

PART 2

SETTLEMENT POLICIES & PROPOSALS

CHAPTER 1 – LYDNEY - Part 1 [Report Pages 2-1-2 to 2-1-30].

General

Objections

44/70528	Federal Mogul
269/53016	Dr P R Fellows
414/51658	Forest of Dean Badger Patrol
429/52612	Ms J Lloyd & Mr P Smith
842/70801	Prowting Projects Ltd

Supporting Statements

269/53015	Dr P R Fellows
318/50352	Mr G Harris

Issues

Several objections have been made either to the Lydney chapter as a whole or to an introductory paragraph.

Reasoning and Conclusions

- 11.1 Objection 44/70528 concerns the amended Revised Deposit wording of the second sentence of paragraph 1.15. That wording in turn relates to policy amendments with particular regard to changes to policy (R)F.Lydney 2. I therefore address the objection with others to that policy.
- 11.2 Objection 269/53016 includes one of a number of similar objections to the allocation of Lydney’s golf course for housing and employment development under policy (R)F.Lydney 1. I deal with that with other objections to (R)F.Lydney 1. The same objection seeks the consideration of traffic calming measures in Kimberley Drive. However that does not appear to relate directly to any of the Plan’s development proposals and is therefore an issue outside the scope of the Plan, which should be referred to Gloucestershire County Council as the Local Highway Authority.
- 11.3 Objection 429/52612 seeks traffic management measures in the Lydney chapter for Church Road. Again this is a matter for the Local Highway Authority, although I understand that some measures have been implemented since the objection was first submitted
- 11.4 Objection 842/70801 is addressed with other objections to the housing allocations at Allaston [(R)F.Lydney 4], Kings Buildings [(R)F.Lydney 4a], and Hill Street [(R)F.Lydney 12].

Recommendation

- 11.5 **I recommend no modification to Part 2 Chapter 1 save any consequent upon my findings below.**

Policy (R)F.Lydney 1 - Mixed Use Land Allocation – Land East Of Lydney

Policy (R)F.Lydney 2 - Regulation of Development – Land East Of Lydney

Objections

5/51373	Swanhill Homes Limited
5/51375	Swanhill Homes Limited
13/51986	Sport England SWR
13/51987	Sport England SWR
20/52673	Lydney Golf Club
20/70396	Lydney Golf Club
20/70397	Lydney Golf Club
21/50803	The Liddington Trust
25/51931	Chelbury Homes Ltd
25/51933	Chelbury Homes Ltd
25/51934	Chelbury Homes Ltd
27/52651	Lydney Park Estate
27/52653	Lydney Park Estate
29/51344	Diocese of Gloucester
44/51314	Federal Mogul
44/51315	Federal Mogul
44/51316	Federal Mogul
44/70528	Federal Mogul
44/70529	Federal Mogul
44/70530	Federal Mogul
44/70531	Federal Mogul
50/50076	NHS Executive South West
102/52147	Mr P T Beard
102/52151	Mr P T Beard
102/52152	Mr P T Beard
112/52457	Mr P J Bevan
112/52454	Mr P J Bevan
117/50378	Mr Bignall
150/52883	Mr R Brock
175/51443	Hallam Land Management
175/51445	Hallam Land Management
177/50445	Mrs J Christie
177/50448	Mrs J Christie
227/52571	Mr R Dawson-Marsh
227/52572	Mr R Dawson-Marsh
227/52574	Mr R Dawson-Marsh
252/50025	Mr I G Ellis
252/50028	Mr I G Ellis
252/50030	Mr I G Ellis
275/52862	Mr W A Frodsham
288/50897	Gloucestershire County Council
288/70280	Gloucestershire County Council
288/70281	Gloucestershire County Council
288/70282	Gloucestershire County Council
300/50490	Miss H E Griffiths
300/50494	Miss H E Griffiths
315/50949	Robert Hitchins Limited
315/50956	Robert Hitchins Limited
315/70350	Robert Hitchins Limited
315/70351	Robert Hitchins Limited
315/70352	Robert Hitchins Limited
410/50514	Mr P G Kingston
410/50515	Mr P G Kingston

414/51602	Forest of Dean Badger Patrol
414/51604	Forest of Dean Badger patrol
429/52608	Ms J Lloyd & Mr P Smith
472/52996	Mrs D J Morris
472/53004	Mrs D J Morris
544/52915	Mr R Rea
544/52917	Mr R Rea
548/51849	Mr D Reid
567/52832	Mr C J Rowkins
572/50473	Mr W B Russell
572/50477	Mr W B Russell
572/50482	Mr W B Russell
598/52913	Mr E Simpkin
598/52946	Mr E Simpkin
631/52869	Mrs M Stock
631/52871	Mrs M Stock
632/50604	Mr R Stock
632/50639	Mr R Stock
632/50643	Mr R Stock
682/51338	The Ramblers Association
703/51780	Mr J Wildin
703/51783	Mr J Wildin
719/50505	Mrs M J Wissett
719/50507	Mrs M J Wissett
828/70511	Johnson Properties
828/70513	Johnson Properties

Supporting Statements

44/51319	Federal Mogul
44/51388	Federal Mogul
315/50941	Robert Hitchins Limited
315/50957	Robert Hitchins Limited
315/70348	Robert Hitchins Limited
315/70349	Robert Hitchins Limited
315/70353	Robert Hitchins Limited
318/50351	Mr G Harris
411/52752	Mr A S Kinross
411/52753	Mr A S Kinross

Issues

- a. The need for, and the scale and sustainability of, the allocations for development, with reference to their greenfield location on prime agricultural land and considerations of employment and infrastructure.
- b. Deliverability of completions during the Plan period.
- c. Environmental impact with respect to considerations of appearance, flooding and residential amenity.
- d. Loss or blight of the golf course.
- e. Traffic increase and need for the Town Centre Link Road.
- f. Size, phasing, subdivision and distribution of development, including with respect to land ownership and commercial viability.
- g. Developer contributions to transport infrastructure, including in relation to the progress of development.

- h. Provision and funding of community and public transport facilities to serve the development including religious and police accommodation, health care, road improvements and education, with reference to planning obligations.
- i. Means of provision of affordable housing.
- j. Public footpaths.
- k. Extent of landscaping.
- l. Nature conservation.

Reasoning and Conclusions

Principle, Scale and Sustainability of Development.

- 11.6 I deal in general terms with the matters of land supply and the locational strategy for housing and employment, including the use of greenfield land, in connection with policies (R)F.Strategy 1, 3 and 6, (R)FH.2 and (R)FE.1. In relation to policy (R_F.Strategy 1 I conclude that there is an outstanding requirement based on completions recorded to 1 January 2003 of some 4070 dwellings, of which some 2529 should be the subject of specific site allocations.
- 11.7 The Plan accords with policy H.4 of the Structure Plan in providing that most housing will be in Cinderford, Coleford and Lydney. Lydney is one of the largest towns in the District and it has particular advantages in respect of accessibility by the A48 trunk road and by rail, which help it to meet the accessibility and sustainability criteria of Structure Plan policy S.1. Amongst other objectives, that policy seeks to reduce the need to travel, especially by car, and to concentrate the bulk of new development within and adjacent to the County’s larger towns. In this context Lydney is an appropriate location in principle for a substantial proportion of this Plan’s new housing allocations. Therefore the issues to be addressed here are whether the (R)F.Lydney 1 allocation proposes an appropriate scale of development on the most appropriate site.
- 11.8 The proposed allocation includes land in agricultural use together with the redevelopment of an existing 9-hole golf course. Two thirds of the agricultural land is classified as being grade 2 [very good) or grade 3a [good] quality. Paragraph 2.17 of PPG7 [as amended in 2001] advises that the development of land of this quality should not be permitted unless opportunities have been assessed for accommodating development on previously-developed sites and land within the boundaries of existing urban areas. The advice continues that where development of agricultural land is unavoidable, poorer quality land should be used in preference to that of higher quality, except where sustainability considerations suggest otherwise.
- 11.9 Structure Plan Policy S.3 and PPG3 on housing similarly seek to give priority to development within existing urban areas and particularly to the re-use of previously-developed land. However in the Forest of Dean the supply of such land suitable for housing is limited, and rural sites have relatively poor access to employment, services and facilities by means other than the car. It has not been demonstrated in any of the evidence before me that the residual need for new dwellings can be met without a substantial amount of development on greenfield land that has not previously been developed. In Lydney, the opportunities to use previously-developed land are especially scarce and the Urban Capacity Study [LPD27] only identified small sites for re-use. The inclusion of the Land East of Lydney development in Phase 2 may

have some effect on the simultaneous take-up of these sites. However the different character, location and size of the previously-developed sites should distinguish them from that development and create a marketing advantage. I do not consider that the re-use of these sites or other previously-developed land in the District would be seriously prejudiced by the proposal. Moreover the removal of this greenfield allocation from Phase 2 would result in a serious undersupply of housing.

- 11.10 Among important constraints on the choice of housing sites in and around Lydney is the risk of fluvial and tidal flooding on low-lying land to the south of the town, whilst steeper slopes and forested land constrain development opportunities to the north and west. Land to the east is less constrained but residential development would preferably be limited to the area within the town’s by-pass. That would provide visual containment and reduce the potential for congestion or danger arising from conflicting vehicular and pedestrian movements across that road. Further, to reduce trip lengths and encourage modes of travel other than the car, it is also desirable for development to be close to public transport nodes, the town centre, and other trip generators.
- 11.11 Government advice in PPG3 at paragraph 67 is that such planned urban extensions are likely to prove the next most sustainable option after building on appropriate sites within urban areas, especially where it is possible to utilise existing physical and social infrastructure, there is good existing or planned access to public transport, and there is good access to jobs, schools, shopping and leisure facilities. The Land East of Lydney proposal qualifies in these respects as a planned urban extension. The proposal includes employment land and land for community facilities and more detailed consideration is given to these criteria below. The alternative sites in and around Lydney suggested for housing development by some objectors are, like the Land East of Lydney, almost entirely greenfield. Most similarly lie outside the existing urban area but they would lack the range of facilities and employment to qualify as planned urban extensions. Moreover, even were all to be developed they would only have the capacity to accommodate a fraction of the overall housing currently proposed for the town.
- 11.12 The town has a range of facilities which generally equals or exceeds that of any other settlement in the District. These include shops, schools, a hospital, recreation facilities, a railway station and a bus station. Further facilities would be included in the development including a neighbourhood centre, primary school accommodation, amenity open space and play provision. The policy requires contributions to meet the needs of its residents for other facilities including health care provision, improved playing pitch facilities and secondary school provision. These are likely to involve the improvement of facilities elsewhere in the town. Below I give further consideration to the implications of the loss of the golf course and to the detailed provision of other facilities. However overall I do not accept that the town or the development would be lacking in adequate facilities.
- 11.13 Moreover, although Lydney is comparatively distant from the motorway network, its road links are better than any other town’s in the Plan area and it benefits from the only main line railway station in the District.
- 11.14 The town has an existing employment base and the proposed allocation would include 9ha of employment land. This is intended to be equivalent to the amount needed to meet the employment needs of the additional residents after allowing for the growth

of employment elsewhere in the town from additional employment in services to support the extra population. Moreover some of the residents are likely to be retired and not seeking employment. Separate allocations propose additional employment land for the town which is intended to reduce out-commuting from the District. If these are taken up as proposed, then the availability of employment provision should be more than adequate to meet the needs of the residents of the development as well as providing additional employment for existing residents. However that implies a much faster take-up of employment land than has been experienced in recent years. In particular, one greenfield allocation at Mead Lane [policy (R)F.Lydney 6] has remained undeveloped in spite of having first been allocated in the Local Plan adopted in 1996. Moreover, whereas policy (R)F.Lydney 2 would require a secure agreement for the provision of employment land before the second stage of the residential development, it cannot ensure that the land will be occupied in practice, or that jobs are provided.

- 11.15 For these reasons and because residential property is cheaper in the South Forest than in nearby areas such as Central Gloucestershire and Bristol, which are major employment centres, there is a significant risk that there would be an increase in commuting, particularly in the short term [that is during the life of the Plan].
- 11.16 Nevertheless, I consider that, in principle, the strategic need to concentrate development in and around Lydney, the scarcity of previously-developed land in the town, the constraints on extending the town in other directions, and the desirability of minimising travel distances together create an overriding need to develop on this good or very good agricultural land. However, the land quality makes its efficient use vital in order to ensure that site is not lost to development unnecessarily.
- 11.17 My initial conclusion is that, whilst the actual amount, form, density and deliverability of the housing and other development require further examination, a substantial greenfield development is needed in principle as a planned urban extension to Lydney. Because of the physical constraints to development this would necessarily be to the east of the town and should mainly be located within the line of the by-pass, as proposed.

Deliverability

- 11.18 There was disagreement at the Inquiry regarding the potential of the site to deliver sufficient completions during the Plan period. Robert Hitchins Ltd [RHL] who control most of the land north of Naas Lane, estimate that 100 dwellings could be completed in [early] 2004 with 175 completions per year thereafter, based on their preferred phasing, to meet the identified capacity of the allocation [Document 3150]. This assumes the grant of full permission for Phase 1 by mid 2003 with at least 2 builders involved from the outset. Other objectors, some promoting alternative sites, estimate that overall completion rates on this site would be in the region of 750-900 dwellings during the Plan period. These lower estimates are supported by the Lichfield Study in 1997 when the intending developer [whom I take to have been RHL] estimated that there was scope to develop only 120 units per annum on this land [LPD43 paragraph 3.57]. That build rate would equate to a figure of only 870 dwellings over the 7.25 remaining years of the Plan period between January 2004 and March 2011.

