

INTRODUCTION and CHAPTER 1 - THE LOCAL PLAN STRATEGY

General Responses to the Plan and its Strategy

Objections

6/51975	Barratt Bristol
6/51982	Barratt Bristol
44/70530	Federal Mogul
175/51400	Hallam Land Management
249/52660	Mr D Eldridge
291/53173	Mr A S Goodenough
313/51915	The House Builders Federation
811/70361	Forestry Commission
811/70364	Forestry Commission

Supporting Statements

44/51284	Federal Mogul
44/51286	Federal Mogul
44/51313	Federal Mogul
72/50312	Mr G R V Ashworth
75/50436	Mrs E Brown
175/51399	Hallam Land Management
313/51807	The House Builders Federation
313/51811	The House Builders Federation
315/50876	Robert Hitchins Limited
315/50939	Robert Hitchins Limited
343/50970	Country Landowners Association
707/50487	Royal Society for the Protection of Birds
830/70560	Highways Agency
848/70555	Tidenham Parish Council

Issues

- a. Confusion over several meanings of the title ‘Forest of Dean’.
- b. The need for an index and other improvements to the Plan documents and the cost of their preparation.
- c. Consideration of mining history.
- d. Sustainability Appraisal and Environmental Appraisal.
- e. Alleged over-concentration of development in the four main towns.
- f. Alleged bias against development in Newent.
- g. Consideration of the National Agenda for Woodland.
- h. Concern over effective monitoring and review of the performance of the Plan.

Reasoning and Conclusions

1.1 Where these objections are specific to certain sites, they are considered in connection with the appropriate chapter of Part 2 of the Plan.

‘Forest of Dean’

1.2 In my opinion there is confusion between the several different uses of the term ‘Forest of Dean’ in the Plan. For example, it is only necessary to proceed as far as paragraph 6 of the Introduction in Part 1 to find conflict between ‘Forest of Dean’ as an

abbreviation of the name of the administrative district and the definition in the Glossary of Terms at Appendix G, which refers to the ‘woodland area’.

- 1.3 I consider that the best way to resolve this difficulty is for the expression ‘Forest of Dean’ always to be qualified by more than its context. That is, by the consistent and rigorous use of explicit titles such ‘Forest of Dean District’, ‘Statutory Forest’ or ‘Forest Enterprise area’, as appropriate. I make no more specific recommendation, but the Council should, in reviewing the Plan in the light of this report, bear in mind the broad need for greater clarity in this respect, and to set out in the Glossary full definitions of all terms chosen which have a particular meaning. [That is not to say that achieving that kind of consistency is an easy task - I have tried to be consistent in this report but probably not with complete success!]

Index, Textual Improvements and Cost

- 1.4 Objection 291/53173 raises in some detail a range of valid concerns about documentary presentation and the use of English. The Council should take these into account in modifying the Plan for adoption. If possible, an index should be included, but I do not regard that as essential due to the subdivision employed within the Plan documents, so that it is not difficult to locate a particular policy via the lists of contents. The use of miles and kilometres should follow established conventions with respect to the use of numerals and the distinction between road distances in miles and descriptive text in terms of kilometres.
- 1.5 I do not concern myself directly with the cost of the documentation. However, Parts 1 and 2 are certainly highly repetitious of some of the Plan’s basic messages. For example, references to overall strategy in Part 1, Chapter 1 are repeated in both later Part 1 chapters and in the individual settlement chapters of Part 2. This has implications for the efficiency, and thus the public cost, of the Plan preparation process, not least the time to deliver this report, the subject of the Council’s own concern expressed after the Inquiry. However, I do not think it would serve any useful purpose at this late stage to recommend radical re-presentation of the Plan, and I focus primarily on examining objections to the content of the policies and their supporting text.

Mining History

- 1.6 Concern is expressed that previous mining under potential development sites gives rise to a danger to public safety. This is material to the deliverability of land in accordance with the Plan but is addressed broadly in the allocation process and is a matter for separate building control legislation in any event. I do not see a need for particular modification of this strategic Chapter in this connection.

Sustainability Appraisal

- 1.7 The text at para 1.13, referring to environmental impact, is not directly relevant to its context under the sub heading of Sustainable Development and should be deleted. The Council should consider whether the content of para 1.13 should be relocated elsewhere in the Plan.

Other Matters

- 1.8 I examine the respective total development allocations for Newent and the other three largest towns of the District below, in connection with policies (R)F.Strategy 1 and 7. I consider a reference to the National Agenda for Woodland, requested by the

Forestry Commission, below in connection with Chapter 8 on the Natural Environment, and I consider matters of Plan monitoring and review in connection with Chapter 10 of Part 1.

Recommendation

- 1.9 **I recommend that Paragraph 1.13 be deleted and that the Council consider whether its contents should be included elsewhere.**
- 1.10 **I recommend that the whole Plan be reviewed to achieve consistent and correct terminology and use of English, especially in the qualified use of the title ‘Forest of Dean’ to clarify its various meanings, including the addition to the Glossary of Terms at Appendix G of appropriate definitions of each expression used in the final text.**

Policy (R)F.Strategy 1 – Development to Assist Revitalisation

Objections

5/51559	Swanhill Homes Limited
5/51561	Swanhill Homes Limited
5/51569	Swanhill Homes Limited
6/51968	Barratt Bristol
36/52012	Three Counties Planning Consultancy
44/51287	Federal Mogul
64/50805	Mrs A Paskell
89/50785	Mrs P E Ballinger
108/50776	Mr P A & Mrs A N Bennett
124/50796	Mr P & Mrs J Blewitt
128/53030	Mr R Bonser
168/50759	Mr P H S Carr
191/50773	Mr R & Mrs P Colquhoun
227/52559	Mr R Dawson-Marsh
249/52658	Mr D Eldridge
288/70262	Gloucestershire County Council
301/50782	Mr J Griffiths
312/51506	Government Office for the South West
329/50809	Mr & Mrs Head
359/51202	CPRE Forest of Dean
359/51203	CPRE Forest of Dean
419/50779	Mrs Lardner
434/52195	Mr & Mrs Marcus
488/51216	Friends of the Earth (Forest of Dean)
488/70726	Friends of the Earth (Forest of Dean)
497/52887	Mr F O'Leary
497/52914	Mr F O'Leary
598/52944	Mr E Simpkin
622/51111	Mr A Stephens
627/50818	Mrs O M Stephens
674/50813	Mr R Virgo

Supporting Statements

41/51006	Countryside Agency
175/51401	Hallam Land Management
315/50878	Robert Hitchins Limited
847/70739	Mr J Kendrick

Issues

- a. Overall housing and employment provision.
- b. Site-specific matters.
- c. District economic structure including levels of unemployment and commuting to work.
- d. Priority re-use of brownfield sites.
- e. Legal availability of Statutory Forest land.
- f. Quality of the District’s landscape, especially its extensive woodland areas.
- g. Groundwater protection.
- h. Clarity of need for sustainable development to assist revitalisation and its means of achievement.
- i. Distribution of development.
- j. Developer contributions.

Reasoning and Conclusions

1.11 I deal here only with the subject matter of policy (R)F.Strategy 1, namely the principles of the overall level of housing and employment land allocations, their broad distribution around the District and the general question of developer contributions. The strategic distribution of allocations between the North and South of the District is covered in connection with policies (R)F.Strategy 6 and 7. The allocation of development between towns and other settlements is mainly the subject of Chapters 2 and 3 of Part 1 on housing and employment. Site-specific matters are the subject of the individual settlement chapters of Part 2.

Overall Provision

1.12 Objectors to the overall housing and employment provisions of the Plan raise a number of general issues related to whether the stated strategic requirements of Regional Planning Guidance and the County Structure Plan can or should be met, or in the case of employment land exceeded, in the Forest of Dean District. These issues call for consideration of the economic structure of the District, including levels of unemployment and commuting to work; the priority accorded to the re-use of previously developed land; the legal availability of Statutory Forest land and the quality of the District landscape, especially its extensive woodland areas. The broad aspects of groundwater protection were also raised in this connection.

Economic Structure

1.13 The adopted Gloucestershire Structure Plan provides for some 6950 dwellings and 75ha of employment land in the District between 1991 and 2011. The Structure Plan records in Table 4 that 11.4ha of employment land had already been completed in the Forest of Dean by mid 1999 and that there were then commitments for a further 42ha, some of which have since lapsed. This Revised Deposit Local Plan aims to meet the housing figure but to allocate over 84ha employment land. This includes some previous commitments. Nevertheless there would be a significant over-supply of employment land, by comparison with the Structure Plan figures, should all the allocations be implemented. However this position of over-supply is supported by the

County Council in the interest of revitalising the South Forest in particular. Neither has the County Council opposed additional employment allocations which were proposed by the Council as Pre-Inquiry Changes. In the Employment Chapter I summarise recommended minor changes to the overall supply of employment land.

- 1.14 The unemployment rate in the Forest of Dean District is currently lower [near to 3%] than in the urban areas of Cheltenham and Gloucester [over 4%]. I acknowledge evidence that the scale of the employment allocation within the Land East of Lydney allocation took account of an expected increase in service employment elsewhere in the town because of the increased population. However the Plan does not make explicit reference to this and other potential minor additional sources of employment both by small-scale employers and through the conversion of existing premises. Thus, on the face of it, there is no justification in the Plan for deliberately enhancing the level of employment allocations a proposed solely on the grounds of land supply and employment demand.
- 1.15 To that extent, I find the basic quantitative aims of the Plan to be substantially aspirational. It seems to me that there is a significant danger of new housing proceeding ahead of employment provision in response to property market forces. That may in turn lead to an unsustainable increase in out-commuting between homes in the District and City jobs outside the District if the uptake of employment allocations fails to materialise. Justification can only be found in a strong policy link between residential and employment developments to ensure their co-location and also to the provision of additional employment in settlements which currently experience a high level of out-commuting. I return below to the question of how the distribution of such development can be controlled within the District.
- 1.16 Nevertheless, and subject to policy restraint aimed at ensuring a reasonable likelihood that new and existing residents will find employment near their homes, I have seen no quantitative evidence sufficient to override the strategic support for the overall numerical provisions of policy (R)F.Strategy 1.

Previously-Developed Sites

- 1.17 Careful consideration must also be given to whether the frequent allocation in the Plan of greenfield land for new development is properly justified. In particular, regard must be paid to the sequential test for the selection of housing sites that is advised by the Government in PPG3 ‘Housing’. Broadly I am satisfied that the Plan properly seeks to make use of previously-developed land where it is available. Such land was identified in the Council’s Urban Capacity Study before the Revised Deposit Plan was published. However, I consider the same point in relation to individual sites as part of the balance of factors for and against their inclusion. A suggestion that the availability of previously-developed land in neighbouring districts should be a factor in determining the total provisions of this Plan is understandable; but such comparisons would not be a practical means to establish respective District provision, which has already been subject to Regional and Structure Plan assessment.

Statutory Forest

- 1.18 My consideration of the question of whether sites for development should be allocated within the boundaries of the Statutory Forest of Dean is set out under the heading of the Cinderford Northern Arc at the beginning of Chapter 2 of Part 2, as it was mainly in that connection the matter was examined at the Inquiry. This issue is still possibly

subject to future legal proceedings. I have found that, for the time being, it remains inconclusive. There is therefore potential for the delivery of such sites to be impeded, the policy priority to redeveloping brownfield land notwithstanding.

- 1.19 The possible legal impediments to developing employment allocations in the Statutory Forest add further weight in favour of the overall employment allocations exceeding the Structure Plan employment land requirement. Clearly, once resolved, the matter of Statutory Forest status will be an important consideration in a future Plan review.

Landscape Quality

- 1.20 Another broad objection to the totality of the Plan’s allocations is founded on the further unresolved issue of the landscape designation of the Forest of Dean and in particular whether the area would be designated as an Area of Outstanding Natural Beauty or accorded any other national designation. I ruled against deferment of the Inquiry pending determination of this matter in the wider interest of making timely progress in Plan preparation, in order to guide necessary development across the District as a whole. I deal with landscape protection under policy (R)FNE.2 and it is an interest of importance in my deliberations on many individual allocated sites of the Plan. However, despite, I have not found evidence elsewhere of such potential harm to the District’s landscape as to question the Plan’s total development provisions.
- 1.21 At the same time the question of landscape designation is another factor to be placed on the agenda of a future Plan review, once the area’s final status is decided on the basis of current work in progress by the Countryside Agency.

Groundwater Protection

- 1.22 Members of the local community familiar with the mining history of the Forest, are concerned about potential groundwater problems due to the location of the water table in relation to former mineworkings. The effects of groundwater on development, or vice versa in terms of pollution, are material planning considerations. There is no doubt that a broad-based hydrogeological study would be of great benefit to the planning of development. If specific and compelling evidence were to show that a particular site should not be developed, it could be deleted from the Plan. However, I am not persuaded by the information before me of any need to amend the Plan’s overall development provisions due to the presence of groundwater or the interests of groundwater protection.

Overview

- 1.23 I conclude that the overall numerical provisions of policy (R)F.Strategy 1 should stand. However, it is not easy to find a direct and clear definition of the end dates of the Plan by scanning the extensive introductory text. Accordingly, this fundamental strategic provision needs to be specifically tied to the period in question to avoid further confusion. Throughout several documents, repeated reference is made to the ‘Plan Period’ with no indication of what it is. Therefore the start and end dates of 1991–2011 for the period of provision of the amount of development nominated should appear in the policy. This would especially avoid confusion when this provision is used to derive the requirement for allocations in later chapters.

Distribution of Development

- 1.24 I now consider, in the broad terms of policy (R)F.Strategy 1, the way in which the Plan should direct the distribution of new development across the District. I deal with the different approaches to the North and South Forest below under policies (R)F.Strategy 6 and 7. More detailed aspects of this consideration are necessarily part of my assessment, in Part 2, of individual towns and smaller settlements.
- 1.25 The Plan essentially follows the adopted County and Regional strategy to focus new development mainly on the four largest market towns of the District: Lydney, Cinderford, Coleford and Newent. Some objectors, anxious to protect Statutory Forest and landscape interests, propose that an even larger proportion be located in Lydney than is presently proposed. Certainly Lydney is better located on the A48 and the railway, and closer to the major centre of Gloucester, as well as lying away from the main woodland area. At the same time, it is an objective of the Plan to avoid out-commuting and to create balanced communities throughout the Forest.
- 1.26 I conclude, in connection with the major allocations East of Lydney under policy (R)F.Lydney 1, that the deliverability within the Plan period of all the development already allocated in the Revised Deposit Plan is open to question. It follows that no more development could practically be placed there in the context of this Plan. Moreover, it would be wholly inappropriate and backward looking to resist all significant development in settlements other than Lydney, without properly assessing the balance of harm and benefits.
- 1.27 A key tool in the control of development across the District wide is the use of Defined Settlement Boundaries to perform the vital role of preventing unwarranted urban expansion, especially into valuable landscape. However, I recognise that, despite a greater identified need for development since the present Local Plan was adopted, very little change is proposed in this Plan to settlement boundaries, apart from certain substantial urban extensions.
- 1.28 Moreover, whilst less than half the urban population of the District live in the four main towns, only a small percentage live outside any of the settlements formally defined by the Plan. Furthermore, some of the lesser settlements are themselves quite substantial, having a commensurate range of community facilities. I have taken care to bear in mind these factors in assessing the many objections to the inclusion or omission of land for development, throughout the Plan and this report. Even so I have not formed any impression on the evidence before me to persuade me that the Plan should make any radical departure from its strategic approach. I conclude that the allocation of new development primarily to the four main towns as proposed in policy (R)F.Strategy 1 is appropriate.
- 1.29 Nevertheless, that is not to say that the total amount of new development allocations in the Plan or more particularly their location and apportionment in and between settlements, is necessarily the right option. I deal in detail with these matters in connection with other general policies of Part 1, as well as individual sites within each settlement chapter of Part 2.

Developer Contributions

- 1.30 It is a clear provision of national policy that development make necessary, relevant contributions to infrastructure and facilities, where the need for them is directly related in scale and nature to its effects, in line with Circular 1/97. In that sense it is

barely necessary to recite that provision in a Local Plan policy. It does however, assist the Plan to stand alone, and to make clear the approach of the Plan to achieving the strategic revitalisation objective. The Revised Deposit wording does no more or less than restate the proper principles concerning appropriate contributions and I find no objection to its retention. However, the Voluntary Changes [LPD75] making contributions a clear requirement of policy (R).Strategy 1 [subject to the tests of Circular 1/97], as opposed to merely being sought, improve the clarity of this provision.

Recommendation

- 1.31 **I recommend** that policy (R)F.Strategy 1 be modified by deleting ‘over the Plan period’ and substituting ‘between 1991 and 2011’ in the first sentence and by deleting ‘sought’ and substituting ‘required’ in the second sentence.
- 1.32 **I recommend** that Paragraph 1.30 be modified by deleting ‘sought’ and substituting ‘required’ in both the second and third sentences.

Policy (R)F.Strategy 2 – Sustainable Development Requirements

Objections

5/51468	Swanhill Homes Limited
36/52013	Three Counties Planning Consultancy
49/51552	Westbury Homes Holdings
51/51568	Westbury & Persimmon Homes
115/50080	Mr A G Biggart
246/51020	Ms P Edginton King
315/70327	Robert Hitchins Limited
486/51189	RAGE
488/51192	Friends of the Earth (Forest of Dean)
598/52951	Mr E Simpkin
663/51772	Tufnell Town & Country Planning
707/50481	Royal Society for the Protection of Birds

Supporting Statements

6/51943	Barratt Bristol
18/50506	English Nature
41/51023	Countryside Agency
175/51402	Hallam Land Management
288/70261	Gloucestershire County Council
315/50880	Robert Hitchins Limited
343/51129	Country Landowners Association
343/51538	Country Landowners Association
634/51228	Gloucestershire Wildlife

Issues

- a. Site specific issues and omission sites including the delivery of major allocations East of Lydney.
- b. The degree to which the policy should prescribe sustainability criteria for all development.
- c. Scope and detailed wording.

Reasoning and Conclusions

- 1.33 I deal fully with issues relating to the major housing and employment allocations on Land East of Lydney and at Hurst Farm in connection with policies (R)F.Lydney 1 and 5, and I discuss omission sites in their respective settlement chapters in Part 2. I confine myself here to assessing the appropriate scope and terms of policy (R)F.Strategy 2, in setting down the broad principles of sustainability in the particular District context.
- 1.34 The extensive text of paras 1.11 to 1.16 and 1.33 to 1.40 explains the application of the principles of sustainability according to PPG1, and related Government publications, in the strategic context of the Forest of Dean District, as established elsewhere in this chapter. However, I question the need to recite Government policy in detail in the Plan and, with that general comment in mind, the Council might consider recasting those paragraphs in a more succinct form, emphasising the aspects germane to the particular nature of the Forest of Dean District.
- 1.35 The text does provide appropriate background to the policy, including reference to the community and social well being that should flow from a properly sustainable approach to new development, both at strategic and development control level. It is not necessary here to mention such matters as landscape designations, as these are the subject of the later specialised Chapter 8 on the Natural Environment.
- 1.36 The policy is rightly limited to primary issues of land use. However, for a general provision it is too prescriptive in tone, setting required criteria for universal compliance. It should rather provide a basis for an overall balance of material factors to be reached in connection with individual development proposals.
- 1.37 Moreover, in Criterion 3 it departs from the accepted parlance of “conservation or enhancement”, which avoids improperly seeking planning gain, and includes instead the term “conservation and enhancement”. The Council accede to this point by way of Voluntary Change 1 [LPD75].
- 1.38 In other respects I find the wording consistent with the established principles of sustainability, subject to rewording to address the foregoing criticisms.

Recommendation

- 1.39 **I recommend that Policy (R)F.Strategy 2 be modified to:**
- Proposals for development will be required to take account of the principles of sustainability, with respect to:**
- 1. minimising energy demands arising from the need to travel**
 - 2. making the best use of existing or proposed infrastructure and services**
 - 3. ensuring the conservation or enhancement of the natural and man-made environment**
 - 4. minimising the use of natural resources**
 - 5. minimising the demands and impacts upon energy and water, and with respect to waste, arising from the construction and occupation of new development**
 - 6. providing for mixed land uses where appropriate.**

- 1.40 **I recommend the Council to consider substituting a more succinct for Paragraphs 1.11 to 1.16 and 1.33 to 1.40, in order to relate the principles of sustainability more directly to the future development of the Forest of Dean District.**

Policy (R)F.Strategy 3 – Priority for the Re-use of Land

Objections

6/70374	Barratt Bristol
25/51917	Chelbury Homes Ltd
25/70138	Chelbury Homes Ltd
36/52014	Three Counties Planning Consultancy
54/70368	Commercial Bank Trust plc
175/51403	Hallam Land Management
291/52953	Mr A S Goodenough
312/51507	Government Office for the South West Gloucestershire
313/51814	The House Builders Federation
359/51204	CPRE Forest of Dean
432/52762	Mr A Maliphant
663/51771	Tufnell Town & Country Planning
842/70792	Prowing Projects Ltd

Supporting Statements

6/51942	Barratt Bristol
707/70010	Royal Society for the Protection of Birds
234/53050	Mr J Mills
288/50736	Gloucestershire County Council
313/51817	The House Builders Federation
315/50883	Robert Hitchins Limited
847/70740	Mr J Kendrick

Issues

- a. Compliance with national housing policy in PPG3.
- b. Potential preclusion of greenfield land.
- c. Definition of practical availability and sustainability of urban brownfield land.
- d. Re-use of agricultural buildings.
- e. The competing requirements to meet planned housing and brownfield redevelopment targets.
- f. Statutory Forest sites
- g. Landscape designation.
- h. Site-specific matters

Reasoning and Conclusions

- 1.41 I agree with the concerns of several objectors that this policy and its text should follow more closely the terminology of national advice in PPG3, especially the definition of previously developed land in Annex C. That definition refers to urban sites both within settlements and rural settings, whilst excluding land that has blended back into the natural landscape. The policy should not preclude greenfield

development where, on the balance of all material planning considerations, its use would be preferable to a brownfield location in any particular case, or where previously developed land is not deliverable to meet planned development requirements.

- 1.42 I consider that these requirements are met in Voluntary Change 2 to policy (R)F.Strategy 3 and text paras 1.41 and 1.42 [LPD75]. However, in para 1.43 there is an unacceptable tension between the stated requirements of revitalisation and the cited 50% brownfield target. I recommend a modification to address this and incidentally improve its flow.
- 1.43 Matters of landscape protection and of rural previously developed sites in the Statutory Forest were also raised in this connection but these are covered respectively in connection with the Cinderford Northern Arc in Part 2 Chapter 2 and policy (R)F.NE2. Site-specific considerations, in particular relating to St Whites Farm, Cinderford, are also covered in the appropriate settlement chapter of Part 2.

Recommendation

- 1.44 **I recommend that Policy (R)F.Strategy 3 and Paragraphs 1.41 and 1.42 be modified in accordance with VC2 of LPD75.**

- 1.45 **I recommend that Paragraph 1.43 be modified to:**

To meet the revitalisation objective of policy (R)F.Strategy 1, a balance will need to be struck whereby necessary residential development takes place but priority is given to the re-use of land, in accordance with the regional aim that 50% housing development takes place on previously developed sites but that land is retained in employment use where necessary. Greater detail is provided on the method of implementing policy (R)F.Strategy 3 in other chapters of the Plan.

Policy (R)F.Strategy 4 – Town Centre Development

Objection

312/51511 Government Office for the South West

Supporting Statement

359/51205 CPRE Forest of Dean

Issue

Good design, accessibility and town centre vitality and viability, with reference to national advice in PPGs 1 and 6.

Reasoning and Conclusions

- 1.46 GOSW objected to the First Deposit version on grounds that, if policy (R)F.Strategy 4 relates to “ proposals that exhibit good design principles, enable accessibility whilst sustaining and enhancing the vitality and viability of town centres”, it should make that clear with reference to PPG1 on General Principles and PPG6 on Town Centres respectively.
- 1.47 In fact, policy (R)F.Strategy 4 does not relate specifically to good design principles. These do not apply merely to town centres and are properly the subject of the broader Built Environment policy (R)FBE.1, to which GOSW did not respond, save to support a reference to good design in text para 6.13.
- 1.48 For reasons of clarity and consistency, it is appropriate that the Revised Deposit version of policy (R)F.Strategy 4 adds a reference to public transport accessibility to town centres, and that text para 1.45 acknowledges national advice in PPGs1 and 6. However, there is no need for the policy itself to quote Government guidance, which applies in any event. Accordingly, I consider that these Revised Deposit modifications fully meet the GOSW objection, and conclude that no further modification is required.

Recommendation

- 1.49 **I recommend no modification to policy (R)F.Strategy 4.**

Policy (R)F.Strategy 5 – Protection of the Environment

Objections

5/51467	Swanhill Homes Limited
36/52017	Three Counties Planning Consultancy
312/51512	Government Office for the South West
431/51108	FFRD (MAFF)
486/51187	RAGE
488/51206	Friends of the Earth (Forest of Dean)
778/70116	Environment Agency
829/70554	Mr B L Fowler

Supporting Statements

18/50508	English Nature
41/51030	Countryside Agency
634/51242	Gloucestershire Wildlife

707/70011

Royal Society for the Protection of Birds

Issues

- a. The degree of constraint imposed by the policy compared with national guidance
- b. The need for the policy in addition to Chapters 6 and 8 on the man-made and natural environment.
- c. Consideration of special landscape quality and designations.
- d. General objection to all development in the Statutory Forest.

Reasoning and Conclusions

- 1.50 The terms of this policy were properly criticised at the Inquiry for going beyond the degree of restraint advised by national guidance in PPGs 7 and 9 on the Countryside and Nature Conservation. These contemplate permitting development with harmful effects where there is an overriding national or public interest. I have seen no evidence that this aspect of Government advice should be set aside in this District. However, that is the unacceptable effect of Revised Deposit policy (R)F.Strategy 5.
- 1.51 In addition to national policy, I take account of Regional Planning Guidance [RPG10] policies EN1 and EN3, which advocate strong protection not only of the landscape but also of the historic environment and archaeology, the latter in line with PPGs 15 and 16 respectively.
- 1.52 Friends of the Earth made an interesting suggestion that the terminology of Biodiversity Action Plans be adopted making reference to cumulative ‘degradation or loss’ suffered by environmental interests. However, it would be more appropriate to adhere to the established PPG phraseology.
- 1.53 In any event, I find merit in the argument that this policy is unnecessary in addition to the provisions of Chapters 6 and 8 on the historic and natural environment; for, in reality, once modified to accord with national policy, it would be no more than a re-statement of the provisions of Chapters 6 and 8, as well as Criterion 3 of policy (R)F.Strategy 2. I understand why the Council and several respondent groups see these matters as deserving strategic recognition. However, the Plan is to be read as a whole and Chapters 6 and 8, with the modifications I recommend, will provide sufficient appropriate protection to Forest, historic, AONB and other landscape interests particular to the District.
- 1.54 I recognise though, that there should be reference to the protection of the natural environment in the strategic context, in view of the individual character and cultural heritage of the Forest of Dean. In fact, I find it remarkable that nowhere in this whole section does the word ‘forest’ occur, even in a general sense, and I see this as an omission that has understandably offended local sensitivities. Notwithstanding that the ancient Forest of Dean itself is not a planning designation as such, and its landscape status unfortunately remains in question, there is no need to circumvent the issue of its protection at this early point in the Plan.
- 1.55 I agree also with the view of Dean Forest Voice that, notwithstanding the provisions of Chapter 6 on the Built Environment, this too should be made the subject of appropriate reference in the Chapter 1 on the Local Plan Strategy. The plain fact is that the District, and the Statutory Forest in particular, has universally recognised

characteristics and cultural features, which must be considered in the application of protective policies.

