

21 June 2021

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

Dear Mr Instone,

APPLICATION NO: 21/00496/FUL

DESCRIPTION: Proposed residential development comprising 110 dwellings (including 55 affordable dwellings), new vehicular access off Delavale Road (following the demolition of 26 Delavale Road), public open space and associated landscaping and engineering works.

LOCATION: Land West Of Delavale Road, Winchcombe,

GRID REF: 402010 228942

Although we commend the high proportion of affordable housing proposed, CPRE objects to the above application for the reasons set out below. The application site lies wholly within the Cotswolds AONB, outside the residential boundary of Winchcombe and on the lower slopes of Langley Hill.

Planning Policy

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 in 2017. 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.”*

The Tewkesbury Local Plan to 2031 is at a late stage and is currently undergoing Examination. Public hearings took place earlier in 2021 and the examining inspector’s final report is awaited. In this Plan, under Policy RES1, the application site (WIN1) is allocated for 80

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dwelling, significantly fewer than in the current application. 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 of which Winchcombe is one: as paragraph 3.15 indicates, this 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's 2020 Planning White Paper, which has now undergone public consultation, proposes the introduction of planning zones with AONBs treated as 'Protected Zones' and encourages development of Brownfield Sites wherever possible.

Related Planning Application 20/00892/OUT

Attention is also drawn to Planning Application 20/00892/OUT for 24 dwellings (recently reduced from 35 dwellings) on land adjacent to Kyderminster Road. This application site is contiguous with the present site and likewise lies wholly within the Cotswolds AONB, outside the residential boundary of Winchcombe and on the lower slopes of Langley Hill.

Application 20/00892/OUT is broadly 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 5th October 2017 by Inspector David Richards is still largely relevant, particularly with reference to the requirements of the NPPF.

Apart from the fact that the present site is allocated for housing in the emerging Tewkesbury Borough Plan, the circumstances concerning the two sites are remarkably similar. Should applications for both sites be approved, not only would damage to the AONB and the local landscape be compounded but the resultant number of dwellings would even further exceed both the JCS and the Tewkesbury Borough Plan requirement.

Landscape Impact

As noted above, the current application site and the Kyderminster Road site form part of a similar contiguous landscape. In his APP/G1630/W/17/3171926 Appeal Decision of 5 October 2017 regarding Kyderminster Road, 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."

CPRE strongly supports the assessment above which applies equally to the current Delavale Road site.

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.

We are assured that once the emerging Tewkesbury Borough Plan to 2031 is adopted, expected later in 2021, Tewkesbury will once more be able to demonstrate a 5-year housing land supply.

Planning Balance

While the development would provide additional housing, especially affordable 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 and the local Neighbourhood Development Plan.
- The precedent for development of adjacent land off Kyderminster Road which would become difficult to resist.

While the site is allocated for some development – for significantly fewer dwellings – in the emerging Tewkesbury Local Plan, this should be afforded little weight unless and until confirmed in the examining inspector's final report. Any decision on the application should thus be delayed until the conclusion of the examination.

Exceptional circumstances have not been demonstrated to justify this development. CPRE therefore urges the Planning Committee to refuse this application.

Yours sincerely,

Major Tom Hancock, DL
Chairman