- 11.19 The Land East of Lydney would be far and away the largest housing allocation in the Plan accounting for around half of all the dwelling allocations. Given the scale of the site, the recent lack of co-operation between the principal landowners, and the lead-in time, I consider that it is unlikely that any significant completions would be achieved before April 2004. That would leave only 7 years to build and sell 1250 dwellings in addition to the 150 dwellings proposed in the Revised Deposit to be allocated elsewhere in the town - a total of 200 dwellings per annum on allocated sites plus windfall redevelopments elsewhere within the urban area. In the 10 years from 1991 to 2001, only 716 dwellings were completed in Lydney including allocations and windfall development (Document 150 C Appendix) – an average of about 72 per annum. There would therefore need to be an approximate tripling of the average annual building rate in the town to meet the Plan’s requirements.
- 11.20 No matter how well-designed, a development of this large scale on one site would inevitably provide less variety and choice than a series of smaller developments in more varied locations. It would thus be less appealing to a proportion of potential occupiers, particularly as they would be living close to on-going construction works for up to 7 years. The involvement of as few as 2 builders at one time would also limit choice and I consider that more firms would need to be involved if the target build-rates were to be achieved.
- 11.21 With other objectors, including the House Builders Federation, RHL is also seeking an additional housing allowance in the Plan [above the residual Structure Plan requirement] against the possibility of non-implementation of housing from whatever source. I do not consider that their own site can be excluded from that risk.
- 11.22 I conclude that there is a significant risk of a shortfall in the completion of dwellings on the Land East of Lydney allocation before the end of the Plan period in April 2011. On the balance of probabilities, the actual number of completions may be as few as 900 dwellings instead of the 1250 dwellings allocated. This would result in a potential shortfall of about 350 dwellings. To address this risk I consider that additional sites for that number of dwellings should be identified elsewhere in the District. These sites should be located in or adjoining settlements other than Lydney in order to improve the prospects of their take up by the housing market and to avoid prejudicing the completion of the Land East of Lydney allocation and its associated infrastructure.
- 11.23 An important implication of the shortfall within Lydney would be that the capacity of the development to fund associated infrastructure improvements during the Plan period would be reduced. Whilst this would be offset to some degree by the reduced need for infrastructure and facilities to service the development, some works such as highways improvements could not readily be scaled down. Unless alternative funding is available, this may necessitate the postponement of the completion of certain works until beyond the end of the Plan period. However, there would be nothing to prevent planning permissions for development of the entirety of any allocated Land East of Lydney development, together with the completions of any associated planning obligations, during the Plan period, thus ultimately securing the requisite infrastructure.

Environment

- 11.24 In relation to objections to the visual impact of the development. The allocation site comprises the relatively flat golf course area, a partially undulating central section, and rising ground towards Highfield Road. The golf course is little visible from public areas outside the site but provides pleasant views from adjacent housing and from the public footpaths which traverse the land. Adjoining land between the golf course and the by-pass is more exposed to views from the by-pass itself and from land to the east, including the coastal zone. The northern part of the site is very exposed in the landscape, particularly at the northernmost end, where the proposed housing on a ridge would breach the skyline in views from the by-pass.
- 11.25 I consider that the visual impact of the development of the land south of Naas Lane is capable of satisfactory mitigation in the design and landscaping of the development to provide acceptable short distance views within and across the site. In long distance views from the east the proposed development would be mainly seen against the background of the existing town or in the context of the large adjacent foundry. There is the opportunity to combine fringe landscape screening along the by-pass with a buffer zone to separate residents from road noise. However, such measures would be less effective in moderating the adverse impact of intrusive development on the undeveloped ridgeline at the northern end of the site. An objection from Federal Mogul Ltd which sought the protection of this northernmost land for open space and recreation use was modified during the Inquiry to seek instead that it be retained as agricultural land. Whereas the limited options for expanding the town may require that this land be developed in the future, I consider that the adverse visual impact of its development would be a reason to accord it a lower priority for development than other parts of the Land East of Lydney site.
- 11.26 The Development Brief [LPD35.1] acknowledges at paragraph 12.4 that a detailed environmental appraisal of the site will be required. In practice a development of this scale would be likely to need an Environmental Statement to meet the requirements of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999. The land includes natural landscape features and habitats such as trees, a stream and hedgerows, many of which it would be desirable to preserve. The development would bring opportunities to create new features. The development could also have other environmental consequences. However much of the golf course is closely mown grass with non-native trees and much of the remaining land has been in active agricultural use which will have limited its natural interest. There is a lack of evidence to suggest that the environmental impact overall is likely to be so severe and incapable of avoidance, satisfactory mitigation or compensatory measures as to make the development unacceptable in principle.
- 11.27 The proposed allocation includes 9 hectares of land for employment use. The Revised Deposit policy does not specify what form this employment would take. The siting of some forms of noisy or polluting industry close to residential property could have a potentially adverse effect on the living conditions of residents. However other forms of employment would be suitable for location in a residential area and would provide a suitable buffer between housing and the foundry. The Development Brief suggests measures to control the type and distribution of employment and the use of landscaped buffer areas between housing and employment. These matters can be appropriately addressed at the development control stage.

11.28 In relation to flooding, only a very small area at the southern end of the site has been identified as presently at risk and the detailed site layout can address this. However the substantial increase in hard surfaces as a result of the development would increase the rate of run-off. Criterion 8a of Revised Deposit policy (R)F.Lydney 1 requires ‘appropriate measures to ensuring [*sic*] that flooding does not occur as a result of the new development.’ These could include sustainable drainage solutions or on-site storage to control run-off. Apart from correcting the grammar, I do not consider that any further amendment is necessary.

Golf Course

- 11.29 The development of the proposed site allocation would involve the loss of the existing 9-hole golf course and the Revised Deposit Plan does not provide positively for its replacement elsewhere. This is the only golf course in or adjoining Lydney. It contributes to local recreational amenities and it is clearly valued by its members. Moreover, pay and play access is available to the public on weekdays. The course is accessible on foot or by bicycle from some parts of the town, although most trips to and from the site are likely to be made by car, not least because of the weight of golfing equipment.
- 11.30 PPG17 of July 2002 on Open Space, Sport and Recreation advises at paragraph 10 that existing open space, sports and recreational buildings and land should not be built on unless clearly assessed as surplus to requirements, on consideration of all the functions that open space can perform. Paragraph 13 includes the advice that development may provide the opportunity to exchange the use of one site for another to substitute for any loss of open space, or sports or recreational facility. The new land and facility should be at least as accessible to current and potential new users, and at least equivalent in terms of size, usefulness, attractiveness and quality.
- 11.31 The Council has pointed out that, even without the Lydney Golf Course, golf provision in and adjoining the District far exceeds the population standard recommended by the Sports Council for the South West. Use of other courses in Coleford, Chepstow or elsewhere by Lydney residents would involve additional travel by car. However some users of the existing course will already travel in from outside the town and their journey lengths to alternative courses may not increase significantly. Also the siting of a large number of new dwellings and employment on the golf course instead of in locations more remote from the town centre and other trip generators in Lydney would reduce overall trip lengths. This would more than offset the additional travel for the relatively small number of golfers.
- 11.32 The Golf Club has withdrawn its own First Deposit objections to the principle of redevelopment and by November 2002 had submitted a planning application for a replacement course on a site near Lydney. Policy (R)FTRL.2 of the Revised Deposit Plan will permit such developments in the countryside subject to certain criteria. Whether or not the proposal for a replacement course comes to fruition, I do not consider that, given the availability of golf courses elsewhere, there is an overriding need to retain the present course. Neither, for the same reason, do I consider that it is necessary to allocate a site for a replacement course. The Golf Club is also concerned that the phasing provisions of the Revised Deposit Plan may blight the facility, obstructing its replacement, and I consider this below in relation to other objections to the phasing proposals.

- 11.33 I now return to the test advised by PPG17 to consider whether the golf course land is surplus to requirements in terms of other potential open space, sporting or recreational use. The Council’s 1994 study [LPD8] found that the quantitative provision of youth/adult recreational land in Lydney was generally good, relative to national advisory standards, mainly because of the extensive provision in the south of the town which is controlled by the Lydney Recreation Trust. Provision for children’s play space was not measured and may have been less than the National Playing Fields Association’s advisory standard at that time. Moreover the youth/adult figures were based on a population of 7,900 and I have not been presented with comparable figures to reflect the major population expansion now proposed. Neither is it clear whether the golf course was included in the survey of actual provision in 1994. Also there has been some evidence from the Trust and others that some existing facilities require investment and improvement.
- 11.34 Policy (R)F.Lydney 1 includes criteria which require: ‘Amenity open space and play area provision within the site...’ and ‘Appropriate contribution to improvements to playing pitch facilities in Lydney’. The Development Brief [LPD 35.1] expands on the requirements for amenity open space and play area provision including 10.8ha strategic open space, 2.5ha dedicated children’s’ play space as Neighbourhood or Local Equipped Areas for Play [within the strategic open space] and Local Areas for Play [within housing areas]. A 1.5ha park feature is also sought. It also advises at paragraph 17.1 that the ‘good level’ of space provision in Lydney for sports requiring pitches, courts or greens means that no specific provision for playing pitches is required as part of the allocated site. However a contribution may be sought to improve existing off-site facilities due to increased usage. Neither the policy nor the Development Brief seek any contribution to the setting out of the 20ha of open space, leisure and recreational uses on Land South of the Boating Lake [Policy (R)F.Lydney 13].
- 11.35 Given the lack of any accurate, up-to-date, qualitative assessment of provision, a re-survey is likely to be necessary. As that survey could demonstrate a need for additional playing pitches and policy (R)F.Lydney 13 would allocate land suitable for this, I consider that the policy (R)F.Lydney 1 should expressly require appropriate contributions to such new provision, in addition to contributions to the improvement of existing playing pitch facilities.

Traffic and Highways

- 11.36 The development will inevitably result in a significant increase in traffic on local roads. However it is not proposed to make any connections which would permit general traffic, other than buses, cycles and pedestrians, to reach the site via the existing, adjacent housing area. Many traffic movements to and from out-of-town destinations will use the by-pass without passing through the rest of the town. In general, the by-pass appears to have adequate spare capacity and the internal spine road, suggested in paragraph 1.29 and in the Development Brief [LPD 35.1] would provide nearly parallel capacity. However the timetable for the completion of the spine road is uncertain. There is also likely to be a conflict between the desire to make the route attractive to through traffic and the need to keep traffic speeds well below those on the by-pass, in the interests of safety within the residential area. Some traffic may therefore continue to use the eastern end of Highfield Road and the by-pass, but within its available capacity.

- 11.37 Traffic levels will certainly rise on roads providing access to the town centre such as Church Road and Highfield Road west of the site. The effect on Church Road would be mitigated to a degree by the completion of the internal spine road. Moreover policy (R)F.Lydney 1 requires the development to provide for off-site highway improvement works, including the provision of town centre highway improvements. It also requires enhanced bus services to and from the site and pedestrian and cycling routes linking the site to the principal trip attractors within Lydney. The latter measures would encourage the use of alternative travel modes to the car and lessen the rise in traffic levels.
- 11.38 One objection seeks the construction of the projected Town Centre Link Road as an integral part of the development. Such a road would certainly relieve Church Road but at the expense of disturbance along its own route. Land for this and other roads is proposed to be safeguarded by Policy (R)F.Lydney 8 but paragraph 1.69 states that funding for the Link Road will not be sought as part of the obligations attached to the development of the Land East of Lydney. Nevertheless, the Council intends to monitor the effect of traffic from the development and to seek the programming of the road within the Plan period in the Local Transport Plan, should it prove necessary. It follows from my conclusion above that the construction of all 1250 dwellings is unlikely to be deliverable within the Plan period, the full traffic impact of that number of dwellings is might not be felt before 2011. In these circumstances, and without identified funding, it is unlikely that the Link Road would be built before the end of the Plan period.
- 11.39 I conclude on this issue that the access strategy for the site is sound but that the proposed monitoring of traffic flows and impacts will be needed as the development proceeds to determine the need for, and timing of, the specified highway works.

Size, Phasing and Subdivision of the Allocation

- 11.40 PPG3 advises that local authorities should manage the release of sites over the Plan period in order to control the pattern and speed of urban growth and to ensure that new infrastructure is co-ordinated with new housing development and to deliver the target for the re-use of previously developed land. ‘Planning to Deliver’ advises that local planning authorities may wish to give special recognition to allocated sites that are considered to be an essential part of their strategy to meet housing requirements by designating them as ‘strategic sites’. Whilst those words do not appear in the Revised Deposit Plan, I agree with the comment of the Council at paragraph 36 of Document FOD/P2.1.2 that the Land East of Lydney is clearly a strategic site. ‘Planning to Deliver’ provides that the development of strategic sites may extend beyond the life of the Plan, particularly in the case of urban extensions developed over longer than 3-5 years.
- 11.41 The Council has accepted in Document FOD/P2.1.2 that not all of the housing land in the Land East of Lydney allocation may be needed to provide 1250 dwellings. However it has resisted objections which seek to reduce the allocated area on the basis that any residual land should be capable of contributing to future residential land supply and would establish a new urban edge to Lydney.
- 11.42 Because the Land East of Lydney allocation is large and of strategic importance, the Revised Deposit Plan introduced phasing to Policy (R)F.Lydney 1 whereby 600 dwellings would be provided in Phase 2 of the Plan [2003-2007] and 650 in Phase 3

[2008-2011]. The policy also specifies that all of the Phase 2 housing shall be in Area A, predominantly north of Naas Lane. There is no phasing for the employment land but Policy (R)F.Lydney 2 would not permit more than 400 dwellings to be developed until a secure agreement is in place to implement the employment land provisions of (R)F.Lydney 1. However paragraph 1.26 provides that some or all of this employment provision could be made on appropriate sites elsewhere, such as the separate allocations at Hurst Farm or Mead Lane.

- 11.43 The land for the allocation is substantially within the control of two parties: Federal Mogul Ltd [FML] and Robert Hitchens Ltd [RHL]. Whilst they generally support the allocation, each disagrees with the proposed phasing and proposes different phasing, which respectively would place the bulk of the land which they control within the earlier phase. FML also seeks: a revision of the numbers within each phase; the amendment of the defined area for each phase; and the exclusion from the allocated area of some land to the north east which is controlled by RHL. RHL proposes that the Plan specify the capacity of Area A as 1000 dwellings, leaving only 250 for Area B, and a requirement that Area B not be developed until Area A is complete.
- 11.44 I have concluded above, on the question of deliverability that there is a risk that the proposed allocation of 1250 dwellings would be incapable of being delivered within the Plan period and that as few as 900 dwellings may be completed. I have considered whether the number of dwellings to be allocated in each phase should be adjusted to accord with this lower figure. However the actual completion rate would be affected by market conditions at the time and with any variation in the number of housebuilders simultaneously involved in the development. To meet the strategic objectives for housing provision and economic regeneration in the South Forest, I do not consider that the Plan should seek to restrain development to a lower figure, were the market able to take up the full provision of 1250 dwellings within the Plan period.
- 11.45 What development will be required to meet housing and other needs after the end of the Plan period in 2011 is presently uncertain. However, whereas the emerging Deposit Draft Third Alteration to the Gloucestershire Structure Plan seeks to minimise greenfield development, it also seeks to support measures for the Forest of Dean as an Area of Special Need and to develop in market towns serving local and rural needs. As such a town within the Forest of Dean, and a suggested focus for growth in draft Policy SD.7 of the emerging Third Alteration, further development is therefore likely to be required in Lydney. Given the relative scarcity of suitable, previously-developed land in the town, and the physical constraints on its expansion, the Land East of Lydney would again be a prime candidate to accommodate that development. In the meantime, because the need for further development remains uncertain, and to accord with Government, Regional and Strategic planning objectives, the order and location of the development should be governed principally by considerations of: minimising travel, especially by car; maximising the efficient use of greenfield land; and minimising the environmental impact of development, particularly its impact on high quality agricultural land, the countryside landscape and natural features.
- 11.46 Should actual housing provision be less than 1250 dwellings during the Plan period, there would thus still likely to be a continuing need for housing development in Lydney beyond the end of the Plan period. It would therefore be preferable to plan the infrastructure requirements on the basis that this figure will be achieved in due

course, to risking infrastructure provision proving inadequate beyond the Plan period. In the interim, it would be necessary to consider measures such as the release of other housing allocations elsewhere, in order to satisfy the strategic target for housing provision in the District.

