

Planning Statement

Land west of Willow Bank Road, Alderton,
Tewkesbury

Prepared by Black Box Planning
on behalf of *Backhouse Housing and Edward
Ware Homes*



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1. Introduction

1.1. This Planning Statement has been prepared by Black Box Planning on behalf of Backhouse Housing ('the Applicant') in support of the full planning application to Tewkesbury Borough Council for 56 dwellings plus associated landscaping and access at Land west of Willow Bank Road ('the site'). See Figure 1.1 overleaf.

1.2. This Planning Statement accompanies a range of documents and plans as follows:

Documents:

- Arboricultural Impact Assessment
- Affordable Housing Statement
- Design and Access Statement
- Drainage Strategy
- Energy Statement
- Flood Risk Assessment, Drainage Assessment and Water Management Statement
- Landscape and Visual Impact Assessment
- Levels Strategy
- Preliminary Ecological Appraisal
- Statement of Community Involvement
- Transport Statement
- Waste Minimisation Statement

Plans:

- Site location plan
- Existing site plan
- Proposed site plan
- Boundary treatments plan
- House types plan
- House floor plans
- Car parking layout plan
- Bin & bike storage plan
- EVCP plan
- Material strategy plan
- Tenure plan
- Hardworks landscape plan

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- Softworks landscape plan x4
- Tree Constraints Plan
- Tree Protection Plan

1.3. This Planning Statement integrates the following documents at Chapter 5:

- Historic Environment Statement (see page 25)
- Air Quality Assessment (see page 27)

1.4. These additional Statements have been incorporated here to meet validation requirements for planning applications within the Borough, but also to take a proportionate approach to the information prepared given assessment of the baseline environmental information available for the locality.

Figure 1.1 Site outline



Planning Statement

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1.5. In order to provide a detailed consideration of the proposed development and having regard to the Development Plan for the area, read as a whole, and any other material matters which may be relevant to the determination of the planning application, this Statement is structured as follows:

- Section 2 – Background of the Site;
- Section 3 – the Proposed Development;
- Section 4 – Relevant Planning Policy;
- Section 5 – Assessment of the Proposed Development; and
- Section 6 – The Planning Balance

1.6. The conclusions drawn are set out in Section 6, having regard to the Development Plan and other material considerations. In this case, that included the application of the tilted balance directed by Paragraph 11 of the NPPF.

2. Background

- 2.1 The Site comprises 2.62 hectares of greenfield land currently used for pasture/rough grazing. Two farm buildings lie towards the eastern boundary, which are accessed by a track leading from Willow Bank Road. The Site also includes the existing property and curtilage of No. 74 Willow Bank Road.
- 2.2 The Site is bound to the north and west by existing hedgerow and to the south-west by a mixture of both hedgerow and trees. The eastern boundary is formed by the backs of residential gardens associated with properties along Willow Bank Road (Nos. 52-72 (evens)). To the north lies the Alderton Community Allotments and to the west and south lies open countryside. A belt of dense scrub and apple trees runs through the centre of the site in a north-south direction.
- 2.3 The Site lies on the south-western edge of Alderton. The settlement has seen some expansion over the last decade, with developments to the south of Beckford Road (47 units granted at appeal – ref: 13/00114/FUL) and, to the east of Willow Bank Road (24 units also granted at appeal – ref: 14/00414/FUL). The level of development accommodated by the village had raised comments locally about the ability of the village to absorb more, giving rise to issues of social cohesion. However, the development has been absorbed successfully to date over many years which can now be seen with the completion of previous schemes integrated into the village.
- 2.4 The Site is largely unconstrained by environmental considerations by virtue of its location in Flood Zone 1, its distance from the village's historic core and listed buildings, and its location on the far side of the settlement from the AONB, well screened by existing boundary planting.

Planning history

- 2.5 The site has recent planning history which is of relevance to the Proposed Development, as detailed below:

- **14/00747/OUT** *'Outline application for the erection of up to 53 dwellings and associated works including means of access, Land to the West of Willow Bank Road Alderton Tewkesbury Gloucestershire'*

2.6 The application was submitted on behalf of Edward Ware Homes Ltd in July 2014 and subsequently refused on 9th December 2014. The exact site boundary differs from the current proposed scheme as it excludes No.74 Willow Bank Road and instead proposed its vehicular access via the existing track to the north.

2.7 The five reasons for refusal related to:

- By virtue of its form, layout and access the proposed development would not be sufficiently integrated and connected to the wider built context. The proposed 53 dwellings, in addition to the 47 dwellings already permitted at land at Beckford Road, would result in cumulative development of the village which would be of a scale disproportionate to the existing settlement. Further, the proposed development, in addition to the Beckford Road development, would not be proportional to the size and function of Alderton as a Service Village as defined in the emerging Joint Core Strategy.
- Inadequate affordable housing provision.
- Inadequate provision of on-site or off-site playing pitches and changing facilities.
- Lack of provision for secondary education infrastructure and library provision.
- Lack of provision for highway improvements.

2.8 The Officer's report sets out that the proposed vehicular access, by virtue of the fact it would be 'squeezed' between two existing properties, would not allow for the site to be integrated to the street scene of Willow Bank Road. The point of access was also raised as an issue in terms of its proximity to the existing dense scrub in the centre of the site which Officers considered would serve to obscure, and further isolate the rest of the layout from the principal access.