- 1.56 I consider text para 1.46 and the last sentence of para 1.48 to be unduly repetitious of material elsewhere in the Plan, but that para 1.47, with the Revised Deposit addition, provides an appropriate basis of explanation of the strategic aspect of environmental protection within the Forest of Dean District.
- 1.57 I conclude that policy (R)F.Strategy 5 itself should be deleted and that the accompanying text should be replaced by a more direct explanation of this Plan’s approach to protecting the natural and man-made environment.
- 1.58 My consideration of the separate matter of specific development allocations in relation to Statutory Forest status is set out in connection with the Cinderford Northern Arc at the beginning of Chapter 2 of Part 2.

Recommendation

- 1.59 **I recommend that Policy (R)F.Strategy 5 and Paragraphs 1.46 to 1.48 inclusive be deleted.**
- 1.60 **I recommend that the Council include in the adopted Plan a new section of text entitled ‘Protection of the Natural and Man-made Environment’, based mainly on the Revised Deposit Paragraph 1.47 and explaining in broad terms the particular characteristics of the landscape and culture of the ancient Forest of Dean and the District as a whole and their means of protection by the respective policies of the relevant later specialist chapters.**

Locational Strategy

Policy (R)F.Strategy 6 – Development in the South Forest

Policy (R)F.Strategy 7 – Development in the North Forest

Policy (R)F.Strategy 8 – Development in Villages

Objections – Policy (R)F.Strategy 6

5/51464	Swanhill Homes Limited
6/51939	Barratt Bristol
6/51978	Barratt Bristol
6/70375	Barratt Bristol
12/52386	Walker Stuart Planning
20/52670	Lydney Golf Club
36/52022	Three Counties Planning Consultancy
46/51501	Heron Land Developments
64/50807	Mrs A Paskell
85/50802	Mrs E Baldwin
89/50787	Mrs P E Ballinger
108/50777	Mr P A & Mrs A N Bennett
112/52453	Mr P J Bevan
117/50381	Mr Bignall
124/50798	Mr P & Mrs J Blewitt
150/52884	Mr R Brock
150/70781	Mr R Brock
168/50763	Mr P H S Carr
171/52801	Mr M A Carter

175/51404	Hallam Land Management
191/50774	Mr R & Mrs P Colquhoun
227/52566	Mr R Dawson-Marsh
301/50783	Mr J Griffiths
329/50811	Mr & Mrs Head
419/50780	Mrs Lardner
488/70727	Friends of the Earth (Forest of Dean)
548/51853	Mr D Reid
627/50819	Mrs O M Stephens
669/52605	Mr K Urch
674/50814	Mr R Virgo
679/51905	Westbury on Severn Parish Council
698/52526	Mrs M Wiggins
842/70793	Prowting Projects Ltd

Objections – Policy (R)F.Strategy 7

5/51462	Swanhill Homes Limited
6/51981	Barratt Bristol
7/51728	P B Investments
12/52391	Walker Stuart Planning
24/51950	Newent Town Council
171/52802	Mr M A Carter
171/53087	Mr M A Carter
175/51406	Hallam Land Management
313/51816	The House Builders Federation
315/50887	Robert Hitchins Limited
669/52607	Mr K Urch
679/51910	Westbury on Severn Parish Council

Objections – Policy (R)F.Strategy 8

5/51460	Swanhill Homes Limited
6/51937	Barratt Bristol
6/70376	Barratt Bristol
7/51730	P B Investments
36/52024	Three Counties Planning Consultancy
37/51789	RMC Group Services Ltd
134/52283	Messrs Bradley
150/52223	Mr R Brock
150/52886	Mr R Brock
150/70780	Mr R Brock
313/51820	The House Builders Federation
390/51695	Rothdean Ltd
475/50609	Mr H Morse
521/51697	Mr A Perry
686/51707	Mr P Watkins
842/70794	Prowting Projects Ltd

Supporting Statements

44/51288	Federal Mogul
44/51289	Federal Mogul
49/51556	Westbury Homes Holdings
51/51571	Westbury & Persimmon Homes
288/50722	Gloucestershire County Council
315/50886	Robert Hitchins Limited
315/50888	Robert Hitchins Limited
359/51209	CPRE Forest of Dean

Issues

- a. Objections to the major greenfield allocations in Lydney, Cinderford, Coleford and Newent.
- b. Transport impact of development.
- c. North-South distribution of development, especially in Newent compared with Lydney and Coleford.
- d. Potential strategic role of villages and rural areas.
- e. Potential for development in Dymock, Huntley, Mitcheldean, Tutshill and Sedbury.
- f. Objection to development in Hartpury and Upper Soudley.
- g. Identification of constituent parts of settlements including Berry Hill, Coleford.

Reasoning and Conclusions

General

- 1.61 I assess site-specific objections, including omission sites and transport impacts, in the appropriate settlement chapters of Part 2. General transport issues are covered in Chapter 7 of Part 1.
- 1.62 I discuss overall housing and employment provision and the respective total housing allocations and their phasing within the Defined Settlement Boundaries, for each of the four main towns and certain villages in connection with policies (R)FH.2 to (R)FH.5 and (R)FE.1.
- 1.63 I deal here mainly with the principle of apportionment of new development allocations to the South and North Forest areas and between the four main settlements and villages.
- 1.64 First on a point of presentation; after making a range of provisions with District wide applicability in policies (R)F.Strategy 1 to 5, the Plan now turns to the strategic location of allocations between different parts of the District and its town and villages, via this suite of three further policies, (R)F.Strategy 6 to 8. However, the joint heading that marks this shift of emphasis, confusingly, loses its thrust by merging with the title of the first of these policies, (R)F.Strategy 6. This can be simply avoided, by moving the single introductory text para 1.49 above policy (R)F.Strategy 6.

Towns

- 1.65 I conclude above, in connection with policy (R)F.Strategy 1, that the Plan’s overall numerical targets for new housing and employment, and the strategic allocation of sites primarily to the four main towns, are appropriate, in relation to Structure Plan as well as national and regional policy. The apportionment of new development between settlements is guided by para 71 of PPG3 and policy SS19 of RPG10, to provide adequate housing in rural areas for local needs, supporting the role of market towns, whilst limiting growth where it would increase commuting to larger centres.
- 1.66 There are obvious visible differences between the northern and southern parts of the Forest of Dean District [separated roughly by the A40 trunk road]. The north has an essentially rural, agricultural background, notwithstanding the history of metal-working in its main town of Newent. This is in contrast with the unique combination

of industrial and mining history and Forest landscape in the south, where the main centres are Lydney, Cinderford and Coleford.

- 1.67 However, there appears to be no dispute that, notwithstanding these physical factors, the most significant difference between the north and south is the continuing economic need for regeneration, especially in the three main South Forest towns, following the decline of previous industry. It is notable that Newent is closely located to Gloucester and to the motorway network via the M50. But to promote its expansion on the basis of these factors could generate unsustainable commuting, contrary to national, regional and county policy. It follows that it is right to promote the South Forest in the interest of urban regeneration, with sufficient development permitted in the North Forest to meet only local needs.
- 1.68 I find little to question the logic, expressed by the Council at the Inquiry, that location, size and morphology of Lydney militate in favour of the major proportion of new development allocations being made there – between the A48 Bypass and the town centre. [I consider these matters in detail under policies (R)F.Lydney 1 and 2.] Moreover, compared with Newent, Lydney is relatively far distant from the major urban centre of Gloucester and comparatively unlikely to become a dormitory area, especially if a policy link is established in the adopted Plan between housing and employment.
- 1.69 The fact remains though that compared with Lydney, Cinderford is visibly in the greater need of regeneration. It is therefore appropriate that the town is also subject to particular provision in the Plan for its own major employment and housing allocations and enhanced access to them. [I consider those matters further in Chapter 2 of Part 2, and especially policies (R)F.Cinderford 5 and 17.]
- 1.70 In some contrast, Coleford, whilst also in the South Forest, appears more constrained by landscape interests. This is manifest in the smaller scale of allocations made in the town by the Plan and in the balance of my conclusions in respect of the several allocations and omission sites of Chapter 3 of Part 2.
- 1.71 A major but inconclusive aspect of the Inquiry is the effect of recent job losses at the Vantage [Xerox] site in Mitcheldean, and also at SCA Packaging at Lydbrook, especially with regard to their potential for re-occupation. Even allowing that this factor will come into play, I am overall satisfied with respect to the wider locational strategy of the Plan that the apportionment of the housing and employment allocations between the main towns of the North and South Forest is appropriate.
- 1.72 Even so, there is a fine balance to strike in placing the accent on promoting regeneration in the three South Forest towns without elsewhere imposing unduly negative restrictions that would be counter to established policy to protect rural interests. I conclude on balance that the wording of policies (R)F.Strategy 6 to 8 achieves this. However, it is important that the supporting text should give no impression that local needs in the North Forest might remain unmet in favour of South Forest regeneration. In this connection, I consider that para 1.55 should be subject to minor but important modification to neutralise certain of its rather negative phraseology.
- 1.73 I find no merit in the contention that development in the South Forest should be limited in respect of particular unresolved issues concerning development in the Statutory Forest and landscape designation. I discuss the effect of these matters

respectively in connection with the Cinderford Northern Arc at the beginning of Chapter 2 of Part 2 and the Natural Environment in Chapter 8 of Part 1.

Villages

- 1.74 In terms of para 30 of PPG3, it is not fundamentally essential to continue to search for housing land outside main settlements if requirements can be satisfied within the towns. At the same time, it is necessary to comply with para 71 of the same guidance. This says that adequate provision should be made for rural housing needs, including by way of affordable housing on sites permitted as an exception to normal restrictions, as set down in para 18 and Annex B of PPG3.
- 1.75 I consider that the Plan correctly recognises that settlements other than the main towns, some of them with populations of several thousand, can support and indeed do require new development to meet their own regeneration needs. On the basis of many objections received, I consider in connection with policies (R)FH.3 to 5 in Chapter 2 of Part 1 whether the appropriate village settlements have been nominated for specific allocations, whereby they can benefit from a degree of sustainable and beneficial consolidation or expansion, without detriment to the overall town-based Plan strategy. Such development will contribute to the overall supply of development land and potentially ease pressure on greenfield urban extensions.
- 1.76 I deal with the potential for development in smaller villages elsewhere in this report. In Part 1 Chapter 6, after policy (R)FBE1, I consider the principle of Restriction on Development policies variously applied to certain settlements, concluding that these policies should be deleted. In each settlement according to the objections made, I consider whether the Defined Settlement Boundaries should be extended, and whether designated Important Open Areas protected by policy (R)FBE7 should be retained.
- 1.77 On the point that Berry Hill should be identified as a settlement in its own right, I consider, in light of the unusual arrangement of enclosing Coleford and several other loosely linked settlements inside a single Defined Settlement Boundary that they should together be referred to as ‘The Coleford Group of Settlements’ for the sake of clarity and respect for the constituent communities. This will require modifications to the Coleford Chapter 3 of Part 2 and Inset Map 3.

Overall Assessment

- 1.78 In light of the foregoing considerations, I see no conflict between the locational strategy of this plan and the sequential approach of PPG3. Indeed the objective of balanced market town development is well established in the adopted Gloucestershire Structure Plan, and that was in turn prepared with the then emerging PPG3 very much in mind. That objective could not be achieved without a distribution of new development town by town and village by village, according to local need.
- 1.79 The sequential test then, must be applied to each settlement in the choice of sites and their phasing. Even that phasing needs to be flexible in order to resolve the tension that exists between meeting the plan targets, whilst giving general priority to the use of previously developed land, in line with policy (R)F.Strategy 3.
- 1.80 One further point needs to be explained: in relation to the requisite correlation between housing and employment development to achieve a balance within towns or villages, it is the overall mix of existing, committed and potential development of Plan allocations that is the deciding factor, and any apparent superficial discrepancy

between the amounts of housing and employment provided in the Plan is not directly relevant to that overall strategic objective.

- 1.81 I thus reach the conclusion that the apportionment of new housing and employment allocations between the towns and villages of South and North Forest is broadly appropriate. However, as the numerical town and village land allocations for housing and employment are tabulated under policies R(F)H.2 to (R)FH.5 and (R)FE.1, I see no reason to repeat that detail in policies (R)F.Strategy 6-8.

Recommendation

- 1.82 **I recommend that Paragraph 1.49 be relocated after the heading Locational Strategy and before the title Development in the South Forest, that precedes Policy (R)F.Strategy 6.**
- 1.83 **I recommend that Policy (R)F.Strategy 6 be modified to:**
In the South Forest land will be allocated for housing and employment primarily in the towns of Lydney, Cinderford and Coleford in accordance with policies (R)FH.2 and (R)FE.1
- 1.84 **I recommend that Policy (R)F.Strategy 7 be modified by deleting all after the second sentence and substituting ‘Land will be allocated for housing and employment in the town of Newent in accordance with policies (R)FH.2 and (R)FE.1’**
- 1.85 **I recommend that the first sentence of Paragraph 1.55 be modified to:**
The Plan strategy for the northern part of the District therefore seeks to provide for new housing development sufficient to meet need arising from the existing population, in order to achieve a sustainable pattern of development with regard to travel demand.
- 1.86 **I recommend that Policy (R)F.Strategy 8 be modified by deleting all after the first sentence and adding ‘Land will be allocated for housing and employment in certain villages in accordance with policies (R)FH.3 and (R)FE.1’**

CHAPTER 2 – HOUSING - Part 1 [Report Pages 1-2-1 to 1-2-42]**General Responses to the Housing Chapter****Objections**

9/52430	Studio Azzurro Limited
12/52413	Walker Stuart Planning
48/51493	SW RSL Planning Consortium
50/50054	NHS Executive South West
111/53176	Mr Bevan
175/51409	Hallam Land Management
230/53098	Ms R Ditchbur
313/51822	The House Builders Federation
313/51829	The House Builders Federation
449/52893	Mr P McMahon
513/52868	Mr A J Pearce
669/52604	Mr K Urch
847/70741	Mr J Kendrick

Supporting Statements

44/51291	Federal Mogul
175/51407	Hallam Land Management
313/51824	The House Builders Federation

Issues

- a. Proper application of the sequential test of PPG3.
- b. Provision for development in small villages.
- c. Provision for live-work units.
- d. Provision for conversion of traditional, rural farm buildings into dwellings.
- e. Affordable housing with particular reference to Housing Needs Study and provision thresholds.
- f. Provision for housing for people with special needs.
- g. Reference to Housing Strategy Statement, sustainable location of key workers housing and other information.
- h. Phasing of development with particular reference to Newent.
- i. Specific omission sites.

Reasoning and Conclusions

- 2.1 I consider the sequential test of PPG3 in connection with Chapter 1 Part 1 on Strategy, where I conclude that due regard is paid to it in the context of the particular circumstances of the Forest of Dean District, subject to consideration of the choice of allocated sites within each settlement.
- 2.2 I discuss the level of development in smaller villages in connection with policy (R)FH.5 below.
- 2.3 I regard the provision of live-work units only as an aspect of achieving the Plan objective to foster mixed development and the co-location of housing and employment. Detailed advice on this or any other type of mixed development is a

proper subject for Supplementary Planning Guidance in the form of Site Development Briefs.

- 2.4 I consider the conversion of rural buildings in Chapter 6 on the Built Environment.
- 2.5 I deal with the matters of affordable, special needs and key worker housing together in connection with policies (R)FH.12-14. I conclude that the provision thresholds quoted in text para 2.6 should stand. A voluntary change to refer in para 2.6 to the Housing Strategy Statement is appropriate. Otherwise I consider that the introductory text provides an adequate lead into the substance of the housing provisions of the Plan.
- 2.6 I discuss phasing of development within settlements generally in connection with policy (R)FH.2a below and I deal with site specific matters including identified Omission Sites in Part 2 and a Schedule of Omission sites appears at Appendix A to this report.

Recommendation

- 2.6 **I recommend that Paragraph 2.6 be modified by adding after the third sentence:**
The Plan also has a close relationship with the Housing Strategy Statement which sets out the wider housing issues in the District.

Policy (R)FH.1 – Overall Housing Provision

Objections

5/51102	Swanhill Homes Limited
5/51570	Swanhill Homes Limited
6/51722	Barratt Bristol
6/70377	Barratt Bristol
11/51712	Alfred McAlpine Developments Ltd
12/52395	Walker Stuart Planning
36/52029	Three Counties Planning Consultancy
44/51294	Federal Mogul
54/51756	Commercial Bank Trust plc
64/50808	Mrs A Paskell
89/50788	Mrs P E Ballinger
108/50778	Mr P A & Mrs A N Bennett
124/50800	Mr P & Mrs J Blewitt
150/52222	Mr R Brock
168/50769	Mr P H S Carr
171/52797	Mr M A Carter
175/51411	Hallam Land Management
191/50775	Mr R & Mrs P Colquhoun
301/50784	Mr J Griffiths
312/51516	Government Office for the South West
312/51522	Government Office for the South West
312/70124	Government Office for the South West
313/51830	The House Builders Federation
313/51832	The House Builders Federation
313/70452	The House Builders Federation
313/70453	The House Builders Federation
315/50891	Robert Hitchins Limited
315/70328	Robert Hitchins Limited

359/51210	CPRE Forest of Dean
418/51777	Mr P T Lane
418/70162	Mr P T Lane
419/50781	Mrs Lardner
488/51221	Friends of the Earth (Forest of Dean)
622/51106	Mr A Stephens
627/50820	Mrs O M Stephens
632/50640	Mr R Stock
633/52338	Mr D Street
651/51870	Watts of Lydney Group Ltd
674/50816	Mr R Virgo
827/70486	George Wimpey UK Limited
842/70795	Prowting Projects Ltd

Supporting Statements

11/51713	Alfred McAlpine Developments Ltd
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Issues

- a. Overall Plan strategy, including with respect to the use of greenfield land.
- b. Affordable housing.
- c. Highway improvements.
- d. The balance of housing and employment provision in settlements, especially Lydney.
- e. The amount, reliability and monitoring of existing housing land supply with reference to the Urban Capacity Study, site constraints and delivery.
- f. The appropriate allowance for windfall sites, as defined in PPG3.
- g. Potential for shortfall or over-provision of housing in the Plan.

Reasoning and Conclusions

General

- 2.7 I cover the overall Plan strategy in Chapter 1 above, where I conclude that the total amount of housing to be provided in the District from 1991 to 2011 should remain as approximately 6950 dwellings, as provided in policy (R)F.Strategy 1. General questions of sustainability and use of greenfield land are discussed in relation to policies (R)F.Strategy 2 and 3, as well as in connection with each settlement of Part 2, with my conclusions drawn together under policies (R)FH.2, 2a and 3 on housing allocations.
- 2.8 Affordable housing is considered under policies (R)FH.12-14 below.
- 2.9 Highway improvements generally are the subject of Chapter 7 on Transport, and also of concern to many specific sites of Part 2, where they are reviewed along with all other site specific matters, and my conclusions inform my recommended modifications both to allocation policies and to policies (R)FH.2 and 3.
- 2.10 The three main considerations properly for assessment in relation to policy (R)FH.1, paras 2.8 to 2.11 of the supporting text and Table 1 are: the practical yield of the existing housing land supply; the likely contribution from additional sources of land; and the residual requirement to be met by the specific allocations of policies (R)FH.2 and (R)FH.3. These quantities must be calculated taking into account recorded actual dwelling completions.

Existing Land Supply

- 2.11 An update of the Housing Land Supply Summary Table 1 [Document TP2.3 Supplement] was provided by the Council before the close of the Inquiry. This shows that by 1 January 2003 the number of District wide house completions since 1991 had risen to 2880 [from the figure of 2623 in the Revised Deposit Plan]. At the same time the Council claimed an increased existing land supply due to new permissions and other firm commitments, with a commensurate reduction in the anticipated yield of the Plan’s remaining allocations. The Council also reduced the windfall estimate to allow for the two years since the Revised Deposit version of the Plan was published. I have no basis either to question or to verify the number of completions reported by the Council. I take the 1 January 2003 figure as a starting point for further supply calculation, along with the strategic requirement. It remains to reassess all future housing supply and completion forecasts on the basis of the evidence submitted to the Inquiry.
- 2.12 The existing land supply comprises sites with permission that have not been fully implemented. Where there is evidence that sites with lapsed permissions are likely to come forward in the Plan period, it is reasonable to make allowance for this in calculating the residual requirement, just as practical constraints on the actual implementation of permitted sites also need to be taken into account.
- 2.13 In Table 2 of Document TP2.2 the Council claims a supply at 1 January 2001 of 607 dwellings from 45 identified large sites with permission, or lapsed permissions likely to be renewed, augmented by 332 units from permitted small sites, making a grand total 939 dwellings. By 1 January 2003, this figure had increased by 189, to 1128, due to new completions and permissions. I was not provided with an up to date, site by site reconciliation schedule to demonstrate the conversion of commitments to completions during this two year period.
- 2.14 Objectors point to a non-implementation of approximately 20% of certain long-standing proposals dating back to the previous Local Plan Inquiry, as evidence of delayed uptake affecting the true supply position. In my opinion it cannot be expected that every current permission or potential renewal will materialise into a completion within the remaining 8.5 years of the Plan period, especially as a very much accelerated build rate is now necessary to meet initial objectives. Given sufficient demand however, such a rise in the rate of completions should follow naturally from fresh allocations, after the recent years of restraint under the current Local Plan.
- 2.15 There is nothing to say that a crude safety factor of 10% or more additional housing allocations should be added to the residual requirement, as was promulgated by several objectors. To do so would be contrary to the more sophisticated Plan-Monitor-Manage approach of national policy. Instead, each component of the calculation should be estimated as closely as possible, and phasing and monitoring procedures incorporated to facilitate timely adjustment of the land supply throughout the life of the Plan.
- 2.16 I have seen little site-specific evidence to dispute the overall potential of the committed and lapsed sites listed by the Council as at 1 January 2001, or the later enhanced figure of 1 January 2003. However, there are undisputed examples of the initial or net capacity of certain sites being overestimated in the Urban Capacity Study

[Document 150C]. I consider that a precautionary 20% deduction needs to be made from the later, 2003 total to cover the prospect that not all will actually come forward to completion before the end of 2011. Accordingly I assume an actual contribution by extant and renewed permissions of 900 units.

Additional Sources of Housing Land

The Urban Capacity Study

- 2.17 The additional sources of housing land are the subject of the Urban Capacity Study [UCS – LPD27], undertaken in November 2001. The UCS was advised by PPG3 of 2000 on Housing, and it informed the Revised Deposit Plan. The UCS tabulates individual sites in a range of categories with potential for extra yield. Previously these elements of housing land supply have only been subject to an overall broad estimate of so-called ‘windfalls’, based on past trends.
- 2.18 Table 1 in Chapter 2, Part 1 of the Plan records these under a single figure of ‘estimated windfalls’. However, the UCS rightly departs from the prior practice of crudely estimating windfall provision from past trends. Also, the government practical guide to urban capacity assessment, ‘Tapping the Potential’ accords the term ‘windfall’ clear definition as ‘previously-developed sites that have not been specifically identified as available in the local plan process’. Thus windfalls are only assumed to arise from previously-developed land.
- 2.19 For clarity therefore, I consider that the Plan should only refer to windfall sites in strict accordance with that definition. Further, Table 1 should list the separate contributions from each additional source, in terms consistent with the UCS, and as a basis for future monitoring.
- 2.20 The approach of the UCS was criticised at the Inquiry with reference to the methodology advised in PPG3 and ‘Tapping the Potential’. It is important to the efficacy of the assessment process that a full inventory of potential housing land is compiled before the constraints of policy, of other material planning considerations and of practical availability are applied to it. The Forest of Dean UCS overtly departs from this approach in precluding from consideration land subject to certain restraint policies. These include those controlling development in Conservation Areas, safeguarding Important Open Areas protected by policy (R)FBE.7 and resisting infilling in areas of Restriction on Development defined in certain settlements within their respective chapters in Part 2.
- 2.21 Moreover, the urban definition of the UCS accepts and relies upon the Defined Settlement Boundaries [DSBs] of the currently adopted Local Plan, save for particular rural brownfield sites. That is despite the expressed concern of the Inspector reporting on the previous Local Plan Inquiry that the restraining mechanisms of the current Plan might be used artificially to hold down housing development levels, and in the face of numerous outstanding objections to many of the DSBs and restraint areas in the present Revised Deposit Plan.
- 2.22 A further criticism relates to the significant category of ‘vacant land not previously developed’ promulgated for consideration in ‘Tapping the Potential’. The Council asserts that such areas have been naturally included in other categories of the UCS, which does not identify any of this so-called ‘white land’ in the settlements. There is scant information to verify the latter claim, but overall I take the view that the results of the UCS must be viewed with a degree of caution in any event. That is mainly

- because it begins by taking for granted those constraints that are open to question, and may, as a result, have underestimated the amount of land with potential for development, especially in the smaller settlements.
- 2.23 A further cause for caution on the other hand is that, even when faced with an increased degree of presumption in favour of urban residential development, it is not realistic to take for granted that the optimum use of every site identified in the UCS is for housing.
- 2.24 Another criticism made of the UCS was that, to comply with the sequential approach of PPG3, it should have focussed primarily on the main urban areas, and should not have covered the smaller villages at all. However, I conclude in connection with Chapter 1 that the locational strategy of the Plan is appropriate in principle, including with respect to the sequential provisions of PPG3. Accordingly I also find it appropriate that the UCS addresses all the defined built settlements of the District.
- 2.25 Although, with regard to sites over five units, the UCS properly subdivides and categorises the various elements of housing land supply, it continues to rely heavily on past trends. Since the UCS was completed the outstanding period to the Plan end date of 2011 has reduced from about 10.5 to roughly 8.5 years. As the Council themselves suggest, where predictions are primarily based on annual trends, they should be discounted in the ratio of 8.5 to 10.5. I round this to 20%, given the inexact nature of the calculations concerned.
- 2.26 Fortunately, in practical terms, the plan preparation process as a whole, and the Inquiry in particular, tests the major specific site allocations of the Plan. Thus the findings of the UCS are also tested, to the extent that the Revised Deposit version was informed by them. The Inquiry also afforded an opportunity for modification to imposed restraints, where appropriate. As well as the UCS, I also take into account additional information put forward by the Council during the Inquiry in Documents TP2.1, 2.2 and 2.3, together with the small number of objectors’ responses to them.
- 2.27 I agree with the criticism that the UCS, as published, does not appear to have involved very wide public or market consultation. It also omitted detailed data and thus lacked transparency. Nevertheless, I believe that the degree of scrutiny now available has provided an adequate basis for the housing policies of the Plan to proceed to adoption. That is subject to my various recommendations elsewhere in this report, including Chapter 10, regarding ongoing performance monitoring.
- 2.28 I reject the notion, advanced in a number of contexts by the Council at the Inquiry, that restraint policies carried forward in this Plan are justified because they have been upheld at appeal under the current adopted Plan. This point is often used in Local Plan Inquiries, but it neglects the fundamental difference between a Section 78 appeal, which is about compliance with adopted policy, and a Local Plan Inquiry which has the very purpose of establishing whether policy is, or remains, right for the future duration of the Plan, when it is itself adopted.
- 2.29 I now move on to examine the UCS in more detail. There is little dispute that the UCS appropriately nominated 10 sources of additional housing land supply [apart from increasing the assumed yield from mixed-use Revised Deposit allocations]. I therefore refer to each of those in turn, carrying forward my numerical conclusions to a modified Table 1 in my recommendations below:

National Land Use Database [NLUD]

- 2.30 The Council agreed at the Inquiry that the residual figure for sites identified in the 1999 NLUD survey should be reduced from 71 in the UCS to 50. This was in recognition that one of the five sites in UCS Table 3, Valley Road North, Cinderford had been allocated in the Revised Deposit Plan. [Elsewhere in this report, I recommend the reduction of that allocation from 67 to 30 dwellings on the basis that the remainder of the site is not suitable for housing, and note that the Marshalls Lane, Cinderford site has been fully developed as a car park without housing.] There is clear potential for the three remaining sites to make a net contribution to the supply of housing sites of over five units in the Plan period. However, this is not certain, and a reasonable discount of 50% should be applied in my opinion, reducing the NLUD figure to 25 units for the remainder of the Plan period.