- 11.47 As the main risk is one of underprovision of housing, I do not consider that any purpose would be served by increasing the proportion of dwellings allocated to Phase 2. However phasing would remain of value in determining the order of development relative to the provision of infrastructure. It would also help monitoring by providing an early indication of whether implementation will undershoot or overshoot expectations. This could trigger the release or deferment of reserve sites elsewhere.
- 11.48 In this context, I consider that development during the Plan period should be located where it would maximise the opportunities to walk or cycle to the main trip generators in the town, including existing and proposed employment, shops and schools. As to the relative location of employment land, Revised Deposit paragraphs 1.26 and 1.49 allow that the 9 hectares of employment land stipulated by (R)F.Lydney 1 may be met in whole or part on other sites. However to do so would result in a reduction of available employment land in the town and risk increased commuting to other centres. It would leave undeveloped land which will not be required for other development during the Plan period and may not be suitable for residential development because of its proximity to the Federal Mogul foundry. I thus consider that the Plan should be amended to provide that the 9ha of employment land should be retained within the development and not diverted to other sites in or around the town.
- 11.49 Objection 44/70528 to paragraph 1.15 relates to the restriction which policy (R)F.Lydney 2 places on residential development beyond 400 dwellings until there is a secure agreement to provide specified areas of serviced employment land. I do not consider this to be an unreasonable or onerous requirement, as it is necessary to improve the prospects of matching population and employment growth to avoid unsustainable levels of commuting.
- 11.50 The housing should be located to encourage use of rail services and buses for journeys out of the town and laid out to facilitate access by an improved in-town bus service. To maximise the efficient use of greenfield land, densities should be increased to well above 30 dwellings per hectare in the most accessible parts of the site and no sub-areas should be developed at less than 30 dwellings per hectare. To minimise the environmental impact, development of the most prominent high ground in the north east of the site should be avoided, natural features protected where possible and the use of high quality agricultural land minimised where other land is available, such as the golf course.
- 11.51 These considerations lead me to conclude that the initial phase of the development should be concentrated on the lower ground either side of Naas Lane and close to the proposed local centre and primary school facilities and then extended to further land north of Naas Lane. However the highest ground to the north-east should remain undeveloped during the Plan period. This is agricultural land, its development would be more visually intrusive in the landscape and it is more remote from the proposed local centre, the railway station, the secondary school, leisure facilities and existing employment and the gradient would discourage walking or cycling. I propose amending Inset Map 1 accordingly.

- 11.52 It follows that I generally support the alternative layout and phasing of development proposed by FML in Objection 44/70531. This reduces the overall extent of the allocation by increasing the density of development. I consider that it would allow for sufficient on-site informal open space and playspace even though I consider that the excluded land to the north east should remain part of the countryside and not be allocated for recreational use. It would be appropriate for some of the open space to be provided adjacent to the by-pass to the south of Naas Lane where it would reduce the visual intrusion of the development on this prominent sloping land and would provide separation between the housing and noisy traffic. However it is not necessary to provide such a broad margin alongside the by-pass where it does not directly border housing.
- 11.53 The provision of adequate primary school accommodation should also be made in good time to meet the needs generated by occupiers of the development. The County Council as Local Education Authority advises that this should be in place before Phase 2 commences. However this is unrealistic given the now urgent need to commence the development. It does not take account of any spare capacity which may exist in existing primary schools in the town. It is unlikely that all of the extra primary school accommodation would be needed in the early years of the scheme when the site is not fully occupied and when some children in newly formed households will not have reached school age. However I consider that the County Council’s objection could be met by including in Criterion 4 of policy (R)F.Lydney 1 a requirement for a phasing agreement for the funding of all the primary school provision, similar to that required by Criterion 5 in relation to the construction of units at the neighbourhood centre.

Transport Infrastructure and Community Facilities

- 11.54 Circular 1/97 on Planning Obligations supports the provision or funding by development of measures made necessary by that development such as additional community facilities, off-site highway works, or [short-term] public transport subsidies.
- 11.55 Policy (R)F.Lydney 1 allocates a specific area of the Land East of Lydney Development for a neighbourhood centre and requires a phasing agreement for the construction of units suitable for accommodating local services. The policy also stipulates that the development will be required to provide for a range of on- and off-site facilities and services, not necessarily within the neighbourhood centre. The area for the neighbourhood centre was enlarged at the Revised Deposit stage and there is no evidence before me to substantiate the view that the proposed neighbourhood centre would be too small to accommodate adequate facilities.
- 11.56 Of the specific additional facilities sought by objectors, the policy already includes requirements for primary school accommodation and for contributions to pre-school and secondary school provision. As worded in the Revised Deposit version, the primary school accommodation may be within or adjoining the site. An existing primary school adjoins the site and may be suitable for enlargement.
- 11.57 The Revised Deposit wording requires an appropriate contribution to health care provision. How such provision is made is a matter best left to negotiation involving the appropriate organisations in connection with future planning applications.

- 11.58 An appropriate contribution to the provision or improvement of an existing community building may involve development on- or off-site so long as it would serve the needs of residents of the development. Community facilities may include provision for religious organisations and other community organisations. However I agree with the Council that it would be more appropriate for the development to contribute to a multi-functional shared facility than that there be a requirement for a contribution to accommodation for a specific religious denomination or the allocation of land for that purpose. That would conflict with Government objectives of achieving social inclusiveness and would be unlikely to use limited resources as efficiently as a shared facility.
- 11.59 I am not aware of any request from the police authority for improved facilities for its use and consider it unlikely that a development of this size would warrant any dedicated provision on site.
- 11.60 Play area provision would be a requirement of policy (R)FBE.11 and the requirements are amplified in the Development Brief [LPD35.1]. It does not require additional reference within policy (R)F.Lydney 1.
- 11.61 The County Council is seeking specific additional provision for public transport, namely a policy requirement for subsidised additional bus services to Gloucester and Chepstow and additional stopping train services at Lydney Railway Station. In Document LPD26 p311, the District Council say that detailed public transport improvements should be subject to later discussion but agree that Criterion 3 of the policy should be amended to make clear that improvements in bus services to and from Lydney will be sought, as well as service within the town. In the event, Criterion 3 was modified but still only refers to bus services to and from the site, not to and from Lydney. The Development Brief [LPD 35.1] specifies that bus service improvements will only be sought within Lydney and makes no reference to improved stopping train services.
- 11.62 The presence of the railway station in Lydney is a significant factor in the selection of the town for this major development and the current availability of bus services to other towns within walking distance of the development also provides an alternative to use of the car. As written, Policy (R)F.Lydney 1 and the Development Brief concentrate on the improvement of the in-town bus service, which would include a link from the site to the railway station, and the improvement of passenger facilities at the station. There is a risk of high or increased levels of commuting from Lydney to other centres, particularly if the Plan’s employment proposals are not fully realised. It would therefore be desirable to encourage the use of public transport for those journeys instead of adding to existing car use and the associated congestion and exhaust emissions. However, there is only limited scope to influence the provision of additional services by bus and train operators. For example train services were reduced by the operator during the Inquiry because of staff shortages and an industrial dispute. Circular 1/97 also advises that revenue support of public transport by developers should only be for short term limited periods and with a maximum cost. As there are already services on these routes, I consider that the operators are likely to adjust their services according to demand. The developer contributions would be better employed in providing short-term subsidy to establish new public transport routes in the town and contributing to permanent physical improvements at the railway station, such as waiting and parking facilities.

- 11.63 Policy (R)F.Lydney.1 requires the provision of off-site highway improvement works including in the town centre. This is reasonable in that the development will significantly increase traffic movements with an associated impact on congestion, safety and the environment, which the highway improvements are needed to address. However other proposed development allocations in the town would also have an impact in these respects and it would be reasonable that appropriate contributions be sought from the developers of those sites as well as from the Land East of Lydney development. This is considered further in response to objections to the relevant policies for those other sites.
- 11.64 The First Deposit wording of Policy (R)F.Lydney 1 distinguished some requirements for the provision of infrastructure and facilities from others which the Council would only ‘seek to negotiate’. This distinction was removed in the Revised Deposit wording by the deletion of the latter phrase. In practice there would be little difference. All of the provision is likely to require an element of negotiation but this should be concentrated on the scale and timing, rather than the principle of provision. The continued inclusion of the term ‘appropriate contributions’ would leave it open to the developers to argue on the facts that a particular requirement did not meet the tests for planning obligations or planning conditions because, for example, provision in the was already adequate to meet the needs of occupiers of this and other developments. To reinstate the phrase ‘seek to negotiate’, as proposed, would imply that contributions would be entirely voluntary. In practice the Council would be justified in withholding planning permission if the works or facilities were held necessary for the development to proceed.

Affordable Housing

- 11.65 The First Deposit requirement in Policy (R)F.Lydney 1 that affordable housing provision be ‘primarily for rent’ was amended at the Revised Deposit stage by the deletion of those words at the request of certain objectors. At the same time paragraph 1.23 was amended to include the advice that the bulk of the affordable units ‘are likely to be housing for rent.’ The form of provision should be related to an assessment of needs at the time when the provision is being determined. The Housing Needs Study carried out in 1999 identified that the need was primarily for housing for rent and there is unlikely to have been a significant change since then. The wording of paragraph 1.23 is thus appropriate. However it is conceivable that needs could change over the life of the Plan, and the revised policy wording is thus also appropriate.
- 11.66 Two objections at the First Deposit stage sought the inclusion of affordable housing on the list of matters in the policy which the Council would ‘seek to negotiate’. However those words were removed from the policy at the Revised Deposit stage. The reference to ‘appropriate provision’ of affordable housing implies that negotiation would be required to determine what would be appropriate. This would be sufficiently informed by the other provisions of the Plan concerning affordable housing [Part 1 Chapter 2] as well as relevant Government guidance at the time.

Other Matters

- 11.67 The Ramblers Association objects to the omission from the policy and the development brief of any reference to the public rights of way across the site as set out on the Definitive Map. In its response document LPD26 the Council indicated

that it would show these instead on the maps accompanying the development brief but it has not done so. However the Council did amend criterion 7 of Policy (R)F.Lydney 1 at the Revised Deposit stage to make specific reference to the retention of existing rights of way where possible and their diversion where necessary. I do not consider any further reference to be necessary. Public rights of way are subject to separate legal protection and any proposals to divert or stop them up would fall to be considered on their merits. It is not my role to consider objections to the development briefs or their maps which are not part of the statutory development plan.

- 11.68 Although listed as an objection to Policy (R)F.Lydney 1 objection 112/52457 is also directed at the depiction of landscaping on a plan accompanying the development brief. That plan similarly does not form part of the statutory development plan and it is not my role to consider objections to that document. The final design and layout of the scheme including the distribution of landscaping would be a matter for the development control process when there are statutory requirements for further public consultation.
- 11.69 Policy (R)FNE.11 provides that development will not be permitted which would have an adverse effect upon a site supporting species protected by law. The supporting text draws attention to badgers being protected by law and advises developers to employ specialist advice. The Pan is to be read as a whole and I do not consider that this needs to be repeated in Policy (R)F.Lydney 1 or its supporting text. What, if any, provision would be needed for badgers on this site should follow from that advice and from any requirement for consent from English Nature to disturb badgers on the site.

Recommendation

- 11.70 **I recommend that Criterion 4 of Policy (R)F.Lydney 1 be modified to:**
- 4. Primary school accommodation within or adjoining the site appropriately located to meet the needs of the occupants of the site and subject to a phasing agreement to provide that sufficient accommodation is available when it is needed.**
- 11.71 **I recommend that Criterion 8a of Policy (R)F.Lydney 1 be modified to:**
- 8a. Appropriate measures to ensure that flooding does not occur as a result of the new development.**
- 11.72 **I recommend that Criterion 13 of Policy (R)F.Lydney 1 be modified to:**
- 13. Appropriate contribution to the provision or improvement of playing pitch facilities in Lydney.**
- 11.73 **I recommend Policy (R)F.Lydney 1 be modified by deleting the final words ‘predominantly north of Naas Lane’.**
- 11.74 **I recommend that Paragraph 1.21a be modified by deleting ‘The Policy also provides that the Phase 2 development will be located predominantly north of Naas Lane’.**
- 11.75 **I recommend that Paragraph 1.26 be deleted.**
- 11.76 **I recommend that Policy (R)F.Lydney 2 be modified by the deletion of the final words ‘or such provision has been made available by any other means.’**

Policy (R)F.Lydney 3 - Housing Allocation – Holms Farm

Objections

27/52654	Lydney Park Estate
27/70175	Lydney Park Estate
27/70204	Lydney Park Estate
41/51094	Countryside Agency
288/50898	Gloucestershire County Council
315/50959	Robert Hitchins Limited
565/50393	Mr P G Robertson
682/51336	The Ramblers Association
708/52931	Mr A Williams
565/50396	Mr P G Robertson

Supporting Statements

27/51573	Lydney Park Estate
44/51320	Federal Mogul

Issues

- a. Environmental impact on countryside, wildlife and with respect to drainage.
- b. Potential peak hour traffic problems due to access at corner close to hospital car park.
- c. Housing mix and affordable housing provision and thresholds.
- d. Developer contributions to infrastructure.

