham will go part way to doing this, although a deficit still remains. In my judgement there is additional potential capacity in non-strategic Green Belt sites, which could significantly increase Cheltenham's district capacity and which could be allocated in the emerging Cheltenham Local Plan. Releasing these areas of Green Belt now within the JCS would facilitate these sites coming forward and contributing to Cheltenham's five year housing land supply. Following this approach should also enable Cheltenham's housing requirements for the Plan period to be met in full.

Tewkesbury

151. The housing requirement for Tewkesbury is 9,983 dwellings and the district capacity figures put forward (excluding strategic allocations) is 6,475¹⁵⁰, although I understand that local plan potential could increase if needs be. On current figures, this leaves a residual requirement of 3,508 (9,983 – 6,475) dwellings.

152. The strategic allocation at MOD Ashchurch is now expected to deliver 2,325 dwellings within the Plan period¹⁵¹ rather than the 2,125

¹⁵⁰ Verbally given by the JCS team at the March 2016 hearings including 5,991 completed sites, commitments, existing allocations and a windfall allowance, together with 484 district plan potential

¹⁵¹ EXAM 185

stated in the JCS¹⁵². However, I have doubts as to whether the brownfield part of the site will deliver this level of housing within the Plan period due to likely delays occurring mainly as a result of potential contamination and the re-location of MOD assets and personnel. Therefore, it would not be appropriate to increase the JCS number, which should remain at 2,125.

153. Adding in the MOD Ashchurch allocation brings the supply to 8,600 (2,125 + 6,475) and leaves another 1,383 (9,983 – 8,600) units to find.

154. 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 Tewkesbury 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.

155. Substantial economic growth is planned for the wider Tewkesbury Town area, particularly close to Junction 9 where there is high demand for employment land¹⁵³. Significant regeneration is also planned for Tewkesbury Town itself¹⁵⁴. Consequently, to provide sufficient housing in this growing economic area, and to support the vitality and viability of the Town Centre, further residential development in sustainable locations around the wider Tewkesbury Town area is appropriate. I shall therefore, consider the potential for additional strategic allocations in this general locality.

Fiddington

156. Having considered the Tewkesbury omission sites, there appears to be only one site within the JCS area that is appropriate for strategic allocation and that is Land at Fiddington (OM 20). I understand from the developers¹⁵⁵ that this site could accommodate about 900 dwellings as well as a primary school and local centre and that various supportive reports and assessments have already been undertaken in readiness for a planning application. It is envisaged that the site could contribute to Tewkesbury's 5 year housing land supply.

157. The site lies within the wider Tewkesbury Town area, close to the urban edge of Ashchurch, immediately to the south of strategic allocation

¹⁵² SUB 100, p35 Table SP2b

¹⁵³ EXAM 184 paragraph 2.16

¹⁵⁴ EXAM 180 paragraph 2.39

¹⁵⁵ Pegasus Matter 9 Statement

A9, and in proximity to strategic allocation A8. It is within easy reach of the A46 and Tewksbury Town, and lies adjacent to the M5 close to junction 9. It also has good access to existing nearby employment sites and other facilities. It is largely agricultural land, outside the Green Belt, unaffected by AONB, and according to the Broad Locations Report is within an area of medium to low landscape sensitivity.

158. The main issue with this site seems to be flood risk and integration, as land along the Tirlle Brook in the north of the site appears to lie in Flood Zones 2, 3a and 3b (functional floodplain)¹⁵⁶. However, most of the site seems to be in Flood Zone 1 and the submitted masterplan¹⁵⁷ shows the higher flood risk areas being used as green infrastructure with built development being confined to less risky areas. Such green infrastructure would integrate well with the employment/retail allocation to the north and, in my judgement, on the evidence before me, neither flooding nor integration should be a bar to development.

159. Therefore, I recommend that Land at Fiddington be allocated for 900 dwellings. This would bring the supply up to 9,500 (8,600 + 900) and would leave 483 (9,983 – 9,500) dwellings to find.

Sites outside the JCS area - Mitton

160. Whilst there are no other appropriate strategic omission sites within the JCS area to meet Tewkesbury's needs, there is potential for strategic development at Mitton (OM19) within Wychavon District. I understand that the two OM19 sites could together deliver a total of up to 1,100 dwellings together with a primary school, amongst other things¹⁵⁸. The sites have been assessed in the South Worcestershire Strategic Housing Land Availability Assessment as being suitable, available and achievable¹⁵⁹.