New Previously Developed [Brownfield] Sites

- 2.31 The list of locally identified previously developed sites in Table 4 of the UCS is substantially cut down in Table 11 of the same document. This is due to an essentially realistic review of potential availability in the Plan period, and to the deletion of certain Revised Deposit allocations. I consider that the further 50% discount is appropriate due to the evident high level of uncertainty.

Intensification of Residential Areas

- 2.32 In the absence of evidence borne of site-specific consultation with landowners and developers, it is impossible to judge clearly whether there is significant overlap, or double counting, between: the assumed potential for intensification of residential areas; the re-use of brownfield sites; and the addition at a later stage in the assessment of the trend-based windfall allowance for small sites under 6 units. However, the UCS in Tables 6 and 12 only relies on examples in any event, and then discounts the total by 50%.
- 2.33 I conclude in Part 1 Chapter 6 after policy (R)FBE.1 that all the Restriction on Development policies applied in some settlements should be deleted, as imposing excessive restraint and because they duplicate other Plan policies. In addition I occasionally propose the minor extension of certain Defined Settlement Boundaries. However, the requirements of national policy as well as the Built Environment provisions in Chapter 6 of this Plan are for good design reflecting local character, avoiding, for example, unacceptable backland or high density infilling. I therefore believe that the general modifications I recommend elsewhere, to the extent that they relax constraints in some locations, will nevertheless only modestly enlarge the housing land supply from such areas. Accordingly I do not attempt to quantify their influence on any land supply category, but clearly they will potentially enhance the actual outturn of windfalls
- 2.34 As the Council’s own assessment in the UCS is admittedly non-exhaustive, I think that, even with a degree of double counting, the net allowance of 120 units for intensification is probably conservative in the face of mounting policy pressure on efficient land use. My conclusion is that the figure of 120 should remain, but that this is an area of land supply in need of especially careful monitoring in the years to come.

Town Centre Upper Floors

- 2.35 This category needs to be seen as separate from intensification in the sense of higher density land use or the addition of small sites to the land supply, or the redevelopment of previously developed land. The UCS properly nominates flats over shops and other conversions and I do not think there is great danger of double counting, if the Council’s assertion at the Inquiry is accepted, that UCS Table 7 is based on a survey to verify past trends. This is discounted by 50%, catering for landowner resistance to development, to arrive at an allowance of 35 units, equivalent to 28 in the reduced remaining Plan period. This reduction can be seen as also taking account of limited secondary access to some upper floor accommodation.
- 2.36 It is regrettable that this depends on a large degree of trust in the absence of printed data from the survey. However, given the comparatively small proportion of the total supply represented by this category, and again to the rising pressure to use land more efficiently, I leave this figure in my own calculation. However, the Council need to make their evidence more transparent in future monitoring.

Conversion of Existing Houses

- 2.37 I accept that there has been, and is likely to remain, little potential in the District for urban house conversions compared with inner city areas such as central Cheltenham, for example. I therefore accept the modest UCS allowance of 10 units, based on past trends, equivalent to 8 for the residual Plan period. However, this category should be carefully monitored.

Other Conversions in Settlements

- 2.38 Again there is no quantitative basis for the assumptions of the UCS and proper monitoring will be needed to avoid double counting with other categories. Despite the absence of numerical evidence, I judge it reasonable to accept the trend-based assumption of an additional 42 units contribution to the Plan period supply, further discounted to 34 units for the years remaining.

Re-allocation of Employment Sites

- 2.39 On available evidence I am satisfied that, where employment sites are allocated in the Plan on previously developed land, they should remain in employment use, and therefore agree with the UCS estimate of zero for this category. [This is probably pessimistic in light of developing policy trends favouring changes to residential use where no employment proposals are forthcoming and will repay thorough future monitoring of this category also.]

Intensification of Existing Consents

- 2.40 The intensification of development density of currently approved housing schemes cannot be forced on developers. However, economic factors are likely to militate in favour of larger numbers of units per hectare. Assuming a trend toward greater development density in line with current national policy on permitted and commenced sites with remaining capacity for modification, the Council’s estimate of an additional 36 units within the Plan period appears reasonable, representing only about 4% of the existing supply of 900.

Small Sites Inside Settlements

- 2.41 This element of the UCS is added after consideration by category and is purely trend-based. Its application to future planning probably remains realistic on the basis of recorded completions on previously developed land in recent years. Even so, increasingly strict restraint in the rural settlements, combined with agricultural recession, is likely to have a depressive effect on future trends overall, especially as the current supply of small sites within settlement boundaries is used up.
- 2.42 Moreover, I am concerned that double counting could have occurred with other urban categories due to the non-specific nature of the UCS regarding sites under six units. There is also potential confusion between sites of under six units capacity based on past trends and those with capacity just over six units applying recent higher density requirements. The relaxation of certain policy constraints that I mention above in relation to Intensification of Residential Areas would again have only a minor effect of offsetting these constraints.
- 2.43 Taking all these factors into consideration, I accept there is likely to continue to be an urban small site contribution but, in my judgement, less than predicted by the UCS. After allowing the 20% reduction in the residual Plan period, and deducting other conversions, my assumption is that roughly 200 units could be delivered from this source. However, it is important that real progress is closely monitored, as proposed by the Council.

Small Sites Outside Settlements

- 2.44 This element is also a purely trend-based addition in the UCS, after consideration of other categories. This category necessarily includes a number of greenfield contributions contrary to the now accepted definition of ‘windfall’. At the same time, such contributions are likely to come forward in practice. In the absence of detailed analysis, I assume that the UCS total applies, subject to the 20% discount for the reduced Plan period, as suggested by the Council, amounting to 120.

Overall Assessment of Total Contribution from Additional Sources

- 2.45 I understand that the UCS was fitted in between the First Deposit and Revised Deposit periods with implications for resources and the progress of development plan preparation. The dispersed nature of the Forest of Dean District brings particular difficulties of assessment, especially in matters of development intensification and the contribution of small sites under six units. Accordingly, I believe the Council should do all in their power to redouble their efforts before the next review of the Plan to base their housing land monitor on increasingly detailed data. This should involve working together with all potential sources of information to produce a robust and generally respected public database as a starting point for future development plan preparation with an appropriate degree of community involvement.
- 2.46 On the basis of the data currently to hand, it is my overall conclusion that the numerical components of housing land supply, tabulated in my recommendation below, indicate a total potential contribution during the Plan period of the order of 641 units.
- 2.47 I draw comfort from the fact that this is of a similar order, and below, the County Council overall, trend-based, windfall estimate, but that is not a premise for future monitoring.

Residual Requirement and Yield of Plan Allocations

- 2.48 By simple subtraction from the requirement [6950] of the January 2003 completions [2880] and my own estimates of existing supply [900] and contribution from additional sources [641], I now arrive at what I consider would be the appropriate residual housing requirement to be met by site specific allocations. This amounts to a figure of 2529 dwellings and represents the most up to date figure available pending the publication of further monitoring data, when it will be a matter for the Council to decide whether further modification is necessary prior to formal adoption of the Plan.
- 2.49 This total of 2529 dwelling units is the starting point for my later calculation of how the Revised Deposit allocations should be modified and supplemented in the four main towns and the larger villages nominated in policies (R)FH.2 and 3. The practical figure is adjusted to 2788 by applying my site-specific findings regarding Part 2 of Plan to the reassessment of allocations in the four main towns and other settlements that I undertake below in dealing with policies (R)F.H2 and (R)FH.3 [see my tabulated recommendations those policies including 2483 units allocated in the main towns and 305 in other settlements, a total of 2788]. Whilst the gross allocation figure well exceeds the 2529 target set above, it actually represents a lower estimated practical yield from the recommended allocations, after taking account of the factors I explain in each case. These are mainly related to the likely under-performance of the major strategic allocation on Land East of Lydney.
- 2.50 Finally, it strikes me that policy (R)FH.1 merely restates the strategic housing supply objective of policy (R)F.Strategy 1, but in less detail, and is thus entirely superfluous as a policy. It should therefore be deleted. Its supporting text and Table 1 under the heading ‘Overall Housing Provision’, modified as appropriate, will then follow naturally after the preamble to this central Housing chapter, leading straight into the crucial town allocations of policy (R)FH.2.

Recommendations

- 2.51 **I recommend that the heading ‘Policies and Proposals’ be deleted.**
- 2.52 **I recommend that Policy (R)FH.1 be deleted.**
- 2.53 **I recommend that, subject to any future monitoring data the Council decide should be taken into account prior to formal adoption, Table 1 be modified to:**

Housing Land Supply at 1 January 2003	Demand	Supply
Requirement 1991-2011	6950	
Completions to 1 January 2003		2880
Current Permissions and Likely Renewals		900
Sites Individually Allocated in this Plan#		
Towns [Policy (R)FH.2]		2483*
Villages [Policy (R)FH.3]		305
Additional Sources		
National Land Use Database		25
New Previously Developed Sites		70
Intensification of Residential Areas		120
Town Centre Upper Floors		28
Conversion of Existing Houses		8
Other Conversions in Settlements		34
Re-allocation of Employment Sites		0
Intensification of Existing Consents		36
Small Sites Inside Settlements		200
Small Sites Outside Settlements		120
		641
TOTAL PLAN PERIOD	6950	7209***

*includes 350 post 2011 on Land East of Lydney.

**represents 6859 net in the Plan period

#Total allocations 2788

- 2.54 **I recommend that the Council continue to monitor and document each category of housing land supply on information from all available sources with the object of ensuring that, before the next review of the Plan, assessments are as site-specific as possible without overlap between categories. [See also Chapter 10]**

Policy (R)FH.2 – Town Housing Land Allocations

Policy (R)FH.2A – Phasing of Development

Objections – Policy (R)FH.2

5/51247	Swanhill Homes Limited
5/51251	Swanhill Homes Limited
5/51254	Swanhill Homes Limited
5/51258	Swanhill Homes Limited
5/51261	Swanhill Homes Limited
5/51357	Swanhill Homes Limited
5/51364	Swanhill Homes Limited
5/51369	Swanhill Homes Limited
5/51372	Swanhill Homes Limited
5/51382	Swanhill Homes Limited
6/51723	Barratt Bristol
11/51714	Alfred McAlpine Developments Ltd
12/52403	Walker Stuart Planning
13/51985	Sport England SWR
20/70394	Lydney Golf Club
21/50895	The Liddington Trust
24/51954	Newent Town Council
24/70525	Newent Town Council
25/51929	Chelbury Homes Ltd
25/51936	Chelbury Homes Ltd
44/70526	Federal Mogul
52/51751	H Kear & R Hitchins
54/51757	Commercial Bank Trust plc
54/51760	Commercial Bank Trust plc
56/50039	Mr A Adams
60/50041	Mrs Q Adams
64/50745	Mrs A Paskell
65/50002	Mr R C Aldridge
67/52273	Mr & Mrs Allwood
88/50350	Mr & Mrs R Ballinger
89/50707	Mrs P E Ballinger
93/51854	Mrs C Bartle
94/52343	Mr J Bartle
95/52300	Mr C Bath
102/52153	Mr P T Beard
106/51084	Mr K W Bell
106/52192	Mr K W Bell
108/50672	Mr P A & Mrs A N Bennett
112/52450	Mr P J Bevan
117/50375	Mr Bignall
124/50660	Mr P & Mrs J Blewitt
124/50724	Mr P & Mrs J Blewitt
128/53033	Mr R Bonser
144/52936	Mr D Brindley
150/70782	Mr R Brock
160/70445	Mr J S Burr
166/50311	Dr J Camp
168/50658	Mr P H S Carr
171/52799	Mr M A Carter
171/53088	Mr M A Carter
174/52323	Mr S J Chester
175/51414	Hallam Land Management
175/51415	Hallam Land Management

177/50451	Mrs J Christie
190/50323	Mr R & Mrs P Colquhoun
192/50413	Mrs T P Connolly
196/50233	Mr M Coombes
204/52776	Mr N Creed
205/52769	Mr V Creed
207/52317	Mr M Crofts
214/52875	Mr H J Davies
223/50571	Forest Enterprise
223/52241	Forest Enterprise
227/52495	Mr R Dawson-Marsh
227/52568	Mr R Dawson-Marsh
227/52593	Mr R Dawson-Marsh
229/50524	Mr H J Deane & Mrs C J Dinnadge
230/52443	Ms R Ditchburn
231/52296	Mr T Ditchburn
234/53046	Mr J Mills
236/53022	Mr M Draper
236/53028	Mr M Draper
242/52472	Mr & Mrs G Edey
245/51010	Mr J Edginton King
246/51025	Ms P Edginton King
250/52720	Mr & Mrs M Ellerby
252/50016	Mr I G Ellis
265/52295	Messrs Farr & Jenkins
270/52448	Mr & Mrs G Fletcher
283/52957	Mr D M Gander
287/52332	Mr D C Glover
301/50699	Mr J Griffiths
302/51781	Mr J & Mrs P Griffiths
306/70192	Messrs Grindle
313/70454	The House Builders Federation
315/50892	Robert Hitchins Limited
315/70330	Robert Hitchins Limited
315/70333	Robert Hitchins Limited
315/70336	Robert Hitchins Limited
319/52155	Mr J Harris
319/52743	Mr J Harris
319/52852	Mr J Harris
321/52736	Mr S J Harris
327/52647	Mr V R Hawkins
335/51680	Mrs Hoare
346/50174	Mr J H Horwood
350/52989	Mr B Howells
352/52128	Mrs M Hughes
352/52726	Mrs M Hughes
362/50412	Mr F E James
363/52829	Newent Civic Society
363/70217	Newent Civic Society
363/70220	Newent Civic Society
364/52683	John James Builders Ltd
366/52176	Ms V L James
366/70214	Ms V L James
374/50090	Mr & Mrs Jenkins
378/70187	F W Johnson (Builders) Ltd
383/50430	Mr A G & Mrs D I Jones
385/52215	Mr B Jones
386/51649	Mr B Jones
390/51663	Rothdean Ltd

398/50362	Mr W L & Mrs L M Jones
403/50569	Mr Dennis Kear
405/52156	Mr H Kear
410/50509	Mr P G Kingston
413/50157	Mrs I L Kynaston
417/50655	Mrs T Lambert
419/50681	Mrs Lardner
421/50051	Mr D Lee
423/50937	Mr J L Leech
425/50434	Mr G H Lewis
438/52860	Mr P D K Marques
443/52269	Mr Matthews
451/52276	Mr K McNally
451/70195	Mr K McNally
466/52727	Mr S Moon
472/53005	Mrs D J Morris
474/52764	Mr & Mrs D T Morse
488/51196	Friends of the Earth (Forest of Dean)
498/52903	Mrs C Offord
500/52923	Mrs J Offord
501/52194	Mr & Mrs W Offord
502/52900	Mr W A Offord
507/53043	Mr E Parry
510/52667	Mr A & Mrs N Paskell
516/50106	Mr & Mrs J Pendry
522/52103	Mrs K Perry-Gardiner
522/52719	Mrs K Perry-Gardiner
532/50642	Mr Powell
536/70448	Mr G B Price
537/70057	Mrs K J Price
541/52835	Lydney Recreation Trust
543/51951	Mrs R Raymond
548/51852	Mr D Reid
564/50329	Mr & Mrs P & J Roberts
565/50398	Mr P G Robertson
567/52833	Mr C J Rowkins
569/50338	Mr & Mrs J Ruddy
574/53014	Mr J Sadalls
586/52468	Mr K Setters
586/52483	Mr K Setters
587/52921	Mrs J Seys
588/52995	Mr L G Seys
589/50372	Mrs I G Sharp
608/52157	Mr M Smith
608/52742	Mr M Smith
608/70110	Mr M Smith
622/51118	Mr A Stephens
622/51132	Mr A Stephens
622/51137	Mr A Stephens
624/50170	Mr J W Stephens
624/50184	Mr J W Stephens
625/50172	Mrs N M Stephens
627/50358	Mrs O M Stephens
627/50713	Mrs O M Stephens
631/52867	Mrs M Stock
632/50641	Mr R Stock
633/52341	Mr D Street
642/52595	Mr P Terndrup
647/52278	Mr M D Thomas

648/52437	Mr & Mrs P Thomas
655/52689	Mrs M Tingle
661/51753	Mr G V Towney
669/52596	Mr K Urch
674/50666	Mr R Virgo
676/52098	Mr W T Waddell
683/50044	Mrs K Washington
684/50047	Mr M Washinton
690/70170	Mr B Wellington
699/52464	Mr & Mrs A Wilber
718/50630	Mr & Mrs Winter
721/50337	Mr A J Wood
725/52354	r & Mrs Yeates
727/52312	Mr & Mrs Young
729/53165	Mr & Mrs M Addis
743/52899	Evans Jones
751/70005	Mr C & Mrs C Waters
752/70019	Mr A & Mrs K L Fishpool
753/70022	Mrs C Duffield
754/70024	Mr N Hayes
754/70253	Mr N Hayes
755/70028	Mrs K Clarke
755/70151	Mrs K Clarke
757/70034	Miss R Pyle & Mr S Vinall
758/70037	Mr N J Davis
759/70041	Mr L Ormond
760/70043	Forest Hill Golf Club
761/70047	The Eckley Family
762/70051	Mr M & Mrs S Phillips
763/70054	Mr & Mrs B R Davis
765/70061	Mrs H Richards
768/70070	Mr S Parker
773/70086	Mr B Collier
773/70089	Mr B Collier
774/70092	Mrs L M Lawford
775/70095	Mrs J D Thomas
776/70098	Mrs D F Carvalho & Mr N S Hutchinson
777/70101	Mr & Mrs N Gregson
782/70156	Mr S Smeaton
784/70164	Mrs M Williams
785/70167	Mrs M Morgan
791/70209	Mr & Mrs G J Highton
793/70226	Mrs B Wright
794/70229	Mr W G Inns
796/70238	Ms S Hockey
801/70250	Mr A K Hayes
802/70256	Mr & Mrs Selwood
822/70431	Mr J B Methwen
823/70434	Mrs M Smith
825/70437	Mr A L Richards
827/70487	George Wimpey UK Limited
827/70489	George Wimpey UK Limited
828/70508	ohnson Properties
842/70796	Prowting Projects Ltd
847/70742	Mr J Kendrick
848/70556	Tidenham Parish Council

Objections – Policy (R)FH.2a

6/70378	Barratt Bristol
20/70395	Lydney Golf Club
25/70140	Chelbury Homes Ltd
54/70369	Commercial Bank Trust plc
150/70785	Mr R Brock
175/70393	Hallam Land Management
306/70193	Messrs Grindle
312/51524	Government Office for the South West
312/70125	Government Office for the South West
313/70455	The House Builders Federation
313/70456	The House Builders Federation
315/70335	Robert Hitchins Limited
315/70340	Robert Hitchins Limited
842/70797	Prowing Projects Ltd

Supporting Statements

11/51715	Alfred McAlpine Developments Ltd
27/51577	Lydney Park Estate
44/51297	Federal Mogul
49/51558	Westbury Homes Holdings
49/70573	Westbury Homes Holdings
49/70572	Westbury Homes Holdings
51/51574	Westbury & Persimmon Homes
59/50290	Mrs M M Adams
175/51413	Hallam Land Management
288/70264	Gloucestershire County Council
315/70337	Robert Hitchins Limited
315/70339	Robert Hitchins Limited
370/50297	Mrs B K Jenkins
378/52224	F W Johnson (Builders) Ltd
502/70083	Mr W A Offord
509/52909	The National Birds of Prey Centre

Issues

Of over 240 recorded objections to these policies, more than 220 relate to specific allocation or omission sites or settlement policies. The remaining issues chiefly concern:

- a. the amount and phasing of housing development through the Plan period
- b. the distribution of development between the north and south of the District and between the main towns and rural settlements
- c. the identification of settlements for development, particularly Coleford’s associated villages
- d. the balance of housing and employment within settlements
- e. the degree of priority to be given to the development of previously developed [brownfield] land ahead of greenfield sites
- f. the application of phasing to village development with respect to the priority to brownfield development.

Reasoning and Conclusions

General

- 2.55 Site specific issues are considered in the relevant chapter of Part 2 of the Plan.
- 2.56 Strategic matters are covered in Part 1 Chapter 1, where I recommend no substantial modification to the objectives of the Plan with respect to the location and distribution of new development, and in particular the target of providing about 6950 dwellings between 1991 and 2011.
- 2.57 I tabulate my findings within my recommendation for modifying policy (R)FH.2 below and I discuss in the following paragraphs the matters which lead to that and other recommendations, including the question of phasing the release of town housing sites with reference to policy (R)FH.2a.

Overall Total of Allocations and General Consideration of Phasing

- 2.58 The overall housing provision of the Plan is the subject of policy (R)FH.1 above, where I conclude that the Plan should make individual site allocations sufficient to provide for a residual Plan period requirement of 2529 dwellings from allocations distributed among the four towns and larger villages. This figure is 50 less than the total of 2579 in the Revised Deposit allocations. However, it remains to reassess precisely how the requirement can and should be met. To do this I here draw together my many conclusions on the allocated and omission sites considered in detail within the settlement chapters of Part 2 of the Plan. I thereby aim to derive a schedule of Town Housing Allocations, appropriately balanced with employment and phased so as to maintain that balance, as well as achieving the requisite housing land supply.
- 2.59 Generally with regard to phasing, I am alert to certain essential practicalities of phasing the release of housing land. The lead-in times remaining for Phase 2 sites are now short, with development nominally commencing between 2003 and 2007 [but, in effect, probably not beginning until 2004 by the time this Plan is adopted]. There is a higher level of constraint on previously developed sites due to the exigencies of land assembly and remediation in an urban context, leading to a fair expectation that certain greenfield releases will have to precede brownfield redevelopment if the overriding supply objectives of the Plan are to be met by a range of housing choice. However, due to the potential for dispute over the PPG3 Annex C definition of previously developed land, I do not think this policy should seek to duplicate that guidance by expressly categorising brown- or greenfield sites.
- 2.60 To support the aim of giving priority to developing previously developed land, I consider that the major allocations should be phased broadly in line with the approach of the Plan, which accords with ‘Planning to Deliver’. However, I do not consider it practical to phase the village allocations, the subject of policy (R)FH.3, as these are relatively small and dispersed about the District. I have not found it necessary or practical on the available evidence to suggest modifications in the overall numerical phasing of policy (R)FH.2. This has been set down on the basis of achieving an even release over time with priority to previously developed sites. I follow the same approach in suggesting additions to Phases 2 and 3, albeit guided by site specific findings. Whilst this is not wholly arbitrary, there remains a degree of uncertainty whether, faced with demand for housing in balance with employment, the Plan’s overriding land supply requirements will in fact be met year on year if the phasing that now seems appropriate is applied prescriptively up to the end of the Plan period.

- 2.61 In consequence there is an essential need for close monitoring, under Chapter 10 with recommended modification, to create a proper mechanism for early release of Phase 3 sites to serve changing needs. This would be in the light of actual performance of Phase 2 allocations, including with reference to the progress of employment development. In terms of the Plan strategy this monitoring needs to be applied in each settlement as well as District-wide before a balanced decision is made to re-phase any particular site. This process should take place by way of regular and frequent performance review and it should not instead become an undue burden on the development control process to resolve land supply disputes at the applications stage. The supporting text to policy (R)FH.2a therefore needs to be read in conjunction with the monitoring provisions of Chapter 10.
- 2.62 Whilst a sufficient supply to 2011 is the clear requirement of this Plan, I am also alert to the Ministerial statement of July 2003 reaffirming that Councils should look 10 years beyond Plan adoption, ie 2014 in the present case. I also note that the Deposit Draft Structure Plan at paragraph 4.2.10 foresees no greenfield allocations over and above those in emerging Local Plans between 2011 and 2016, anticipating that Gloucestershire as a whole will have a housing surplus over regional requirements.
- 2.63 Without attempting to quantify post-2011 requirements, which would be beyond the scope of my present remit, I think it appropriate to err on the side of nominating an excess of sites in Phase 3 where available, the better to inform the development control and future review process. In addition, where an omission site seems to me to offer an opportunity for future development but not for allocation at this stage I make this clear in my site-specific recommendations. That is not to imply any constraint on the Council in conducting any future Plan review.

Apportionment of Allocations between the Four Main Towns

Lydney

- 2.64 The first, and numerically most significant site-specific conclusion I draw is in Part 2 Chapter 1 in connection with policy (R)F.Lydney 1. Whilst I recommend the continued allocation of 1250 units to Land East of Lydney, as a major strategic site, albeit over a reduced site area to use the land more efficiently, I do not consider that this total can be achieved within the Plan period. I foresee a shortfall of 350 units which should be dispersed in due proportion between the other towns and villages of the District. That represents a net overall Plan shortfall of 300 units that ought to be made up by delivering about an additional 130 units in Cinderford, 68 in Coleford, 47 in Newent and 55 between the larger villages. That is over and above stated totals of policies (R)FH.2 and (R)FH.3. These additions would, assuming suitable sites were available, modify the respective totals of policy (R)FH.2 to 692 for Cinderford, 346 in Coleford and 242 in Newent, with an additional 286 in larger villages under policy (R)FH.3. I aim to recommend sufficient allocations to meet these new figures. [Inevitably, this cannot be achieved precisely, except by chance, and further practical adjustments are necessary.]
- 2.65 I also conclude that in addition to the 1250 units on Land East of Lydney, the allocations at Holms Farm and Kings Buildings should stand but the one at Hill Street should be reduced to 10 dwellings and that the Allaston site should be deleted altogether. I find no justification for including any of the identified omission sites. I

thus arrive at a total allocation for Lydney of 1298. I have not found it necessary to recommend modifying the phasing of these allocations.

Cinderford

- 2.66 I conclude in connection with Part 2 Chapter 2 that all the Plan allocations should stand, subject to adjustment to suit changed circumstances. These result in a reduction in the Valley Road North allocations from 67 to 30 units. More significantly, the Station Street allocation should change to residential from mixed use, with an increased housing capacity of 165 units. Accordingly I arrive at a total allocation for Cinderford of 585 dwellings compared with my calculated requirement of 692, a practical shortfall of some 107 that is not met elsewhere.
- 2.67 I have identified no reserve sites in the town to boost the supply. However, the majority of the allocated land justifies Phase 2 allocation, being previously-developed. There exists therefore an opportunity for the Council to review potential sites, including the possible enlargement of the St Whites Farm site, which I discuss in connection with policy (R)F.Cinderford.8.