2.9 The application was later appealed but dismissed on 17th July 2015 (PINS reference: 15/3003278). The Inspector's Report notes that a draft Unilateral Undertaking produced for the appeal Hearing was agreed by the Council to address reasons for refusal 2-5. As such his deliberations focused on the first reason for refusal. He noted the main issues of the appeal to be:

- Whether the proposal would cause harm to the well-being and community cohesion of Alderton;
- Whether the proposal would cause harm to the living conditions of the occupants of neighbouring properties;
- Whether the proposal represents good design with regard to its integration and connection with the wider settlement; and
- The effect of the proposal on the character and appearance of the area.

2.10 He noted the Council's acceptance that it could not demonstrate a 5 year supply of deliverable housing sites and consequently the policy relating to housing supply and defining the development boundary of Alderton (Policy HOU4 of the Local Plan (2006)) was out of date.

2.11 The Inspector noted that Alderton was proposed to be allocated as a service village in the then emerging Joint Core Strategy (Policy SP2 'Distribution of New Housing Development') which, set out that service villages will be expected to accommodate some housing. However, he gave this limited weight given and the JCS Examination had not been completed at that point (paragraph 13). He also gave the then emerging Alderton Neighbourhood Plan limited weight (paragraph 14).

2.12 He considered that: *"therefore, at the current time it cannot be concluded that the proposal, when considered with the Beckford Road scheme, would be disproportional to the role of Alderton as a service village and should consequently, not go against the proposal"* (Paragraph 15).

2.13 He went on to note that the proposal in combination with the Beckford Road scheme, would result in 100 new dwellings, an approximate increase of the community of 36-37%. However, he considered it could not be concluded that the proposal, when considered with the Beckford Road scheme, would be

disproportionate to the role of Alderton as a service village in emerging JCS and should consequently, not go against the proposal (paragraph 31). However he goes on that:

“I have found that the proposal would in combination with the Beckford Road scheme represent a substantial expansion of the village, causing harm to the social well-being, community cohesion and therefore to some degree the vitality of Alderton”.

- 2.14 Paragraph 32 notes that the phasing of the proposals would go some way to limiting this harm and as such considered the matter to attract a moderate level of weight against the proposal.
- 2.15 At paragraph 36 the Inspector noted that by virtue of the proposed access road between No 54 and No 56 that the vehicle and pedestrian movements would cause unacceptable harm to the living conditions of the occupants of these properties. At paragraph 41 he noted the considerable nuisance that would be caused by headlights of cars leaving the site shining onto the front elevation of No 37 and its bedroom window.
- 2.16 Significant weight was given to the failure of the scheme to achieve good design by virtue of the ‘squeezed in’ access road between the two existing houses which, would “do little to integrate itself with the existing built form of Alderton” (paragraph 49).
- 2.17 In concluding, whilst the Inspector gave substantial weight to the clear social benefits of provision of much needed market and affordable housing in the Borough, he considered that the other issues (referred to above) meant that the identified harm significantly and demonstrable outweighed the benefits of the proposal and he dismissed the appeal (paragraphs 62-64).
- 2.18 However, the conclusions of the Inspector then should be seen in the context of the scheme before him at that time. In the meantime, the need for housing in the Borough continues, the site-specific concerns raised by the Inspector have been addressed and time has moved on in the context of social integration of new homes in the settlement. This is a matter considered further, below.
- 2.19 It is important to note that the question of community cohesion was revisited in a recent appeal decision in Alderton in 2021 and as a result the position regarding community cohesion as a planning matter has

moved on decisively from 2015. Appeal ref APP/G1630/W/20/3259637 (Land Parcel 0088, Willow Bank Road, Alderton), which was in relation to 28 units on land to the east of Willow Bank Road, therefore provides the more appropriate context in respect of how the Council should regard community cohesion when determining this application.

2.20 In the above referenced appeal decision, the Inspector recognises that some residents expressed “misgivings” about whether an influx of new households could be successfully integrated into the village, but concludes that, notwithstanding these misgivings, the evidence pointed to a need for additional custom for the local shop and additional pupils at the village school. The same remains true at the current time, and indeed, the Parish Council has indicated that, anecdotally, the need for new pupils and new customers may now be even greater than at the time of the 2021 appeal decision.

2.21 The Inspector additionally found that “*perceptions of negative social impacts associated with a new residential population at the village edge will dissipate*”. It is strongly considered that this principle continues to apply in relation to the proposed development, and indeed, that the weight attributable to the increased user base for village services should be greater given the greater scale of the proposed development relative to the 2021 appeal scheme.

3. The Proposed Development

- 3.1 The proposed development comprises a total of 56 dwellings, of which 40% - i.e. 22 dwellings – will be affordable. The dwellings are proposed to include a broad range of types and tenures to maximise housing mix. The majority of dwellings are proposed to be two-storey, with a small number of single-storey dwellings proposed at the west of the site, reducing the massing of the development towards the open countryside to the west.
- 3.2 The proposed development will also feature open space, wildflower planting, a local area of play and an orchard, along with drainage and access. The majority of existing trees and hedgerows around and within the site will be retained, including the substantial band of dense scrub and apple trees running through the centre of the site.
- 3.3 Access will be achieved via the demolition of the existing dwelling at no.74 Willow Bank Road and the delivery of a new access road to Willow Bank Road. Secondary pedestrian-only access will be delivered via the existing farm track to the north east of the site.
- 3.4 The site occupies a discrete and well-screened location in the village and offers the opportunity to integrate well into the existing built area. This has been considered, in preparing the scheme, alongside any relationship with the Cotswold AONB to the north of the village and open countryside to the west.
- 3.5 See accompanying Site Location Plan, Proposed Site Plan and House Types Plan for more detail on the proposed development, together with the accompanying Design and Access Statement.