Reasoning and Conclusions

Environmental Impact

11.77 The allocation site comprises a largely disused and increasingly derelict group of farm buildings adjoining existing residential development on the edge of the town, together with an intervening paddock. A new access is proposed across an area of mown grass. The site includes a number of mature trees, stone farm buildings and a large farmhouse. The Development Brief for the site [LPD35.3] proposes a mixture of new dwellings and the retention and conversion of existing buildings. Special attention is drawn to effective landscaping, including native plants and screening, together with the creation of new habitats for wildlife, whilst incorporating significant existing trees and vegetation and other natural features. The Brief advises that an ecological survey should be undertaken to determine whether bats or other protected species are present. Attention is also drawn to drainage considerations and to the Council’s residential design guidance, as well as to Environment Agency requirements for flood attenuation measures.

11.78 There is no evidence before me to indicate that these environmental constraints are such as to justify the deletion of the allocation, and I am satisfied that they can be suitably addressed through the development control system under the relevant policies of Part 1 of the Plan.

Access

11.79 Vehicular access to the site is proposed from a new entrance on Templeway West, close to the hospital. Text para 1.32 advises that this may require work on land outside the site boundary. However I understand this land to be in the same

ownership as the site. I am not aware of any objection to the allocation from the Highway Authority and the detailed design and safety of the access would be a matter for consideration at the planning application stage. I am not persuaded that there are insurmountable obstacles to the provision of suitable access which would justify the deletion of the allocation.

Housing Mix and Affordable Housing Provision

- 11.80 Policy (R)FH.11 seeks a mix of dwelling types on large housing sites [of which I would judge this to be one] in accord with local requirements and to include where appropriate the construction of smaller dwellings. That reflects Government guidance in PPG3 which seeks to create mixed and inclusive communities to secure a better social balance and avoid creating large areas of housing of similar characteristics. Policy (R)FH.13 requires that developments of this scale make provision for an element of affordable housing for households who could not afford prevailing market prices. It would thus be contrary to the Plan’s wider housing objectives to identify this site as suitable for only one type or price of dwelling, as suggested.
- 11.81 As to whether it is appropriate to require affordable housing provision here, the site area does exceed the 1ha threshold advised by Circular 6/98 and I have concluded in relation to the Part 1 affordable housing policies that it is reasonable for the Plan to impose a 15 dwelling threshold, which this site would exceed. The actual provision and the proportion of affordable dwellings would be a matter for negotiation at the planning application stage and could take account of economic considerations. At present there is insufficient financial evidence of costs and values before me to substantiate an objector’s claim that affordable housing provision would make the redevelopment uneconomic.
- 11.82 Circular 6/98 advises that the provision of affordable housing should normally be made on the same site. This is to better ensure, first, that it is actually provided and, second, to secure mixed and inclusive communities. During the Inquiry the objector suggested that off-site provision might instead be proposed at Aylburton or on land adjacent to the proposed allocation. Provision on adjoining land would be the next best solution to provision on the same site. However I note that the Council’s housing needs survey identified a need for affordable housing to serve Alvington, Aylburton and Woolaston [see Table 3 of the Revised Deposit Plan]. It would be appropriate at the time of the planning application to consider whether the need for affordable housing was greater in those settlements or in Lydney having regard to alternative provision arising in association with other developments and to considerations of sustainable travel between home, employment, facilities and services. However it would be inappropriate to specify in the Plan how and where the affordable housing provision should be made, as this should be a matter for negotiation.

Infrastructure Contributions

- 11.83 The wording of Policy (R)F.Lydney 3 was modified at the Revised Deposit stage such that the development will be required to provide an ‘appropriate’ contributions to educational provision for the prospective occupiers and to the improvement of playing pitch facilities. Provision of this type would usually be sought by way of a negotiated planning obligation, subject to the tests of Circular 1/97. This advises that obligations should be ‘necessary, relevant to planning, directly related to the proposed development, fairly and reasonably related in scale and kind to the proposed

development and reasonable in all other respects’. These tests are all relevant to what would be an ‘appropriate’ contribution and its extent would necessarily have to be a matter for negotiation.

- 11.84 In determining whether existing educational and playing pitch provision had spare capacity to accommodate the needs to be generated by occupiers of the development, regard would be necessary to the overall need to be generated by all of the Plan’s proposed housing developments in Lydney. In this context, additional educational capacity is certain to be required in the town and the Local Education Authority employ a formula to ensure a fair apportionment of the costs of provision. In relation to playing pitch provision, whilst this has been assessed in the past as good, in quantitative terms relative to the towns existing population, there has been evidence of qualitative deficiencies. The occupiers of the development would add to existing demand and it would be necessary to assess at the time whether demand from this and other residential developments would overstretch existing provision. I note that the landowner is in negotiation with a local sports club to help it to remedy acknowledged deficiencies in its present accommodation and it would be reasonable for any negotiations to take account of the provision of facilities in kind as an alternative to a financial payment. However no associated amendment is necessary to the Plan.
- 11.85 The proposed development would make a small but significant addition to traffic on town centre roads and to the demand for other facilities such as the library and the Lydney Railway Station, all of which have been assessed as inadequate to cope with the anticipated expansion of the town’s population. I thus consider it reasonable that any development at Holms Farm should be included amongst those from which an appropriate contribution will be sought to improve these facilities. Text para 1.27 already provides for this but an express reference in the policy itself is justified.

Recommendation

- 11.86 **I recommend that Policy (R)F.Lydney 3 be modified by the addition of the following criteria:**

- 8. Provide an appropriate contribution to improved passenger facilities at Lydney Railway Station.**
- 9. Provide an appropriate contribution to Lydney Library to meet the needs of the site’s occupants.**
- 10. Provide an appropriate contribution to off-site town centre highway improvement works.**

Policy (R)F.Lydney 4 - Housing Allocation - Allaston

Objections

2/52592	Mrs A J Vaughan
5/51370	Swanhill Homes Limited
5/51371	Swanhill Homes Limited
11/51718	Alfred McAlpine Developments Ltd
44/51326	Federal Mogul
44/51327	Federal Mogul
65/50001	Mr R C Aldridge

65/50003	Mr R C Aldridge
67/52267	Mr & Mrs Allwood
67/52271	Mr & Mrs Allwood
192/50415	Mrs T P Connolly
192/50414	Mrs T P Connolly)
196/50227	Mr M Coombes
196/50234	Mr M Coombes
227/52486	Mr R Dawson-Marsh
227/52490	Mr R Dawson-Marsh (
288/50900	Gloucestershire County Council
315/50962	Robert Hitchins Limited
337/52218	Mr M Hoare
337/70232	Mr M Hoare
350/52985	Mr B Howells
350/52990	Mr B Howells
374/50089	Mr & Mrs Jenkins
374/50091	Mr & Mrs Jenkins
378/70186	F W Johnson (Builders) Ltd
378/70188	F W Johnson
413/50155	Mrs I L Kynaston
413/50156	Mrs I L Kynaston
417/50649	Mrs T Lambert
417/50657	Mrs T Lambert
425/50431	Mr G H Lewis
499/52929	Mr D Offord
499/52930	Mr D Offord
500/52925	Mrs J Offord
548/51851	Mr D Reid
548/51856	Mr D Reid
564/50328	Mr & Mrs P & J Roberts
564/50327	Mr P & Mrs J Roberts)
569/50335	Mr & Mrs J Ruddy
569/50339	Mr & Mrs J Ruddy
574/53012	Mr J Sadalls
574/53013	Mr J Sadalls
587/52918	Mrs J Seys
588/52993	Mr L G Seys
633/52342	Mr D Street
642/52594	Mr P Terndrup
642/52597	Mr P Terndrup
682/51322	The Ramblers Association
721/50336	Mr A J Wood
721/50334	Mr A J Wood
725/52352	Mr & Mrs Yeates
725/52355	Mr & Mrs Yeates
827/70488	George Wimpey UK Limited
828/70509	Johnson Properties
828/70513	Johnson Properties

Supporting Statements

11/51719	Alfred McAlpine Developments Ltd
232/51641	Ms T Dodd
315/70354	Robert Hitchins Limited
337/52216	Mr M Hoare
337/70231	Mr M Hoare
378/52221	F W Johnson (Builders) Ltd
496/52701	Mrs M O'Leary

Issues

- a. Scale of and need for the allocation with reference to the use of greenfield land and infrastructure capacity.
- b. Deliverability of the site.
- c. Accessibility and public transport.
- d. Traffic generation and highway safety, especially near schools and in the town centre including with reference to cycle and pedestrian links and pollution.
- e. Developer contributions to infrastructure and community facilities.
- f. Landscape, wildlife, drainage and archaeology.
- g. Loss of a recreational facility.

Reasoning and Conclusions

Scale of the Allocation

- 11.87 Many objections were submitted to this allocation at the First Deposit Stage. However the proposed allocation was substantially modified in the Revised Deposit version, reducing the site area from 0.69ha to 0.31ha and the number of dwellings from 40 to 10. Where the First Deposit objections have not been withdrawn I interpret them in the context of the revised proposals.
- 11.88 Objections seeking the enlargement of the allocation or the reinstatement of the First Deposit proposals are considered as relating to Omission Site OH1.1 below, where outstanding First Deposit objections to the larger site are treated as counter-objections to the full reinstatement sought.

Principle of Development

- 11.89 The Revised Deposit 10 dwelling allocation would represent only a modest addition to the housing stock in the area and, subject to making any necessary contribution to supporting infrastructure [see below], would not strain the town’s facilities. Revised Deposit schemes both comprise the development of greenfield land. Government guidance in PPG3 seeks to prioritise the development of previously-developed land over greenfield sites. It also seeks to prioritise development sites in terms of their location and accessibility by modes other than the car.
- 11.90 The small Revised Deposit allocation is not itself of great significance in terms of overall housing land supply. However it would be a greenfield site to which the sequential test should be applied. In this context it is also relevant to consider the travel requirements and accessibility of the site.

Deliverability

- 11.91 The landowner supports the development and I do not anticipate any insurmountable constraints to the delivery of housing here.

Accessibility, Highway Safety and Traffic flow

- 11.92 The site is on the northern outskirts of Lydney and is close to an existing primary school. There is a small post office/food shop, a butchers and a church at Primrose Hill. These are only a little beyond the maximum walking distances recommended in RPG10. However most other services, facilities and employment are in the centre or

south of the town. The town centre shops and services are about 1200m from the site and thus also beyond the maximum recommended RPG walking distances. Moreover the site is located in the highest part of the town at about 100m above sea level. By contrast the town centre is close to sea level. A return journey on foot or by bicycle from the town centre would entail a stiff climb which would be a disincentive to such movements. The secondary school and railway station together with most existing and proposed employment and leisure facilities lie to the south of the town centre, well beyond recommended maximum walking distances and would similarly involve a steep climb by bicycle from the town centre.

- 11.93 I consider the existing bus services to be too infrequent to attract a high proportion of travel movements. Moreover, this small allocation would be unlikely to fund a sufficient improvement in the present bus service to make it an attractive alternative to the car. All other Revised Deposit allocations in Lydney would be on lower ground, with easier access on foot or by bicycle to the town centre and secondary school, existing and proposed employment, and the railway station. I conclude that the proposed allocation for 10 dwellings would suffer from relatively poor accessibility with a high reliance on access by car.
- 11.94 Roads to the north of the site and elsewhere on the approaches to the site, including at Albert Street, are narrow and at risk of congestion. I accept the conclusions of the Local Highway Authority that these roads would be capable of accommodating the traffic to be generated by the development, particularly as Albert Street is proposed for improvement in the Plan. It would be legitimate to seek contributions from the development towards such works. Paragraph 1.27 of the Revised Deposit Plan already provides for this but it would be clearer to include a reference in this policy. The additional traffic would cause some harm to the living conditions of adjoining residents through increased noise, disturbance and traffic congestion although that would not of itself be so serious as to warrant the removal of the allocation.

Infrastructure and Facilities

- 11.95 At the First Deposit stage one intending developer of this site considered it capable of providing a larger development which was needed to support other requirements if they were to be fairly and reasonable related to the scale of the development. At the same time the intending developer of a different housing site objected that this development should, like the Land East of Lydney development, contribute towards off-site highway improvements in the town centre, improved passenger facilities at Lydney Rail Station and improvements to Lydney Library.
- 11.96 Government advice in Circular 1/97 supports the view that infrastructure contributions should be fairly and reasonably related to the scale of the development. The local plan seeks provision for specified works including appropriate contributions to education provision, playing pitch facilities and enhanced bus services. The scale of these contributions would vary according to the need generated by the development and thus would not justify enlarging the allocation. A First Deposit requirement to provide a parking and turning area for the school and for a large amenity open space provision was less flexible and would not have been supportable for the smaller Revised Deposit allocation. This has rightly been deleted in the Revised Deposit Plan. A requirement to provide for safe and convenient pedestrian and cycle links to the school, surrounding highways and the town centre remains but is likely to be satisfied by suitably modest works as the bulk of these links already exist.

11.97 I have referred above to the constrained road access to the Allaston area via Albert Street which is particularly narrow and lacks a footway on one side. Development on this site would add to an existing need for improvement works there and it would be reasonable in principle to seek contributions to those works as well as to the works at Lydney Railway Station and Lydney Library in respect of the additional need generated by this development. However the individual sums which could be anticipated would be small relative to those from larger development schemes.

Landscape and Environment

11.98 The site is open and elevated and there are impressive views over the town and towards the Severn Estuary. The Revised Deposit allocation would extend the urban area into open countryside. However the proposals would concentrate built development close to the existing urban edge and the impact on the wider landscape and setting of the town in distant views of the area would therefore be limited. The landscape impact of the housing development could be mitigated to a degree by appropriate planting. I also acknowledge that other proposed greenfield developments around Lydney would themselves have an adverse impact on the openness of the landscape.

11.99 Housing development in this location may have some potential to affect wildlife, archaeology and local drainage. However there is a lack of evidence before me to justify excluding the development for those reasons alone. Opportunities could be provided for further investigation of these potential impacts and to apply appropriate planning conditions to avoid, mitigate or compensate for them.

11.100 I conclude that, whereas housing development would have an adverse impact on the local landscape and environment, this could be adequately mitigated. It would not of itself warrant the exclusion of this site if the proposed allocation were necessary to meet housing land supply objectives, and were otherwise acceptable in relation to its travel impact.

Loss of Recreational Facility

11.101 Although Lydney is relatively well-supplied with recreational open space when compared with other towns in the District, most is concentrated in the south of the town and that is where the Plan proposes additional provision. Distance and gradient makes that area less accessible from the north of the town around Allaston. Whilst there is public access to nearby Forest land to the west, additional local open space provision would be desirable.