Coleford

- 2.68 I deal with Coleford in detail in Part 2 Chapter 3. To make up the increased town requirement I have calculated above at approximately 346 units, I consider that the Poolway Farm site should be reinstated for 80 dwellings in Phase 3, being relatively close to the town centre and already partly developed, but subject to a current foul drainage embargo. That leaves the 140 units on the open land of Owen Farm which I consider it reasonable to split equally between Phases 2 and 3. This will result in a degree of oversupply, but that will potentially compensate for potential under-performance of certain of the smaller sites within the town. I do not support the specific allocation of the many other omission sites in Coleford.

Newent

- 2.69 It is in Newent, considered in part 2 Chapter 4, that I find it necessary to make the most radical recommendations, by proposing the deletion of the Bradfords Lane site [policy (R)F.Newent 8a] in favour of an extension of the Onslow Road allocation [policy (R).Newent 8]. To make up the increased town allocation that recalculate above at 242 units, I propose enlarging the Onslow Road site to 170 dwellings, that is 20 more than the First Deposit allocation of 150.
- 2.70 I have noted in connection with policies (R)F.Newent 2 and 3 and 7 the comparative unlikelihood of the total 72 unit housing element of these three mixed use allocations in Broad Street and Gloucester Road coming forward in Phase 2 of the Plan. Given the substantial allocation at Onslow Road, I make no recommendation for any immediate addition to the housing allocations for Newent. However to counter early shortfall due to potential slow uptake of town centre sites, I propose placing half the Onslow Road allocation in Phase 3.

Presentation

- 2.71 On certain detailed matters of presentation, I am satisfied that the intention of the Plan is clear with due reference to Inset Map 3 that the settlement of Coleford is taken to include all of its satellite communities encompassed within the Defined Settlement Boundary. The note to policy (R)FH.2 is incomplete and should name all the settlements in the group. I consider, Consistent with recommendations I make

elsewhere, that it would aid understanding of the Plan if the text referred as appropriate not only to Coleford but on occasion to ‘the Coleford group of settlements’ or ‘the settlements encompassed by the Coleford Defined Settlement Boundary’, according to context.

- 2.72 Finally, I set out my recommendations for housing allocations in the four main towns in the order they appear in Part 2 with policy references, in the interests of consistency and readability.

Recommendations

2.73 **I recommend that policy (R)FH.2 be modified to:**

Land is allocated for residential development in the four main towns as follows:					
TOWN	SITE	PHASE 2 2003-2007	PHASE 3 2008-2011	SITE TOTAL	TOWN TOTAL
Lydney (R)F.Lydney 1 & 2 (R)F.Lydney 3 (R)F.Lydney 4a (R)F.Lydney 12	Land East of Lydney Holms Farm Kings Buildings Hill Street	600 20 18 10	650	1250 20 18 10	
		648	650		1298
Cinderford and Ruspidge (R)F.Cinderford 5 (R)F.Cinderford 6 (R)F.Cinderford 7 (R)F.Cinderford 8 (R)F.Cinderford 9 (R)F.Cinderford 10 (R)F.Cinderford 12 and 13	Newtown Station Street Valley Road North St Whites Farm Nailbridge Valley Road South Town Centre Mixed Sites	70 165 30 75 70 30 10	75 60	70 165 30 150 70 90 10	
		450	135		585
Coleford Group of Settlements (R)F.Coleford 2 (R)F.Coleford 8 (R)F.Coleford 9 (R)F.Coleford 10 (R)F.Coleford 11 (R)F.Coleford 12	The Marshes Angel Farm Owen Farm Poolway Farm Milkwall Lords Hill	8 100 70 20 10	70 80	8 100 140 80 20 10	
		208	150		358
Newent (R)F.Newent 2 (R)F.Newent 4 (R)F.Newent 7 (R)F.Newent 8	Bennions Garage Broad Street Ross Road Onslow Road	30 15 27 85	85	30 15 27 170	
		157	85		242
GRAND TOTAL OF TOWN ALLOCATIONS					2483
Elsewhere in the four main towns, single dwellings or groups of dwellings will be permitted if they comply with Policy (R)FBE.1 and other relevant policies of this Plan.					

- 2.74 **I recommend that Policy (R)FH.2a and its supporting text be cross-referred to Chapter 10 and qualified by reference to annual performance assessment.**
- 2.75 **I recommend that the Council give priority to reviewing the housing land supply for Cinderford.**

Policy (R)FH.3 – Village Housing Land Allocations

Objections

5/51376	Swanhill Homes Limited
6/51724	Barratt Bristol
6/70381	Barratt Bristol
7/51709	P B Investments
8/52939	Drybrook Parish Council
9/52434	Studio Azzurro Limited
10/51810	Woolaston Parish Council
11/51716	Alfred McAlpine Developments Ltd
11/51717	Alfred McAlpine Developments Ltd
19/52257	Carisbrook Residents A L
25/51744	Chelbury Homes Ltd
25/51838	Chelbury Homes Ltd
29/51285	Diocese of Gloucester
29/51300	Diocese of Gloucester
36/52032	Three Counties Planning Consultancy
37/51799	RMC Group Services Ltd
54/51765	Commercial Bank Trust plc
55/51785	G Holtham Will Trust
57/50553	Mr G Adams
62/51517	Ms S A Aggett
70/50388	Mr K & Mrs A Hyde
76/51193	Mr J Avis
76/51509	Mr J Avis
82/50308	Mr & Mrs L Baker
83/50586	Mr W Baker
95/50617	Mr C Bath
98/52708	Mr & Mrs Baxter
101/52509	Mr & Mrs N Beard
104/52380	Mr R J & Mrs E M Beckley
106/51795	Mr K W Bell
106/52786	Mr K W Bell
111/51097	Mr Bevan
118/50341	Mr & Mrs D Birch
119/50330	Mr J Birtle
125/52330	Mr L Boait
132/52525	Mr & Mrs Brace
133/52374	Mr & Mrs M J Bradbury
134/52279	Messrs Bradley
135/50361	Mr D Bradshaw
150/52230	Mr R Brock
150/70783	Mr R Brock
151/50762	Mr D Brough
156/52081	Mr K Buffry
157/52060	Mr N Buffry
162/52120	Mr & Mrs O Burrows
163/51523	Mr J Butler

165/52513	Mr I Cameron
171/52800	Mr M A Carter
178/52090	Mr M Christopher
182/50145	Mr E G Clark
184/50149	Ms M J Clark
206/50523	Mr S & Mrs L Crick
217/53171	Mr & Mrs T Davies
218/50152	Mr Davis & Miss Roberts
222/50130	Mr J J Davis
225/50837	Mr & Mrs C W Davison
226/50541	Mrs E Dawe
239/52546	Mr C Eaglen & Miss S Lloyd
243/50771	Mr J Edey
260/50404	Mr & Mrs D Evans
263/50367	Mrs W Evans
278/51123	Misses A & J Furninger
279/50206	Mr I J Furnival
286/50200	Mrs M Gillette
295/51518	Ms C Green
305/50686	Ms S Griffiths & Mr P Hewlett
309/52967	Mr R P & Mrs P M Gwynne
315/50894	Robert Hitchins Limited
316/50218	Mr E Harper
320/52023	Mr S & Mrs D Harris
328/50005	Mr A R Hay
333/52143	Mr P Hicks
334/53064	Cllr P J Hiett
336/50612	Mrs K Hoare
340/50198	Mr M R Hook
342/52556	Mr R C Hooper
347/52130	Mr W J Houldey
358/50210	Mrs V Jackson
367/51246	Mr R Jamieson
371/50195	Mrs C Jenkins
388/50828	Mrs O Jones
389/50754	Mr C I Jones
406/52179	H Kear Esq
418/51862	Mr P T Lane
420/52010	Mr R Lazenby
427/52347	Mr N J Lewis
428/52707	Mr K E Lindley
435/52562	Mrs D G Marfell
438/52866	Mr P D K Marques
444/52053	Mr N Maxfield
452/52538	Mr L V Meadows
453/50864	Mrs M Meddings
454/50622	Mr & Mrs G Meek
456/52040	Mr G & Mrs A Mellor
467/52229	Mr Morgan
470/50847	Mr & Mrs P Morgan
475/50594	Mr H Morse
480/50158	Mr G A Murray
480/51032	Mr G A Murray
489/52640	Ms S Newton
497/52891	Mr F O'Leary
497/52924	Mr F O'Leary
505/52616	Palmer Bros
514/52532	Mrs J L Pearce
515/50715	Mrs E Peglar

521/51699	Mr A Perry
531/51549	Mr A Porter
540/52779	Mr F Rainer
552/50550	Ms C M Reynolds
554/51596	Mr D Richards
555/51534	Mr A Richards
556/50354	Mr D Richards
568/50625	Mr & Mrs R J Ruck
576/50651	Mr A Samuel
583/50590	Mrs L Seabourne
595/52368	Mr E T & Mrs S I Shirley
602/50178	Mr H Smelling
607/50603	Mrs M Smith
617/52557	Mrs P Snell
619/52564	Mr W A Spencer
623/50428	Mr G L Stephens
635/50500	Mrs D M Swann
636/50504	Mr K Swann
641/51581	Messrs Taylor & Thorpe
649/53010	Mrs J A Thomas
653/52493	Rectory Meadow Action Group
654/52500	Miss P Tilling
656/50134	Mr & Mrs D Tippins
658/50767	Mr A Tolson
662/53020	Mrs P Tracey
676/52094	Mr W T Waddell
678/50578	Mr A K Dime
685/50648	Mr & Mrs M Watkins
686/53170	Mr P Watkins
687/52350	Mr A J & Mrs V A Watts
689/50858	Ms L Weldon
691/50203	Mr G L Whaley
694/52599	Miss E J Whitfield
695/53101	Mr & Mrs P J Whittle
696/50607	Mrs L Wicks
706/50214	Mrs V Wilkes
709/50325	Mr A & Mrs M Williams
711/50557	Mr K E Williams
712/50563	Mrs M A Williams
713/52473	Mrs P A Williams
720/70155	Mr A Witts
723/52945	Mr R Worlock
724/50110	Mr D I Wylie
734/50942	Consolidated Rank Properties
739/51992	JHS Land
740/52138	Astam GBC Consultancy
742/52842	Ian Murray Associates
744/52997	Holyer Purchase Design
744/52998	Holyer Purchase Design
771/53184	Mr P & Mrs J Ball & Mrs Saunders
798/70244	Ruardean Parish Council
803/70260	Ms Y Migliavacca
842/70798	Prowing Projects Ltd

Supporting Statements

29/51279	Diocese of Gloucester
106/51082	Mr K W Bell
159/52113	Mr & Mrs Burford
169/50064	Mr J Carroll

170/50067	Mrs J Carroll
210/52033	Miss M S Dancey
368/50072	Mrs M Jeffcutt
591/50088	Mrs E Sheen
688/53075	Mr & Mrs W J Weeks

Issues

- a. Almost all of over 260 recorded objections to this policy relate to: specific allocation or omission sites; Defined Settlement Boundary extensions or settlement policies; the deliverability of village sites within the Plan period; and the clarity of requirements for developer contributions. These matters are considered in the relevant settlement chapters of Part 2 of the Plan.
- b. The remaining issues chiefly concern the strategic approach of the Plan having regard to PPG3 in respect of the amount of village development contemplated compared with that allocated by way of greenfield extensions to the main towns, and the omission or inclusion of certain villages within the jurisdiction of policy (R)FH.3.

Reasoning and Conclusions

- 2.76 I recognise the strong feeling of some objectors that many settlements of the District, other than the four largest towns, offer opportunities for new development within their defined boundaries, as an alternative to major urban greenfield extensions. With a very large proportion of the District population dispersed into rural communities, some of them large enough to enjoy major community facilities, this is an understandable approach.
- 2.77 However, on consideration of the overall locational strategy of the Plan in connection with policies (R)F.Strategy 1, 6, 7 and 8, I conclude that the broad amount and distribution of development about the District is appropriate in terms of established national, regional and county policy, in particular taking account of the sequential approach to site selection advised by PPG3.
- 2.78 In relation to policies (R)FH.1 and (R)FH.2 above, I further conclude that a total of about 286 dwellings, 55 more than in the Revised Deposit Plan, should be provided on specific sites allocated in the larger villages, in order to achieve that part of the total land supply. These allocations, together with predicted windfall infilling opportunities under policies (R)FH.4 and 5 will, in any event, make a significant contribution to the balance of village communities, as well as to the overall housing supply.
- 2.79 The conclusions I reach in Part 2 specific to individual villages and sites inform a final overview, set out below, of which settlements should be covered by policy (R)FH.3, and the amount of land to be allocated.

Blakeney

- 2.80 In Chapter 10 I recommend that the Former Goods Station site off High Street be enlarged to provide approximately 15 dwellings under policy (R)F.Blakeney 1.

Bream

- 2.81 In dealing with the several omission sites in Chapter 11 on Bream, I reach the conclusions that lands at the Sawmills should not be allocated for housing but should be encompassed within the Defined Settlement Boundary. I also conclude that the

allocation for Land at Woodside should be reinstated under policy (R)FH.3 for 12 dwellings. I do not support the other omission objections. Bream should therefore be reinstated in this policy for 12 units.

Drybrook

2.82 In Chapter 16, I recommend no modification to policy (R)F.Drybrook/Harrow Hill 3 for 15 dwellings at Woodland Road. However, I propose that the number of dwellings allocated by policy (R)F.Drybrook/Harrow Hill 2 at Drybrook Road be reduced to 40 units from 45 over a much smaller site area, to exclude existing employment land.

Hartpury

2.83 In Chapter 21 on Hartpury I recommend the deletion of policy (R)F.Hartpury 1, thereby removing the specific allocation of 10 dwellings at Over Old Road with no replacement site. Accordingly, Hartpury should be deleted from policy (R)FH.3.

Huntley

2.84 In Chapter 23 on Huntley I recommend an additional site on land to the East of the village for 30 dwellings, whereby Huntley should be added to the list of villages nominated in policy (R)FH.3.

Longhope

2.85 In Chapter 26 I recommend no change to the housing allocation figures for Longhope.

Mitcheldean

2.86 In Chapter 29 on Mitcheldean I recommend the enlargement of the Gloucester Road allocation under policy (R)F.Mitcheldean 1 to 35 dwellings and the retention of the Lining Wood House site under policy (R)F.Mitcheldean 2 for 40 dwellings, a new total of 75 units. This recognises not only a justification for additional housing in this comparatively large village but also an identified shortfall of housing provision and demand in nearby Cinderford.

Newnham on Severn and Ruardean

2.87 In Chapters 31 and 37 I recommend no change to the housing allocation figures for Newnham on Severn or Ruardean.

Sling

2.88 In Chapter 40 on Sling I recommend an additional site on land at the Miners Arms public house for 15 dwellings, whereby Sling should be added to the list of villages nominated in policy (R)FH.3.

Staunton/Corse

2.89 In Chapter 43 I recommend no change to the housing allocation for Staunton/Corse.

Tutshill/Sedbury

2.90 In Chapter 45 I recommend no change to the housing allocation for Tutshill and Sedbury. [I do find that Omission site OH45.2, Land at the junction of the A48 and the B4228 Gloucester Road, is a potential major greenfield allocation equivalent to at least 70 dwellings, but that its allocation is not justified at this time.]

Upper Soudley

2.91 In Chapter 47 I recommend only some flexibility in the number of dwellings allocated by policy (R)F.Soudley 2 for the former coach depot, to be expressed as ‘up to 10’.

Westbury on Severn

2.92 In Chapter 48 I consider several omission sites, only favouring OH48.1 in part, whereby the allocation of 10 dwellings by policy (R)F.Westbury 1 is retained over an enlarged area.

Woolaston

2.93 In Chapter 51 I recommend that the housing allocation under policy (R)F.Woolaston 1 be increased over an enlarged site to 30 units.

Overall

2.94 It will immediately be recognised that these recommended allocations add up to some 305 units, 19 in excess of my calculated target figure. I consider on balance that, in the widely fragmented settlement pattern of the Forest where this kind of prediction is bound to be highly approximate in any event, these allocations are justified on the merits I have assessed.

Recommendation

2.95 **I recommend that policy (R)FH.3 be modified to:**

Land will be allocated for approximately 307 dwellings on sites in the following villages:

Part 2 Chapter	Village	No of dwellings
10	Blakeney	15
11	Bream	12
16	Drybrook	40
30	Huntley	30
26	Longhope	15
29	Mitcheldean	75
31	Newnham on Severn	21
37	Ruardean	12
40	Sling	15
43	Staunton/Corse	20
47	Upper Soudley	10
48	Westbury on Severn	10
51	Woolaston	30
	TOTAL	305

Policy (R)FH.4

Housing in Villages – Small Groups, Single Dwellings and Infilling

Objections

6/51731	Barratt Bristol
6/70382	Barratt Bristol
9/52432	Studio Azzurro Limited
12/52416	Walker Stuart Planning
36/52038	Three Counties Planning Consultancy
54/51768	Commercial Bank Trust plc
95/50627	Mr C Bath
106/52788	Mr K W Bell
111/52251	Mr Bevan
150/52231	Mr R Brock
312/51527	Government Office for the South West
333/52148	Mr P Hicks
475/50614	Mr H Morse
521/51703	Mr A Perry
576/50653	Mr A Samuel
641/51583	Messrs Taylor & Thorpe
686/51710	Mr P Watkins
720/51355	Mr A Witts
741/52409	Matthews & Son

Supporting Statements

596/52331	Mr G Siddle
847/70743	Mr J Kendrick

Issues

There are three levels of objection to this policy, first to its general terms in the context of the Plan strategy and policy (R)F.Strategy 8 in particular, second to the omission or inclusion of certain villages within its jurisdiction, and third to the omission of specific site allocations or Defined Settlement Boundary extensions.

Reasoning and Conclusions

- 2.96 I consider the first group of general objections together with those to policy (R)FH.Strategy 8, where I reach the conclusion that the locational strategy of the Plan and its general distribution of development about the District, including in villages, is broadly appropriate.
- 2.97 I make comments in connection with policy (R)FH.3 above concerning the potential for villages to offer an alternative to urban greenfield extensions, and these apply similarly here.
- 2.98 Omission sites and proposed Defined Settlement Boundary modifications arising from objections to policy (R)FH.4 are covered in detail within the respective settlement chapters of Part 2. Conclusions reached there are summarised below. I have in no case decided to recommend the transfer of any village into or between policies (R)FH.4 and (R)FH.5.

Bream

- 2.99 I deal with Bream under policy (R)FH.3.

Dymock

2.100 I do not support the three omission sites in Dymock and find no reason to remove it from this policy.

Hartpury

2.101 In dealing with Hartpury in Chapter 21 I conclude that the Land off Over Old Road should not be specifically allocated for housing under policy (R)F.Hartpury 1. Thus , Hartpury should be deleted from policy (R)FH.3. However, I recommend the inclusion of limited land to the north of Corsend Road within the Defined Settlement Boundary whereby a greater area becomes subject to the infilling provision of this policy.

Huntley

2.102 In Chapter 23 I recommend the addition of a housing allocation for 30 dwellings on land fronting the A40 east of the village, whereby Huntley should instead be listed in policy (R)FH.3.

Littledean

2.103 I consider the several omission sites in Littledean in Chapter 25 but I do not favour any of them. However, I recommend deleting employment protection for the Court Farm site, whereby it acquires potential for other uses, including mixed housing and employment.

Ruardean Woodside

2.104 In Chapter 39 I find no reason to alter housing provision.

Sling

2.105 I deal with Sling in Chapter 40 and under policy (R)FH.3 above where I conclude that it should be added also to the list of villages with specific housing allocations with respect to the land at the Miners Arms PH.

Upper Soudley

2.106 In Chapter 47 I conclude in relation to Revised Deposit policy (R)F.Soudley 2 that the Coach Depot should remain allocated for up to 10 dwellings under policy (R)FH.3.

Woodcroft

2.107 In Chapter 50 on Woodcroft I recommend that none of the three Omission sites considered there be allocated for housing

Pillowell and Yorkley

2.108 In Chapters 49 and 53 I do not favour any of the several omission sites advanced in Whitecroft, Pillowell, Yorkley or Yorkley Slade for specific allocation. However, I recommend future reconsideration of the Scotts [Kears] Bakery site [OEH49.1] for further consideration for redevelopment at the next Plan review.

Recommendation

2.109 **I recommend no modification to Policy (R)FH.4.**

Policy (R)FH.5 - Housing Development in Smaller Villages

Objections

22/52136	Format Builders Ltd
36/52039	Three Counties Planning Consultancy
44/51298	Federal Mogul
54/51769	Commercial Bank Trust plc
58/52099	Mr G Adams
111/51098	Mr Bevan
111/52253	Mr Bevan
150/52232	Mr R Brock
154/52126	Mr T Brown
312/51528	Government Office for the South West
418/51850	Mr P T Lane
418/51859	Mr P T Lane
447/52992	Mr G A K McDonald
603/51346	Ms Hume & Mr Smith
620/52952	Miss M Spinks
677/52463	Mr & Mrs R N Walker

Supporting Statements

84/50245	Mr A A Baldwin
87/50242	Mrs N Baldwin
90/51155	Mr L Barnett
92/51159	Mrs T Barnett
138/50114	Mrs I D Brain
139/50115	Mrs J Brain
141/50111	Mrs W Brain
179/50271	Mr J M Claridge
187/50275	Ms L A Claridge
197/50217	Mr A L Coones
198/51178	Dr P Coones
199/50371	Mrs W Coones
200/50260	Ms B Cooper
221/50269	Ms J Davis
237/50247	Mr P Duberley
238/50229	Mrs N Duberley
244/50118	Mr R F D Edgecombe
284/50127	Mrs J Gibbons
285/50126	Mr S R Gibbons
296/50009	Mrs J Green
310/50250	Mrs M Haines
311/50252	Mr R Haines
317/50278	Mr A S Harris
338/50286	Mr P Hoare
339/50284	Mrs T Hoare
344/50264	Mrs C M Horlick
345/50267	Mr R M Horlick
361/50280	Mrs E P James
365/50282	Mr K G James
381/50219	Mrs Jones
382/50221	Mr Jones
384/50257	Mrs A K Jones
392/50235	Mr H J Jones
393/50240	Miss J R Jones
395/50231	Mr N Jones
397/50238	Mrs S Jones
436/50092	Ms H Marfell

437/50058	Mrs M Marfell
441/50119	Mrs I Mason
468/50215	Mr Morgan
484/51181	Mr A J Nedoma
491/50262	Mrs M Nightingale
517/50057	Mrs J Pennock
518/50059	Mr P M Pennock
547/51174	Mr C Reid
575/50254	Mr R Sadler
597/51163	Ms V Simonds
604/50068	Mr I R Smith
606/50099	Mr J W Smith
609/50103	Mrs M B Smith
613/50095	Mrs S J Smith
629/51167	Miss E J Stibbs
638/50123	Mrs M Taylor
660/50122	Mr H Toomer
710/51145	Mr G J Williams
714/51150	Mrs R Williams
847/70744	Mr J Kendrick

Issues

There are three levels of objection to this policy, first to its general terms in the context of the Plan strategy and policy (R)F.Strategy 8 in particular, second to the omission or inclusion of certain villages within its jurisdiction, and third to the omission of specific site allocations or Defined Settlement Boundary extensions.

Reasoning and Conclusions

General

- 2.110 I consider the first group of general objections together with those to policy (R)FH.Strategy 8, where I reach the conclusion that the locational strategy of the Plan and its general distribution of development across the District, including in villages, is broadly appropriate.
- 2.111 I make comments in connection with policy (R)FH.3 above concerning the potential for villages to offer an alternative to urban greenfield extensions, and these apply similarly here. In the smallest settlements, whilst no quantitative allocations are made, single dwellings can make a worthwhile contribution to land supply in terms of windfalls permitted under this policy, subject to other development control provisions.
- 2.112 Omission sites and proposed Defined Settlement Boundary modifications arising from objections to policy (R)FH.5 are covered in detail within the respective settlement chapter of Part 2. Conclusions reached on each omission objection summarised below. I have in no case decided to recommend the transfer of any village into or between policies (R)FH.4 and (R)FH.5.

Undefined Settlements

Chaxhill, Churcham Clifford’s Mesne and Kilcot

- 2.113 I deal with Chaxhill, Churcham Clifford Mesne and Kilcot in connection with policy (R)FH.6 below, where I conclude that none of these small rural villages should be defined with a Settlement Boundary, but should remain subject to policy (R)FH.6.

Stantway

2.114 I deal with objections relating to Stantway in connection with policy (R)FH.6 below and Omission Site OH48.3 [in the Westbury Chapter], where I conclude that it should not be defined within a Defined Settlement Boundary but be subject to policy (R)FH.6.

Defined Settlements

Blaisdon Redmarley Ruardean Woodside

2.115 In Chapters 9, 36 and 39 I recommend no change to housing provision for Blaisdon, Redmarley or Ruardean Woodside.

Upper Soudley

2.116 I deal with Upper Soudley in connection with policies (R)FH.3-4 above.

Recommendation

2.117 **I recommend no modification to policy (R)FH.5.**

Policy (R)FH.6 – New Housing in the Countryside**Objections**

22/52135	Format Builders Ltd
36/52041	Three Counties Planning Consultancy
41/51036	Countryside Agency
106/51796	Mr K W Bell
106/52189	Mr K W Bell
150/52809	Mr R Brock
154/52125	Mr T Brown
219/52134	Mr & Mrs Davis
235/52459	Kempley Parish Council
408/52932	Mr R H Keyse
434/52190	Mr & Mrs Marcus
443/52272	Mr Matthews
447/52991	Mr G A K McDonald
488/70729	Friends of the Earth (Forest of Dean)
488/70730	Friends of the Earth (Forest of Dean)
580/52212	Mr & Mrs A Scott
663/51767	Tufnell Town & Country Planning
677/52461	Mr & Mrs R N Walker
679/51928	Westbury on Severn Parish Council
681/52217	Mrs J Ward
681/52220	Mrs J Ward
693/51640	Longhope Parish Council
847/70745	Mr J Kendrick

Issues

- a. Certain objections recorded against policy (R)FH.6 relate to its principle and terms in the context of both Plan aims and national guidance, and these matters are assessed here.
- b. However, the majority of objections to this policy are made to the omission of a Defined Settlement Boundary [DSB] for certain settlements, or to the omission of certain settlements from considerations for village development

under policies (R)FH.4 or (R)FH.5, or to the omission of certain lands from allocation for development both within, adjacent to or outside DSBs.

- c. There is also an outright objection to the allocation under policy (R)F.Westbury 1 [The Coalyard], considered under Chapter 48.

Reasoning and Conclusions

Principle and Terms

- 2.118 A number of objections contend that this policy is too restrictive to comply with national advice on housing in PPG3 and on the environmental quality and economic and social development the countryside in PPG7. On the contrary, I consider that the policy adheres properly to that guidance in resisting residential development in the countryside, other than affordable homes exceptionally, unless it is justified in the interest of the rural economy in connection with agriculture and forestry. It therefore appears to me that the chief concern of objectors is in reality that certain named settlements are regarded by the Plan as part of the open rural landscape and not given a defined settlement boundary within which the more permissive housing policies (R)FH4 or 5 would have jurisdiction.
- 2.119 There are additional implications for rural employment, the subject of policies (R)FE.4 for villages with defined boundaries and (R)FE.5 for the countryside, but it must be remembered that (R)FH.6 is essentially a housing policy. However, in my opinion reading the Plan as a whole, it makes due provision overall to support justified rural development. In particular policy (R)FH.14, subject to the modification recommended below, contemplates affordable housing outside but adjoining settlements in certain exceptional circumstances, whilst policy (R)FE.5 provides for countryside employment sites in support of the rural economy.
- 2.120 It does not seem to me that this policy is in conflict with the Revised Deposit version of (R)F.Strategy 3 on priority for the re-use of land as that refers to the urban context. Nor is there any inconsistency with (R)FH.14 now that the Revised Deposit version expressly refers to affordable housing on exceptions sites. The provisions of policies (R)FH.15 and 16 on replacement and subdivision of dwellings are plainly intended for limited circumstances resulting in insignificant change or planning benefit, but as they strictly relate to new dwellings a further cross-reference should be added to (R)FH.6, similar to that on exceptions sites. All those references should be by policy number for clarity.
- 2.121 On a particular concern of Friends of the Earth, I do not consider that the text needs to make reference to areas of particular designation such as AONB because these have due protection in Chapter 8 on the Natural Environment.
- 2.122 I would add that I have some sympathy for the view that emerged several times at the Inquiry that the plan leaves something of a policy vacuum for previously developed land in rural areas. That is quite apart from the legal controversy over Statutory Forest status. I support the Council in its stance that the protection of the countryside should be the prime concern in assessing any redevelopment proposals, notwithstanding the national drive for re-using previously developed land. Even so, more specific guidance on how such land will be regarded, including in the Statutory Forest once the outstanding legal dispute is resolved, would be a desirable addition to the policy framework at any future review.