161. The sites are located adjacent to the urban edge of Tewkesbury Town and the Tewkesbury Industrial Estate with good access to facilities and employment opportunities. Given their close proximity to the Town Centre and local services, they have the potential to enhance the Town's vitality and viability. The sites also lie close to the M5 motorway and are within reasonable access of junction 9.

¹⁵⁶ See Robert Hitchins Ltd Position Statement p14 attached to Pegasus' Matter 9 Statement; and EBLO 100 pp30 & 31

¹⁵⁷ See Robert Hitchins Ltd Position Statement p5 attached to Pegasus' Matter 9 Statement

¹⁵⁸ See RPS (Barratt West) and Carter Jonas' Matter 9 Statements

¹⁵⁹ EXAM 55 A, B & C

162. The sites lie outside the Green Belt, within Broad Location T1¹⁶⁰, in an area of mainly medium to low landscape sensitivity, which is unaffected by AONB. Whilst there are flooding concerns with T1, the South Worcestershire Strategic Flood Risk Assessment Extract Map¹⁶¹ shows the site as lying mainly within Flood Zone 1, within which development is intended to be located. I understand that there are also opportunities to provide betterment to the flooding in the Tewkesbury area.
163. The southern part of Broad Location T1, including land at Mitton, was subjected to sustainability appraisal early on in the plan making process and was identified as being suitable for further appraisal on the grounds of its close proximity to Tewkesbury Town and its reasonable access to services, facilities and employment development. However, it was not taken forward on the basis of its location outside the JCS area¹⁶². The sites at Mitton should undergo further sustainability appraisal and in carrying this out, the developer's objections to the way previous appraisals have been undertaken¹⁶³ should be taken into account.
164. There has been objection that OM19 lies outside the Gloucestershire Housing Market Area and, therefore, should not be considered for the JCS districts' needs. However, defining housing market areas is not an exact science and they often overlap. The Mitton sites are closer to the Tewkesbury urban settlement than to any other Town or village and, in terms of sustainability, are better related to Tewkesbury Town than elsewhere. Mitton clearly has the capacity and potential to contribute to meeting Tewkesbury's needs and its exclusion from the Gloucestershire housing market area should not be an obstacle to its delivery.
165. The South Worcestershire authorities have already contemplated the possibility of Mitton being used to meet the JCS authorities' housing needs¹⁶⁴, although at that time, it was not envisaged that there would be an immediate requirement to call upon this land. Furthermore, South Worcestershire's Local Plan, which was adopted in February 2016, recognises the possibility of assisting the JCS authorities in meeting their housing needs¹⁶⁵.

¹⁶⁰ EBLO 100, pp26 and 27

¹⁶¹ See Delivery Statement, Appendix 1.3 within RPS (Barratt West) and Carter Jonas' Matter 9 Statements

¹⁶² SAPR 100 pages 53 and 54

¹⁶³ See RPSs (Barratt West) and Carter Jonas' Matter 9 Statements

¹⁶⁴ See Exam 57

¹⁶⁵ See Inspector's report EXAM 106 and EXAM 212

166. Accordingly, I recommend that the JCS authorities engage in constructive discussions with Wychavon District Council with a view to seeking their agreement on the release of land at Mitton to contribute towards Tewkesbury's housing requirement. If Wychavon agrees to allocate part or all of these sites for Tewkesbury's needs in a future Local Plan Review, this should be set out in a Memorandum of Agreement. Any such commitment to allocate, together with the type and scale of development, should be set out in the JCS.

Overall Conclusion

167. Green Belt land should not be released to meet Tewkesbury's strategic housing requirements and the urban extensions to Gloucester and Cheltenham should be left to meet the requirements of those constrained settlements. There are more appropriate sustainable sites outside the Green Belt, that are not unduly constrained by matters such as AONB, landscape and flooding, which could meet Tewkesbury's needs.

168. Fiddington is an appropriate site to consider for allocation within the JCS and, outside the JCS area the potential of Mitton in Wychavon District should be explored to meet Tewkesbury's remaining requirement.

Reserve Sites

169. As previously indicated, I have some concerns that not all of the strategic allocations will deliver to the estimated timescales and this could impact on the five year housing land supply. Should monitoring show a need for additional housing delivery to meet the five year requirements, then a flexible mechanism should be in place for the release of reserve sites. The ability to draw on reserve sites would help ensure that delivery is maintained and ad hoc planning by appeal is reduced.