11.102 I accept that the site does not include public open space and that current informal use of some of the land by the public as amenity open space is unauthorised.

11.103 Whilst the allocation for 10 dwellings would not affect local footpaths or local recreational provision, Policy (R)F.Lydney 4 would require an appropriate contribution to playing pitch provision elsewhere in the town to meet needs generated by the development.

11.104 I therefore conclude that the scheme would, on balance, be of benefit to the provision of recreational facilities.

Overall Conclusion

11.105 Overall, however, the reduced Revised Deposit allocation for 10 dwellings would still involve the inappropriate development of a greenfield site with poor accessibility to employment, facilities and services and a high reliance on travel by car. In my judgement these are the overriding considerations and I therefore conclude that the allocation should be deleted, with due amendment to the Inset Map.

Recommendation

11.106 **I recommend that Policy (R)F.Lydney 4 and Paragraph 1.33 be deleted.**

Policy (R)F.Lydney 4a

Housing Allocation – Kings Buildings [Hill Street South]

Objections

28/70312	Forest of Dean Railway Co Ltd
827/70490	George Wimpey UK Limited
827/70491	George Wimpey UK Limited
828/70510	Johnson Properties
842/70801	Prowting Projects Ltd

Issues

- a. Deliverability in relation to site constraints.
- b. Loss of parking facilities.

Reasoning and Conclusions

Deliverability

11.107 The allocation concerns an area of previously-developed land within the defined town centre and adjacent to the Dean Forest Railway. It is currently occupied by a small office building and an area of private car-parking.

11.108 The allocation was included in the Revised Deposit Plan following a First Deposit objection from the landowner who was seeking its allocation for housing. That objection has not been withdrawn and it also concerns other land in the same ownership which extends as far south as the bypass. The objection in respect of the latter site is considered as Omission Site OH1.7 below.

11.109 The Development Brief [LPD.35.5] draws attention to the possible need for a flood risk assessment, given that the site, whilst higher than an adjoining flood plain to the north east, is close to a watercourse. The outcome of such an assessment would be a material factor at the development control stage and any risk of flooding would need to be balanced with the benefits of re-using previously-developed land as advised by PPG25 on Development and Flood Risk.

11.110 I consider it probable that the effect of railway noise and vibration on the living conditions of the occupiers could be adequately addressed in the design of the development. I do not consider that the claimed poor vehicular access to Hill Street would prevent the site’s redevelopment given the history of the use of that access to serve the existing car-park and other development.

11.111 There are no other obvious physical constraints and the landowner supports the site’s development. Accordingly, I consider that the land is likely to be delivered for the allocated use within the Plan period.

Loss of Parking

11.112 The site is privately owned and a sign indicates that the parking it provides is for the use of occupiers of nearby commercial properties and their customers or other visitors. Only the hard-surfaced spaces were occupied when I saw the site and evidence to the Inquiry from objectors suggests that this is typical. However an objection to the loss of parking has been submitted on behalf of the intending developer of a rival housing scheme in another part of the town.

11.113 It does appear likely that the population expansion proposed for Lydney as a result of the Plan would significantly increase the demand for town centre services and that, notwithstanding the Plan’s objective of encouraging non-car travel, many of the additional visitors to the town centre are likely to travel by car, increasing the demand for parking. Be that as it may, this site is not available for general parking in any event, and there is no evidence before me to demonstrate that existing town centre car parks would be unable to cope with the increased demand. If that were the case, there would be scope to manage that demand by introducing time limitations or charges. Loss of parking thus would not justify the deletion of this housing allocation.

Recommendation

11.114 **I recommend no modifications to Policy (R)F.Lydney 4a or Paragraph 1.34.**

Policy (R)F.Lydney 5 - Employment Allocation – Hurst Farm

Objections

41/51095	Countryside Agency
44/51469	Federal Mogul
115/50077	Mr A G Biggart
177/50447	Mrs J Christie
227/52540	Mr R Dawson-Marsh
227/52543	Mr R Dawson-Marsh
227/52573	Mr R Dawson-Marsh
252/50022	Mr I G Ellis
275/52863	Mr W A Frodsham
288/51090	Gloucestershire County Council
298/50273	Mr J C Greenwood
298/50274	Mr J C Greenwood
315/50969	Robert Hitchins Limited
315/70355	Robert Hitchins Limited
315/70356	Robert Hitchins Limited
414/51651	Forest of Dean Badger patrol
544/52916	Mr R Rea
572/50480	Mr W B Russell
631/52870	Mrs M Stock

Supporting Statements

44/51418	Federal Mogul
315/50965	Robert Hitchins Limited
411/52754	Mr A S Kinross

Issues

- a. The principle of the allocation, having regard to: incursion into open countryside, loss of high quality agricultural land, containment within Lydney Byass, need for new employment and with reference to potential pollution.
- b. Traffic and transport Implications with reference to the location of rail freight connections.
- c. Allocation site boundaries with respect to the potential for including alternative or additional lands to the north and to the south.
- d. Negotiation of planning obligations.
- e. Badger protection
- f. Drainage.

Reasoning and Conclusions

Principle of Development

- 11.115 The by-pass divides the countryside, making the area within it appear less open and more closely associated with the town. The proposal to develop land east of the by-pass for employment derives from a conclusion in the Lydney Strategic Development Study in 1997 that land would be needed there to provide employment to balance the 1250 dwellings to be constructed west of the by-pass. Since then, an increased proposed density for the residential development has permitted the allocation of 9ha of employment land on two sites within the by-pass to serve that function. A further justification must therefore be demonstrated before it may be concluded that there is an overriding need to develop good quality agricultural land in the open countryside beyond the by-pass.
- 11.116 The Plan justifies the additional 15ha of land outside the by-pass by providing additional employment opportunities for the South Forest area as a whole. This would help to address the unsustainable daily commuting flows out of the District. The District faces competition from South Wales, Central Gloucestershire and the Bristol area in attracting large employers and it has a relative disadvantage in terms of the availability of grants and accessibility. However land costs can be expected to be lower than in areas with better accessibility and the Hurst Farm site would have direct access to a designated lorry route along the A48. As a larger site than those available elsewhere in the District and as greenfield site with few physical constraints, it would improve the choice of available sites and maximise the prospects of attracting new employment to the area.
- 11.117 However such justification for the development is undermined by the Plan’s own supporting text paras 1.26 and 1.49. These allow that the 9ha of land allocated by Policy (R)F.Lydney 1, as part of the mixed use Land East of Lydney development, may instead be provided at Hurst Farm. Were that to happen, there is a risk that the area of employment land in this part of the town would be substantially reduced from 24ha to 15ha with a commensurate adverse impact on the scope for obviating out-commuting. Land inside the by-pass not needed during the Plan period for housing would remain vacant, whilst good quality agricultural land outside the by-pass, and intruding into more open countryside, would be developed unnecessarily.

- 11.118 There is already a risk that allocated employment land may not be taken up, resulting in an overall increase in commuting from the town. For instance, greenfield land adjacent to the by-pass at Mead Lane was allocated in the adopted 1996 Local Plan but remains undeveloped, albeit that appears to result from the landowner choosing not to release it. Other sites which have been allocated in the town for employment development have particular constraints such as flood risk, or are best suited for development by established neighbouring firms and uptake is thus dependent upon the timescale for such expansion. They are not generally available to other occupiers. However the Hurst Lane land is within the control of a development company which is experienced in similar development and has declared to the Inquiry its intention to implement the development at an early date.
- 11.119 Whether there is any risk of pollution from the development would depend on the form which it took. It cannot yet be determined what firms would occupy the site and the policy would allow for development for a variety of purposes including light industry, offices and storage as well as general industry. However the site would not closely adjoin residential development and there would be sufficient scope at the development control stage to address pollution risks and apply any necessary control measures.
- 11.120 I conclude on this issue that there is a need for the development which overrides its intrusion into the open countryside and the loss of good quality agricultural land. However it should not replace the employment land allocated within the by-pass or be accorded priority over that land for its development.

Traffic and Transport Implications

- 11.121 The proposed employment development would increase traffic movements in the local area. However, there is no evidence before me that the by-pass in particular lacks the capacity to accommodate those movements. To the extent that the development would provide employment for those already living in Lydney or in the proposed housing development there, the development should reduce the need for longer distance commuting to employment outside the District. The policy was suitably amended at the Revised Deposit stage to require contributions towards the mitigation of any traffic impacts arising from the development of the site.
- 11.122 The supporting text at paragraph 1.50 refers to an investigation of the potential to establish a rail link to the site from the adjacent railway line. If successful that would reduce the number of heavy lorry movements and would accord with Government objectives to increase the movement of freight by rail. However it is likely to depend upon the suitability of rail movement to meet the needs of one or more occupiers of the site. Paragraph 1.50 also refers to the possibility of a rail freight facility being located at Lydney Station or Harbour Road. This accords with one objector’s own preference. However the proposals have not been developed to a stage that would make them suitable for a formal allocation within the Local Plan. Neither would it be appropriate for the Plan to rule out such possibilities. Paragraph 1.50 now refers to a review of the situation after the outcome of relevant studies is known. If any proposals were to be brought forward during the Plan period they would need to be considered on their merits.

Allocation Boundaries

11.123 Objections seeking the reduction or enlargement the allocation are considered below in relation to Omission Sites OE1.8 and OE1.9. I support none of these proposals.

Other Matters

11.124 There is an objection to the deletion from the policy of the words ‘The Council will seek to negotiate’. In practice, negotiation will be required in respect of the measures referred to relating to the introduction of bus services, the mitigation of any traffic impacts and measures to avert flooding. However the original wording implied that these measures were optional whereas they are measures which the Council could insist upon if they passed the tests of necessity and reasonableness and the other tests included in Government advice.

11.125 One objection seeks a policy requirement that there be a badger survey of the site. The Council’s response was to amend paragraph 8.65 of Chapter 8 in Part One of the plan to advise that developers will need to employ reputable consultants to provide the necessary specialist advice on badgers which are protected by other legislation. The Development Brief draws attention to this as one of the matters for an Environmental Impact Assessment [LPD35.2 para 6.6]. I consider that this adequately safeguards the position of any badgers on the site.

11.126 Another objection refers to the risk of surface water run-off from the site having an adverse effect on the Lydney Canal where, the objector claims, there is a silting problem. However I consider that this has been adequately addressed by the addition to the policy at the Revised Deposit stage of a requirement for appropriate measures to ensure flooding does not occur as a result of the development.

Recommendation

11.127 **I recommend no modification to Policy (R)F.Lydney 5 or Paragraphs 1.46-1.50.**

CHAPTER 2 - LYDNEY - Part 2 [Report Pages 2-1-31 to 2-1-57]**Policy (R)F.Lydney 6 - Employment Allocation – Mead Lane****Objection**

41/51099	Countryside Agency
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Supporting Statements

44/51328	Federal Mogul
315/70357	Robert Hitchins Limited

Issues

Loss of agricultural land and effect on farm viability.

Reasoning and Conclusions

2.128 The Council responded to a First Deposit objection by saying that it would amend the text of the Plan to explain the potential impact of the development on agricultural viability. However no amendment was made. Nevertheless there is no evidence before me to substantiate the objection that the loss of agricultural land would harm viability. There is no objection from the landowner in this regard and the site was previously allocated in the Plan adopted in 1996. I do not consider that an amendment to the text is now required.

Recommendation

2.129 **I recommend no modifications to Policy (R)F.Lydney 6 or Paragraphs 1.51-1.54.**

PRE-INQUIRY CHANGE NUMBER 4**Policy (R)F.Lydney 6a & Paragraph 1.54a****Employment To Meet A Local Need****Rear of Pine End Works, Harbour Road****Objection**

273/80032	Mr R Freshwater
830/80017	Highways Agency
842/80010	Prowting Projects Ltd

Supporting Statements

315/80023	Robert Hitchins Limited
841/80024	Mabey Developments (SW) Ltd

Issues

- a. The Highways Agency objects to the impact of additional trips on the Trunk Road Network.
- b. Sufficiency of residential allocations to support employment.

Reasoning and Conclusions

Impact on Trunk Road

2.130 The Highways Agency objects to the impact of additional trips on the Trunk Road Network. However I am not aware that it has submitted any similar objections to the much more extensive development proposals on the Land East of Lydney or at Hurst farm which will also take access from the Lydney by-pass. Neither is the objection substantiated with any evidence to demonstrate an unacceptably adverse impact of the extra traffic on highway safety or traffic flows. The by-pass is not part of the trunk road network in any event, and the A48 within the District is likely to have been deleted from that network by the time this report is published.

Sufficiency of Residential Allocations

2.131 Not strictly a duly made omission objection, but attached to counter objection 842/80010 supporting the allocation, this representation seeks additional residential allocations to accompany it, particularly on the respondents’ own site at Highfield Road. The employment allocation is intended to provide additional land for the expansion of businesses already established on adjacent land. There is no evidence before me to identify the likely amount of employment to be generated should this allocation be taken up. However, having regard to: the existing high level of commuting to employment out of the District; the substantial residential allocations already proposed in Lydney; and the risk that this and other proposed employment allocations will not be fully taken up during the Plan period, thereby perpetuating or increasing outward commuting flows, I do not consider that the Pine End Works allocation needs to be accompanied by additional residential development.

Recommendation

2.132 **I recommend that the Plan be modified by the inclusion of Policy (R)F.Lydney 6a and paragraph 1.54a in accordance with Pre Inquiry Change 4.**

Policy (R)F.Lydney 7 - Employment Allocation – Harbour Road

Objections

23/51361	Bendalls of Lydney
23/51362	Bendalls of Lydney
841/70723	Mabey Developments (SW) Ltd

Supporting Statements

44/51330	Federal Mogul
315/70358	Robert Hitchins Limited

Issues

- a. Suitability of Harbour Road to accommodate additional traffic movements.
- b. Advance contributions to highway improvements.
- c. Flood risk with respect to policy (R)FBE.4.

Reasoning and Conclusions

Harbour Road and Highway Improvements

2.133 Criterion 6 of Revised Deposit policy (R)F.Lydney 7 seeks an appropriate contribution to the improvement of Harbour Road and to the mitigation of any traffic impacts arising from the development of the site. Paragraph 1.57 describes Harbour Road as passing residential properties and being unsuitable in its current alignment and condition for accommodating significant additional traffic movements. Objections 23/51362 and 23/51361 dispute that Harbour Road is unsuitable and seek the deletion of Criterion 6 with any specific traffic or highway issues to be judged in respect of any development proposals.