2.123 In the limited context of the objections duly made to the Plan, I can only assess the representations made in support of particular rural omission sites. I now deal with them in turn.

Individual Settlements and Omission sites

2.124 Objections to the omission of specific sites arising from objections to policy (R)FH.6 are covered in detail within the respective settlement chapter of Part 2 where one has been included in the Revised Deposit Plan. Objections to the omission of Defined Settlement Boundaries are discussed here together with omission sites outside defined settlements. My conclusions are brought together in an overall summary below.

Undefined Settlements

Broadoak

2.125 I find elsewhere that the Plan distributes development about the District in a generally appropriate way in the context of national, regional and strategic county policy in the Structure Plan, whereby most development is directed to towns and larger villages with Defined Settlement Boundaries. I agree with the Council that the coastal village of Broadoak is too small to justify a Defined Settlement Boundary, being essentially rural in character, apart from frontage development along the A48.

Omission Site OHU.1 - Land at the Silver Fox Café [Objection 106/51796]

2.126 It follows that a substantial housing allocation over the land at the Silver Fox Café should not be made, as the site is situated outside any defined settlement where the countryside is protected from new development unless there is some particular or exceptional material consideration to justify it.

Chaxhill

2.127 I find elsewhere that the Plan distributes development about the District in a generally appropriate way in the context of national, regional and strategic county policy in the Structure Plan, whereby most development is directed to towns and larger villages with Defined Settlement Boundaries. I agree with the Council that the village of Chaxhill is too small to justify a Defined Settlement Boundary, being essentially rural in character, comprising little more than a hamlet astride the A48. That is in no way to belittle the community in any social sense and clearly it has had its share of new development over the years. However, any further proposals for additional dwellings would fall to be considered under rural or exceptional provisions of the Plan.

Omission Site OHU.2 – Proposed Redevelopment of The Laurels [Objection 447/52991]

2.128 Accordingly the proposal to redevelop The Laurels, Chaxhill for additional housing should not be the subject of specific allocation as this would sanction new building in the countryside, contrary to established policy for its protection, consolidating the urban form of the currently dispersed rural settlement.

Churcham

2.129 I respect the strong view expressed that Churcham should not appear to be sidelined by the Plan in not being defined within its own Defined Settlement Boundary whereby limited development could take place. Whereas this might support the local economy, the overriding consideration is that the village is a small and dispersed rural settlement. In my judgement it is rightly regarded by the Plan as part of the

countryside for planning purposes, in the context of strategic policies, which I support elsewhere, to direct development to main towns and larger villages.

Clifford’s Mesne

- 2.130 It is contended by one objector that Clifford’s Mesne should be afforded a Defined Settlement Boundary facilitating infilling development, on grounds that the rural restriction to agricultural and forestry dwellings is outdated. Whilst agriculture might be in decline, that is not to say that the countryside should not continue to enjoy protection from the urbanising influences of development, unless there are overriding material considerations to warrant it. As Clifford’s Mesne is, in my judgement, a small and dispersed rural settlement, I consider that it should not be subject to infilling policies whereby its built form could be consolidated. I accordingly reject the proposal that it should be identified for planning purposes within a Defined Settlement Boundary.

Omission Site OHU.3 - Land between The Homestead and Southall Terrace

[Objection 677/52461]

- 2.131 Accordingly no specific allocation should in any event be made for the land promoted by the objector between the Homestead and Southall Terrace and any such proposal would fall to be decided on the general policies of the Plan in the light of all material factors. Notwithstanding that a dwelling on the site might be relatively inconspicuous and bring improved access, such development without due justification would, if repeated too often, alter the character of the rural parts of the District to an unacceptable degree.

Elton

Omission Site OHU.4– Land at Elton Corner [Objection 434/52190]

- 2.132 The objector came to the Inquiry with an interesting proposal to allocate land not now in economic agricultural use at Elton Corner for a park and ride facility between the railway line and the A48(T) at its junction with the A4151. The site is thus centrally placed on main public and private transport routes between the two largest towns and other substantial settlements of the South Forest and the City of Gloucester. The innovative proposal extends to associated, sustainably designed affordable or market housing, having zero private parking provision, with an opportunity to provide business development, rail freight handling and also road improvements and traffic calming on the A48 junction.
- 2.133 I recognise that such a proposal was mooted for the same land in a 1998 report on Enhancing Rail Freight in the District, and that others have been promoted with success at different locations elsewhere in Gloucestershire. I understand too the inherent concept in such a scheme of reducing current congestion on the commuter route between the Forest of Dean District and Gloucester. However, I have concluded in Chapter 1 and above that the strategic approach to balanced employment and residential development in the Forest mainly in towns, avoiding the very practice of out-commuting, is appropriate in terms of established national, regional and Structure Plan policy and guidance. Accordingly, notwithstanding that the site might lend itself to effective landscape screening, it must be regarded as part of the open countryside where development should not be allocated unless there is overriding material justification.

2.134 Railtrack do not favour the idea without supporting economic statistics and I have seen no evidence that a transport interchange here would be viable, noting that instead the Plan favours improving rail freight facilities at Lydney. I view the other elements of the proposal as essentially enabling a Park and Ride railway station development, were it otherwise supportable. It is my overall conclusion that there is no justification for a specific Plan allocation for the uses proposed, and that Elton and Omission Site OHU.4 should continue to be regarded as part of the open countryside, subject to policy (R)FH.6. That is not to say that such initiatives should not come forward on merit where there is specific evidence that they should be supported.

Kilcot

2.135 It is argued generally that Kilcot should be accorded a defined settlement boundary within which housing development should be allowed. However, in my view, away from the essentially linear development along the B4221 the settlement comprises a loose scatter of development in a rural setting. I have concluded in Chapter 1 and above that the broad locational strategy for the distribution of residential development about the District is appropriate. In that context I consider on balance that Kilcot, whilst clearly enjoying an identity, community facilities and an infrastructure of its own, does not justify identification as a settlement for the purposes of this Plan.

Omission Site OHU.5 - Land at Alway House, Kilcot Lane [Objection 580/52122]

2.136 I note that there is no supply of building land in Kilcot, and I understand that some demand exists for market or affordable homes, especially given the comparatively close proximity and accessibility of Newent and other defined settlements offering employment and a substantial level of community infrastructure. However, in the context of the essentially rural character of Kilcot and the overall Plan strategy I do not see these considerations as overriding the established need to protect the countryside outside main settlements.

2.137 I am alert to the fact that the omission land has had some prior use. However, I give greatest weight to the potential for new built development there to intrude prominently into the rural view, for example from Kews Lane and local footpaths, consolidating and urbanising the locality, detrimental to its rural character. I see this as the overriding consideration and it leads me to decide not to recommend the land for allocation. To do so without exceptional justification could establish an unacceptable planning precedent.

2.138 In reaching this conclusion I note the previous appeal decision dismissing development on this site on grounds of rural intrusion, based on currently adopted policy, but I have re-assessed the nature of Kilcot and before making my own assessment.

Stantway

2.139 I have concluded in Chapter 1 and above that the broad locational strategy for the distribution of residential development about the District is appropriate, whereby need for affordable and market housing should be met within towns and defined settlements. In that context I consider on balance that Stantway, whilst containing a certain amount of housing of a suburban style, enjoys few community facilities and does not justify identification as a settlement for the purposes of this Plan.

Omission Site OHU.6 – Land at Stantway [Objection 22/52135]

- 2.140 The objector contends that open land, no longer in economic agricultural use, south west of established built development between Stantway Farm and The Wickets, be allocated for market and affordable housing within a Defined Settlement Boundary to be drawn around Stantway. This land, measuring about 0.94ha, is reasonably well located in relation to the larger settlement of Westbury and is only separated from a Council house development by Stantway Lane. However, that development comprises a single row of houses with long rear gardens and other built parts of Stantway are random and dispersed by comparison.
- 2.141 Thus, whilst the omission site may be regarded as having defensible, vegetated boundaries, it is also clearly a part of the rural scene, where mature hedgerows area feature. I see no justification for allocating the land for development, as in my opinion this would amount to an unwarranted consolidation of the essentially open-textured, rural settlement of Stantway.
- 2.142 I deal with a further omission site Ref OH48.3 at Wintles Hill, Stantway raised in connection with policy (R)F.Westbury 1 in chapter 48 of Part 2, where I similarly conclude that there is insufficient justification for a specific allocation within a Defined Settlement Boundary. In my overall judgement, Stantway should remain subject to policy (R)FH.6 as an essentially rural area.

Defined Settlements

Blaisdon, Huntley, Joys Green and Kempley Green

- 2.143 In Chapters 9, 23, 24 and 28 I reach no conclusion that would affect the status of Blaisdon, Huntley Joys Green or Kempley Green with respect to this policy.

Recommendation

- 2.144 **I recommend that Policy (R)FH.6 be modified by the addition of the words “..... under policy (R)FH.14, or created by replacement under policy (R)FH.15 or by subdivision under policy (R)FH.16.”**
- 2.145 **I recommend that Broadoak be not identified within a Defined Settlement Boundary and that the Land at The Silver Fox Café, Broadoak be not allocated for development.**
- 2.146 **I recommend that Chaxhill be not identified within a Defined Settlement Boundary and that the Land at The Laurels, Chaxhill be not allocated for development.**
- 2.147 **I recommend that Churcham be not identified within a Defined Settlement Boundary.**
- 2.148 **I recommend that Clifford’s Mesne be not identified within a Defined Settlement Boundary and that the Land at between The Homestead and Southall Terrace be not allocated for development.**
- 2.149 **I recommend that Kilcot be not identified within a Defined Settlement Boundary and that the Land at Alway House, Kilcot be not allocated for development.**
- 2.150 **I recommend that Stantway be not identified within a Defined Settlement Boundary and that the Land at Stantway not allocated for development.**

2.151 **I recommend no modification to this policy with respect Blaisdon, Huntley, Joys Green or Kempley Green.**

2.152 **I recommend the Council to consider, in the next review of the Plan, introducing express policy provision to cover the future use of previously-developed land in rural areas.**

Policy (R)FH.7 – Housing on Greenfield Sites

Objections

6/51729	Barratt Bristol
25/51914	Chelbury Homes Ltd
25/70139	Chelbury Homes Ltd
36/52043	Three Counties Planning Consultancy
288/70265	Gloucestershire County Council
291/52956	Mr A S Goodenough
312/51529	Government Office for the South West
315/50896	Robert Hitchins Limited

Supporting Statements

6/51741	Barratt Bristol
847/70746	Mr J Kendrick

Issues

- a. According priority to the re-use of previously developed land.
- b. Assessment of the practical availability of previously developed sites.

Reasoning and Conclusions

- 2.153 This policy mainly restates the strategic aim of Chapter 1 to give priority to the reuse of previously developed land in the particular context of maintaining an adequate housing supply. It is understandable that objectors highlight that the monitoring and management process should provided a means of assessing whether previously developed sites are available in practice to fulfil this purpose. This is a material question that goes well beyond merely identifying that previously developed sites exist. Their true availability and time scale for release in the light of development constraints must be judged on the most up to date information available. I consider that to be a matter for Chapter 10 on Implementation, Monitoring and Review, in which connection I recommend that the monitoring processes be specified in detail and put in place to inform future Plan review as well as the development control process.
- 2.154 However, in my opinion it is necessary for policy (R)FH.7 and its text to refer to this crucial question, as I recommend below. Thus modified, and read in conjunction with the strategic and implementation provisions of Chapters 1 and 10 and the phased housing allocations above, with other changes I recommend, policy (R)FH.7 will promulgate a pragmatic approach to resolving the competing needs for managed land use and providing an adequate supply of homes, still with an acceptable level of certainty.
- 2.155 A Voluntary Change adding reference to unidentified greenfield sites being unacceptable is also appropriate. However, it should be made more definitive, as it is

not to be anticipated that further greenfield sites will come forward, other than by way of Plan review. In the meantime it is sufficient that there is always scope for material considerations to indicate an exception.

Recommendation

2.156 **I recommend** that the first sentence of policy (R)FH.7 be modified by deleting ‘exists’ and substituting ‘available’.

2.157 **I recommend** that a new paragraph be inserted after policy (R)FH.7 as follows:

A judgement whether an alternative previously developed site is available within a time scale such that an adequate housing land supply can be maintained must be made in accordance with the monitoring procedures set down at Part 1 Chapter 10.

2.158 **I recommend** Paragraph 2.36 be modified by adding after the first sentence ‘Greenfield sites not identified in the Plan will not be acceptable.’

Policy (R)FH.8 – Promotion of and Retention of Housing in Town Centres

Objections

48/51479	SW RSL Planning Consortium
313/51833	The House Builders Federation

Issues

- a. Interpretation.
- b. Car parking provision.

Reasoning and Conclusions

2.159 On the matter of interpretation, I consider the Revised Deposit wording to be clear and comprehensible.

2.160 According to national guidance in PPG13, it is important that no more parking is provided than is appropriate to the particular town centre location concerned. The requirement of Criterion 3 for adequate parking is consistent with this approach, albeit I prefer the term ‘appropriate’ in this context. The question of what is appropriate is for assessment under policy (R)FT.3.

Recommendation

2.161 **I recommend** that Criterion 3 of policy (R)FH.8 be modified by deleting ‘adequate’ and substituting ‘appropriate’.

Policy (R)FH.9

Promotion of New Housing Stock through Conversions within Settlements

Objections

36/52044	Three Counties Planning Consultancy
48/51481	SW RSL Planning Consortium
48/70541	SW RSL Planning Consortium
48/70542	SW RSL Planning Consortium
312/51530	Government Office for the South West
679/51913	Westbury on Severn Parish Council

Supporting Statements

48/51480	SW RSL Planning Consortium
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Issues

- a. Interpretation.
- b. Parking provision.
- c. References to empty dwellings as potential affordable homes and to the Housing Strategy Statement.
- d. Conversions outside settlements.
- e. Housing density.

Reasoning and Conclusions

- 2.162 One objector raises the question whether the use of converted outbuildings would be permitted only ancillary to the nearest principle dwelling. The policy and text are appropriately silent on this point, which is for determination in each individual case, notwithstanding alleged past Council practice. I have no difficulty of interpretation in this respect.
- 2.163 Notwithstanding the representations of the SW RSL Planning Consortium, appropriate parking provision is always important. However, in town centres particularly, appropriate on-site provision might be equal to zero where adequate alternatives exist. That is a matter for judgement in connection with individual planning applications, which are also subject to policy (R)FT.3. However, for consistency with the somewhat overlapping provisions of policy (R)FH.8 above, I suggest the use the term appropriate in the penultimate sentence of text para 2.39.
- 2.164 A voluntary change referring to dwelling conversions as a source of affordable homes is also appropriate. I refer to the Housing Strategy Statement in connection with introductory text para 2.6 of the General section of this chapter above.
- 2.165 I consider the question of new dwellings in the countryside outside defined settlements in connection with policy (R)FH.6 above, and I consider whether additional small settlements should qualify for new development within defined settlement boundaries under policies (R)FH.4-5. I recommend that policy (R)FH.6 be modified to acknowledge dwellings created by replacement or conversion under policies (R)FH.15 and 16. Rural building conversions are also the subject of policies (R)FBE.5 and 6. I take the view that, with my recommended modifications, these policies together make the proper level of provision in the Plan for conversions

outside settlements, given the importance of protecting the character of the countryside.

2.166 Matters of housing density properly relate to policy (R)FH.10 below.

Recommendation

2.167 **I recommend that Paragraph 2.39 be modified by the addition to the second sentence of ‘and may provide a variety of housing, including affordable homes’.**

2.168 **I recommend that the penultimate sentence of Paragraph 2.39 be modified by deleting ‘adequate’ and substituting ‘appropriate’.**

Policy (R)FH.10 – Encouragement of Optimum Densities

Objection

48/51483 SW RSL Planning Consortium

Supporting Statements

48/51482 SW RSL Planning Consortium
175/51417 Hallam Land Management

Issues

- a. Reference to the implications of development density for affordable housing.
- b. Reference to PPG3 on housing density.

Reasoning and Conclusions

2.169 I do not consider it necessary for this policy to make specific reference to the implication of generally higher housing density for the affordability of dwellings, as its aims relate to the optimum use of all housing land and not directly to affordability. The latter, and related matters of tenure, are considered under the affordable housing policies below.

2.170 The Revised Deposit wording of text para 2.40 appropriately complies with PPG3.

Recommendation

2.171 **I recommend no modifications to Policy (R)FH.10 or its supporting text.**

CHAPTER 2 – HOUSING – Part 2 [Report Pages 1-2-42 to 1-2-62]**Policy (R)FH.11 - Mix Of Dwelling Types****Objections**

36/52045	Three Counties Planning Consultancy
44/51299	Federal Mogul
48/51485	SW RSL Planning Consortium
48/70532	SW RSL Planning Consortium
49/51560	Westbury Homes Holdings
51/51575	Westbury & Persimmon Homes
52/51742	H Kear & R Hitchins
313/51837	The House Builders Federation
315/50907	Robert Hitchins Limited
315/70338	Robert Hitchins Limited
847/70747	Mr J Kendrick

Supporting Statements

48/51484	SW RSL Planning Consortium
840/70705	Dwr Cymru Welsh Water

Issues

- a. The affordable housing role of small dwellings and low cost market housing.
- b. Definitions of the terms ‘Social’, ‘Affordable’, and ‘Low Cost Market’ housing.
- c. Control of the mix of housing tenures.
- d. Detailed policy terms and its practical application to development control.
- e. Assessment of local housing requirements.
- f. Definition of the term ‘Large Housing Sites’.

Reasoning and Conclusions**Small Dwellings and Low Cost Market Housing**

- 2.172 Policy (R)FH.11 seeks to provide a range of different house types on large housing sites and refers particularly to the size of dwellings and to the inclusion of smaller dwellings, where appropriate. This can be related to Government advice in PPG3 ‘Housing’ (March 2000) which, at paragraph 10, seeks:- ‘... to secure a better social mix by avoiding the creation of large areas of housing of similar characteristics’. Paragraph 9 of PPG3 points out that [nationally] the majority of the projected growth in households is expected to be in the form of one-person households.
- 2.173 There are objections to the Policy’s statement that the provision of smaller dwellings is to be independent of any requirement for affordable homes. In practice the needs for affordable housing and for open market housing will each include small dwellings for one or two person households as well as larger dwellings suitable for family occupation. Table 7.2 of LPD41 indicates the relative proportions of dwellings of different sizes to meet affordable housing needs. The Policy is suitably worded to avoid large housing sites being developed exclusively with small affordable dwellings or with large open market houses. However, the supporting text should be reworded

to better explain the objective of creating mixed communities and avoiding concentrations of particular types and sizes of housing.

- 2.174 Paragraphs 4 and 6 of Circular 06/98 ‘Planning and Affordable Housing’ confirm that affordable housing can include ‘low-cost market housing’. This is referred to in the Plan at paragraph 2.42a. Paragraph 4 of the Circular requires that such housing ‘will, like other affordable housing, be available to people who cannot afford to rent or buy houses generally available on the open market’. The Circular distinguishes such housing from ‘general market housing’. Thus the cost of such housing to these occupiers must by definition be affordable to them and hence below the prevailing open or general market cost in the area. One objector seeks a definition in the Plan of the term ‘low cost market housing’. However, as paragraph 2.42a already makes clear, that low cost market housing is to be available to people who cannot afford to buy or rent in the open market I do not consider that a further definition is required.
- 2.175 Low cost market housing could include shared-equity housing whereby the occupier only purchases a part of the equity. There may be other ways of making the cost affordable. However in each case the occupation would need to be, and remain, limited to qualifying persons and a mechanism employed to ensure that the dwelling is, and would remain, affordable those in need. The Council’s Housing Needs Survey indicates that low cost market housing such as this is only likely to meet the needs of a small percentage of those in need of an affordable home and there is no evidence before me to substantiate a contrary view.
- 2.176 A First Deposit objection (48/51485) included a reference in the policy to ‘starter homes’. However this was addressed at the Revised Deposit stage by the removal of those words. That objection and objection 48/70532 also seek a reference to creating balanced, sustainable and mixed communities, avoiding concentrations of particular types, sizes and tenures of housing. Tenure is rarely a material planning consideration and should not here be subject to planning control. Sustainability is covered by other Plan policies. However, I agree that a reference in the text to creating mixed communities and avoiding concentrations of particular types and sizes of housing would better explain the objectives of the policy whilst suitably reflecting advice in PPG3 ‘Housing’.

Policy Terms and Development Control

- 2.177 The policy clearly relates to national and local planning objectives and advises that the range of house types will be material to development control decisions. The supporting text confirms that these matters will be subject to negotiation. I conclude that, contrary to the contentions certain objectors, it is of assistance to development control and is not over-prescriptive.

Assessment of Local Housing Requirements

- 2.178 Objection 315/70338 seeks that the range of house types should be in accord with an assessment of the market rather than ‘in accord with local requirements’. However PPG3 ‘Housing’ advises at paragraphs 11 and 13 that local authorities should take account of assessments of local housing need. This goes beyond issues of affordability to wider considerations of household composition as well as the needs of specific groups. I accept that for general or low cost market housing there also needs to be a demand in the market for that type of dwelling. However where market demand is particularly strong in a locality for one type of dwelling [for example large

houses], to make market demand the only consideration would risk excluding all other local needs and impairing social mix.

- 2.179 Objection 847/70747 points out that the Council may not yet have a comprehensive assessment of housing requirements. I acknowledge that the HNS was limited to the requirements for affordable housing. However further information about other needs can be obtained as part of the monitoring process during the life of the Plan, and decisions in this area will need to be made on the best evidence available at the time.

Large Housing Sites

- 2.180 Objection 51/51575 refers to the lack of a definition in the policy of a ‘large housing site’. The key consideration is whether the site could accommodate different types of dwelling. On very large sites, such as the Land East of Lydney [Policy (R)F.Lydney 1], it would be desirable to seek a mix of dwellings on each part of the site as well as within the scheme as a whole in order to provide a satisfactory social mix. I therefore consider that the definition is a matter best left to negotiation.

Other Objections

- 2.181 Objection 48/70538 is listed as an objection to paragraph 2.42 but the original objection relates to paragraphs 2.42b, 2.44 and Table 3 and is addressed below in relation to those parts of the plan.

Recommendation

- 2.182 **I recommend that paragraph 2.41 be modified by the addition of the following words to the second sentence:**

‘...and to create mixed communities which avoid concentrations of particular types and sizes of housing’.

Policy (R)FH.12

Affordable Housing – Eligibility and Continuing Availability

Policy (R)FH.13

Affordable Housing On New Housing Sites – Negotiated Share Basis

Objections – Policy (R)FH.12

25/51821	Chelbury Homes Ltd
48/51486	SW RSL Planning Consortium
48/70534	SW RSL Planning Consortium
48/70538	SW RSL Planning Consortium
48/70537	SW RSL Planning Consortium
50/50055	NHS Executive South West
50/50085	NHS Executive South West
150/52235	Mr R Brock
155/52378	Mr G Bruce
312/51531	Government Office for the South West
313/51827	The House Builders Federation
313/70457	The House Builders Federation
313/70459	The House Builders Federation
320/52028	Mr S & Mrs D Harris
847/70748	Mr J Kendrick

Objections – Policy (R)FH.13

5/51236	Swanhill Homes Limited
5/51238	Swanhill Homes Limited
6/51743	Barratt Bristol
6/70383	Barratt Bristol
25/51826	Chelbury Homes Ltd
27/70176	Lydney Park Estate
36/52048	Three Counties Planning Consultancy
44/70527	Federal Mogul
48/51487	SW RSL Planning Consortium
48/51488	SW RSL Planning Consortium
48/70535	SW RSL Planning Consortium
48/70539	SW RSL Planning Consortium
48/70540	SW RSL Planning Consortium
48/70543	SW RSL Planning Consortium
48/70545	SW RSL Planning Consortium
50/50085	NHS Executive South West
150/52234	Mr R Brock
150/70784	Mr R Brock
150/70786	Mr R Brock
155/52379	Mr G Bruce
175/51419	Hallam Land Management
175/51423	Hallam Land Management
175/51425	Hallam Land Management
255/50912	Ensor's Abbattoir
288/70266	Gloucestershire County Council
306/70191	Messrs Grindle
312/51533	Government Office for the South West
313/51840	The House Builders Federation
313/51841	The House Builders Federation
313/51844	The House Builders Federation
313/70458	The House Builders Federation
315/70341	Robert Hitchins Limited
315/70342	Robert Hitchins Limited
315/70343	Robert Hitchins Limited
320/52030	Mr S & Mrs D Harris
359/51214	CPRE Forest of Dean
418/70161	Mr P T Lane
451/70197	Mr K McNally
787/70178	Candystripe Securities Ltd
842/70799	Prowting Projects Ltd
847/70749	Mr J Kendrick
847/70750	Mr J Kendrick
847/70751	Mr J Kendrick
848/70557	Tidenham Parish Council

Supporting Statements

48/70536	SW RSL Planning Consortium
48/70533	SW RSL Planning Consortium
175/51424	Hallam Land Management
313/51855	The House Builders Federation
343/51393	Country Landowners Association
847/70752	Mr J Kendrick

Issues

- a. Identification of the need for affordable housing with reference to the Housing Needs Survey of 1999 and subsequent changes in circumstances and the link with the District housing strategy.
- b. Definition of affordability, with reference to house prices and rents and income levels.
- c. Potential sources of supply, including re-lets and purchase of existing dwellings
- d. Targets and thresholds for provision of affordable housing, with reference to PPG3 and Circular 6/98.
- e. Provision of affordable housing off-site by commuted payment.
- f. Implementation of the ‘cascade’ approach to occupancy control.
- g. Affordable transport considerations.
- h. Key workers.
- i. Specific allocation of affordable housing sites.
- j. Special needs housing
- k. Application of affordable housing requirements to existing housing commitments.