170. For Gloucester, if Twigworth is allocated for higher numbers than the identified 750 dwellings, there will be less of an immediate need to draw upon the south Gloucester sites in Stroud, albeit some contribution will still be required. Even with lower Twigworth numbers, the combined capacity of the Brookethorpe/Whaddon and Hardwicke sites is sufficiently large to allow one or both of them, at least in part, to be designated as reserve sites to the extent they are not needed as allocations.

171. It is, therefore, my recommendation that Stroud district council be approached to seek their agreement to designate some reserve capacity in south Gloucester for Gloucester's needs as part of their review. In the meantime, Stroud might agree to another mechanism for the sites coming forward, if needed, in an appropriate Memorandum of Understanding.

172. Similarly for Tewkesbury, the capacity of Mitton is greater than is currently needed for allocation, and the remaining site is suitable for designation as a reserve site. It is, therefore, my recommendation that Wychavon District Council be approached to seek their agreement to designate reserve capacity at Mitton for Tewkesbury's needs as part of a future plan review. In the meantime, Wychavon might agree to another mechanism for the sites coming forward, if needed, in an appropriate Memorandum of Understanding.

173. Should early agreement be possible with Stroud and Wychavon District Councils, new policies for these reserve sites could be included in the JCS and appropriate trigger mechanisms be put in place.

Local Green Space

174. As indicated in my Preliminary Findings, in my judgement, the case for Local Green Space designation within both the proposed North West Cheltenham and Leckhampton urban extensions has been made out¹⁶⁶. However, as I am recommending the removal of Leckhampton as a strategic allocation, the Local Green Space designation can be made in either the emerging Cheltenham Local Plan or the forthcoming Neighbourhood Plan. Consequently, I no longer propose recommending indicative areas for Local Green Space in the JCS.

175. Turning to North West Cheltenham, as discussed and agreed with the JCS team at hearing sessions, my recommendation is to set out indicative Local Green Space Areas within the JCS, leaving the actual designation to either the Cheltenham Local Plan or any forthcoming Neighbourhood Plan. The reason for this is to avoid unnecessarily fettering the effective master-planning of this urban extension.

176. Objections have been made to Local Green Space being considered at the strategic level within the JCS¹⁶⁷ on the basis that the NPPF envisages designation as a one staged process that should be carried out at local or neighbourhood plan level¹⁶⁸. However, the whole of the NPPF envisages local plan making being carried out in one stage within a single local plan¹⁶⁹, encompassing all matters that were previously separated into pre-NPPF core strategies and lower tier local plans. Nonetheless, for pragmatic reasons, split plans such as the JCS and its district plans, which

¹⁶⁶ EXAM 146 paragraphs 61 to 66 and 99 to 103

¹⁶⁷ See particularly Post Stage 3 Hearing Submission – Representors no. 6 Hunter Page Planning

¹⁶⁸ NPPF paragraph 76

¹⁶⁹ NPPF paragraph 153

were already in preparation prior to the publication of the NPPF, may still be found sound.

177. Whilst I am also directed to Regulation 5 which, although unstated, I take to be of the Town and Country Planning (Local Planning)(England) Regulations 2012, there is nothing in this regulation which would prevent this approach. Furthermore, I draw an analogy with Green Belt, and note Mr Justice Jay's findings in the Calverton Parish Council judgement¹⁷⁰. In that case the Judge found a two-staged approach to altering Green Belt boundaries acceptable, with the precise boundaries for individual released sites being left to the Part 2 local plans.

178. Consequently, there is nothing unsound about identifying indicative areas at this stage and leaving the detail to later plans. However, taking account of my findings in relation to both the North West Cheltenham and Leckhampton urban extensions, it might be possible to make a final designation of Local Green Space within the JCS if the JCS authorities were minded to do so, but that is a matter for the authorities. Either approach would be sound. With respect to indicative areas I make the following recommendations.

179. For North West Cheltenham the indicative Local Green Space area should coincide with the aforementioned green buffer around Swindon village. The exact extent of this buffer should be determined by the JCS team in accordance with my above recommendations on this urban extension.

180. Policy wording within the JCS should make it clear where the indicative areas are located and how it is envisaged the designation will be moved forward in subsequent plans. The amended site layout should reflect the Local Green Space indicative areas.