4. Planning Policy

4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires all planning applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise.

4.2 The adopted Development Plan in this instance comprises the following:

- Joint Core Strategy (JCS) – adopted December 2017
- Tewkesbury Borough Plan (TBP) 2011-2031 – adopted June 2022
- Alderton Neighbourhood Development Plan 2011-2031 adopted July 2018

4.3 Relevant material considerations include national policy as well as national and local guidance, including:

- National Planning Policy Framework 2021 ('the NPPF')
- Tewkesbury Borough Five Year Housing Land Supply Statement, January 2022

4.4 The Development Plan policies of most relevance to the consideration of the planning application for the proposed development are listed below. The details of the policies are considered in Section 5 of this Planning Statement '*Assessment of the Proposed Development*'.

Joint Core Strategy

4.5 The JCS covers the local authority areas of Tewkesbury Borough, Cheltenham Borough and Gloucester City. It was adopted in December 2017, subject to an immediate review provision (Rev 1). The review has not materialised and the Plan is 5 years old in December 2022.

4.6 **Policy SP2** '*Distribution of New Development*' states at paragraph 5 that Service Villages (such as Alderton) will accommodate development to be allocated through the Tewkesbury Local Plan

and Neighbourhood Plans, proportional to their size and function. Over the plan period to 2031 the service villages should accommodate in the order of 880 new homes.

- 4.7 **Policy SD3** '*Sustainable Design and Construction*' seeks proposals to demonstrate how they contribute to the aims of sustainability and also that planning applications must be submitted with an Energy Statement that clearly indicates the methods used to calculate predicted annual energy demand and associated annual Carbon Dioxide (CO₂) emissions.
- 4.8 **Policy SD4** '*Design Requirements*' seeks proposals for development to demonstrate how certain design principles have been incorporated. These include; responding positively to the character of the area; providing access for all potential users, including people with disabilities, to buildings, spaces and the transport network; integrate with existing development, and prioritise movement by sustainable transport modes; be well integrated with the movement network within and beyond the development itself; and, provide safe and legible connections to the existing walking, cycling and public transport networks.
- 4.9 **Policy SD9** '*Biodiversity and Geodiversity*' states that new development should contribute positively to biodiversity and geodiversity whilst linking with wider networks of green infrastructure. For example, by incorporating habitat features into the design to assist in the creation and enhancement of wildlife corridors and ecological stepping stones between sites.
- 4.10 **Policy SD10** '*Residential Development*' seeks to support housing development, at sites allocated for housing through the development plan, including Strategic Allocations and allocations in district and neighbourhood plans.
- 4.11 **Policy SD11** '*Housing Mix and Standards*' seeks development to provide an appropriate mix of dwelling sizes, types and tenures in order to contribute to mix and balanced communities. Development should address the needs of the local area, including the needs of older people, as set out in the local housing evidence base including the most up to date Strategic Housing Market Assessment. The policy also states that new housing should meet and where possible exceed

appropriate minimum space standards; and, be designed to be accessible and adaptable as far as is compatible with the local context and other policies.

4.12 **Policy SD12** '*Affordable Housing*' seeks provision of 40% affordable housing on sites proposing 11 or more dwellings in Tewkesbury Borough.

4.13 **Policy SD14** '*Health and Environmental Quality*' requires new development to cause no unacceptable harm to local amenity including the amenity of neighbouring occupants.

Tewkesbury Borough Plan (TBP)

4.14 **Policy RES5** '*New Housing Development*' states that proposals should be of an appropriate design and layout that respects the local area and is capable of being well integrated within it. Edge of settlement development should respect the form of the settlement and its landscape setting, should not appear as an unacceptable intrusion into the countryside and shall retain a sense of transition between the settlement and open countryside.

4.15 **Policy RES12** '*Affordable Housing*' requires JCS-compliant affordable housing delivery, i.e. 40% affordable housing on sites in Tewkesbury outside the strategic allocations.

4.16 **Policy RES13** '*Housing Mix*' states that new housing developments are expected to provide for an appropriate mix of dwelling sizes, types and tenures. It is highlighted that the mix of type and tenure will depend upon the size and characteristics of the site and the viability of the scheme. Where appropriate, new development should provide accessible and adaptable dwellings (Regulation M4(2) Category 2) and Wheelchair user dwellings (Regulation M4(3) Category 3).

4.17 **Policy DES1** '*Housing Space Standards*' seeks that Nationally Described Space Standards is applied to all residential development, across all types and tenures and any departure from these standards must be fully justified.

4.18 **Policy LAN2** '*Landscape Character*' states that all development must be appropriate to, and integrated into, their existing landscapes through sensitive design, siting and landscaping.