Reasoning and Conclusions

Identifying the Need for Affordable Housing

- 2.183 Objections 48/70534, 313/70457 and 313/70459 concern the validity of the Housing Needs Survey [HNS] information held by the Council and whether it will be updated. The HNS [LPD.41] carried out in 1999 was necessarily a snapshot of the need at that time amongst those persons who could not afford market housing. It was partially updated in 2001 [LPD.42] with particular reference to the effect of rising house prices, in order to project the likely change in affordable housing needs in the future. The main conclusion then was that the number of households in need of affordable housing was likely to be growing.
- 2.184 The 1999 survey pre-dated Government guidance on best practice in Local Housing Needs Assessment: A Guide to Good Practice’ published in 2000, advocating a repeat of the full survey after 5 to 7 years. The Council has accepted in Document FOD/TP3 and in the amended wording of paragraph 2.50 that updating will be required, and confirmed at the Inquiry that a joint HNS for Gloucestershire is due to be commissioned in 2003-4. That will need to take account of the best practice guidance. In the meantime I consider that, in spite of their limitations, LPD.41 and LPD.42 provide an adequately robust starting point for assessing affordable housing needs.
- 2.185 The supporting text to Policies (R)FH.12 and (R)FH.13 was substantially rewritten at the Revised Deposit stage. In particular, the revised paragraph 2.44 does now refer to the Council’s housing waiting list. Paragraph 2.46 provides that special needs housing may be included in the provision of affordable housing where there is a proven need although the nature and extent of that need has not yet been assessed. I give further consideration to special needs below.

- 2.186 The total outstanding need figure of 1422 dwellings set out in paragraph 2.44 is based upon a doubling of the need for 711 dwellings identified in the HNS of 1999 in order to take account of new needs expected to arise later in the plan period. The figure can only be an approximate forecast. However because the 1999 survey excluded the 951 households already on the housing waiting list [many of whom would also need affordable housing] I consider that this total is likely in practice to represent an underestimate of need, rather than an inflated prediction. To supply even this level of need the Plan assumes 40% provision of affordable housing on eligible sites. This is unlikely to be achieved on every site because of economic constraints which may arise or any conflict with other planning objectives. Alternative projections of need into the future would also be likely to be unreliable. There would thus be little purpose in seeking a more accurate figure at this early stage in the plan period.
- 2.187 Objection 48/51488 seeks a more rigorous ongoing assessment of social progress relative to affordable housing than is set out in paragraph 2.50 and proposes that links with the Council’s housing strategy be more strongly emphasised. Whilst these are laudable sentiments they lack specificity as objections.
- 2.188 I conclude that no modifications are necessary in respect of the above objections.

Definition of Affordability and Potential Sources of Supply

- 2.189 Part of the GOSW objection (312//51531) has been suitably addressed by changes at the Revised Deposit stage. However the Plan still lacks the requested definition of what the Council considers to be affordable in terms of the relationship between local income levels and house prices or rents for different types of households, as advised by paragraph 15 of PPG3. Draft changes to PPG3, published in July 2003, propose to amplify this advice but have yet to be adopted as Government policy.
- 2.190 The 1999 HNS did include an analysis of prices, rents and income levels. For example, at paragraph 6.24 it found that the minimum average price of a two-bedroom terraced house in the towns in May/June 1999 was £40,958 and that 69% of all households aspiring to move in the towns had a household income below the £15,564 then considered necessary to purchase such a property. Paragraph 4.10 indicates that this was based on a 5% deposit and 2.5 times gross annual joint incomes for households with 2 or more incomes. For household seeking to rent a property, paragraph 4.10 of LPD.41 indicates that a social rent should be affordable if the household is not dependent on housing benefit and their rent amounts to less than 25% of their net income [30% if renting privately]. These percentages are said to reflect National Housing Federation Guidance also used by the Housing Corporation. According to HNS para 6.15, in 1999 an annual gross household income of £16,979 was required to afford average housing association rents in the District for a two-bedroomed house and the majority of those seeking move into social renting could not afford even Council house rents [the lowest available] without housing benefit.
- 2.191 The above cost and income information is increasingly out of date as a result of changes since 1999 in property prices, rents, incomes, lending ratios and interest rates. However the ‘Local Housing Needs Assessment’ guide suggests [page 58] that affordability be defined as a ratio, with housing costs being no more than 25-30% of net household income. Within this range, lower ratios are advised for those on lower incomes and for those renting. Those purchasing their properties can expect to benefit from an appreciation in asset levels, at least in the long term. These ratios appear to

be similar to those used in the HNS for renting and I conclude that they would be appropriate for inclusion in a definition of affordability.

- 2.192 Some affordable housing may be available in the form of re-lets of social housing. That is relevant to the HNS but the Plan is primarily concerned with new housing development and with associated planning policy. The purchase of existing dwellings may be a suitable means of making commuted off-site provision in association with new development. However that is a matter for negotiation at the planning application stage. I conclude that no modifications to the Plan are needed in these respects.

Targets

- 2.193 Objection 48/70537 proposes that a numerical target of total affordable dwellings be provided for the Plan period, supplemented by area and site specific targets. Paragraph 15 of PPG3 and Paragraph 9(b) of Circular 6/98 both advise that local plan policies for affordable housing should indicate how many affordable homes need to be provided throughout the Plan area, including the different types of affordable housing needed by households of different characteristics. Paragraph 9(b) also advises the setting of indicative targets for specific suitable sites. Neither document advises the use of area targets.
- 2.194 In terms of an overall total need for the Plan period, the 1999 HNS concluded that there was then a need for 711 affordable dwellings across the District. The Council’s consultants advised in paragraph 7.11 of LPD.41 that this be subdivided into targets of 516 dwellings for the towns and 195 for the rural parishes. However this has not been included in the Plan. The figure of 711 dwellings is only assumed by the Council to be reliable for up to 5 years and additional new needs can be expected to arise during the remaining 5 years of the Plan period. For this reason, paragraph 2.44 of the Plan doubles the total to 1422 as an estimate of need for the whole Plan period. Whereas this is a somewhat crude calculation and risks inaccuracy, no better information is likely to be available until a new HNS is completed. The inclusion of a total need figure accords with the Government advice. It would be misleading to describe this as a target since it is unlikely to be met in full. However the figure can serve as a means to measure progress in meeting needs across the District.
- 2.195 In Document LPD.42 the Council’s consultants forecast a growing proportion of emerging households as in need of affordable homes, partly because of rising property prices. Also the 1999 survey did not include the 951 then on the Council house waiting list after allowing for potential re-lets and committed new registered social landlord stock. Including all of these would have made a total need in 1999 of 1662 dwellings. The total need for the whole plan period would have been still higher as a result of newly emerging households. However the housing waiting list would also include persons who would not meet the definition of those currently in need of affordable housing. Without a further full survey or surveys, need cannot be more accurately assessed and can only be estimated. Also any target may need to be adjusted according to what provision of affordable housing could realistically be achieved on the negotiated share basis, having regard to site size thresholds and site suitability.
- 2.196 In these circumstances I conclude that it would be misleading to stipulate a precise numerical target in Policy (R)FH.12. Instead the implied requirement in paragraph

2.44 of 1422 affordable dwellings over the plan period appears to be a reasonable, though very rough, estimate of need which is qualified by the accompanying text. It is more likely to be an underestimate than an overestimate of need. As this represents about 40% of the estimated total number of dwellings on eligible sites, including larger windfall developments, it may also represent the most which could reasonably be expected to be achieved were all affordable housing provision by way of the negotiated share method. However, at the Inquiry the Council acknowledged that 40% provision per site is likely to prove to be the maximum attained by negotiation, with a lower figure on some sites. The total provision of affordable housing is thus likely to undershoot the estimated total need. However that would not warrant citing a lower District need figure, and to do so could undermine share negotiations on qualifying sites.

- 2.197 Turning to area targets, it is evident that Table 3 of the Plan has confused some respondents who have interpreted this as setting area targets for affordable housing. In fact the Table breaks down the 1999 HNS need of 711 into local areas. This only reflects need in the Plan’s early years, given the doubling discussed above to 1422 dwellings. This would have to be made up of increases in each locality.
- 2.198 Table 3 suggests a poor locational correlation between affordable housing need and opportunities to meet them via housing allocations in the Plan. In particular, the need in Coleford and in many North Forest settlements is very high relative to the number of dwellings to be provided as housing allocations. For example, in Coleford the Revised Deposit plan makes allocations of 278 dwellings and the identified need for affordable housing in Coleford and Berry Hill in 1999 was 238 dwellings. Doubling that need over the life of the Plan in the same manner as for the District as a whole would suggest a need in Coleford and Berry Hill for 556 affordable dwellings. This could not realistically be achieved even after taking into the additional allocations I recommend and an allowance for unidentified sites. Conversely, in Lydney and Cinderford the identified need for affordable housing is low, relative to the considerable housing allocations in those towns. Whether these locational disparities can be addressed using commuted provision, as Policy (R)FH.13 and paragraphs 2.44 and 2.48 suggest, is considered below.
- 2.199 Turning to site targets, according to PPG3 para 15 the Plan should identify suitable areas and amount of provision to be sought for affordable housing. Circular 6/98 para 9 also advises setting indicative targets for specific suitable sites. Here, policy (R)FH.13 seeks affordable housing provision on all new housing sites above the stated threshold sizes and paragraph 2.44 states 40% provision as a starting point for negotiation subject to the ‘capabilities of the individual site concerned.’
- 2.200 I consider that this provides adequate certainty for landowners and developers that affordable housing will be sought on all sites above the thresholds but the extent of provision will vary according to individual site circumstances. In some circumstances it may be that no provision would be appropriate. A site target for every site could not realistically be provided at this stage in the plan preparation process without carrying out negotiations and more extensive site assessments, including development costs – information which could be out of date by the time the site is developed.
- 2.201 I remain of the opinion that the estimated need of 1422 dwellings for the District is reasonable and that no modifications should be made to provide area or site targets.

Thresholds

- 2.202 Paragraph 10(i) of Circular 6/98 advises that affordable housing should only be sought on ‘suitable’ sites over 25 dwellings or 1 hectare, irrespective of dwelling numbers, with a lower threshold if the local planning authority is able to demonstrate exceptional local constraints, when the threshold should be no lower than 15 dwellings/0.5ha and must be justified through the local plan process. In settlements in rural areas with a population of 3000 or fewer, the local planning authority should adopt ‘appropriate’ thresholds based on assessments which include local needs and the available supply of land for housing. These thresholds should only be adopted through the local plan process.
- 2.203 In this context, Policy (R)FH.13 proposes a threshold of 15 dwellings/0.5ha in towns or villages of greater than 3000 population and 5 dwellings/0.2ha elsewhere. The lower thresholds and a claimed lack of justification for them are the subject of a number of objections [5/51236, 5/51238, 6/51743, 312/51533].
- 2.204 The reduced threshold for larger settlements affects only a small number of the Revised Deposit Plan’s allocations, mainly in Lydney. The level of need for affordable housing within Lydney as revealed by the Housing Needs Survey [LPD 41] appears low relative to the large housing allocation proposed to the East of the town. However the overall need for affordable housing in the District is high and its provision in Lydney is intended also to serve the needs of the wider area. It would be inequitable for this requirement to be borne by one development in the town when other competing developments nearby would also be capable of making a significant contribution. Concentrating affordable housing within one allocation in one part of the town would also risk creating a poor social mix.
- 2.205 The lower threshold affects only one Revised Deposit allocation in Coleford and the level of need appears high in that town relative to supply. The threshold may also affect windfall sites which have not yet been identified. I consider that the level of need, the sustainability considerations which seek to concentrate development in the towns, and the objective of PPG3 to provide a social mix within developments altogether provide local constraints which exceptionally justify the reduced 15 dwelling /0.2ha threshold.
- 2.206 In the smaller settlements it is not necessary to demonstrate exceptional local constraints but the threshold should be based on assessments of local need and supply. The Housing Needs Survey did suggest a high level of unmet need for affordable housing in rural areas where the supply of housing sites is limited by sustainability considerations and especially by the objective to minimise energy demands arising from the need to travel. As most housing development in the rural areas will thus be on small sites, it is appropriate to establish as low a threshold there as economic considerations would permit in order to maximise the provision of affordable housing to meet local needs. However there is a lack of economic evidence before me as to what is the lowest threshold that economic considerations would permit. One objector (48/70539 and 48/80026) considers the site size threshold too high on the basis that the Government’s Rural White Paper (2000) indicated that in small villages every new market house should be matched with an affordable home if there were evidence of need and subject to financial viability. Whilst there is need, there is no economic evidence here to support the view that the development of a single general market dwelling could enable the provision of a single affordable home. Conversely,

neither is there economic evidence to support the assertion of some other objectors that the 5 dwelling/0.2ha threshold is too low. In these circumstances I conclude that it would be appropriate to maintain the threshold for settlements below 3000 population at the 5 dwellings/0.2ha figure set out in the Revised Deposit.

2.207 I conclude that the thresholds in the Plan should be maintained at the levels proposed at the Revised Deposit stage.

Proportion of Affordable Housing, Site Suitability and the Complexity of Paragraph 2.44

2.208 A number of landowners, developers and their agents are understandably concerned to ensure that the proportion of affordable housing to be sought on the negotiated share basis is justified in terms of the level of need, would not be unreasonably high in relation to the economics of provision, and would be reasonably certain at an early stage in the development process.

2.209 The text of paragraphs 2.43-2.50 was substantially changed at the Revised Deposit stage in response to First Deposit objections. It now sets out the level of need more clearly and refers more explicitly to the Council’s Housing Needs survey [LPD 41 and LPD 42]. Issues relating to that survey are addressed above in relation to the objections to Policy (R)FH.12 as is the suitability of the 40% proportion of affordable housing set out in para] 2.44 as a starting point for negotiations. The actual provision would be a matter for negotiation. It would be appropriate in those negotiations for the landowner or developer to provide economic evidence to demonstrate whether a particular proportion was achievable, having regard to the value and costs of the development including any particular costs of infrastructure provision and site preparation. Since these costs and values are not yet known, it would be premature to set specific targets for each allocated site.

2.210 Circular 6/98 generally seeks that, where there is evidence of need for affordable housing, local plans should include a policy for seeking an element of such housing on ‘suitable’ sites. The Circular also advises that in addition to the size thresholds considered above, suitability be judged on: the economics of provision; the proximity of local services and public transport; whether the provision of affordable housing would prejudice the realisation of other priority planning objectives for the site; and the need to achieve a successful housing development.

2.211 The Plan does not refer to site suitability as such but there is a reference in Policy (R)FH.13 to the provision of affordable housing to be related, among other things, to ‘particular site conditions’ whilst paragraph 2.44 refers to actual provision depending ‘on the capabilities of the individual site concerned’. Para 2.47 provides that account be taken of the importance of other direct local benefits in negotiating affordable housing on major housing sites. Para 2.49 refers to provision being sought on ‘eligible’ sites but eligibility is not there defined.

2.212 There are general objections to the lack of definition in the plan of the basis for negotiated contributions [847/70751, 175/51419, 25/51826] and a large number of site specific objections [see Part 2] concerning the lack of reference to other development costs, particularly those relating to infrastructure or to the redevelopment of previously-used land, which could in turn affect the ability to fund affordable housing provision. One objector [288/70266] seeks the addition of ‘viability’ alongside ‘capability’ in the final sentence of paragraph 2.44.

- 2.213 I consider that the use of the terms ‘eligibility’, ‘capabilities’ and ‘site conditions’ without qualification or definition causes confusion and does not provide a certain basis for the necessary negotiations on individual sites. I conclude that the substitution of the term ‘site suitability’ and a cross-reference to Government guidance in this area would reduce such confusion and provide greater certainty, thereby reducing the likelihood of disputes. Consequential amendments would be needed to paragraphs 2.44 and 2.50
- 2.214 Objection 847/70750 describes text para 2.44 as too complex and inappropriate in practical house-building terms. I agree that the calculation of the need for affordable housing appears complicated. However I conclude that it is necessary to justify the proportion of affordable housing which is to be sought by negotiation. The final figure of a 40% proportion of affordable housing as a starting point for negotiations on individual sites is straightforward and the negotiations themselves will determine the appropriate figure which can be achieved in practice having regard to considerations such as those which are set out above.

Commuted Provision

- 2.215 Objections 25/51821, 25/51826 and 36/52048 seek further explanation of how commuted provision is to be delivered having regard to an evident mismatch between where affordable housing needs have been identified and where most of the new housing allocations are proposed. Objections 315/70341 and 315/70343 claim that commuting provision across the District would be inappropriate and should only occur where the developer and the local planning authority both consider it preferable, as advised by Circular 6/98.
- 2.216 That Circular provides at para 9, in summary, that where local planning authorities are able to demonstrate a lack of affordable housing to meet local needs they should seek an element of affordable housing on suitable sites, indicate how many affordable homes need to be provided throughout the plan area and set indicative targets for specific suitable sites. It does not define how far ‘local needs’ may extend but neither does it advocate the setting of area targets for provision at less than the District level. Paragraph 9 concludes that: ‘If need for affordable housing ceases in a particular area, the basis for the [affordable housing] policy will disappear and the local planning authority will need to reflect this in their development plan’.
- 2.217 Given the identified level of need and the likely scale of provision there appears to be little prospect that the need for affordable housing will disappear across the Forest of Dean District during the life of this Plan. The questions which arise are rather whether the reference to a ‘particular area’ may refer to a sub area of the District, such as a town, and what should happen if the need for affordable housing within that sub area were satisfied before the end of the Plan period and before the completion of the housing allocations and significant windfall housing developments within that area? Would the Council still be justified in seeking the incorporation of affordable housing in schemes or, in the alternative, a commuted contribution to affordable housing provision elsewhere in the District where needs remained unmet?
- 2.218 Table 7.1 of LPD.41 incorporates the Consultants’ suggestion that separate targets be set for affordable housing provision in the towns and in the rural parishes. However this would have resulted in a proportion of 24% affordable housing provision on allocated sites in the towns and 65% provision on rural sites. Having regard to the

Plan’s sustainability objectives of concentrating most development in locations with good access to employment, services and facilities, I consider the 65% target for rural areas would have been too high. Also the 24% target for the towns would have been unacceptably low, having regard to the high overall levels of need in the District, and the especially high levels of need in Coleford and Newent relative, to overall housing provision. The Council’s proposed 40% target across urban and rural areas is more appropriate.

- 2.219 My view is that it is proper to have regard to the District-wide need for affordable housing when negotiating the shared provision of affordable housing as part of a general market scheme. If it would meet the identified need, it would be better for affordable housing to be provided within the District but several miles from where the need originates than that it be not provided at all. Whereas affordable housing provision should usually be made on the same site to ensure social balance and to secure its timely provision, paragraph 22 of Circular 6/98 provides exceptionally that off-site provision may be made by agreement. Thus, if it is clear that a site is suitable for affordable housing but it would be so far from those parts of the District where the need subsists that it would, for example, result in excessive travelling, or the disruption of links with friends and family, then consideration should be given to commuting the costs and providing a proportion of the affordable housing closer to where the need originates. That would also widen housing choice and encourage a better social mix in those areas. This might for example involve helping Registered Social Landlords to purchase new or second-hand properties closer to where the need is concentrated [as suggested in paragraph 7.15 of RPG10 for the South West], or contributing funding to exceptions schemes in rural parts of the District in accordance with Policy (R)FH.14.
- 2.220 Part of the thrust of the Plan strategy is to concentrate new housing in the towns, close to employment and services, in order to reduce the need to travel, especially by car. This strategy means that various types of housing may be provided at a distance from where the demand originates. It is logical that affordable housing should be included in this process rather than attempting to meet all such needs within the particular settlement where they arise. Indeed para 10 of Circular 6/98 draws attention to the proximity to local services and public transport as a criterion for affordable housing schemes. Rural exceptions schemes under policy (R)FH.14 are intended to provide exclusively affordable housing on sites adjoining villages. To redistribute general housing proposals across the District solely to secure a minority of affordable homes in each scheme would risk seriously distorting the overall pattern of development with harmful consequences for travel needs and sustainability.
- 2.221 I conclude that commuted provision can be justified in some circumstances but that the supporting paragraphs 2.44 and 2.48 to policy (R)FH.13 should be modified to explain better when these circumstances would arise and how commuted provision might be applied.

The Cascade Approach to Occupancy Control

- 2.222 Policy (R)FH.12 was reworded at the Revised Deposit stage and I consider that the wording now addresses that part of objection 48/51486 which was concerned with the clarity of the policy. However it does not address the objector’s point that the involvement of a Registered Social Landlord or the use of planning conditions may be suitable mechanisms for securing continued affordable housing provision, as

paragraphs 16, 27 and 28 of Circular 6/98 allow. I take objection 847/70748 also to be concerned with the complexity of the policy (R)FH.12 cascade approach to the allocation of affordable housing to occupiers.

- 2.223 I conclude that where a Registered Social Landlord [RSL] is certain to control schemes within larger settlements, that would avoid the need for the cascade provisions for the occupation of affordable dwellings. In these circumstances it may be possible to secure the objectives of the policy by means of a planning condition. However para 16 of Circular 6/98 advises that the cascade approach would be appropriate for small rural exceptions schemes under Policy (R)FH.14 which seek to provide for the housing needs arising locally in a village or group of villages. Occupancy controls may also be required elsewhere for affordable housing schemes which do not involve Registered Social Landlords and where other mechanisms are required as part of more complex Section 106 Planning Obligations to ensure that dwellings are, and continue to be, occupied only by people in proper need of them. The cascade approach offers one method, but there may be others definitions of qualifying occupiers and thus I conclude that detailed occupancy criteria should not be included in the policy.

Affordable Transport Considerations

- 2.224 I interpret objection 847/7074 as being in part concerned with the costs of travel for low-income occupiers if they are accommodated at a distance from work, family, services or facilities. However the intended concentration of affordable housing provision in the towns would improve the likelihood of accommodating occupiers close to employment opportunities, public transport and services and facilities even if the occupiers were further from friends and family members than before. Maintaining the cascade approach for exceptions schemes in rural areas adjoining settlements would give priority to those already living in those or nearby rural settlements and should not increase their travel costs.

Key Workers

- 2.225 Objection 50/50055 seeks reference in Policy (R)FH.12 to the affordable housing needs of key workers. However, there is no evidence before me that there are particular problems in accommodating low paid key workers in this District which merit attention to their accommodation needs as distinct from other persons in need of affordable housing. For rural exception schemes, local employment would be a qualifying factor under the cascade approach to occupancy control, which I propose be maintained for rural exception schemes. Key workers on higher incomes could compete in the general market and do not warrant special consideration in this context.

Allocation of Sites

- 2.226 Objection 48/70545 seeks active consideration to formally allocating sites for affordable housing as suggested in the Planning Green Paper 2001. In July 2003, the Government published draft changes to PPG3 which suggest the allocation of sites solely for affordable housing on land within or adjoining existing villages which would not otherwise be released for housing and where this would contribute to the attainment of mixed communities. However the Government’s adopted policy guidance does not support such measures at the time of writing. I thus conclude that it would be premature to make such allocations in the Local Plan.

Special Needs Housing

- 2.227 According to objection 48/70543 the reference in text para 2.46 to special needs housing is insufficiently positive with respect to paragraphs 1, 2 and 13 of PPG 3. The objection also seeks that special needs supported housing be unequivocally encouraged in a specific policy and that a proportion of ‘lifetime’ homes are provided on new housing development across all tenures.
- 2.228 The reference in paragraph 2.46 provides that special needs housing may be included in the provision of affordable housing where there is a proven need. PPG3 seeks the provision of both affordable housing and special needs housing for those in need. The footnote on page 1 of Circular 6/98 points out that special needs housing is not of itself necessarily affordable housing and thus may form part of the need for general market housing such as sheltered housing for the elderly. Paragraph 6.39 of the Housing Needs survey refers to a review of sheltered housing provision being undertaken as part of the Best Value process. The Council’s Housing Needs Survey of 1999 found at paragraph 6.35 that 23% of all households sampled in the towns contained people suffering from serious ill health or permanent disability and that 64% of all households in need of affordable dwellings had a special housing need.
- 2.229 More extensive survey information would be needed of special needs housing requirements to assess the overall need for housing of all types and tenures as advised by PPG3. The present low level of information hinders the framing of a relevant policy and it would be inappropriate to impose a specific requirement in respect of needs which are poorly defined. In these circumstances I conclude that no additional policy should be included. However paragraph 2.53a should be placed under a separate heading to identify that it is concerned with housing for special needs and the redundant reference to the latter in paragraph 2.46 should be deleted.

Other Listed Objections to these Policies and Paragraphs

- 2.230 Objection 847/70749 is unintelligible to me as presented but is in any case described by the objector as a statement of support. Objection 48/70535 is not expressed as an objection and only comments upon a change made at the Revised Deposit stage.
- 2.231 The following objections concern site specific matters and are addressed under the relevant settlement chapter in Part 2 of the Plan:- 27/70176 (Chapter 1 (R)F.Lydney 3); 451/70197 Chapter 2 (R)F.Cinderford 7); 787/70178 (Chapter 10 (R)F.Blakeney 1); 418/70161 (Chapter 35 Redmarley); 155/52379, 155/52378, 320/52030, and 329/52028 (Chapter 43 (R)F.Staunton/Corse 1)

Recommendations

- 2.232 **I recommend that Policy (R)FH.12 be modified to:**

Affordable housing will be required to be available to successive occupiers at an affordable cost whether provided for sale or rent. This will usually require a Section 106 Planning Obligation or equivalent enforceable agreement but may exceptionally be achievable using a planning condition or conditions. Where the affordable housing is certain to be controlled by a Registered Social Landlord, detailed occupancy controls should not be necessary other than in rural exceptions schemes which are to be provided in accordance with Policy (R)FH.14.

2.233 I recommend that Policy (R)FH.13 be modified to:

An element of affordable housing will be sought by negotiation on all housing sites which are of 15 units or more or are larger than 0.5ha in towns and villages of greater than 3000 population or are of 5 units or more or larger than 0.2ha in other locations. The provision sought will be related to evidence of local need in the District, including housing need surveys, and to the suitability of the site in question. The provision of affordable housing should be made on the same site but exceptionally, and by agreement with the developer, a commuted sum may be sought equivalent to the appropriate affordable housing share on the site in order that the affordable housing may be provided closer to where the need for it arises.

2.234 I recommend that Policy (R)FH.13 be placed immediately after Policy (R)FH.12 so that paragraph 2.42a and the subsequent paragraphs are clearly seen to apply to both policies.

2.235 I recommend that Paragraph 2.42a be modified by the addition of the following:

In accordance with advice on page 58 of the Government Document ‘Local Housing Needs Assessment: A Guide to Good Practice’ (2000), those in need of affordable housing are defined as those for whom the cost of renting or of house purchase would exceed 25-30% of their net household income; that is their gross income minus tax, national insurance and other compulsory deductions from pay. All income sources including benefit income and contributions from concealed households to housing and household expenses should be included.

2.236 I recommend the insertion of a new paragraph 2.42c as follows:

The principle of affordable housing provision may sometimes be established by a planning condition. However, in order to ensure that affordable housing remains available to successive occupiers at an affordable cost, a Planning Obligation under Section 106 of the Town and Country Planning Act 1990 (as amended) or an equivalent enforceable agreement will usually be required. Where a scheme is to be managed by a Registered Social Landlord, detailed occupancy criteria are unlikely to be needed other than on those exceptions sites which are intended to provide for the needs of rural settlements.

2.237 I recommend that the final sentence of paragraph 2.43 be deleted.

2.238 I recommend that paragraph 2.44 be modified by the deletion of the first two sentences and their replacement with the following:

2.239 The principle of provision as well as the proportion of affordable housing to be sought on each site will have regard to the overall needs of the District and to the suitability of the site. The assessment of suitability will have regard to Government Guidance in Circular 06/98 or in subsequent guidance which amends or replaces that advice. In addition to the size of the site, current advice in Circular 06/98 requires regard to be had to: the economics of provision; the proximity of local services and facilities and access to public transport; whether there will be any particular costs associated with development of the site; whether the provision of affordable housing would prejudice the realisation of other planning objectives that need to be given priority in the development of the site; and the need to achieve a successful development.