Safeguarded Land

181. There are two areas of safeguarded land in the submitted JCS, namely, land adjoining the North West Cheltenham urban extension and land to the West of Cheltenham. I shall consider each area in turn.

North West Cheltenham

182. In my Preliminary Findings I expressed some reservations over the Green Belt release of the huge area of countryside covered by the North West Cheltenham urban extension and the adjoining safeguarded land

¹⁷⁰ EXAM 35D

combined, and questioned whether exceptional circumstances exist¹⁷¹. Nonetheless, the AMEC report shows this safeguarded land as roughly corresponding to segment NE9, thereby making only “a contribution” to the Green Belt, unlike much of the land around Cheltenham and Gloucester, which makes a “significant contribution”¹⁷².

183. There is no doubt that there would be a substantial cumulative impact on the environment associated with any future development of the safeguarded land, which lies in such close proximity to the large North West Cheltenham allocation. This part of Cheltenham would be completely transformed from a pleasant rural landscape to a large built out suburb.

184. Also, there could be issues over the consolidation of the North West Cheltenham urban extension and the subsequent building out of the safeguarded land in succession. To ensure appropriate integration of such major development, careful attention will need to be paid to infrastructure and phasing of schemes. The situation over the upgrading of junction 10 of the M5 is also likely to impact on the release of the safeguarded land for development and, at present, there are no firm proposals for a junction upgrade.

185. However, that having been said, Cheltenham is constrained and there is a limit to where future strategic development can reasonably take place. The Broad Locations Report states that Broad Location C3, which contains this land, has the greatest potential to accommodate a significant element of Cheltenham’s needs¹⁷³, and the Site Assessment/Capacity Report states that longer term development for commercial uses could potentially be accommodated on land along the A4019 towards the M5¹⁷⁴. Indeed, this M5 corridor is favoured for economic development by the Local Enterprise Partnership in their Strategic Economic Plan for Gloucestershire¹⁷⁵.

186. The Landscape and Visual Sensitivity Report shows the land as being generally of medium sensitivity¹⁷⁶, and the Strategic Allocations Report does not highlight any absolute constraints to development, indicating instead that it is one of the most sustainable locations for new residential and employment development¹⁷⁷.

¹⁷¹ EXAM 146 paragraphs 104 to 108

¹⁷² ENAT 100 Fig 5.2

¹⁷³ EBLO 100 paragraph 3.28

¹⁷⁴ EBLO 105 pp 14 to 17

¹⁷⁵ EXAM 37A & B

¹⁷⁶ EBLO 106 p11

¹⁷⁷ EBLO 102 pp61 to 67

187. Having considered carefully the evidence before me, including all representations, in my view the North West Cheltenham safeguarded land would be the best option for meeting strategic development needs beyond the plan period. Whilst paragraph 14 of the NPPF does not require local plans to meet objectively assessed needs where the adverse impacts of so doing would significantly and demonstrably outweigh the benefits, or specific policies in the NPPF indicate development should be restricted, in this instance, the adverse environmental impacts of appropriate future development at this location and the removal of the land from the Green Belt would not significantly and demonstrably outweigh the substantial social and economic benefits it would bring.

188. Paragraph 83 of the NPPF indicates that, when Green Belt boundaries are being reviewed, regard should be had to their permanence in the long term, so that they should be capable of enduring beyond the plan period. Paragraph 85 then goes on to state that, where necessary, safeguarded land should be identified to meet longer term development needs well beyond the plan period. Consequently, in accordance with the NPPF and for the reasons given above, in my judgement exceptional circumstances exist for the proposed safeguarded land North West of Cheltenham to be released from the Green Belt. Therefore, I find this safeguarded land designation to be sound and I do not make any recommendations for modification.

West Cheltenham

189. The proposed safeguarded land at West Cheltenham lies within segment NE4 of the AMEC report and makes a significant contribution to the Green Belt¹⁷⁸. Nonetheless, the area that lies within the Cheltenham boundary, close to the urban edge, makes a lesser Green Belt contribution according to the AERC Report¹⁷⁹. For the reasons set out previously above, I find that the recently proposed West Cheltenham strategic allocation, which broadly corresponds to this area, is sound. Therefore, I recommend that the JCS be modified to remove this part of the safeguarded land and to allocate it as an urban extension.

