

21 June 2021

Ms Lisa Dixon  
Planning & Development Services,  
Tewkesbury Borough Council  
Gloucester Road,  
Tewkesbury GL20 5TT

Dear Ms Dixon

**Application 20/00892/OUT**

**The erection of up to 24 dwellings (Class C3), vehicular access from Clarendon Road and Whitmore Road, public open space and associated landscaping and engineering works (reduced quantum of dwellings from 35 to 24).  
Land Off Kyderminster Road Winchcombe**

I am writing further concerning the above application as a result of the significant changes to the proposed development, in particular the reduction in the number of dwellings from 35 to 24.

CPRE maintains that the revisions proposed do not materially change the grounds for objection set out in our letter of 19 November 2020, appended to this letter for convenience. Thus, while the development would provide additional housing and thus help to meet a technical shortfall in the Borough's housing land supply, this is more than outweighed by:

- The damage caused to the local landscape which lies entirely within the Cotswolds AONB
- The disregard of statutory planning policies enshrined in the NPPF, the JCS, the local Neighbourhood Development Plan and the emerging Tewkesbury Local Plan.

Exceptional circumstances have not been demonstrated to justify this development.

CPRE therefore urges the Planning Committee to refuse this application.

Yours sincerely

Major Tom W. Hancock, DL  
**Chairman, CPRE Cheltenham, Gloucester and Tewkesbury District**

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19 November 2020

Planning & Development Services,  
Tewkesbury Borough Council  
Gloucester Road,  
Tewkesbury.  
GL20 5TT

Dear Sirs,

Application 20/00892/OUT for the erection of 35 dwellings (Class C3), vehicular access from Clarendon Road and Whitmore Road, public open space, and associated landscaping and engineering works.

This submission subsumes, and therefore replaces, that from CPRE Gloucestershire dated 31 October 2020.

CPRE opposes the above application which is remarkably similar to 16/00481/OUT which was refused by Tewkesbury Borough Council; the consequent Appeal APP/G1630/W/17/3171926 was dismissed. The Appeal decision made on 5<sup>th</sup> October 2017 by Inspector David Richards is still largely relevant, particularly with reference to the requirements of the NPPF. Essentially, the site is in the Cotswolds Area of Outstanding Natural Beauty and outside the residential development boundary.

### The Planning Context

The application is for a major development on a site in the Cotswolds AONB on the periphery of, but outside, the Winchcombe residential boundary. The NPPF 2019 (paragraph 172) states that:

*“Great weight should be given to conserving and enhancing landscape and scenic beauty in ... and Areas of Outstanding Natural Beauty, which have the highest status of protection ... The scale and extent of development within these designated areas should be limited. Planning permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of:*

- a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;*
- b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and*
- c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.”*

The need to protect the AONB is reflected in the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy to 2031 (the JCS) which came into force after the earlier planning application to develop this site had been determined. Its Policy SD7 states: *“All development proposals in or within the setting of the Cotswolds AONB will be required to conserve and, where appropriate, enhance its landscape, scenic beauty, wildlife, cultural heritage and other special qualities. Proposals will be required to be consistent with the policies set out in the Cotswolds AONB Management Plan.”*

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The Tewkesbury Local Plan to 2031 is at a late stage having been submitted to the Secretary of State earlier in 2020 and currently awaiting Examination and therefore carries some weight. In this Plan, no development is proposed of the site of this application. Nevertheless, as part of meeting the local housing requirement under Policy RES1, 80 dwellings have been allocated on adjacent land in the AONB (site WIN1). CPRE has objected to this allocation because development of this part of the AONB would be particularly damaging. It would extend the boundary of the town onto rising ground where housing would be highly visible from many places. Moreover, such housing is not required to meet the JCS requirement of 1,860 dwellings in Rural Service Centres, which paragraph 3.15 indicates will be exceeded by a significant margin. Hence the development would not satisfy the conditions stipulated in NPPF paragraph 172 and would be contrary to JCS Policy SD7 and the Cotswolds AONB Management Plan 2018-2023.

The site is not allocated for development in the extant Winchcombe with Sudeley Neighbourhood Development Plan.

It is also worth noting that the government Planning White Paper which has just undergone public consultation proposes the introduction of planning zones with AONBs treated as 'Protected Zones' and encourages development of Brownfield Sites wherever possible.

### **Landscape Impact**

Contrary to the applicant's Landscape and Visual Appraisal, the fact remains that this site forms part of the AONB. It does not imply that it can be built on just because there are some evergreen trees impeding the view from higher up.

In his APP/G1630/W/17/3171926 Appeal Decision of 5 October 2017, Inspector Richards concluded (para 27):

*"... the development would represent an intrusion of built development into the AONB, and would occupy an area of characteristic agricultural land which forms part of the setting of Langley Hill. I accept that the layout attempts to minimise this intrusion, by occupying the lower ground, and has the potential to create a less abrupt edge to development than presently exists. Nevertheless the development would be highly visible to residents of the adjacent existing development, and from Clarendon and Whitworth Roads. ... This amounts to actual harm to the AONB, which would be in conflict with Policies SD8 of the [emerging] JCS and 1.1 of the NP."*

### **Housing Need**

At present Tewkesbury Borough is unable to demonstrate a 5-year housing land supply. However, the calculation of housing land supply is highly variable and depends on many factors outside the planning authority's control, not least the willingness of developers to build out those sites which already have planning permission. Much of the shortfall is explained by the fall in the anticipated yield of the JCS strategic sites, parts of some of which lie in neighbouring authorities. We argue that a technical shortage of housing land supply should not be used to allow significant development of unallocated sites, especially in designated areas, and thus to undermine statutory local plans which have been subject to extensive debate and scrutiny over many years.

There are other areas in the Tewkesbury Borough, some close to Winchcombe, that are not in the AONB and these should be used for development in preference to sites in the AONB. If eating into the AONB little by little is permitted, then areas of beautiful open countryside around built-up areas will soon be lost.

Indeed, a development such as this cannot be said to conserve and enhance its landscape, scenic beauty, wildlife, and cultural heritage. It would damage the rural tranquillity of the area, particularly for the existing houses nearby.

### **Planning Balance**

While the development would provide additional housing and thus help to meet a technical shortfall in the Borough's housing land supply, this is more than outweighed by:



The countryside charity  
Gloucestershire

- The damage caused to the local landscape which lies entirely within the Cotswolds AONB
- The disregard of statutory planning policies enshrined in the NPPF, the JCS, the local Neighbourhood Development Plan and the emerging Tewkesbury Local Plan.

Exceptional circumstances have not been demonstrated to justify this development.

CPRE therefore urges the Planning Committee to refuse this application.

Yours Faithfully

Major Tom W. Hancock, DL  
**Chairman, CPRE Cheltenham, Gloucester and Tewkesbury District**