- 2.240 **I recommend** that paragraph 2.44 be further modified by the deletion of the final sentence and its replacement with the following:

This figure of 40% will therefore be used as the starting point in all negotiations for affordable housing, although the actual provision will depend on the suitability of the individual site concerned.

- 2.241 **I recommend** that paragraph 2.46 be modified by the deletion of the final sentence.

- 2.242 **I recommend** that the addition of a new heading ‘Housing for Special Needs’ before paragraph 2.53a.

- 2.243 **I recommend** that paragraph 2.48 be modified by the deletion of the sentence beginning ‘The situation in Lydney ...’ and its replacement with the following sentence:

The provision of affordable housing will usually be made on the same site in order to achieve a reasonable mix and balance of housing types and sizes. However, the site may be located in a settlement in which the full level of provision on this and other sites would be likely to exceed the identified need for affordable housing in that settlement and in adjoining settlements or parishes. This would be particularly likely to occur in Lydney but may also occur elsewhere. In that event some or all of the provision exceptionally may by agreement be commuted to provide affordable housing in, or adjoining, other settlements in the District where the need would otherwise remain unmet and where local provision would reduce travel needs for occupiers of the housing.

- 2.244 **I recommend** that Paragraph 2.49 be modified by deleting ‘eligible’ in the first line and substituting ‘suitable’.

- 2.245 **I recommend** that Paragraph 2.50 be modified by deleting the final sentence [to avoid overlap with amended Paragraph 2.44.

PRE-INQUIRY CHANGES Nos. 2 and 3 to Policy (R)FH.13 & Paragraph 2.43 Affordable Housing On New Housing Sites – Negotiated Share Basis

- ◆ **PIC2 would delete the word ‘new’ from Policy (R)FH.13, thereby allowing affordable housing provision to be sought on other sites including renewals of lapsed permissions and revised development proposals.**
- ◆ **PIC3 would delete the penultimate sentence of paragraph 2.43 and add text elsewhere in the paragraph expanding the definition of sites where affordable housing provision would be sought**

Objections

48/80025	SW RSL Planning Consortium
48/80026	SW RSL Planning Consortium
150/80046	Mr R C Brock
273/80030	Mr R Freshwater
273/80031	Mr R Freshwater

Supporting Statements

315/80021	Robert Hitchins Limited
315/80022	Robert Hitchins Limited

Issues

Existing Housing Commitments

Reasoning and Conclusions

Local Needs Surveys

Existing Housing Commitments

2.246 Objection 150/80046 concerns advertised PICs2 and 3 which propose that Policy (R)FH.13 and paragraph 2.43 be modified to provide that the negotiation of affordable housing provision should also apply to previous housing commitments which fall to be reconsidered by way of lapsed permissions, the need to renew a consent, revisions or other means. I consider that PIC2 and PIC3 accord with advice in para 40 of PPG3 that applications to renew planning permissions should be thoroughly reviewed against current policy guidance and, where necessary, the proposals should be revised. Although the paragraph refers to other considerations such as the efficient use of land, these are given only as examples, and should not exclude affordable housing provision. Thus where policy on affordable housing provision has materially changed since a previous planning permission was granted on the site, I conclude it would be appropriate to apply the current policy to the determination of a new application.

Recommendation

2.247 **I recommend that Policy (R)FH.13 be modified in accordance with Pre-Inquiry Change 2 [this is taken into account in my recommendation above].**

2.248 **I recommend that paragraph 2.43 be modified in accordance with Pre-Inquiry Change 3.**

Policy (R)FH.14 - Affordable Housing on Exceptions Sites

Objections

25/51908	Chelbury Homes Ltd
36/52052	Three Counties Planning Consultancy
37/51786	RMC Group Services Ltd
48/51490	SW RSL Planning Consortium
48/51491	SW RSL Planning Consortium
418/51857	Mr P T Lane

Supporting Statements

25/51944	Chelbury Homes Ltd
48/51489	SW RSL Planning Consortium
343/53066	Country Landowners Association
431/51113	FFRD (MAFF)
847/70753	Mr J Kendrick

Issues

- a. Local Needs Surveys.
- b. Exceptions to other policies.
- c. Eligibility and availability criteria for exception sites.
- d. Inclusion of market housing.

Reasoning and Conclusions

Local Needs Surveys

- 2.249 The 1999 Housing Needs Survey [LPD.41] identified a significant level of need for affordable housing in rural parts of the District, particularly in the north. Some of these needs will be met by provision in the towns or as part of limited housing allocation and development of unidentified sites in villages. However attempting to meet all of the residual need by allocating large mixed developments of general market and affordable housing to villages lacking adequate employment or services for that scale of development would risk undermining the Plan strategy of concentrating residential development in the towns close to employment and services. The Plan therefore appropriately follows advice in PPG3 by allowing that small sites within and adjoining existing villages may be released as ‘exception sites’ to provide affordable housing.
- 2.250 Objection 36/52052 would pass the responsibility for undertaking local surveys of need back to the Council in place of the requirement in text para 2.52 that planning applications be accompanied by such a survey. The Council holds some information on local needs in rural areas in the form of the District-wide survey and waiting list information and has indicated in its response to the objection that it would make this information available. However more detailed and up-to-date information is likely to be needed at the time of the application to ensure that the proposed development meets the particular needs arising at that time in the local area. Whilst the Council has a role in assisting such surveys and assessing the information, it would be unreasonable to expect them to maintain this level of detailed information across the whole District, just in case proposals come forward, or to conduct detailed local surveys on demand. Apart from the developer, other parties including the landowner,

Registered Social Landlords, Parish Councils, and local businesses and organisations may also have a role to play in assembling the information. However, to avoid wasted effort, I agree with objections 48/51491 and 418/51857 that more information should be provided in advance as to the parameters for such surveys and what is expected from them. Although paragraph 2.50 states that the Council will advise on the nature and type of information required, I consider that this should be the subject of formal supplementary planning guidance.

Exceptions to Other Policies

2.251 Objection 48/51490 proposes that the exceptions approach for affordable housing be applied to policies other than the housing policies. However, a general exception to Plan policies would risk serious harm to other interests of acknowledged importance, such as nature conservation or the protection of public open space for recreation. Whereas the Council responds that its Revised Deposit employment policies would allow exceptionally for the provision of affordable housing, the permitted circumstances are severely constrained and do not prioritise affordable housing over other forms of housing. Given the Plan objective to protect land in the District for employment use to reduce travel needs, as well as the location of some former employment sites well outside existing settlements and the potential costs of redevelopment, I consider this would be unlikely to contribute significantly to affordable housing provision. Exceptionally, the Council could take account of the need for affordable housing as a material consideration to be balanced against other Plan policies. But I conclude that a broad exemption would not be justified as part of Policy (R)FH.14.

Eligibility and Availability Criteria for Exception Sites

2.252 The same objection 48/51490 seeks the removal of the cross-reference to policy (R)FH.12 which applies to exceptions sites the eligibility and continuing availability criteria for affordable housing. I consider that the cascade approach for eligibility to occupy affordable housing is particularly relevant to rural sites and should be applied along with the other criteria in Policy (R)FH.12.

2.253 As I have recommended that Policy (R)FH.12 be modified to remove the detailed cascade criteria, I conclude that the deleted criteria should instead be incorporated into Policy (R)FH.14 to ensure that they are applied to exceptions sites.

Inclusion of Market Housing

2.254 Objections 25/51908 and 35/51786 seek that the policy be made more flexible so as to allow for the inclusion of market housing on exceptions sites in some circumstances. However Annex B of PPG3 specifically advises that general market housing or mixed developments consisting of high value housing to cross-subsidise affordable housing are inappropriate on exception sites. I conclude that no modification should be made with regard to these objections.

Recommendation

2.255 **I recommend** that Paragraph 2.52 be modified by adding after the first sentence:

Supplementary planning guidance will be issued to assist applicants for planning permission for an exceptions site who are asked for more information about local housing need.

2.256 **I recommend** Policy (R)FH.14 be modified by deleting criterion 5 and substituting:

Be for dwellings that are to be limited to occupancy by persons in need of affordable housing. First preference is to be given to those already resident in the same village or parish as the scheme, or having a strong local connection (such as employment) with the village or parish. If within 6 months of completion of the scheme it cannot be filled by persons meeting these criteria, then residents of adjoining villages or parishes will be considered, followed by residents of the District and finally by persons with a strong local connection with the District and who have a need for affordable housing in the location concerned.

Policy (R)FH.17 - Gypsy Sites

Objections

343/51548	Country Landowners Association
750/70002	Romany Gypsy Council

Issues

- a. Definition of the term ‘gypsy’.
- b. Reference to Government policy and Good Practice and to relevant provisions of Race Relations Act, Human Rights Act and High Court decisions, following the repeal of grants for gypsy sites and the need to encourage self-provision.

Reasoning and Conclusions

2.257 This policy permits the use of land to accommodate gypsies subject to criteria. Paragraph 2.57 was amended at the Revised Deposit stage and now refers to Gypsies as being ‘currently defined in the Criminal Justice and Public Order Act 1994 and as referred to in DoE Circular 18/94’. That is an adequate definition of the term. The out of date reference in the policy to the definition in the Caravan Sites Act 1968 was deleted at the same time.

2.258 Objection 750/70002 was submitted at the Revised Deposit stage when objections may only relate to changes made to the Plan since the First Deposit. The objection does not appear to comply with this requirement. The Revised Deposit wording does refer to Government Policy in Circulars 1/94 and 18/94. The further references sought by the objector cover a very broad area of the law and its interpretation by the courts which would be impractical and unnecessary to refer to in this Plan. No conflict between the stated policy criteria or the supporting text and the law has been

claimed by the objector and I conclude that no change is required to address the objection.

Recommendation

2.259 **I recommend no modification to Policy (R)FH.17 or its supporting paragraphs.**

Policy (R)FH.18 – Travellers Sites

Objections

343/53091	Country Landowners Association
343/53092	Country Landowners Association

Issue

Terms of Provision.

Reasoning and Conclusions

2.260 As the objector points out, the provision of sites for travellers is not covered by advice in Circular 1/94 which refers only to the provision of sites for gypsies. However neither the Circular nor other Government policy advise against their provision. The inclusion of Policy (R)FH.18 is thus a matter for the discretion of the Council and it is entirely proper for the Council to include a policy to cover the eventuality that it may face planning applications for such development.

Recommendation

2.261 **I recommend no modification to Policy (R)FH.18 or its supporting paragraphs.**

CHAPTER 3 - EMPLOYMENT

General

Objections

41/51000	Countryside Agency
41/51003	Countryside Agency
288/70267	Gloucestershire County Council
312/51536	Government Office for the South West
449/52894	Mr P McMahon
359/51215	CPRE Forest of Dean

Supporting Statements

44/51306	Federal Mogul
41/51037	Countryside Agency
44/51308	Federal Mogul
313/51860	The House Builders Federation
847/70754	Mr J Kendrick
847/70755	Mr J Kendrick
847/70756	Mr J Kendrick

Issues

- a. Scale of development.
- b. Environmental protection.
- c. Farm development.
- d. Monitoring.
- e. Lack of employment development in Churcham.

Reasoning and Conclusions

- 3.1 I consider the overall strategy of the Plan in Part 1 Chapter 1. I there conclude that whilst the District, with the allocations of the Plan, is in a situation of numerical oversupply of employment land, the overall locational strategy is appropriate in terms of current Regional Planning Guidance and Structure Plan policy. That conclusion is supported in my consideration of individual settlements. Employment allocations are rightly aimed at achieving an overall balance of housing and jobs in settlements, with most activity in the four main towns, so as to reduce the potential for commuting out of the District. My task in this chapter is to bring together my conclusions on the individual sites of the Plan to establish whether in practice the Plan meets this objective in its detailed provisions.
- 3.2 I do not agree with the County Council that this Employment Chapter needs to contain a further reference to environmental protection, as that is covered under Strategy Chapter 1 and Natural Environment Chapter 8 in any event. The Plan needs to be read as a whole and already suffers from undue repetition. However, the sub-title in text para 3.22 would benefit from the addition of the word ‘Employment’ before ‘Objectives’.
- 3.3 In response to objections by the Countryside Agency, I do not consider that the Employment Chapter needs to go further than the Revised Deposit version of its introduction to acknowledge farm product promotion and diversification and rural

landscape concerns. These matters are covered in Revised Deposit Employment Objectives 6 and 7 as well as Paragraphs 3.45-46 and elsewhere in Part 1.

- 3.4 I am in full agreement with the County Council that employment allocations need to be summarised in Chapter 3 in the same format as the housing allocations in Chapter 2. Apart from making the Plan more readable and consistent in its presentation, this will provide a more transparent aid to Plan monitoring. It is particularly important that the progress and location of employment development be monitored in close parallel with residential development because of the strategic link between them in this Plan. As in the Housing Chapter, sites must have consistent nomenclature and for convenience be cross-referenced to the many settlement chapters. I return to this theme under policy (R)FE.1 below, and to the need for a more explicit and specific monitoring process in Chapter 10.
- 3.5 As to the proposal for an employment allocation in Churcham, I consider this settlement also in connection with policy (R)FH.5 and 6 on housing in villages and the countryside. I there conclude that Churcham is a small scattering of development warranting neither a Defined Settlement Boundary nor housing allocations. The same applies with respect to employment. Any such proposal would fall to be determined under policy (R)FE.5 below.

Recommendation

- 3.6 **I recommend that Paragraph 3.22 be modified by the addition of ‘Employment’ before ‘Objectives’ in the sub-heading, but that no other modifications be made to Paragraphs 3.1 to 3.22.**

Policy (R)FE.1 – Principal Employment Land Allocations

Objections

6/51745	Barratt Bristol
12/52422	Walker Stuart Planning
24/51959	Newent Town Council
36/52061	Three Counties Planning Consultancy
36/52159	Three Counties Planning Consultancy
54/51770	Commercial Bank Trust plc
102/52154	Mr P T Beard
115/50079	Mr A G Biggart
117/50379	Mr Bignall
171/52793	Mr M A Carter
177/50452	Mrs J Christie
207/52301	Mr M Crofts
227/52570	Mr R Dawson-Marsh
245/51012	Mr J Edginton King
246/51027	Ms P Edginton King
252/50027	Mr I G Ellis
298/50276	Mr J C Greenwood
363/52820	Newent Civic Society
390/51700	Rothdean Ltd
410/50512	Mr P G Kingston
463/50419	Cleeve Mill Neighbourhood Watch
472/53007	Mrs D J Morris
488/51195	Friends of the Earth (Forest of Dean)

488/51224	Friends of the Earth (Forest of Dean)
567/52834	Mr C J Rowkins
669/53055	Mr K Urch
288/50799	Gloucestershire County Council
312/51537	Government Office for the South West

Supporting Statements

38/51380	SmithKline Beecham
44/51309	Federal Mogul
315/50925	Robert Hitchins Limited
343/53067	Country Landowners Association
847/70757	Mr J Kendrick
598/52912	Mr E Simpkin

Issues

- a. Omission sites.
- b. Preclusion of employment development other than on allocated sites.
- c. Criteria for employment site selection, such as to minimise travel.

Reasoning and Conclusions

- 3.7 The vast majority of objections to this central policy are to the omission of specific lands from allocation for employment. As in connection with housing sites under the equivalent policy (R)FH.2, I deal with those in detail in the appropriate settlement chapter of Part 2. Here, I draw together my conclusions and propose a table of employment sites in Plan order, cross referenced by policy number for consistency and readability, as well as to provide an essential aid to monitoring in conjunction with the progress of residential development.
- 3.8 I do not support the outstanding general objections to this policy as I do not consider that it is worded so as to be unduly preclusive of development other than listed allocations. In the event of such proposals arising they would be considered under other policies. I have not been made aware that the plan preparation process has substantially missed significant potential employment allocations.
- 3.9 I turn therefore to the individual employment allocations. Broadly, I uphold the Plan allocations largely without modification whether in response to objection to the allocations, omission of land for employment or Pre Inquiry changes.
- 3.10 I do recommend the inclusion of new policy (R)FE.6a for local employment provision at Pine End Works, Lydney.
- 3.11 However I do not support the change to employment use of the Steam Mills site as part of the Cinderford Northern Arc land assembly.
- 3.12 In Part 2, Chapter 3 on the Coleford group of settlements, I propose the deletion of the Cannop Depot site from allocation for Tourism, as listed in the Revised Deposit Plan.
- 3.13 I propose no change to employment allocations in Newent, subject only to some reconsideration of their precise locational relationship of the Newent Business Park extension and the Gloucester Road recreation site [policies (R)F.Newent 6 and 9].
- 3.14 In Part 2, Chapter 11 on Bream, I propose the reduction in the Whitecroft Road employment allocation to 0.57ha to omit an area already developed.

- 3.15 In Part 2, Chapter 34 on Parkend, I support the employment allocation of the former railway sidings, subject to provision for access through the site for the Forest of Dean Railway.
- 3.16 In Part 2, Chapter 40 on Sling, I support the safeguarding of the existing employment area by policy (R)F.Sling 1, but conclude that it should not be listed under policy (R)FE.1 as an allocation.
- 3.17 I propose that employment allocations be tabulated in a form consistent with my recommendations for the housing allocations of policy (R)FH.2, to replace the text at para 3.27. The recommended table corrects some numerical errors and is based on recommendations elsewhere in the Report. It does not include the unnamed employment sites listed in Revised Deposit paragraph 3.27.
- 3.18 General factual information on existing employment sites and land supply should be set out in a replacement paragraph if the Council considers it appropriate to do so, but I make no definitive recommendation in that respect.

Recommendation

I recommend that policy (R)FE.1 be modified to:

Land is allocated for employment development at the following sites:				
TOWN & POLICY	SITE	AREA	HA	TOWN TOTAL
Lydney				
(R)F.Lydney 1	Land East of Lydney		9.0	
(R)F.Lydney 5	Hurst Farm		15.0	
(R)F.Lydney 6	Mead Lane		7.0	
(R)F.Lydney 6a	Pine End Works, Harbour Road		5.8	
				36.8
Cinderford and Ruspidge				
(R)F.Cinderford.1	Forest Vale and Whimsey		10.0	
(R)F.Cinderford 2	Newtown Employment		3.0	
(R)F.Cinderford 3	Northern United		8.7	
(R)F.Cinderford 4	Lightmoor		1.0	
(R)F.Cinderford 5	Newtown Mixed		3.4	
				26.1
Coleford Group of Settlements				
(R)F.Coleford 4	Adjoining Glaxo Smith Kline		6.8	
(R)F.Coleford 6	Whitecliff Quarry		1.0	
				7.8
Newent				
(R)F.Newent 6	Business Park Extension		4.2	
				4.2
Bream				
Policy (R)F.Bream 4	Whitecroft Road		0.6	
Parkend				
Policy (R)F.Parkend 1	Former Railway Sidings		2.4	
				3.0
GRAND TOTAL of Employment Allocations				
77.9ha				

Policy (R)FE.2 – Development on Established Employment Sites

Objections

492/52426	Mr B J Norris
847/70758	Mr J Kendrick

Reasoning and Conclusions

- 3.19 Neither of these objections was supported at the Inquiry. The first relates to a site considered in Part 2. The second concerns text para 2.35a and is difficult to understand, as is the Council’s response.
- 3.20 It occurs to me to comment that, as part of the subject matter of para 3.35a is Hartpury College, to which the subsequent policy (R)FE.2a and para 3.35b-d also apply, all this material would be better placed in Part 2 Chapter 21 on Hartpury village.
- 3.21 On the terms of the policy, I consider that, for clarity, the words ‘or where’ should be inserted between Criteria 1 and 2, consistent with their use between Criteria 2 and 3.

Recommendation

- 3.22 **I recommend Policy (R)FE.2 be modified by the addition of ‘or where’ at the end of Criterion 1.**
- 3.23 **I recommend that Paragraphs 3.35a-d and Policy (R)FE.2a be deleted from Part 1 Chapter 3 and relocated in Part 2 Chapter 21.**

Policy (R)FE.3 – Change of Use of Employment Land

Objections

17/52489	British Telecommunications
48/51492	SW RSL Planning Consortium
150/52247	Mr R Brock
175/51428	Hallam Land Management
315/50913	Robert Hitchins Limited
406/52186	H Kear Esq
288/70268	Gloucestershire County Council
443/52240	Mr Matthews

Supporting Statements

315/70344	Robert Hitchins Limited
847/70760	Mr J Kendrick

Issues

- Potential new use of redundant employment land.
- Potential source of housing land, including affordable homes.
- Conflict with provision of Paragraph 1.26 of Chapter 1 Part 2 allowing transfer of employment land inside the Lydney Bypass to an alternative site.
- Objection 406/52186 refers to policy (R)F.Whitecroft/Pillowell 1 and is covered in Chapter 49 of Part 2.

Reasoning and Conclusions

- 3.24 The Revised Deposit version of this policy correctly includes the provision at Criterion 3 that employment land that has become unsuitable for that use, or is underused, may be changed to new uses. Structure Plan policies E5-6 resist the loss of existing or committed employment land unless there is community benefit. I consider that policy (R)FE.3 is broadly consistent with this provision, as it provides a duly negative stance against such loss. Changes of use are only to be contemplated where they would be beneficial to the object of optimising land use.
- 3.25 Such benefits could include increasing the percentage of previously developed sites in the housing land supply and the provision of affordable homes. However, the suitability of a site for its new use must be tested against the whole range of locational and other criteria set in the other policies of the Plan. I do not consider that it would be appropriate to add criteria to this essentially safeguarding policy that would slant it strongly in favour of any particular use, be it affordable social housing as has been suggested, or any other development. If future monitoring shows up a need for radical identification and re-allocation of specific sites to achieve affordable and general housing targets and maximise the re-use of land, that will be a matter for a subsequent Plan review.
- 3.26 However, I agree with the sentiments of the County Council and others that, where such sites are known, they should be identified for new use by site-specific policies. Nevertheless, I have no co-ordinated evidence of such sites being missed in the preparation of the Plan, and can only rely on duly made objections in this report. In the interest of managing the optimum use of land, any future doubt as to the position of underused or disused employment sites needs to be resolved by the Plan monitoring process before the next Plan review. I return to this matter in Part 1 Chapter 10.
- 3.27 I see no direct conflict between policy (R)FE.3 and the site-specific matter of possible exchange of employment land inside the By-pass East of Lydney with other allocations, for that does not seem to me to imply a change to a non-employment use; rather an alternative way to meet the regulating Criterion 1 of policy (R)F.Lydney 1. In fact I recommend, in respect of Policy (R)F.Lydney 1 and its supporting text, that the provision for exchanging the employment land within the allocation for land elsewhere be deleted, on grounds that it would result in uncertainty and undermine the strategic provision of additional employment at Lydney.

Recommendation

- 3.28 **I recommend no modification to Policy (R)FE.3 or its supporting text.**
-

Policy (R)FE.4 – Employment in Villages

Objections

288/50815	Gloucestershire County Council
288/70269	Gloucestershire County Council
679/51919	Westbury on Severn Parish Council

Supporting Statements

42/50255	Collier & Brain Ltd
847/70759	Mr J Kendrick

Issues

- a. Sustainable transportation for employment sites.
- b. Identification of villages suitable for new employment.

Reasoning and Conclusions

- 3.29 I consider that the Revised Deposit terms of this policy provide adequately for the control of employment proposals arising in defined villages, including reference to limiting work journeys by car. General sustainability criteria set out elsewhere in the Plan will work in conjunction with this provision.
- 3.30 Given the overall strategy for balanced co-location of employment and housing in settlements, it would be desirable for the Plan to go further and identify those villages that are suitable for a given level of employment development, to complement the approach taken by the village housing policies in Chapter 2. However, with employment land in general oversupply and mainly located in larger settlements, the promotion of village employment is less important to meeting strategic land requirements. On the evidence available I am not in position to make recommendations other than on site specific objections, in any event. However, the Council should consider defining villages suitable for employment as part any future review.

Recommendation

- 3.31 **I recommend no modification to Policy (R)FE.4 or its supporting text.**
- 3.32 **I recommend the Council to consider identifying villages suitable for employment development as part of any future review of the Plan.**
-

Policy (R)FE.5 – Employment in the Countryside

Objections

36/52063	Three Counties Planning Consultancy
288/50817	Gloucestershire County Council
293/51977	Mr M J Ellington
343/53093	Country Landowners Association
343/53094	Country Landowners Association
431/51116	FFRD (MAFF)
679/51924	Westbury on Severn Parish Council

Supporting Statements

41/50999	Countryside Agency
343/53068	Country Landowners Association
343/53069	Country Landowners Association
847/70761	Mr J Kendrick

Issues

- a. Limitations on development
- b. Support for farm diversification.
- c. Requirement for Environmental Assessment, with reference to policy (R)FTRL.2.

Reasoning and Conclusions

- 3.33 I consider that this policy makes appropriate provision to control rural employment in conjunction with other policies, including the sustainability requirements of policy (R)F.Strategy 1. I do not share the view of some objectors that it is too restrictive, as it requires compliance with only one of its criteria. The policy can be seen as supporting farm diversification when read in conjunction with text paras 3.45-46. However, that term is non-specific and any diversification enterprise that amounts to new development needs to be tested against the Plan as a whole. A particular criterion in the vague terms of favouring farm diversification would not be appropriate.
- 3.34 I agree with one objector that some additional guidance on acceptable farm diversification practice would be useful – I suggest by way of supplementary planning guidance, albeit co-ordinating the advice of other agencies in the field.
- 3.35 I deal with the question of requiring Environmental Impact Assessment under policy (R)FTRL.2

Recommendation

- 3.36 **I recommend no modification to Policy (R)FE.5 or its supporting text.**
- 3.37 **I recommend the Council to consider preparing supplementary planning guidance on Farm Diversification.**

CHAPTER 4 - TOURISM, RECREATION AND LEISURE

General & Paragraphs 4.1-4.16

Objections

12/52410	Walker Stuart Planning
13/52016	Sport England SWR
13/52019	Sport England SWR
41/50997	Countryside Agency
41/50998	Countryside Agency
273/52328	Mr R Freshwater
348/51947	Mr L Howard & Mr W Gunter
353/51436	CPRW
519/51790	Mr D Penny
359/51218	CPRE Forest of Dean
353/51434	CPRW
353/51463	CPRW
353/51458	CPRW
353/70461	CPRW
359/51220	CPRE Forest of Dean
353/51459	CPRW
707/50495	Royal Society for the Protection of Birds

Supporting Statements

41/50995	Countryside Agency
343/53070	Country Landowners Association
343/53071	Country Landowners Association
682/51340	The Ramblers Association
707/50489	Royal Society for the Protection of Birds
707/70012	Royal Society for the Protection of Birds

Issues

- a. General textual amendments
- b. Terms of stated objectives.
- c. Omissions regarding re-use of rural buildings for tourist use, support for floodlighting sports facilities and recognition of the role of Symonds Yat Rapids for canoeing.

Reasoning and Conclusions

General Amendments

- 4.1 There is an apparent discrepancy between the proportionate contribution of tourism to District employment given in paragraph 4.1 and that which would be derived from the Government Office employment figures quoted in objection 359/51218. This discrepancy has been disregarded in the Council’s response to the objection. A source should be provided for the figures in the Plan. The figures date from 1998 and if more up-to-date statistics are available they should replace the quoted figures.
- 4.2 Paragraph 4.5 was amended at the Revised Deposit stage to replace the reference to ‘sports facilities’ with one for ‘formal sport’. No further modification is necessary to address objection 353/51463.
- 4.3 Paragraphs 4.8 and 4.9 refer to the need to protect the natural assets of the Forest of Dean and to maintain and enhance the natural environment. Various plan policies

share those aims. Measures which enhance the natural environment, would not, by definition, be damaging to it. Objection 359/51220 makes general criticisms of the area’s roads and the appearance of its settlements but does not propose any specific modifications to paragraph 4.8 in this regard. I see no need for modification to the text of paragraph 4.8.