190. Nonetheless, as per my Preliminary Findings¹⁸⁰ I take the view that, in order to maintain a sufficient gap between Cheltenham and Gloucester, development should not extend too far to the west. The unallocated western part of this proposal stretches close to the village of Staverton, Staverton Industrial Estate and Gloucestershire Airport, beyond which lies North Churchdown, the allocation of which I have found unsound for

¹⁷⁸ ENAT 100 Fig 5.2

¹⁷⁹ EXAM 81 Fig C

¹⁸⁰ EXAM 146 paragraphs 109 to 114

Green Belt reasons. New development in this location runs the risk of coalescing with existing pockets of development, further narrowing this critical gap between Cheltenham and Gloucester.

191. Consequently, due to the significant contribution this land makes to Green Belt purposes, exceptional circumstances do not exist for its release. Therefore, in my judgement, this proposed safeguarded land should be removed from the Policies Map and the JCS be amended. I recommend accordingly.

Infrastructure

192. As stated in my Critical Infrastructure note¹⁸¹ the JCS does not adequately identify and address critical infrastructure requirements as envisaged in the PPG¹⁸². Additionally, the Infrastructure Delivery Plan¹⁸³ identifies a funding gap of nearly £750 million but the JCS does not set out how this is to be met.

193. The JCS team has recently produced Strategic Allocations Infrastructure Delivery Position Statements¹⁸⁴ and Updates¹⁸⁵ for proposed allocations, which satisfactorily set out key infrastructure requirements for the first five years of the plan and how they will be provided. In order to comply with PPG advice, I recommend that the main points identified in these statements be reflected in the JCS. A similar process of producing Infrastructure Delivery Position Statements and recording main points in the JCS should also take place for additional recommended strategic allocations.

194. With respect to transport, there have been wide spread concerns that the transport modelling, based on the Central Severn Vale SATURN strategic highways 2008 base year model is outdated and not fit for purpose. Whilst I understand that the model has been refined to make it as robust and up to date as possible, Gloucestershire County Council and Highways England have commented that further refinement work needs to be done¹⁸⁶.

195. Nonetheless, I note Atkin's evidence¹⁸⁷ that the model was peer reviewed in 2012 and found to be generally fit for purpose. Whilst the 2008 model contains weaknesses, it is currently the best information

¹⁸¹ EXAM 202

¹⁸² PPG 12-018-20140306

¹⁸³ SUB 109

¹⁸⁴ EXAM 168

¹⁸⁵ EXAM 168A-E and EXAM 225

¹⁸⁶ Highways England and Gloucestershire County Council Matter 11 Statements

¹⁸⁷ EXAM 220

available. There were no objections to its use at the March hearing session from Highways England or Gloucestershire County Council.

196. Although Highways England and Gloucestershire County Council are working on a 2013 based update, it is not expected until later on in the year and, even then, model runs will have to be undertaken to make refinements to the mitigation packages and transport strategy. Waiting for this updated evidence would cause undue delay to the JCS, which in the public interest needs to progress. Therefore, I do not recommend delaying progress to await the 2013 based model.

197. According to Atkins¹⁸⁸, most of the increase in traffic on the Strategic Road Network by 2031 will come from growth not attributable to the strategic allocations, the latter of which will generally account for only 5% to 10% of total growth. Consequently, it is said that many of the traffic issues arising are unrelated to the allocations. I have no good reason to dispute this evidence.

198. The transport mitigation strategy "DS3a"¹⁸⁹ should go a reasonable way to relieving that part of the impact which is attributable to most of the strategic allocations, although it should be amended, as appropriate, once the updated modelling is available. In the case of Leckhampton, more detailed site specific traffic evidence was examined at inquiry¹⁹⁰ indicating that an unacceptable cumulative impact would result from the development proposed. I have dealt with Leckhampton above.

199. Although strategic allocations are likely to contribute to the cumulative traffic impacts, with the exception of Leckhampton, there is insufficient evidence before me to demonstrate that these impacts will be so severe as to justify the removal of allocated development from the JCS. Whilst there will be some issues on the network overall, particularly at certain junctions, Highways England indicated at the March hearing that these issues would be manageable and resolvable over time.

200. Consequently, on the evidence before me, I am satisfied that the JCS can justifiably proceed with the proposed transport mitigation strategy, the main parts of which should be reflected in the JCS with a suitable note referring to the awaited update.

Elizabeth C Ord

Inspector

¹⁸⁸ EXAM 220 and EXAM 84

¹⁸⁹ EXAM 84

¹⁹⁰ EXAM 228

26 May 2016