- 4.19 **Policy NAT1** '*Biodiversity, Geodiversity and Important Natural Features*' considers that proposals which conserve, restore and enhance biodiversity will be permitted. This also states that proposals will be required to deliver a biodiversity net gain across different scales, including designing wildlife into development proposals, the connection of sites and large-scale habitat restoration, enhancement and habitat re-creation.
- 4.20 **Policy NAT3** '*Green Infrastructure: Building with Nature*' states that development must contribute, where appropriate to do so and at a scale commensurate to the proposal, towards the provision, protection and enhancement of the wider green infrastructure network.
- 4.21 **Policy ENV2** '*Flood Risk and Water Management*' confirms that in addition to the requirements of the NPPF and the JCS, the council will seek that proposals are designed to appropriate, locally specific allowances for climate change for peak river flood flows and rainfall intensity. It is also sought that the proposals incorporate sustainable drainage systems where appropriate, and that plans demonstrate that the development is designed to use and manage water efficiently.
- 4.22 **Policy TRAC1** '*Pedestrian Accessibility*' seeks that pedestrian networks are protected across the borough and opportunities are sought to extend and enhance them. New development will be expected, where appropriate, to contribute towards creating and enhancing pedestrian routes.
- 4.23 **Policy TRAC2** '*Cycle Network & Infrastructure*' considers cycle infrastructure should be a fundamental consideration in a design-led process for new major development and proposals will be expected to demonstrate this proportionate to their scale.
- 4.24 **Policy TRAC9** '*Parking Provision*' seeks that where there is a demand for car parking spaces proposals should be accompanied by appropriate evidence which demonstrates that the level of parking is sufficient. New development should also incorporate facilities to enable the charging of plug-in or ultra-low emission vehicles.

Alderton Neighbourhood Development Plan

4.25 The ANDP was formally made on 24th July 2018. Supporting text at paragraph 4.1.19 of the document states in relation to future housing growth that: “Since the proposed housing requirement for the village in the JCS and the emerging TBP of at least 51 units has been exceeded through existing commitments, it is proposed that the ANDP will not include a further site allocation within the proposed settlement boundary, but will support gradual growth over time made possible by policies in favour of infill and windfall development within the proposed settlement boundary.”

4.26 **Policy H3** ‘*Affordable Homes*’ supports the principle of provision of affordable homes in new developments.

4.27 **Policy H4** ‘*Housing Mix*’ seeks proposals for new housing in the Parish to include small and medium sized houses (with 1 to 3 bedrooms) to provide a greater mix of house sizes in the village.

5. Assessment of the Proposed Development

5.1. This section provides an assessment of the Proposed Development (as detailed in Section 3) in the context of the Development Plan and other relevant material considerations (as detailed in Section 4).

5.2. This planning application seeks full, rather than outline, consent and therefore relates to both the principle and the detail of the scheme. This Planning Statement considers the merits of the proposed development under the following headings:

- Principle of development
- Housing mix
- Design, layout and appearance
- Access and movement
- Community cohesion
- Ecology
- Landscape

5.3. At the end of this chapter the following documents are incorporated:

- Historic Environment Statement (see page 25)
- Air Quality Assessment (see page 27)

Principle of development

- 5.4. Policy SP2 of the JCS sets the overarching spatial strategy for the JCS authorities, including Tewkesbury. Alderton is identified as a 'Service Village' at tier 4 of the settlement hierarchy on the basis of its service provision. The JCS identifies that service villages are "considered to be suitable locations for some limited residential development". Policy SP2 states that to meet the needs of Tewkesbury the JCS will make provision for at least 9,899 new homes, including smaller scale development at the service villages. The policy states that service villages will accommodate "in the order of 880 new homes" over the plan period, and that sites will be identified through Local Plans and Neighbourhood Plans.
- 5.5. As a service village, Alderton represents a sustainable location for growth in the context of Tewkesbury's rural settlements. The village provides a modest though important range of day-to-day services, including primary school, village shop and post office, pub, playing field and equipped area of play and allotments. The site's location offers good potential to access these services by walking or cycling within 5-10 minutes.
- 5.6. Notwithstanding the above, JSC Policy SD10 establishes that housing development will be supported in principle at sites allocated through the Development Plan or at unallocated windfall sites. Therefore, by virtue of not being allocated through either the TBP or the NDP the location of the proposed development is not in accordance with the approach to development set out in SD10.
- 5.7. However, in circumstances where the policies which are most important for determining an application are out-of-date, paragraph 11(d) of the NPPF is engaged and the presumption in favour of sustainable development is triggered ('the presumption'). Footnote 8 of the NPPF is clear that the presumption will be triggered where a local planning authority cannot demonstrate a five year supply of deliverable housing sites.

- 5.8. The Council's January 2022 Five Year Housing Land Supply Statement set out a housing land supply position of 3.83 years. This was superseded by the publication of the August 2022 Five Year Housing Land Supply Statement, which sets out that the Council now considers its position to be 5.09 years. This position is reached on the basis that the Council believes it can demonstrate future supply of 2,055 units from deliverable sites over the period 2022/23 to 2026/27
- 5.9. For a number of reasons, it is apparent that the Council's updated land supply position lacks robustness and has significant flaws as a land supply environment within which to determine this application.
- 5.10. First, the updated position is predicated on the current annual JCS target of 495 dwellings continuing to be rolled forward. In practice, the JCS will cease to provide the basis for Tewkesbury's housing need figures once five years have elapsed since its adoption on 10 December 2017, as per paragraph 74 of the NPPF. At this point, footnote 39 of the NPPF is clear that the standard method should be used as the basis for assessing whether a five year supply of specific deliverable sites exists.
- 5.11. Second, as the standard method does not provide an accommodation of past oversupply the Council will no longer be able to factor in a 'discount' to its housing need figure. The PPG (031 Reference ID: 68-031-20190722) is clear that past *under-delivery* should not be taken in account as it is factored in as part of the affordability ratio within the standard method. Logically, the converse must also be true, that past over-delivery should not be taken into account when applying the standard method calculation.
- 5.12. On the basis of the above, Tewkesbury's annual housing need figure is set to increase markedly from 10 December 2022, leading to a substantial shortfall in delivery based on the Council's own trajectory set out in its August 2022 statement. The standard method, as per the PPG, indicates a new annual housing need figure for Tewkesbury of 569 dwellings per annum, which equates to 2,845 dwellings over five years. This becomes 2,987 dwellings once the 5% buffer is applied, a target very significantly greater than the Council's trajectory of 2,055 dwellings.