- 4.4 Paragraph 4.11 was amended at the Revised Deposit stage to provide that supporting infrastructure for visitors would be provided where ‘appropriate’ rather than wherever they are ‘needed’. That accords with Objection 707/50495 and allows that provision may be refused where it would conflict with other objectives of the Plan, such as the protection of the countryside or the natural environment. No further modification is necessary.

Objectives

- 4.5 Objective 1 of paragraph 4.16 was amended at the Revised Deposit stage to address Objection 353/51436 that it is not land-use based. The objective properly relates to the development of facilities, and is thus entirely land-use based, and appropriately included in the Plan. The Revised Deposit amendment to Objective 1 addresses the substance of Objection 273/52328 related to the parallel aims of regeneration and environmental protection, and no additional objective is necessary. The reference to sustainable tourism in Objective 1 can be taken to encompass alternative modes of transport and does not require the addition of a further objective in that regard, as suggested by Objection 41/50998.
- 4.6 Objective 2 was amended at the Revised Deposit stage as requested by the Countryside Agency in Objection 41/50997. I do not consider that the revised wording implies that environmental enhancement would invariably be required as suggested by Objection 353/70461. Government advice at paragraph 1.3 of PPG 21 ‘Tourism’ refers to the role of the planning process in achieving the difficult but crucial balance between the needs of tourism and the protection of the built and natural heritage. This is appropriately reflected in Objective 2. It would not be reasonable to modify Objective 2 further, as sought by Objection 353/51436, to imply that environmental factors would invariably outweigh development needs.
- 4.7 Objection 353/51434 seeks, in effect, to exclude development in the countryside for tourism, leisure and recreation. That would be unreasonable as, for example, some facilities are necessary to accommodate countryside activities and some previously-developed sites in the countryside require new uses. Policy (R)FTRL.2 sets out criteria including that, for a countryside location to be acceptable, there should be no reasonably suitable alternative site or premises available for the development within a settlement boundary. No modification of paragraph 4.16 is necessary in relation to this objection.

Omissions

- 4.8 Policy (R)FTRL.2 and policy (R)FBE.5 both allow for the re-use of buildings in the countryside for tourist accommodation and thus no further policy is required to address Objection 12/52410.
- 4.9 Sport England seeks policy support for the floodlighting of sports facilities. Policies (R)FTRL.1 and (R)FTRL.2 already support development for recreational or leisure purposes subject to criteria. That would include floodlighting. Any proposals would also need to address the criteria of policy (R)FBE.1 which applies to the design of all

development and appropriately seeks, amongst other things, that development should minimise the impact of lighting upon the surrounding area. It would be necessary for any policy for floodlighting to include similar criteria to these policies and that would result in unnecessary duplication. No such policy is necessary.

- 4.10 Symonds Yat is a popular tourist destination and the location for a variety of outdoor activities. It is referred to at paragraph 4.8 as being subject to visitor pressures. However Objection 13/52019 is specifically concerned with the importance of the River Wye at this location for canoeing. This is not addressed in the Council’s response. However there is an absence of supporting information to demonstrate that canoeing requires different policies to those for other tourism, recreation and leisure activities. These policies would permit necessary development in the countryside subject to criteria which include the protection of the character and visual amenity of the area. Of particular relevance here is the area’s location within the nationally-designated Wye Valley Area of Outstanding Natural Beauty where policy (R)FNE.4 reflects national policy in giving priority to the conservation of the natural beauty of the landscape. Elsewhere in this report I have recommended modifications to that policy to clarify that development for recreation may be appropriate so far as that is consistent with the conservation of natural beauty and the needs of agriculture, forestry and other uses. It would be inappropriate to set out a different policy for unspecified potential development for one recreational activity. I thus do not recommend any modification to the Plan in this regard.
- 4.11 348/51947 is raised to the omission of mixed-use including tourism at Part Poykes Farm, Newent, to which I refer in connection with policy (R)F.Newent 9 in Chapter 4 of Part 2.

Recommendation

- 4.12 **I recommend that Paragraph 4.1 be modified by including a source for the quoted statistics and by substituting more up-to-date figures if these are available.**

Policy (R)FTRL.1

Tourism, Recreation and Leisure Development within the Towns

Objections

312/51539	Government Office for the South West
663/51763	Tufnell Town & Country Planning

Supporting Statements

13/52007	Sport England SWR
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Issues

- a. Effect on the quality of the environment, with respect to national guidance.
- b. Degree of restriction imposed by the policy compared with other provisions of the Plan.

Reasoning and Conclusions

- 4.13 Paragraph 3.15 of PPG21 ‘Tourism’ sets out four guiding principles for the Government in assessing its own support for tourism. These include supporting development contributing to the quality of the environment. Policy (R)FTRL.1 is only concerned with development within the four named towns. In the Forest of Dean District context there is scope for tourism, recreation and leisure development to positively improve the existing environment of these towns for both residents and visitors. Some proposals may be more neutral in their impact on the environment but still acceptable. However some proposed developments may be harmful to their surroundings. The policy concentrates on the avoidance of such harm whilst being generally supportive of tourism development. An objection by GOSW does not suggest how the policy or supporting text should be modified and it would be unreasonable to require that every development proposal result in a positive improvement to the environment. I conclude that no modification is necessary.
- 4.14 Objection 663/51763 seeks that the policy should be extended to permit tourism, recreation and leisure development outside but adjoining the towns. However policy (R)FTRL.2 would already allow for such development adjoining towns, and elsewhere in the countryside, subject to particular criteria, which I support, necessary to ensure that development accords with the principles of sustainability and that the countryside is adequately protected from unsuitable development. I acknowledge that Criterion 5 of policy (R)FE.5 specifically allows for employment development adjoining a settlement boundary but only subject to policy (R)FE.4. The latter policy would permit employment development adjoining villages, but not towns, and it is subject to criteria similar to those in policy (R)FTRL.2. I thus do not accept the suggestion that the Plan’s policy for tourism, recreation and leisure development outside towns is significantly more restrictive than that for employment development there. I conclude that no modification to the Plan would be appropriate.

Recommendation

- 4.15 **I recommend no modification to Policy (R)FTRL.1 or the supporting paragraphs 4.17-4.19.**

Policy (R)FTRL.2 Tourism, Recreation and Leisure Development in Villages and in the Countryside

Objections

12/52405	Walker Stuart Planning
13/52015	Sport England SWR
36/52074	Three Counties Planning Consultancy
41/70732	Countryside Agency
180/70115	Hewelsfield & Brockweir Parish Council
288/50823	Gloucestershire County Council
343/53095	Country Landowners Association
353/51444	CPRW
353/70462	CPRW
353/70463	CPRW
663/51766	Tufnell Town & Country Planning

663/51773	Tufnell Town & Country Planning
815/70399	Mr J P Norman
816/70404	Mr D N Powney
816/70407	Mr D N Powney
817/70409	Miss J Lewis
818/70810	Mr A Carpenter
819/70811	Mr M Harris
820/70424	Ms L J Enderspy
821/70425	Brockweir Gateway Action
821/70426	Brockweir Gateway Action

Supporting Statements

13/52009	Sport England SWR
343/53072	Country Landowners Association

Issues

- a. Sustainability and non-car travel.
- b. Newly-built holiday accommodation.
- c. Consistency with Employment Policies.
- d. Impact on the natural environment.
- e. Environmental Assessment, particularly with reference to the AONB.
- f. Scale, nature and design of development.
- g. Cumulative impact.

Reasoning and Conclusions

Sustainability

- 4.16 Objection 12/52405 seeks the removal of the reference to policy (R)F.Strategy 2 and the relaxation of Criterion 1 with particular reference to the re-use of existing buildings in the countryside. Policy (R)FBE.5 provides that tourism [including holiday accommodation] and recreational re-use of existing buildings in the countryside will be acceptable, subject to criteria which do not reflect the test set out here in Criterion 1. This appears inconsistent and this policy should be modified.
- 4.17 However the suggested rewording of the policy goes further in that it would remove the test requiring there to be no reasonably suitable alternative site location within a settlement boundary before any tourism, recreational or leisure development were permitted in the countryside. I disagree since this provision properly reflects other policies which seek a sustainable pattern of development.
- 4.18 In particular, policy (R)F.Strategy 2 reflects Government, Regional and Structure Plan provisions seeking to locate development where, amongst other objectives, it would minimise energy demands and the use of natural resources, make the best use of infrastructure and conserve and enhance the natural environment. That policy would apply whether or not there were an express cross-reference to it in policy (R)FTRL.2 but it also informs the approach proposed in the latter policy. The reference to policy (R)F.Strategy 2 is not essential here, but it usefully serves as a reminder of the broader approach to development and should be retained.
- 4.19 In providing that tourism, recreational and leisure developments may be permitted in the countryside, subject to criteria, policy (R)FTRL.2 recognises that countryside

locations are necessary for some such developments in locations where other types of development, such as general housing and new employment, would not be acceptable. However locating development in the countryside is more likely to conflict with the objectives of policy (R)F.Strategy 2, and it is thus appropriate that preference should be given to locations within settlement boundaries, where these are available. This applies particularly to large new developments or those generating large numbers of trip movements.

- 4.20 However the policy’s reference to ‘villages’ in one part and to ‘settlement boundaries’ elsewhere is confusing and inconsistent. In common with the approach adopted elsewhere in the Plan, the distinction should be between settlements with defined boundaries and the countryside. In that context, the countryside is taken to include other smaller settlements with few or no facilities.
- 4.21 There is Government support in paragraphs 3.4A and 3.4B of PPG7 [as amended] for development for farm diversification using existing, replacement or possibly new buildings, where proposals would satisfy sustainable development objectives and be of design and scale appropriate to the rural surroundings. This is not reflected in policy (R)F.TRL.2 wherein Criterion 1 requires that the proposed location for the development be essential for the effective operation of the proposal. As it refers to the ‘proposal’ it can only refer to the new activity intended on the site. It is not ambiguous and thus does not negate the support which farm diversification into tourism, leisure or recreation could give to an existing farm business. However, I conclude that Criterion 1 and the supporting text should be modified to reflect the aims of PPG7.
- 4.22 In relation to sustainable travel, the policy would apply to a wide range of development proposals with very different travel generation characteristics. The car is likely to remain the dominant form of travel for visitors. However the reference to policy (R)F.Strategy 2 would ensure that sustainable travel considerations are taken into account. Policy (R)FT.1 also requires appropriate provision for accessibility by a choice of modes of transport. I conclude that an additional travel criterion is unnecessary.
- 4.23 The Council has proposed in Document LPD.75 that the words ‘over 90% of visitors to the District come by car’ be deleted from paragraph 4.22 and I support that modification as the same words appear in paragraph 4.23.

Newly Built Holiday Accommodation

- 4.24 The policy would not prevent the development of new-build holiday accommodation, provided that the various policy criteria were met. No modification is necessary in this regard.

Consistency with Employment policies

- 4.25 Policy (R)FE.5 would permit a variety of forms of employment development in the countryside, subject to criteria which differ according to the particular type of development. The only circumstance in which policy (R)FE.5 would allow development adjoining villages is where it would also comply with policy (R)FE.4. The latter policy sets out criteria that are essentially similar to those of policy (R)FTRL.2. They include the requirement that there be no reasonably suitable alternative accommodation within any settlement boundary. I thus do not agree with criticism that policy (R)FTRL.2 is significantly more restrictive than policy (R)FE.5

with regard to development adjoining villages, and I consider that it is less restrictive in respect of development elsewhere in the countryside.

- 4.26 Policy (R)FE.2 allows for employment development on established employment sites in any part of the District, subject to environmental, traffic and amenity considerations. Development on established tourism, recreational and leisure sites would be considered primarily under policy (R)FTRL.2 and would be subject to the criteria of that policy. These are more specific but are not necessarily more restrictive. In particular, the requirements of Criterion 1 would be more readily satisfied in the case of development related to an established tourism activity in the countryside than for a new activity.

Natural Environment

- 4.27 In referring to there being no ‘unacceptable’ impacts on the natural environment from additional visitor numbers, Criterion 3 of the policy allows that some impact may be acceptable. ‘Unacceptable’ is an absolute term. An impact is unacceptable or it is acceptable, as a matter of judgement in each case. I conclude that it would therefore be inappropriate to prefix the term with the word ‘significant’, as suggested.

Environmental Assessment

- 4.28 Environment assessment is now termed Environmental Impact Assessment [EIA] and cannot be required where the circumstances fail to meet the criteria set out in The Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999. Different criteria should not be set out by a Local Plan. The Revised Deposit Plan therefore appropriately deletes the threshold for seeking environmental assessment which had been included in the First Deposit version of policy (R)FTRL.2. This would not affect the number of occasions when such EIA could in practice be required in accordance with the Regulations, as now referred to in the supporting text.
- 4.29 Within the AONB the need for EIA would have to be assessed for all those developments set out in the Schedules to the Regulations, according to the likelihood of significant environmental effects. The removal of the minimum size thresholds proposed in the First Draft version of policy (R)FTRL.2 means that EIA may be required for smaller developments which would nevertheless have significant effects. Thus the changes have in fact strengthened rather than weakened protection for the AONBs and should be retained.
- 4.30 I appreciate that it would be helpful if the Plan could set out in detail when EIA is likely to be required. However this would be impractical as the Regulations are too complex and there are too many variables. Also the test as to whether EIA is needed includes subjective elements and the Plan could not provide certainty in the absence of fuller information about individual development proposals.

Design

- 4.31 The second sentence of paragraph 4.21 was amended at the Revised Deposit stage and now reads: ‘Most new developments will be expected to be small in scale....’. I do not find this unduly negative, as implied in one objection, and I do not consider that it requires further modification.
- 4.32 Objection 353/51444 also suggests a revised wording for the final sentence of paragraph 4.21 and I conclude that the suggested wording would aid comprehension.

Cumulative Impact

- 4.33 There is a risk that the need to consider the cumulative effect of multiple proposals at ‘a single location’ may be interpreted as only applying to proposals on the same site. A wider definition is needed. However cumulative impacts may not only be visual as the objector suggests. Other effects such as cumulative traffic impact may also be material. I conclude that the words ‘in a single location’ should be replaced by ‘in the same area’.
- 4.34 I agree with a minor grammatical corrections to which the Council accede [LPD75].

Recommendations

- 4.35 **I recommend that Criterion 1 of Policy (R)FTRL.2 be modified to:**
- Where the proposed location is outside any Defined Settlement Boundary, and concerns development other than the re-use of a rural building in accordance with Policy (R)FBE.5, the location proposed must be essential either to the effective operation of the proposal or to the future viability of an existing farm business, and there must be no reasonably suitable alternative site or premises available within any Defined Settlement Boundary.**
- 4.36 **I recommend that the supporting text be modified by the addition of the following Paragraph 4.20a:**
- Development within Defined Settlement Boundaries can make efficient use of existing infrastructure and support existing services, and contribute to their improvement, whilst avoiding intrusion into the open countryside. It is preferred that tourism, leisure and recreation development be located in Defined Settlement Boundaries. Some such developments nevertheless depend upon a location in smaller settlements without Defined Settlement Boundaries, or in the countryside, in order to operate effectively. In addition, diversification into tourism, recreation and leisure development may be vital to the continuing viability of farm businesses in the countryside. It is usually preferable for such farm diversification to re-use good quality existing buildings and put them to a new use. But new buildings for this purpose, either to replace existing buildings or to accommodate the expansion of enterprises, may also be acceptable provided that they satisfy sustainable development objectives and are of a design and scale appropriate to their rural surroundings.**
- 4.37 **I recommend that Paragraph 4.22 be modified by the deletion of the words ‘over 90% of visitors to the District come by car’.**
- 4.38 **I recommend that the final sentence of Paragraph 4.21 be modified to:**
- However, the lack of infrastructure in some villages and in the countryside, together with the need to protect the environment, gives rise to the need to assess the extent to which development will be environmentally sustainable in terms of the use of energy and water and the minimisation of waste.**
- 4.39 **I recommend that Paragraph 4.24 be modified by inserting ‘Impact’ between ‘Environmental’ and ‘Assessments’.**
- 4.40 **I recommend that Paragraph 4.25 be modified by the replacement of the words ‘in a single location’ with the words ‘in the same area’.**

- 4.41 **I recommend that Paragraph 4.25 be modified by the addition of a comma after the word ‘development’ in the second sentence.**

Policy (R)FTRL.3 - Golf Courses and Driving Ranges

Objections

150/52239	Mr R Brock
150/52242	Mr R Brock
353/51472	CPRW
353/70464	CPRW

Issues

- a. Degree of detail of proposals.
- b. General textual amendments.
- c. Proposals Map representation.

Reasoning and Conclusions

Detail of Proposals

- 4.42 Golf courses and driving ranges require extensive areas of land and can be prominent features in an open countryside landscape. They can significantly alter, and potentially harm, its character. The appearance and especially the landscape treatment of such developments is thus an important material consideration and this could not, for example, be readily assessed on the basis of a planning application which only included a plan with a red line to define the perimeter of the site. The First Deposit version of policy (R)FTRL.3 was similar to Policy FR.9 of the adopted Local Plan in requiring the provision of specified information relating to the design and layout of proposed golf developments. The Revised Deposit version amended the wording to delete the policy requirement to provide the specified information whilst confirming that these factors would be material to the assessment of proposals. The list does not amount to a requirement for a fully detailed design in all cases and it does not, for example, require full details of buildings. However, it draws attention to those factors which need to be taken into account by applicants and decision-makers. It may be that some of the matters could be addressed by the imposition of conditions, as the objector suggests, but this is not ruled out by the policy wording. I conclude that the policy is not unduly onerous in its reference to material considerations and does not require modification in this regard.

Textual Amendments

- 4.43 The preamble in the policy was reworded in an adequately positive fashion at the Revised Deposit stage and does not require further modification.
- 4.44 Criterion 2 states as a material consideration: ‘The location and a block layout of any ancillary buildings and their uses.’ Golf course and driving ranges are essentially open uses of land to which any buildings such as offices, changing rooms, maintenance buildings or clubrooms should be ancillary. I conclude that the criterion is appropriately worded.

- 4.45 Rider 1 to the policy was amended at the Revised Deposit stage to address First Deposit objections and no further modification is necessary.
- 4.46 Rider 2 was amended at the Revised Deposit stage to delete the words ‘and enhance’, as superfluous, and no further modification is necessary.
- 4.47 Regarding concern that the numbering of Criterion 4a is inappropriate; this approach was necessary throughout the Revised Deposit Plan to avoid confusion in the handling of objections and amendments to policies. The subject matter of 4a differs from that in 4 since 4a refers to existing wildlife features whereas 4 refers primarily to new landscaping which may or may not constitute a significant wildlife habitat. I consider that it is possible to enhance an existing wildlife feature such as a hedge, pond or an area of woodland. I acknowledge the objector’s point that this may not be necessary or appropriate in every case but I do not consider that the policy as worded requires enhancement in all circumstances. Therefore no modification is necessary.

Proposals Map

- 4.48 Paragraph 10 of PPG17 ‘Planning for Open Space, Sport and Recreation’ (2002) seeks the protection of open space, sports and recreational buildings from built development unless an assessment has shown these to be surplus to requirements having regard to all the functions which they can perform. That advice would be material to the handling of any planning applications for built development on such sites. I address in Chapter 3 of Part 2 on Lydney the objections to the Plan’s development proposals for the Lydney Golf Course. Paragraph 11 of PPG17 advises the use of local plan policies to protect areas of particular quality but does not advise the identification and protection of every sports facility. The Plan contains no policies for existing golf facilities and I consider it unnecessary to identify them on the Proposals Map.

Recommendation

- 4.49 **I recommend no modifications to Policy (R)FTRL.3 or Paragraphs 4.26-4.28.**

Policy (R)FTRL.4 – Provision of Recreational Access

Objections

487/51190 WEA

Supporting Statements

41/51041 Countryside Agency

Issue

Location of recreational routes.

Reasoning and Conclusions

- 4.50 The provision and improvement of a walking and cycling network can make an important contribution to recreation and tourism. Such networks can assist sustainable modes of travel and provide an alternative to the car, particularly where they are integrated with public transport. Off-road routes can provide a safer and quieter route which is attractive to users and which can reduce accidents. Existing

tracks and former railway lines may be particularly suitable, subject to the environmental effects.

- 4.51 In this regard, there is cogent evidence that over use of off-road walking and cycling routes in sensitive areas is to be actively avoided to prevent unacceptable harm to the environment, particularly in the Forest. The Plan needs to strike a balance between promoting linked walking and cycling routes including connections to schools, town centres and transport interchanges in conjunction with the County Highway Authority, and limiting their impact in such sensitive areas.
- 4.52 I understand the concern of local people who see the development of walking and cycle facilities as going well beyond community needs and endangering their Forest heritage by encouraging tourist access. However tourism is a significant Forest industry and is to be supported, subject to appropriate controls. To give due emphasis to the need for environmental protection, I propose the substitution of a different penultimate sentence of para 4.29. I consider that the policy and text will then set the balance required when applied with the other relevant provisions of the Plan, which must be read as a whole.

Recommendation

- 4.53 **I recommend that Paragraph 4.29 be modified by deleting the penultimate sentence and substituting:**

There may be further opportunities to provide cycle and pedestrian links between communities, including using old railway lines and Forest tracks, provided the use of any route has no unacceptable environmental impact on surrounding areas.

Policy (R)FTRL.5 – Protection of Rights of Way

Objections

353/51455

CPRW

Issue

Provision of access to Tourism, Recreation and Leisure for disabled people.

Reasoning and Conclusions

- 4.54 The Plan is to be read as a whole and policy (R)FBE.14 is the relevant policy in respect of disabled access and mobility. It is not necessary to include a separate policy in the Tourism, Recreation and Leisure Chapter.

Recommendation

- 4.55 **I recommend no modification in respect of this objection.**

Policy (R)FTRL.6 – Herefordshire and Gloucestershire Canal

Objections

18/50511	English Nature
288/70270	Gloucestershire County Council
343/51897	Country Landowners Association
353/51456	CPRW
353/70465	CPRW
519/51784	Mr D Penny [H&G Canal Trust]
778/70117	Environment Agency

Issues

- a. General policy and textual amendments.
- b. Materiality of support by the Canal Trust.
- c. Contributions to canal restoration.
- d. Blight.
- e. Water resources.
- f. Wildlife conservation

Reasoning and Conclusions

Policy Wording

- 4.56 In First Deposit Objection 519/51784, the Canal Trust sought the comprehensive rewording of the policy to include provisions applying control to adjoining development, to enhance access, to establish a presumption against development that might hinder canal restoration and require contributions towards it.
- 4.57 I consider the suggested wording imprecise as to what land would be affected and to thereby risk serious uncertainty and blight for landowners and developers; it also seems to seek contributions from all canalside developments, regardless of the relationship and relevance of the canal to the development. The Revised Deposit version of the policy and supporting text includes amendments addressing certain of the points raised. The effect of adjoining developments on the character and setting of the Canal are covered by other Plan policies requiring all development to respect the character of its surroundings. No further modification of the policy is necessary.

Text Wording

- 4.58 Revised Deposit para 4.33 includes two sentences to the effect that the route of the canal is safeguarded, and seeking to ensure its restoration as a part of any adjacent development, including by way of significant contributions to the ‘restoration and/or long term sustainability of the canal.’
- 4.59 The restoration of the canal would have a number of potential economic, social and environmental benefits. I consider that it is reasonable that the Plan should provide that measures to facilitate the restoration of the canal could be material when considering development on adjoining land. This would be subject to other legal and policy considerations relating to such measures or financial contributions and thus would not be appropriate in every instance. Capital restoration works or land contributions would be more likely to satisfy the tests than would on-going financial contributions to the operation or maintenance of the canal. I therefore do not consider

additional references, sought by the Canal Trust, to be an appropriate requirement of planning policy. However this would not inhibit any private agreements in this regard between the Canal Trust and other parties outside the planning system.

- 4.60 In this context I consider the reference to ‘sustainability’ in the revised text to be inappropriate and unclear having regard to the various uses of this term. It should be deleted.
- 4.61 Revised Deposit para 4.33 provides for the favourable consideration ‘where appropriate’ of development that enables the restoration of the canal. The County Council’s objection seeks to define this as only applying where development is not to be on land otherwise allocated. There is an absence of supporting information from the County Council and its intention is unclear. Were the suggested text added, there is a risk that it would invite proposals for large scale housing or other development in inappropriate locations in the countryside which promoters would seek to justify by including large contributions towards the restoration of the canal. That would undermine the strategy of the Plan and I doubt that it accords with the County Council’s intention. The suggested modification should not be made.
- 4.62 Objection 353/51456 suggests a rewording of part of paragraph 4.33 in the interests of clarity. The Council’s Responses Document LPD26 appeared to endorse these changes but only the final sentence was modified. I consider that further changes should be made, but omitting a reference to nature conservation, which was dealt with by a Revised Deposit amendment.

Blight

- 4.63 In paragraph 13 of Annex B of PPG13 ‘Transport’ the Government supports the protection of disused waterways where appropriate and where there is a reasonable degree of certainty of a restoration project proceeding, in whole or in part, within the development plan period. I acknowledge in this case that there is an element of uncertainty as to if, and more particularly when, the canal will be fully restored. Nevertheless parts have already been restored and there does seem a reasonable prospect of restoration continuing during the Plan period. Much of the route passes through open countryside with little other development potential. Some landowners would benefit from the restoration. Others may not but there is no specific evidence to support the alleged harm. I conclude that the protection of the route is appropriately included in the Plan notwithstanding a slight risk of property blight.

Water Resources and Wildlife

- 4.64 The Council proposes a modification to paragraph 4.33 to add reference to management of impact on water resources with respect to existing features of wildlife conservation interests. I support that modification.

Recommendations

- 4.65 **I recommend that sentences 6-10 of Paragraph 4.33 be modified to:**

The Plan will therefore safeguard the route of the canal and shall seek to ensure its restoration as part of any adjacent development. Where appropriate, the District Council may view favourably development that enables a significant contribution to the restoration of the canal. Where the canal has been restored, it offers considerable recreational opportunities and, when the restoration of this

important water feature is complete, tourism, economic, and recreation benefits will accrue to the area.

4.66 **I recommend that the penultimate sentence of Paragraph 4.33 be modified to:**

The Council will seek to ensure that the canal restoration does not have an adverse impact on water resources through the production of a management structure, if required, or on existing features of wildlife interest, and will encourage habitat enhancement wherever possible to provide nature conservation benefits.

Dean Forest Railway - Paragraphs 4.34 – 4.35

Issue

Freight transfer facilities

Reasoning and Conclusions

4.67 Elsewhere in the report I refer to the issue of freight transfer facilities at Parkend and Lydney. A First Deposit proposal for such development was deleted at the Revised Deposit stage and I do not support those objections seeking its reintroduction. Any facilities at Lydney are more likely to be related to Network Rail tracks than to those of the Dean Forest Railway. However I do support the extension of passenger facilities at Parkend. In consequence, it would be appropriate to delete the redundant reference to freight facilities from paragraph 4.34.

Recommendation

4.68 **I recommend that the final sentence of Paragraph 4.34 be modified to:**

It has the potential to grow as a visitor attraction in its own right, as well as providing passenger services and connections.