2.134 I saw that Harbour Road is generally of reasonable width. However it follows a curving alignment south of the railway station where a lack of sufficient off-street parking for existing residential properties results in parking along the road. This can be obstructive and potentially hazardous. Whereas national and local planning policy seeks to encourage walking, the road is lacking in a footway or lighting over much of its length and it is hazardous for pedestrians to share the carriageway with large vehicles, particularly on those stretches subject only to the national speed limit. Any significant increase in traffic movements as a result of the development would have the potential to add to these congestion and safety problems and the references to these in the policy and the supporting text are appropriate. The actual measures or contributions sought at the application stage would need to be subject of negotiation in accordance with national advice on their necessity and relevance to the development.

Flood Risk

2.135 Objection 841/70723 has been recorded as an objection to Policy (R)FBE.4 but concerns this specific allocation. In summary Policy (R)FBE.4 will not permit development which would breach one or more stated criteria intended to reduce flood risk. Exceptions will be made where development proposals are able to incorporate satisfactory measures to provide suitable protection, attenuation or mitigation and which are environmentally acceptable. The Council acknowledges that the allocation site does lie within the floodplain. However criterion 1 of Policy (R)F.Lydney 7 limits employment development to ‘... occupying only those parts of the site where any approved landfill operation results in areas of land raised above surrounding flooding levels.’ The Policy (R)FBE.4 criteria would thereby apply mainly to the landfill development and would need to be satisfied. The main consideration for the employment development itself would appear to be limited to development control matters, such as warning and evacuation procedures in the event that occupiers of the development were cut off by floodwater or otherwise placed at risk.

Recommendation

2.136 **I recommend no modification to Policy (R)F.Lydney 7 or Paragraphs 1.55-1.59**

Policy (R)F.Lydney 8 - Safeguarding of Land for Highway Improvements

Objections

227/52552	Mr R Dawson-Marsh
247/50421	Mr & Mrs R Edwards
442/50416	Mr & Mrs R C Matthews
590/52185	Oxford, Swindon & Gloucester Co-op Society Limited
651/51882	Watts of Lydney Group Ltd

Supporting Statements

44/51332	Federal Mogul
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Issues

Safeguarded route for Town Centre Link Road

- a. Harm to wildlife.
- b. Disruption of footpaths.
- c. Destruction of buildings.
- d. Harm to living conditions of residents of Forest Road.
- e. Severance, noise and pollution.
- f. Suggested alternative route.

Safeguarded route for town centre roads

- g. Noise, dust, and inconvenience for Highfield Road residents.
- h. Accessibility of Co-op.
- i. Vitality and viability of the town centre.
- j. Effect on business in Hams Road.

Reasoning and Conclusions

Safeguarded Route for Town Centre Link Road

2.137 This road featured in the Lydney Highway Strategy and the land was safeguarded in the adopted Local Plan of 1996. The present Plan provides for the Link Road to be programmed only if monitoring of traffic flows associated with the Land East of Lydney development shows it to be necessary. This would in part depend on whether roads internal to that development were successful in attracting through traffic movements from other parts of the town. No funding has been identified for the Link Road and therefore it is uncertain whether it will be built during the Plan period, or at all. If built, such a road would inevitably require some demolition and would cause some local disruption and harm to the environment in what is, at present, a quiet part of the town. As part of the development control process, those effects would fall to be balanced against the benefits in terms of the relief of congestion and other harmful effects of traffic elsewhere in the town, notably in Church Road and the town centre.

2.138 The alternative route suggested by the objectors would comprise a western by-pass to the town. Whilst this would remove some traffic movements from the built-up area, it would be a much longer road which would intrude on open countryside and would be unlikely to have the same benefits in terms of traffic movement within the town. It is not favoured by the Council and does not appear to have the support of the Local Highway Authority.

2.139 I conclude overall that the potential future need for the Town Centre Link Road justifies safeguarding its route in the manner currently proposed.

Town Centre Roads [relating also to policy (R)F.Lydney 10]

2.140 The construction of a new road north of Newerne Street is more certain of implementation and would have important benefits for the environment of pedestrians in the main shopping area. It would also accommodate increased traffic movements associated with the proposed expansion of the town’s population and in particular would provide necessary additional capacity at junctions which would otherwise become overloaded and congested.

2.141 Some environmental disruption is inevitable during construction but would be outweighed by the long term benefits. Residents of Highfield Road already experience traffic noise on what is already one of the towns main traffic routes and they would experience further inconvenience if traffic levels at nearby junctions increased without improvement. Businesses in Hams Road would similarly be inconvenienced by congestion due to increased traffic levels, if the road scheme were not implemented, and they can be expected to benefit from the improved environment for their customers.

2.142 It would be impractical for the Plan to stipulate that all shops in Newerne Street be no less accessible by car without cancelling the associated partial pedestrianisation of that street. A loss of direct access by a car to the front of shops, where parking is already restricted, would be offset by improved pedestrian access. The Council also points out that access to parking near the Co-op will be available from the new road and could result in improved accessibility to that store.

2.143 Overall I conclude that the benefits of the town centre road scheme would outweigh the harm, and that the route should be safeguarded as proposed in the Plan.

Recommendation

2.144 **I recommend no modification to Policy (R)F.Lydney 8 and Paragraphs 1.68-1.71**

Policy (R)F.Lydney 9 - Rail Transport Lydney Station and Adjoining Land

Objections

28/70309	Forest of Dean Railway Company Ltd
651/51883	Watts of Lydney Group Ltd
779/70129	Railtrack plc
273/80011	Mr R Freshwater

Supporting Statements

44/51334	Federal Mogul
227/52575	Mr R Dawson-Marsh
779/80028	Railtrack plc

Issues

- a. Boundaries of the allocation.
- b. Adequacy of land allocation for rail freight transport links.

- c. Status of the former Parkend rail sidings in relation to proposals for Lydney station.

Reasoning and Conclusions

Allocation Boundaries

- 2.145 Policy (R)F.Lydney 9 seeks to reserve land in the vicinity of Lydney Station and adjoining land for railway use. This is in order to facilitate improvements to the passenger service, including vehicle parking and turning, and to allow for possible freight facilities. The Dean Forest Railway objected to the definition of the boundaries of the policy area. Objection 28/70309 was partially addressed by a Pre-Inquiry Change which would extend the boundary towards Harbour Road. However Dean Forest Railway continue to object to the boundary overlapping their own land and railway lines. The Revised Deposit version of Inset Map 1 [LPD34.1] shows this boundary to be altered but a more detailed plan put forward as Pre Inquiry Change 6 [PIC6] suggests that the original boundary would be reinstated. This may be an error.
- 2.146 In providing for rail-related development, the policy would not preclude Dean Forest Railway from carrying out the activities which it wishes to pursue on its land. On the other hand there is no obvious logic in extending the allocation on to only a part of the Dean Forest Railway and this can be misunderstood as implying an intention to use an area presently covered by railway tracks for another use such as car parking or bus turning, to which the policy also refers. Since the Council clarified at the Inquiry that no change is intended to the railway tracks, it is appropriate that the policy boundary continue to exclude them, as in practice shown on the Revised Deposit Proposals Inset Map 1.

Adequacy of Allocation for Rail Freight

- 2.147 One objection [651/51883] queries whether enough land has been allocated to permit freight operations. The Council’s original response to this objection is unintelligible. It does not appear that any relevant amendment was made at the Revised Deposit stage but PIC6 proposes that the site be enlarged a little. Whether the site would then be large enough would depend upon the form which the freight facility took and how much of the land would be required for parking and other purposes. There is no information before me on these matters. However the allocation already includes all the triangular area of land bounded by the railway and Harbour Road and could not be extended at this location.

Parkend Rail Freight

- 11.127 Paragraph 1.75 of the First Deposit Plan made reference to the possibility of rail freight originating elsewhere along the Dean Forest Railway line for example at Parkend, but this reference was deleted in the Revised Deposit version. I refer to the Parkend site when dealing with objections to Policy (R)F.Parkend 1 in Chapter 34.

Recommendation

- 2.148 **I recommend that the boundary of the area subject to Policy (R)F.Lydney 9 be extended in the direction of Harbour Road as proposed by Pre Inquiry Change 6 and the associated Map 2 but that the northern boundary remain as shown on the Revised Deposit version of Inset Map 1.**
- 2.149 **I recommend no modification to Policy (R)F.Lydney 9 or Paragraphs 1.72-1.76.**

Policy (R)F.Lydney 10 - Town Centre - Newerne Street Pedestrian Priority

Objections

227/52497	Mr R Dawson-Marsh
590/52191	Oxford, Swindon & Gloucester Co-op Society Limited
651/51885	Watts of Lydney Group Ltd

Issue

Impact on town centre with reference to loss of passing trade and to on-street parking.

Reasoning and Conclusions

2.150 In principle, pedestrian priority should make the town’s main shopping area a more pleasant and attractive environment for shoppers with a benefit to the overall vitality and viability of the town centre as a whole. The effect on individual businesses will inevitably vary as movement patterns change. However many of the submitted objections relate to matters which would be dependent on the future detailed design of the scheme. These are beyond the scope of the Local Plan.

Recommendation

2.151 **I recommend no modification to Policy (R)F.Lydney 10 or paragraphs 1.77-1.83.**

Policy (R)F.Lydney 11 - Development Site – High Street

This policy was deleted at the Revised Deposit stage as the site had already been developed for the new Tesco Supermarket.

Policy (R)F.Lydney 12 - Mixed Use Site – Hill Street

Objections

827/70492	George Wimpey UK Limited
827/70493	George Wimpey UK Limited
28/70312	Forest of Dean Railway Co Ltd
828/70512	Johnson Properties
842/70801	Prowting Projects Ltd

Issue

Likelihood of delivery with reference to site constraints.

Reasoning and Conclusions

2.152 There is some confusion as to the site area, stated in the policy as 0.9ha but in the Development Brief [LPD 35.6] as 1.7ha, apparently corresponding with the cross-hatched area on the Proposal Map. The Brief explains that the smaller area is intended to refer to the housing element only. However the corresponding red coloured area on the Revised Deposit Proposals Map Inset 1A includes the existing business premises fronting Hill Street, where the policy stipulates that a secondary shopping frontage is to be retained.

- 2.153 The implementation of the allocation appears uncertain in respect of both the full 1.7ha policy area and the redevelopment of the apparently well-maintained and actively-used frontage buildings. The site is in multiple ownership and is occupied by a number of different and active businesses. Whilst it appears that there may be scope to use the site more efficiently, the initiative for its redevelopment appears to originate with the Council and there is no evidence of its endorsement by the landowners.
- 2.154 Text para 1.88 recognises that vehicular access to the site is limited but only indicates that it may be possible to overcome this limitation, without explaining how this might be achieved. Whilst the entrance is narrow, close to the Hill Street junction and may inhibit 2-way traffic movements, the access has adequate visibility and appears to function in a satisfactory manner for its present users, including a busy builders merchant.
- 2.155 I consider that the allocation should be reviewed and the policy area reduced to provide for a housing redevelopment of that part of the site which lies behind the frontage buildings. This should exclude the frontage buildings themselves and also the site of the builder’s merchant. I consider that this intermediate area has the better prospects of re-use for housing, and that such modification would enhance the potential for such a development using the existing access, whilst removing uncertainty and potential blight in respect of the remainder of the site. The review may result in a reduction in the estimated capacity of the site to below 15 dwellings. As a consequence the site would cease to qualify for the provision of affordable housing. However that would be unlikely to be achieved in any event as there would be a commercial incentive for a developer to keep below that threshold figure, even within the present larger allocation. Further areas could be considered for redevelopment on a windfall basis, should a demand arise. Any such proposals would fall to be decided in accordance with general policies for the re-use of urban land.
- 2.156 As with other residential allocations in the town, it would be appropriate for this development to contribute toward additional works and facilities needed to meet the needs of the occupiers of the scheme.

Recommendation

- 2.157 **I recommend that Policy (R)F.Lydney 12 be modified on lines stout below, with the site area and number of dwellings to be specified after a review of the site boundaries to exclude the frontage buildings and the builders merchants:**

***ha of land at Hill Street is allocated for residential development of approximately ** dwellings. The development will be required to provide for adequate site access and the mitigation of any traffic impacts arising from the development of the site and appropriate contributions toward education, open space, library facilities and the implementation of environmental improvements in Hill Street.**

- 2.158 **I recommend that paragraph 1.88 be modified to:**

This site comprises an underused area of land between the frontage buildings and a builder’s merchants. Its town centre location makes it suitable for a more intensive residential development. The existing vehicular access is limited in width but could accommodate additional development with improvement. A contribution will be sought towards implementing environmental improvements in Hill Street and any necessary mitigation of the traffic impact of the

development together with a contribution to educational and other provision necessary to meet the need of the occupiers.

Policy (R)F.Lydney 13 - Open Space – Land South Of Boating Lake

Objections

28/52734	Forest of Dean Railway Company Ltd
28/70310	Forest of Dean Railway Company Ltd
227/52580	Mr R Dawson-Marsh
227/52583	Mr R Dawson-Marsh
273/80033	Mr R Freshwater

Supporting Statements

13/51988	Sport England SWR
44/51350	Federal Mogul

Issues

- a. Re-use of railway land.
- b. Suggested alternative use for an out of town supermarket.
- c. Suggested allocation of part of the site at Cambourne Place for housing.

Reasoning and Conclusions

Railway Land

2.159 The First Deposit Proposals Map included railway land to the west of the river within the proposed open space allocation. The Revised Deposit version of Inset Map 1 moved the western boundary to the top of the sloping river bank, excluding an area of flat land in railway use. The Forest of Dean Railway Company Ltd would prefer the boundary to be the river. However the sloping river bank is more likely to have development potential for recreational use than for railway purposes and the retention of the extensive existing vegetation would have wildlife and landscape benefits. I thus conclude that its continued allocation under the policy would be appropriate.

Alternative Development for Supermarket

2.160 Objection 227/52583 suggests that the site would more appropriately be developed as a supermarket. The same objector had opposed the former Policy (R)F.Lydney 11 which has been deleted since the development on that site of the new Tesco supermarket. I take it that this objection was intended to provide an alternative site for that development. As the supermarket has been built and there are two other supermarkets in the town, there is unlikely to be the demand for a further supermarket. Furthermore this location, remote from the town centre and other shops, would be likely to contravene Government advice to protect the vitality and viability of town centres. Finally, the paragraph 1.90 draws attention to the history of tipping operations on the site, which are likely to have left the land unsuited to built development without extensive and costly remedial measures. In all these circumstances I conclude that the site is unsuitable for allocation for a supermarket development.