5.13. This means that in practice the Council will effectively be determining this application in a land supply environment in which the Development Plan policies most important for determining the application, including JCS Policies SD2 and SD10, will be imminently out of date, even if the Council's most recent position on land supply is to be accepted untested. Notwithstanding this, there is a need to have regard for the land supply position at the point of determination, not the point of submission. Therefore the appropriate course of action for the Council will be to determine this application in the context of a land supply position established by the standard method, not the August 2022 statement.

5.14. Given the timing of the August 2022 release, the applicant reserves the right to submit further information in respect of the most recent supply assessment. However, an initial consideration indicates that assessment is not sufficiently robust to meet the NPPF tests.

5.15. As such, the most important Development Plan policies must be considered to be out of date, and the presumption must be considered to be in effect. Paragraph 14(a) of the Framework dictates that where a neighbourhood plan became part of the development plan more than two years before the date on which a decision is made then the adverse impact of allowing development that conflicts with that neighbourhood plan cannot be said to outweigh the benefits of the development. This is the case for the ANDP which, was adopted in July 2018, and as such the benefits of the Proposed Development must be given appropriate weight

5.16. Consequently, the conflict with the approach to development in the Development Plan falls away, and the location of the site in a designated service village should be recognised as suitable in principle as a sustainable location for growth.

Housing Mix

5.17. On the basis that the proposed total housing delivery will be 56 dwellings, the 40% affordable housing required by JCS Policy SD12 and TBP Policy RES12 equates to 22.4 dwellings to be provided. In agreement with the Council, and in accordance with RES12

requirement to round to the nearest whole unit, the scheme proposes to deliver the full 22 dwellings on site and make a commuted payment in lieu of the residual 0.4 of a unit. The scheme will therefore accord with SD12 and of RES12.

5.18. The proposed housing mix responds to the JCS Policy SD11 and TBP Policy RES13 requirement to “provide an appropriate mix of dwelling sizes, types and tenures”. The development will provide a total housing mix as per Figure 5.1 below:

Figure 5.1 Total Proposed Housing Mix

Bedrooms	Typology	Quantity
1 bedroom	Maisonette	4
2 bedroom	House	16
3 bedroom	House	19
4 bedroom	House	14
5 bedroom	House	3

5.19. All units will meet Nationally Described Space Standards (NDSS) as per TBP Policy DES1, and each affordable unit of the proposed development will be delivered as accessible and adaptable dwellings as per Regulation M4(2) Category 2, in excess of the minimum 50% requirement set out in TBP Policy RES13. Additionally, both ground floor maisonettes will be delivered as wheelchair user dwellings as per (Regulation M4(3) Category 3), in accordance with the RES13 requirement.

5.20. For the reasons given, the proposed housing mix of the scheme delivers an appropriate mix of dwelling sizes, types and tenures in order to contribute to overall housing mix in Alderton, supporting balanced communities as per JCS Policy SD11.

Design, layout and appearance

5.21. A hallmark of Backhouse's developments is the bespoke design of each scheme as a design response to the specific context of an individual site. The proposed scheme exemplifies this design-led approach, seeking to carefully respond to the prevailing characteristics of the village's historic core to integrate into, and complement, the existing built area. See the accompanying Design and Access Statement for a detailed account of the evolution of the design process for site in response to the village's prevailing character features. A design which responds positively to the character of the area is a key component of JCS Policy SD4, and the proposed development is in full accordance with this principle.

5.22. In addition to ensuring movement by sustainable transport modes within the village is prioritised, in accordance with JCS Policy SD4, the design and layout of the site addresses two of the main reasons for refusal in the previously refused scheme at the site.

5.23. In the 2015 appeal decision, which proposed only a single point of access for both vehicles and pedestrians along the route of the existing farm track, the Inspector found that the "nature and form of the proposed access would not achieve inclusive design having regard to the wider area and would do little to integrate itself with the existing development of Alderton". He also found that the narrow and linear form of the proposed access at the time would lead to headlights of vehicles exiting the site shining directly onto the front elevation of No.37 Willow Bank Road.

5.24. The design of the proposed scheme addresses both of these issues. Firstly, by opening up a secondary access to Willow Bank Road via the demolition of No.74 Willow Bank Road, the scheme much more actively engages with the existing settlement and does not simply 'hide' behind the existing row of dwellings. Secondly, the issue of headlight glare is addressed as the

wider vehicular access road means a less linear alignment can be delivered, avoiding sustained glare in any one direction. The additional separation distance between the junction with Willow Bank Road and existing dwellings on the opposite side of the road at Fletcher Close (in relation to the distance from the farm track to No.37 Willow Bank Road) also helps mitigate any issues of headlight glare.