Land at Cambourne Place.

2.161 Objections seeking the allocation of part of the (R)F.Lydney 13 site for housing would reduce the extent of the open space and are considered below in relation to Omission Site Reference OH1.3.

Recommendation

2.162 **I recommend no modification to Policy (R)F.Lydney 13 or Paragraph 1.91 or the relevant notation on the Revised Deposit Proposals Map Inset 1.**

Policy (R)F.Lydney 14 - Development at Lydney Harbour

Objection

651/51887 Watts of Lydney Group Ltd

Supporting Statements

44/51353 Federal Mogul
227/52584 Mr R Dawson-Marsh

Issues

Drainage improvement and flood control functions of the harbour.

Reasoning and Conclusions

Drainage and Flood Control

2.163 Criterion 1 of this policy for recreation, leisure and tourism development at Lydney Harbour requires that such proposals must not adversely affect the drainage and flood control functions of the harbour. The Council has not responded to this objection which was submitted at the First Deposit stage. However I note that paragraph 1.93 of the text refers to the essential importance of the harbour and canal in relation to drainage and flood control and states that any development should not detract from these functions, and should where possible enhance them. I consider that this wording should be incorporated into the policy itself.

Recommendation

2.164 **I recommend that Criterion 1 of Policy (R)F.Lydney 14 be modified to:**

1. Proposals must not adversely affect the drainage and flood control functions of the harbour and should where possible enhance them.

Paragraph 1.96 - The River Severn Coastal Zone

Objection

18/70507 English Nature

Issues

Nature Conservation status of the Severn Estuary.

Reasoning and Conclusions

Special Area of Conservation

2.165 The Severn Estuary is incorrectly referred to as a ‘candidate’ Special Area of Conservation [SAC] when it has a lesser status as a ‘possible’ SAC. In its response to this objection the Council agreed to amend the text to correct this factual error but has not done so. I consider that it should be amended as requested.

Recommendation

2.166 **I recommend that the first line of paragraph 1.96 be modified to describe the Severn Estuary as a ‘possible’ Special Area of Conservation.**

OMISSION SITES

Omission Site OH1.1 – Land at Augustus Way/Court Road, Allaston

Objection

827/70488	George Wimpey UK Limited
828/70509	Johnson Properties
828/70513	Johnson Properties
378/70188	F W Johnson (Builders) Limited
378/70186	F W Johnson (Builders) Limited

Issues

- a. Principle and Scale of the Allocation with reference to the use of greenfield land, distribution of housing.
- b. Deliverability of the development.
- c. Accessibility, highway safety and traffic flows, with reference to schools and cycle and pedestrian links and traffic pollution.
- d. Infrastructure and facilities, including improvements to town centre highways, the railway station and Lydney Library.
- e. Impact on landscape, wildlife, watercourses, drainage and archaeology.
- f. Loss of recreational facility

Reasoning and Conclusions

Principle and Scale of Development

- 2.167 An suggested enlargement of the allocation would potentially lead to increased demand for infrastructure and facilities in Lydney whilst at the same time it might contribute more to their improvement. In particular it would generate more traffic on local roads and I consider the consequences of this below.
- 2.168 With the exception of a small builder’s yard, the site would be greenfield land. PPG3 seeks to prioritise the development of previously-developed land over greenfield sites and in terms of their location and accessibility by modes other than the car. However I have concluded above in relation to the Land East of Lydney [Policies (R)F.Lydney 1 and 2] that there is insufficient previously-developed land available in Lydney to meet the strategic objectives for housing development and economic regeneration in the town and the South Forest area without greenfield development. Thus in applying the sequential test advised by PPG3, the issue is not whether the site is greenfield but how this location compares with other greenfield locations in and around Lydney, not least in the effect on travel movements and the effect on infrastructure provision.
- 2.169 The larger allocation would be significant in terms of overall housing land supply, particularly if developed at the densities advised by Government guidance which exceed those identified for the site in the First Deposit Plan allocation. If this site were allocated in addition to the Land East of Lydney urban extension, it would be in competition for the same purchasers as that site. It would thus be likely to undermine the completion rate on the Land East of Lydney, compromising its ability to make

timely provision for the necessary accompanying employment, infrastructure and services. Or, if allocated in substitution for a part of the Land East of Lydney, its effects would be even more damaging.

Deliverability

2.170 The landowner supports the development and I do not anticipate any insurmountable constraints to the delivery of housing here, should the site be allocated for development in the adopted plan. However due to competition with the Land East of Lydney development it is, in my view, unlikely that the local market in Lydney would absorb all of the dwellings from both sites within the Plan period.

Accessibility, Highway Safety and Traffic Flow

2.171 The site is on the northern outskirts of Lydney and adjoins an existing primary school. There is a small post office/food shop and a church at Primrose Hill which are only a little beyond the maximum walking distance of RPG10. However most other services, facilities and employment are in the centre or south of the town. The town centre shops and services are about 1200m from the site and thus also beyond the maximum recommended RPG walking distances. Moreover the First Deposit site is located in the highest part of the town at 80-100m above sea level. The smaller Revised Deposit allocation is at the highest part of this site. By contrast the town centre is close to sea level. A return journey on foot or by bicycle from the town centre would entail a stiff climb which would be a disincentive to such movements. The secondary school and railway station together with most existing and proposed employment and leisure facilities lie to the south of the town centre, well beyond recommended maximum walking distances and would similarly involve a steep climb by bicycle from the town centre.

2.172 Those promoting a larger allocation claim that the three main bus services together provide a 20-30 minute frequency in each direction. However these services call at different stops which are each remote from each other and from some parts of the site and most bus journeys from the town centre would still require in part a significant climb on foot. Overall I consider these and other existing bus services to be too infrequent to attract a high proportion of travel movements and that there would be a heavy reliance on the car for most travel movements to and from the site. This position contrasts with the proposed Land East of Lydney allocation which would be an urban extension including its own employment and services. That site would be on lower ground, closer to the town centre and employment, and closer to the railway station. Whilst not all parts of the larger site would be within easy walking distance of all services and facilities, the terrain would be more conducive to walking or cycling, and that development would be large enough to make a more significant contribution to bus service improvement.

2.173 Roads to the north of the site and elsewhere on its other, including at Albert Street, are narrow and at risk of congestion. The southern approach to the larger site via Augustus Way is at present a residential cul-de-sac. I accept the conclusions of the Local Highway Authority that these roads would be capable of accommodating the traffic to be generated by the development, particularly as Albert Street is proposed for improvement in the Plan. It would be legitimate to seek contributions from the development towards such works. However the likely high incidence of car use could be expected to have an adverse impact on the living conditions of local residents in

terms of noise and disturbance. It would also risk exacerbating existing congestion at the start and end of the primary school day both to the north and south of the site.

- 2.174 I acknowledge that the First Deposit scheme incorporated measures intended to ease that congestion by providing an additional parking and turning area for the primary school. However the Local Highway Authority at that stage objected to this on the basis that such provision would serve to encourage car use for the school trip. Other objectors continue to make the same point. I consider that it would risk being counter-productive in raising overall traffic levels in the vicinity of the school. Whereas some counter objections seek a separate access to the school directly from Centurion Road, that would have a serious adverse impact on an area of open space and would itself encourage additional unnecessary traffic.

Infrastructure and services

- 2.175 At the First Deposit stage one intending developer of this site considered it capable of providing a larger development which was needed to support other requirements if they were to be fairly and reasonable related to the scale of the development. At the same time the intending developer of a different housing site objected that this development should, like the Land East of Lydney development, contribute towards off-site highway improvements in the town centre, improved passenger facilities at Lydney Rail Station and improvements to Lydney Library.
- 2.176 Government advice in Circular 1/97 supports the view that infrastructure contributions should be fairly and reasonably related to the scale of the development. Both at the First Deposit and Revised Deposit stages, the Plan sought provision for specified works, including appropriate contributions to education provision, playing pitch facilities and enhanced bus services. The scale of these contributions would vary according to the need generated by the development and thus would not justify enlarging the allocation. A First Deposit requirement to provide a parking and turning area for the school and for a large amenity open space provision was less flexible and would not have been supportable for the smaller Revised Deposit allocation. However it has been deleted in the Revised Deposit plan. A requirement to provide for safe and convenient pedestrian and cycle links to the school, surrounding highways and the town centre remains but is likely to be satisfied by suitably modest works as the bulk of these links already exist.
- 2.177 I have referred above to the constrained road access to the Allaston area via Albert Street. Development on this site would add to a need for improvement works there and it would be reasonable in principle to seek contributions to those works as well as to the works at Lydney Railway Station and Lydney Library in respect of the additional need generated by this development.

Landscape and Environment

- 2.178 The site is open and elevated and there are impressive views over the town and towards the Severn Estuary from the public footpaths which criss-cross the site. The larger development would extend the urban area into open countryside and would restrict some views across or out of the site to a greater or lesser extent. However the proposals would concentrate built development close to the existing urban edge and the impact on the wider landscape and setting of the town would thereby be more limited in distant views of the area. The landscape impact of the housing development could be mitigated to a degree by appropriate planting. I also

acknowledge that other proposed greenfield developments around Lydney would themselves have an adverse impact on the openness of the landscape.

- 2.179 Any significant housing development in this location would have some potential to affect wildlife, archaeology and local drainage as some objectors claim. However there is a lack of evidence before me to justify excluding the development for those reasons alone and opportunities could be provided for further investigation of these potential impacts and to apply appropriate planning conditions to avoid mitigate or compensate for them.
- 2.180 I conclude that, whereas housing development would have an adverse impact on the local landscape and environment, this could be adequately mitigated and would not of itself warrant the exclusion of this site were the proposed allocation necessary to meet housing land supply objectives and otherwise acceptable in relation to its travel impact.

Loss of Recreational Facility

- 2.181 Although Lydney is relatively well supplied with recreational open space when compared with other towns in the District, most is concentrated in the south of the town and that is where the Plan proposes additional provision. Distance and gradient makes that area less accessible from the north of the town around Allaston. Whilst there is public access to nearby Forest land to the west, additional local open space provision would be desirable.
- 2.182 I accept the landowner’s contention that the larger site does not currently include public open space and that current informal use of some of the land by the public as amenity open space is unauthorised. I acknowledge that the First Deposit proposal and the similar developments now proposed by some objectors would include the provision of a substantial area of amenity open space for public use as a benefit of the development. Existing footpath routes could also be protected although their character would change and some open views from those paths would be lost.
- 2.183 I conclude that larger housing scheme would on balance be of benefit to the provision of recreational facilities.

Overall Conclusions

- 2.184 Overall I conclude that there is no need for this additional housing development in Lydney having regard to the large housing allocations proposed elsewhere in the town
- 2.185 The larger allocation sought by objectors would suffer from relatively poor accessibility in comparison with those other allocations with a high reliance on access by car. The additional traffic would cause significant harm to the living conditions of adjoining residents through increased noise, disturbance and traffic congestion.
- 2.186 The release of the site would be likely to undermine the Plan strategy to provide the planned urban extension to the East of the town with its associated infrastructure, employment and services.

Recommendation

- 2.187 **I recommend that the Land at Augustus Way/Court Road, Allaston be not allocated for housing development.**

Omission Site OH1.2 – Land off Highfield Road

Objection

386/50734	Mr B Jones
386/51653	Mr B Jones
386/51649	Mr B Jones

Issues

- a. Important Open Area designation.
- b. Potential for housing development.

Reasoning and Conclusions

Important Open Area

2.188 These objections concern an area of open greenfield land within the settlement boundary and close to the town centre of Lydney. The land is privately owned and surrounded by housing development except for a narrow frontage to Highfield Road and where it borders a smaller green area that is also designated in the Plan as an Important Open Area [IOA]. A public footpath crosses the north east corner of the site but there are no other rights of public access. The land is screened by buildings in most public views. From the public footpath the openness of the site provides a pleasant change from more enclosed parts of the route and there is an attractive view across the land and over the town. However the land falls away towards the south and west and its public amenity value diminishes with distance from the path. Most surrounding occupiers benefit from long gardens and do not rely on the site to provide an open outlook from their dwellings.

2.189 I recommend elsewhere that policy (R)FBE.7 on the protection of IOAs be modified by substituting four criteria for sites to qualify for designation, of which at least three must be satisfied. In relation to those criteria, the land is located within the Defined Settlement Boundary, is in part visible from the public footpath and thereby makes at some contribution to the local amenity. The site is thus properly designated but I consider that only its northern part is significant and that it is not necessary to keep the entire area open in order to secure due planning benefit.

Potential Housing Allocation

2.190 I have concluded elsewhere that significant greenfield development is necessary in and around Lydney. Unusually, this greenfield site is within the urban area and lies within easy walking distance of the town centre. Its accessibility on foot or cycle is superior to that of other sites in more elevated locations in the north of the town. It would thus be appropriately located for high density development.

2.191 The northern part of the land needs to be kept open for its public amenity value and some long distance views from the footpath should be protected by controlling the position and height of development. But neither this nor any other environmental constraint need precluded the development of the major part of the site for housing. Making the retained open land available for general public use as open space would compensate for the marginal public loss of views and openness.

2.192 Housing development would add to growing demands on existing infrastructure and would add to traffic in the town centre but the development could fund appropriate

contributions to increasing capacity to cope with these demands, including a contribution to town centre highway improvements.

- 2.193 The only remaining issue concerns the impact which development of this site could have on the overall phasing and housing strategy of the plan. The Land East of Lydney development proposed by (R)F.Lydney 1 and (R)F.Lydney 2 is a planned urban extension which I have concluded above should properly be regarded as a strategic site since its successful implementation is fundamental to Plan strategy. The release of a further significant greenfield site nearby would be likely to depress the take-up of new dwellings on the Land East of Lydney site and hinder its implementation, irrespective of the phasing applied to the omission site.
- 2.194 I therefore conclude that, whilst the site is at least in part suitable for housing development in terms of its location and landscape impact, its release would undermine the Plan strategy with respect to the major urban extension to east of the town.