Access and movement

- 5.25. The scheme seeks to maximise pedestrian and cycling connectivity within the site and to external services within the village, as per TDP Policy TRAC1. This will be achieved via the creation of a walking and cycling-only access point to Willow Bank Road at the north east of the site, taking advantage of the existing farm track currently in place. This will give pedestrians and cyclists an opportunity for segregated access to and from the site should they wish, though pedestrian access will also be provided alongside the proposed vehicular access at the south east of the site via a raised footpath.
- 5.26. The necessary infrastructure to deliver a further pedestrian-only access point will be provided at the north of the site, offering connectivity to the village allotments if desirable. It is recognised from dialogue with the Parish Council that there are some reservations amongst Parish Councillors as to the merits of this third access point. However, we consider that maximising accessibility to a key village amenity is consistent with the stated community priority of encouraging integration of new residents into village life both in terms of physical connectivity and social interaction.
- 5.27. The accompanying Transport Statement (TS) finds that the development can demonstrate suitable walking opportunities to local amenities and that the development site itself can be suitably and safely

- 5.28. The accompanying Transport Statement (TS) finds that the development can demonstrate suitable walking opportunities to local amenities and that the development site itself can be suitably and safely accessed by all users. As such the proposal is compliant with the requirement of TBP Policy TRAC1 in relation to contributing to towards creating and enhancing pedestrian routes.
- 5.29. TBP Policy TRAC2 requires that development proposals demonstrate that cycle infrastructure has been a fundamental consideration to the scheme's design, proportionate to the scheme's scale. In this context, the proposed development delivers cycle parking at each dwelling, in line with Gloucestershire County Council's requirements and consistent with the requirements of the Manual for Gloucestershire Streets 2021 (MfGS). The accompanying TS finds that the proposal delivers and appropriate level of cycle parking, and is in accordance with TRAC2.
- 5.30. The proposed development delivers a total of 99 car parking spaces, of which 97 are allocated and two are for visitors. As per the accompanying Transport Statement (TS), parking provision exceeds the amount required by the MfGS. The proposal also includes a total of 32 garages, though these are not included within the overall calculation of parking provision on the basis that they could be converted to different uses in future. Each dwelling will be provided with an on-plot electric vehicle charging point, as required by TBP Policy TRAC9. On the basis of the above, the proposed development is in full compliance with TRAC9, as evidenced in the accompanying TS.

Community cohesion

- 5.31. It is noted that in the 2015 appeal decision to refuse permission for a previous scheme at the site, the Inspector found that the proposal at that time would cause harm to the social well-being, community cohesion and therefore to some degree the vitality of Alderton. This position has evolved in subsequent years and we consider that the 2019 Cala Homes appeal decision at Land Parcel 0088, Willow Bank Road, Alderton provides the more appropriate context in this regard.

5.32. In the 2019 Cala Homes appeal decision, the Inspector concludes that, notwithstanding the misgivings of some residents about whether an influx of new households could be successfully integrated into the village, the evidence pointed to a need for additional custom for the local shop and additional pupils at the village school.

5.33. The Inspector additionally found that “perceptions of negative social impacts associated with a new residential population at the village edge will dissipate”. It is strongly considered that this principle continues to apply in relation to the proposed development, and indeed, that the weight attributable to the increased user base for village services should be greater given the greater scale of the proposed development relative to the Cala appeal scheme.

Ecology

5.34. The accompanying Preliminary Ecological Appraisal (PEA) identifies that the existing features of greatest ecological value on site are the boundary hedgerows and areas of dense scrub and occasional trees running through the centre of the site. The majority of the site consists of species-poor grassland fields of low ecological value (with some limited potential as foraging habitat for species such as birds, bats and hedgehogs); which is the main focus of the developable area.

5.35. The scheme designs wildlife into the site and seeks to deliver a net gain in biodiversity, in accordance with TBP Policy NAT1. It is proposed that this could be achieved through the delivery of features including an orchard, wildflower planting, enhanced boundary planting and the provision of boundary hedgerows for the majority of units on site. However, it is acknowledged that there can be challenges associated with delivering a net gain in biodiversity at some greenfield sites. Should an on-site net gain prove technically unfeasible, a robust off-site compensation scheme will be explored in collaboration with the Council.

5.36. The majority of existing trees and hedgerows will be retained and protected, including the substantial dense scrub and apple trees feature running through the centre of the site. However, localised and limited adverse effects in relation to the root protection areas of two trees at the south of the site may be unavoidable due to the necessary alignment of the new access road. All efforts will be taken to minimise harm where possible.

Landscape

5.37. The Cotswolds Area of Outstanding Natural Beauty lies immediately to the north of the village, and much of the village as a whole falls within its setting. However, it is notable that the site's sensitivity in relation to the AONB is low by virtue of its location at the south west of village, meaning views towards the site from the AONB are read in the context of the existing built area of the village in the foreground.

5.38. The accompanying Landscape and Visual Impact Assessment (LVIA) does not identify potential for harm to the AONB or its setting as a result of the development. The relatively recent residential scheme at Beckford Road has extended the footprint of the village to the west, and ensures that the location of the proposed scheme presents as a rational extension to the village and does not appear isolated or prominent at the settlement edge.

5.39. Additionally, the site has good existing planted screening which will serve to filter long and short views in from most directions, and the retention of the substantial central scrub and tree belt within the site breaks up the massing of the scheme in views which do penetrate into the site.

5.40. Notwithstanding the above, the accompanying LVIA identifies the western boundary as being sensitive to visual impacts in relation to one public right of way and landscape character impacts. The proposals seek to respond to inward views through the siting of 1.5 storey units at the sensitive north west of the site to provide a clear 'step down' in massing towards the open countryside beyond, whilst responding more generally through the landscaping, massing, arrangement and materiality of the proposed development.

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5.41. Retained and enhanced boundary planting will help the development integrate into its landscape and townscape setting. However, it is recognised that when trees and hedgerows are in winter canopy the degree to which the scheme may be visible in longer views may be slightly greater and there could be potential for very minor adverse visual and landscape effects in relation to the western boundary of the site. Overall, however, the proposal is considered to be an appropriate response to its setting, demonstrating sensitive design, siting and landscaping in accordance with TBP Policy LAN2.

Historic Environment Statement

Introduction

5.42. This Historic Environment Statement identifies the historic environment baseline at the proposed development site and considers the potential for effects in relation to this baseline as a result of the proposed development.

Baseline

5.43. Useful baseline context is provided by the Council's 2014 decision notice (ref 14/00747/OUT) and subsequent appeal decision (ref APP/G1630/W/15/3003278) in relation to the previously refused scheme at the site. Neither the decision notice nor the Inspector's Report identify any sensitivity in relation to designated or non-designated heritage assets.

5.44. However, to enable an assessment of this proposal on its own merits the baseline position is considered below.

Designated heritage assets

5.45. There are a total of 16 Grade II listed structures in Alderton, as well as the Grade II* listed Church of St Margaret of Antioch. Spatially, these assets form a broadly linear grouping along Beckford Road and School Road, with additional small clusters along Blacksmiths Road and Church Road.

5.46. The village does not have a conservation area, perhaps reflecting that there is no clear prevailing or cohesive historic character running through the village's designated assets. Beyond the historic core the village is of more modern character, reflecting the pattern of growth over the 20th century.

5.47. No other designated heritage assets are evident in the immediate vicinity of Alderton, though the Grade II listed Toddington Manor Registered Park and Garden lies around 2km to the east of the settlement.

Non-designated heritage assets

5.48. The Tewkesbury Local List identifies a number of locally designated assets. These comprise several features at Lower Farm at the south east of the village, three pillboxes dating from World War II at various locations in the village and a single milestone on the B4077.

5.49. The Gloucestershire Historic Environment Record (HER) includes a number of 'find sites' across the parish ranging from features such as possible ridge and furrow earthworks to flakes and shards of medieval pottery. There is no specific evidence of archaeological sensitivity at the proposed development site, though it is noted that the HER includes neolithic features discovered at the Beckford Road development site in 2015. Given the proximity of the Beckford Road site to the proposed development site there could be potential for similar features to be present.

Assessment

5.50. It is apparent that the proposed development site has very low baseline sensitivity in relation to the historic environment. The site is distant from the settlement's historic core and far outside the setting of any of its designated and non-designated assets. The prevailing character of the southern extent of Willow Bank Road is modern and of no historic sensitivity. The site's immediate character is therefore most strongly influenced by the adjacent mid and late-20th century development..

5.51. On the basis of scattered 'find sites' across the parish there could be limited theoretical potential for below ground archaeology, though no specific evidence indicates this is the case at the site.

Conclusion

5.52. As a result of the site's very low baseline sensitivity there are no adverse effects anticipated from the proposed development in relation to known historic environment assets. There could be potential to take a watching brief in relation to potential archaeology on site.

Air Quality Assessment

Introduction

5.53. The Planning Practice Guidance (PPG) sets out that Air Quality Assessments (AQA) must be proportionate to the nature and scale of development proposed and are likely to be locationally specific because of this. With this in mind, the scope of this assessment is established through analysis of the baseline air quality conditions below. An assessment of impacts in relation to this baseline then follows.

Baseline

Vehicle emissions baseline

5.54. There is a need for new development to avoid adverse effects from emissions associated with combustion engines in vehicles, such as particulate matter (e.g. PM₁₀) and nitrogen dioxide (NO₂). The key strategic receptors in this regard are Air Quality Management Areas (AQMAs) which are declared in relation to sustained exceedances of harmful airborne substances. The nearest AQMA is at Tewkesbury town centre which is distant from the site.

5.55. It is recognised that whilst AQMAs are the key strategic air quality receptors, there can be potential for localised air quality effects from queuing and stationary traffic, even where the baseline air quality position does not include exceedances of harmful substances. These can be associated with road features which halt the flow of traffic, such as roundabouts and signal-controlled junctions, particularly at peak hours.

5.56. At Alderton, traffic survey data in the accompanying Transport Statement indicates that traffic flow is low on Willow Bank Road. An average AM peak flow of just 96 vehicles was recorded southbound towards the key junction with the B4077 (i.e. the main road access to higher tier settlements) and an corresponding peak PM average of just 75 returning northbound vehicles was recorded. This is consistent with the character and location of the village, which does not support through-traffic to other settlements.

Sensitive habitats baseline

5.57. There is also a need to ensure that new development does not lead to adverse air quality effects in relation to sensitive habitats. The PPG is not definitive as to the nature of 'sensitive habitats' in relation to air quality, though it does indicate that these will include designated sites of importance for biodiversity. Such sites include:

- European designated sites, including Special Areas of Conservation (SACs) and Special Protection Areas (SPAs);
- Sites of Special Scientific Interest (SSSIs);
- Locally designated sites, such as Local Wildlife Sites and Local Nature Reserves.

5.58. In light of the above, the baseline sensitivity of the site in relation to air quality effects at sensitive habitats is low. There are no designated biodiversity sites in the immediate vicinity of the site itself or the village as a whole. It is noted that at the far north of the parish near the summit of Alderton Hill lies Alderton Hill Quarry SSSI, whilst at the far south west on the eastern side of Woolstone Hill lies the dual-designated Dixton Wood SSSI and SAC.

Assessment of impacts

Vehicle emissions impacts

5.59. For reasons of distance it is considered that there is no meaningful potential for traffic generated by the proposed development to adversely impact the Tewkesbury Town Centre AQMA.

5.60. The accompanying Transport Statement models traffic generation from the site and models the site's junction capacity with Willow Bank Road. It finds that the junction will operate with no material queues or delays likely even at peak hours.

5.61. The evidence therefore indicates low baseline potential for queuing traffic at the main vehicular entry and exit point of the village, i.e. the junction of Willow Bank Road and the B4077, and low potential for queuing traffic at the junction of the site access road itself and Willow Bank Road.

5.62. Consequently, it is considered that there is no meaningful potential for adverse effects from vehicle emissions in relation to strategic receptors or localised receptors arising from the proposed development.

Sensitive habitats impacts

5.63. There are no designated biodiversity sites within or adjacent to the proposed development site. For reasons of distance and topography, air quality impact pathways to the more distant identified biodiversity sites at Aylestone Hill Quarry and Dixton Wood are likely to be negligible. Consequently, the proposed development has no potential in practice for adverse air quality effects in relation to sensitive habitats.

Construction phase impacts

5.64. Standard industry practices such as Construction Environmental Management Plans and Dust Management Plans will ensure that dust generation during the construction phase is minimised and that fugitive emissions of dust are avoided.

5.65. These same practices will also ensure that air quality impacts associated with construction vehicles are minimised, e.g. through capping the hours of operation and by ensuring construction vehicle movements do not exceed a reasonable level over a given time horizon.

Cumulative effects

5.66. There is a need to consider the potential for cumulative effects from the proposed development in combination with existing and proposed development nearby. The 2011 census recorded 308 households in Alderton, though there have been several developments in the intervening period and the total number of households will reach around 400 once the recently-allowed Cala Homes

scheme at land south of Fletcher Close is built out (as per the figures presented in the 2021 Cala Homes appeal decision APP/G1630/W/20/3259637). In this context, the proposed development of 56 dwellings represents a modest addition. On the basis that the proposed scheme's trip generation is forecast to be low in absolute terms and that this is set against a baseline position of good air quality, it is apparent any cumulative air quality effects will be negligible.

Conclusion

5.67. Overall, the baseline position of the site itself and of Alderton more broadly is one of good air quality. This reflects the site's edge-of-settlement location and the settlement's location away from areas of the Borough where exceedances of substances including PM₁₀ and NO₂ are

5.68. This assessment and the evidence which accompanies the application for full planning permission indicates that the proposed development is not expected to give rise to significant adverse effects in relation to this baseline air quality position either in isolation or in combination with existing and approved development nearby.

6. Planning Balance

- 6.1. As set out in Section 5 of this Planning Statement, it is contended that in most respects the proposed development is in general accordance with the requirements of the Development Plan. Nevertheless, the proposed site lies outside the defined settlement boundary of Alderton and is not proposed for allocation in the JCS, the Tewkesbury Borough Plan or Alderton Neighbourhood Development Plan. Consequently, the proposal does not accord with the Development Plan when read as a whole.
- 6.2. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires all planning applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise. The NPPF is a key material consideration, and paragraph 11(d) of the NPPF is clear that a presumption in favour of development is engaged where the policies which are most important for determining an application are out-of-date, meaning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies of the NPPF as a whole.
- 6.3. Even taken at face value, Tewkesbury's current 5.09 year housing land supply will be rendered out of date in early December 2022 once the standard method supersedes the JCS as the basis for calculating housing need in the Borough. At this point it is apparent that the Council's housing land supply will slip back to its long term position below the five years required by the NPPF. Consequently, it is clear that a matter of days after the end of the determination period for this application, paragraph 11(d) of the NPPF will become engaged and the relevant policies of Development Plan must be considered to be out of date, triggering the presumption in favour of sustainable development. Applications should be determined in relation to the land supply position at the time of determination, not submission. As such the Council must reflect the imminent shortfall in supply in its determination of this case and determine the proposal in the context of the standard method for calculating housing need, not its recently contended short term land supply position.
- 6.4. In light of the imminent housing land supply shortfall, and the ongoing pressing need for additional homes, including affordable homes, it is incumbent on the Council to take a positive approach to dev-

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elopment by increasing supply. The delivery of these homes, supported by a high quality medium-sized housing developer, will make a major contribution in the short term and well within 5 years.

- 6.5. As per Section 5 of this Planning Statement, it is considered that the benefits of the proposed development significantly and demonstrably outweighing the adverse effects of the proposal. Weighing in favour of the proposal is the delivery of much needed new housing which attracts substantial weight, the delivery of affordable housing at full policy compliance which also attracts substantial weight, and the contribution to the local economy and vitality of the village which attracts moderate weight.
- 6.6. Weighing against the proposal is limited harm to the root protection areas of two trees on site, which attracts limited weight, and very limited residual visual and landscape harm at the western boundary of the site which also attracts limited weight.
- 6.7. Consequently, in light of the above it is apparent that overall the material considerations indicate a decision other than in accordance with the Development Plan, i.e. a grant of permission.