Recommendation

- 2.195 **I recommend that the Important Open Area designation be modified to exclude those parts of the designation which are not needed to provide an open setting for the public footpath and to permit distant views from the footpath towards the Severn Estuary.**
- 2.196 **I recommend that the Land off Highfield Road be not allocated for housing development.**

Omission Site OH1.3 – Land at Cambourne Place

Objection

227/52494	Mr R Dawson-Marsh
541/52835	Lydney Recreation Trust
541/52836	Lydney Recreation Trust
541/52837	Lydney Recreation Trust

Issues

- a. Important Open Area designation.
- b. Designation under policy (R)F.Lydney 13 as part of a 20ha open space, leisure and recreation.
- c. Flood risk.

Reasoning and Conclusions

Important Open Area

- 2.197 This site of about 1.3ha is an area of level low-lying grassland which adjoins existing housing to the north and east, recreational land to the west and land used in connection with the Federal Mogul foundry to the south.
- 2.198 I recommend elsewhere that Policy (R)FBE.7 on protection of Important Open Areas [IOAs] be modified by substituting four criteria for sites to qualify for designations, with three to be satisfied. In relation to those criteria, the land is within the Defined Settlement Boundary and is visible from public places on three sides, and also it

adjoins an extensive area of linked open spaces to the south west. It is one of very few open spaces which can be seen from the large adjacent residential area. It also provides valuable separation between the residential area and the adjoining industrial land. Its openness thereby makes a positive contribution to the visual amenity of the locality. Were the site to be built upon, it would close off an important view. As a scarce open area within a large and closely built-up residential area, I consider that the land makes a significant positive contribution to local character. It thereby satisfies all four recommended criteria and warrants its proposed designation as an Important Open Area.

Allocation for Open Space, Leisure and Recreational Uses.

- 2.199 The Land at Cambourne Place is included in the (R)F.Lydney 13 open space allocation. Lydney Recreation Trust, as landowners, acknowledged that there is already public access to this site for informal recreation. There appears to be no other significant informal open space within the large housing area to the north east and this is the closest area available for informal recreation. It is not clear whether the land was included in the 1994 survey of open space provision [LPD8], wherein the overall quantity of adult/youth provision in Lydney is found to exceed recommended national standards. However the survey did not include a qualitative assessment relating supply to identified local needs as now recommended in PPG17. Neither did it demonstrate that provision for children’s play was adequate according to national standards.
- 2.200 Whilst the Plan provides for informal open space provision associated with the proposed housing developments and for contributions to playing pitch improvements or provision elsewhere, there are no figures before me to confirm that the intended provision of open space would be adequate for the increased population were the Land at Cambourne Place deleted from the (R)F.Lydney 13 allocation.
- 2.201 I acknowledge that the Lydney Recreational Trust is seeking the allocation of this site in order to provide funds to improve its recreational facilities nearby. The (R)F.Lydney 13 allocation would also require significant investment for its implementation and it is not clear in the Plan whether this is intended to be funded entirely from contributions from new housing development elsewhere.
- 2.202 I conclude on this issue that it has not been demonstrated that this area of open space is surplus to requirements.

Flood Risk

- 2.203 Although the site lies within the flood plain, new houses were under construction on adjoining land, at a similar level to the north of the site, at the time of the Inquiry, without objection by the Environment Agency when consulted in 1998. However it did object to the flood risk to the occupiers of the development at the time of the reserved matters application in 2002. No flood risk assessment is before me for the current proposal. However the development of this site would appear likely to contravene current advice in PPG25.

Allocation for Housing

2.204 This site lies within the urban area and has good accessibility to the town centre but is greenfield land with objections to its development in terms of a loss of openness. There is also a lack of information before me to confirm that the risk of flooding due to its development can be overcome or that its recreational use is not needed. Having regard to the other housing proposals in the Plan, there is no overriding need for housing development. I thus conclude that the site should not be allocated for housing

Recommendation

2.205 **I recommend that the land at Cambourne Place be neither deleted from Policy (R)F.Lydney 13 nor allocated for housing.**

Omission Site OH1.4 – Land at the rear of Oak Meadow, Allaston

Objection

21/50893	The Liddington Trust
21/50895	The Liddington Trust
362/50411	Mr F E James
362/50412	Mr F E James

Reasoning and Conclusions

2.206 This site is a large and approximately square area of agricultural land which borders the Defined Settlement Boundary [DSB] on two sides. On the third side it borders a ribbon of dwellings outside the DSB and on the fourth side it borders other agricultural land.

2.207 Subject to my findings under policy (R)F.Lydney 1 on the major site East of Lydney, the Plan allocates sufficient land for housing in the town. The success of the Land East of Lydney allocation depends in large part on the ability of the local market to absorb that number of dwellings proposed. In those circumstances, further large allocations such as this omission site in and around Lydney would be unlikely to improve the prospects for delivery due to competition.

2.208 Even were additional housing needed, this site would perform poorly in terms of the sequential test for the selection of housing development sites advised by PPG3. It is a greenfield site which has not previously been developed. The site lies outside the existing urban area and, unlike the Land East of Lydney site, it would not be part of a planned urban extension with a good range of facilities. There are few existing facilities in this part of the town and distance, gradient, and a lack of frequent public transport would be likely to make residents over-dependent on the car to reach services, employment and facilities elsewhere in the town.

Recommendation

2.209 **I recommend that the Land at the rear of Oak Meadow, Allaston be not included within the Defined Settlement Boundary nor allocated for development.**

Omission Site OH1.5 – Land at Allaston Road

Objection

532/50638	Mr Powell
532/50642	Mr Powell

Reasoning and Conclusions

- 2.210 This site fronts Allaston Road and adjoins Omission Site OH1.4 to the rear. The objections were submitted at the First Deposit stage. At the Revised Deposit stage the small part of the site fronting Allaston Road was added to the Defined Settlement Boundary [DSB] and an infill dwelling has since been built there.
- 2.211 The remainder of the site extends to about 0.3ha and, subject to access being achievable, might accommodate around 10 dwellings if developed at the densities sought by PPG3. That corresponds to the size of other small allocations in the Plan. An amendment to the DSB to include the remainder of the site ought therefore to include the allocation of the site for housing development if the purpose is to facilitate housing development. However, the site shares the disadvantages of the other omission sites at Allaston in that it appears to be greenfield land outside the existing urban area, would not form part of a planned urban extension with facilities, and is poorly located for access to employment and service by means other than the car. Thus, even were there a need for additional housing development in and around Lydney [which has not been demonstrated] this site would perform poorly against the sequential criteria advised by PPG3.
- 2.212 I conclude that the land is not suitable for inclusion within the DSB or for allocation for housing development.

Recommendation

- 2.213 **I recommend that the land at Allaston Road be not included within the Defined Settlement Boundary nor allocated for development.**

Omission Site OH1.6 – Land at Rock House, Driffield Road

Objection

403/50566	Mr Dennis Kear
403/50569	Mr Dennis Kear

Reasoning and Conclusions

- 2.214 This site open site of rural character fronts Driffield Road to the east. It adjoins the Defined Settlement Boundary to the north and Omission Sites OH1.4 and OH1.5 to the south west and west respectively. To the south east it adjoins a ribbon of houses which are outside the DSB. Were the site suitable for housing development, it is of a size which would warrant its allocation for such development, whereas PPG3 advises against permitting windfall housing development on greenfield sites.
- 2.215 No need for additional housing development outside the urban area has been demonstrated but if the allocation of additional housing were necessary, this site in any event shares the disadvantages of the other omission sites at Allaston in that it is

greenfield land, outside the existing urban area, would not form part of a planned urban extension and is poorly located for access to employment and services by non-car transport. The site would thus perform poorly against the sequential criteria for the selection of housing development sites advised by PPG3.

- 2.216 As I have concluded above that the allocation for development of Omissions Site OH1.4 would be inappropriate, there is no need to provide for access to it across this site, as sought.

Recommendation

- 2.217 **I recommend that the Land at Rock House, Driffield Road be not included within the Defined Settlement Boundary nor allocated for development.**

Omission Site OH1.7 – Land between Kings Buildings and the By-Pass

Objection

702/52910	Mr G M Wildin
702/52911	Mr G M Wildin
702/52919	Mr G M Wildin

Reasoning and Conclusions

- 2.218 This site relates to part of a First Deposit objection. The Council responded to the original objection by including Housing Allocation (R)F.Lydney 4a in the Revised Deposit Plan. However the Council did not respond to the second part of the objection concerning the land to the south.
- 2.219 The land in question is a narrow strip between the Dean Forest Railway and the watercourse. It includes a number of fine mature trees and other vegetation which is likely to be of wildlife value. Part of the site appears on the Proposals Map as a Protected Open Area and Protected Outdoor Recreation Space [policies (R)FBE.7 and (R)FBE.9]. The site is seen from the Bathurst Recreation Ground, the railway and a public footpath on the opposite side of the watercourse. The site’s narrow width would inhibit access and prevent efficient use of the land. I consider that built development would be intrusive in a generally open area and would be likely to result in a loss of trees and vegetation with associated harm to the tranquil and natural character and appearance of the area.
- 2.220 I consider that the site would satisfy all four of the criteria which I recommend for the designation of sites as Important Open Areas under Policy (R)FBE.7. However it does not appear to be appropriately designated as a Protected Outdoor Recreational Space under Policy (R)FBE.9 since it is not a public open space and does not appear to provide a private outdoor recreational open space.

Recommendation

- 2.221 **I recommend that the Land between Kings Buildings and the Bypass be not allocated for development, nor designated as a Protected Outdoor Recreational Space under Policy (R)FBE.9**

2.222 I recommend that the designation of the Land between Kings Buildings and the Bypass as an Important Open Area under Policy (R)FBE.7 be retained.

Omission Site OE1.8 – Land at Hurst Farm North

Objection

315/50969

Robert Hitchins Limited

Reasoning and Conclusions

- 2.223 The additional employment area originally sought by the objector was modified during the Inquiry and reduced to a 7.5ha addition to the north of the (R)F.Lydney 5 allocation which itself would have an area of 15ha making a total of 22.5ha.
- 2.224 The objector contends that the additional land is needed for a number of reasons including the potential non-implementation of other allocations, claimed underestimate of the land needed to meet the employment requirements of the town’s additional residents and a need to ensure that a large site would be available, especially later in the Plan period. The original objection refers to a possible transfer to the site of allocated employment land within the by-pass, part of which is controlled by the objector. However I have recommended above in relation to the objections to (R)F.Lydney 1 that the 9ha of employment land provided by that policy within the by-pass should be reserved for employment use and not transferred elsewhere.
- 2.225 The employment allocations across the District in the Revised Deposit Plan significantly exceed the 75ha proposed in the Gloucestershire Structure Plan Second Review for the period 1991-2011, the equivalent of 3.75ha per annum. This extension to the Hurst Farm employment allocation would further increase provision. Whilst this would enlarge the choice of sites available to employers, it would also reduce certainty with regard to which sites are to be taken up. It is notable that only 11.4ha of employment development was completed across the District in the first 8 years of the that period to 1999, an average of about 1.42ha per annum. The development rate would need to accelerate to about 5.3ha per annum between 1999 and 2011 to reach even the Structure Plan figure. In this context, the prospects of all the existing Lydney allocations being taken up within the Plan period appear slight, whether or not the Council’s population-based need assessment is correct.
- 2.226 As a greenfield site in a pleasant countryside setting and with a direct junction access to one of the District’s principal roads, the (R)F.Lydney 5 Hurst Farm site may prove more attractive to employers than allocations with higher redevelopment costs or reduced accessibility. Whilst its extension might improve the overall take-up of employment land, it would also increase the concentration of new employment in one town. It would risk diminishing the re-use and development prospects of previously-developed land in need of regeneration, including land in other settlements such as Cinderford which have particular local employment needs. There is also a risk that a number of allocations in Lydney or elsewhere in the District would only be implemented in part or that employment premises which are already vacant or which fell vacant would remain so, resulting in an unsightly and inefficient use of land and infrastructure. Moreover the proposed extension of the site would increase the visual

intrusion into open countryside in a prominent location beside the bypass. I am not persuaded by the objector’s argument that this can be overcome by screen planting, having regard to the topography of the land, the likely scale of employment buildings and the period needed for the planting to mature.

- 2.227 I conclude that the additional employment land is not needed during the Plan period and that its allocation would undermine the Plan’s objectives for employment development on other sites.

Recommendation

- 2.228 **I recommend that Land at Hurst Farm North be not allocated for employment development.**

Omission Site OE1.9 – Hurst Farm South

Objection

44/51469 Federal Mogul Limited

Reasoning and Conclusions

- 2.229 Part of objection 44/51469 seeks the allocation of additional employment land between the by-pass and the main railway line although the same objection proposes that this be offset by reducing on its eastern side the extent of the employment area to be allocated by (R)F.Lydney 5.
- 2.230 I acknowledge that the land in question forms part of an agricultural holding which will lose other land to development and may be unviable as a unit. However there is no evidence that this land could not be farmed with other land elsewhere. I also acknowledge that it may be easier to provide direct rail access to the land if required. Even so, the land is sloping and awkwardly shaped for the large business developments for which (R)F.Lydney 5 is intended to provide. The road frontage to the by-pass is mainly in cutting, which would impede access to the site and may result in intrusive buildings appearing obtrusively above the sideslope. The site also lies within a secluded valley in open countryside where employment development would be particularly intrusive when seen from the railway itself.

Recommendation

- 2.231 **I recommend that the employment Land at Hurst Farm allocated by Policy (R)F.Lydney 5 be not extended to the south or reduced on its eastern side.**

Inset Map 1 - Lydney

Objections

21/50893	The Liddington Trust
29/51311	Diocese of Gloucester
115/50078	Mr A G Biggart
143/50533	Mr R Biddlecombe
227/52494	Mr R Dawson-Marsh

227/52534	Mr R Dawson-Marsh
227/52543	Mr R Dawson-Marsh
227/52555	Mr R Dawson-Marsh
227/52591	Mr R Dawson-Marsh
247/50425	Mr & Mrs R Edwards
298/50274	Mr J C Greenwood
362/50411	Mr F E James
386/50734	Mr B Jones
403/50566	Mr Dennis Kear
425/50433	Mr G H Lewis
500/52926	Mrs J Offord
532/50638	Mr Powell
541/52836	Lydney Recreation Trust
590/52174	Oxford, Swindon & Gloucester Co-op Society Limited
652/51868	Mr J C Thurston
702/52910	Mr G M Wildin

Supporting Statements

27/51579	Lydney Park Estate
44/51323	Federal Mogul
44/51329	Federal Mogul
44/51331	Federal Mogul
44/51333	Federal Mogul
44/51337	Federal Mogul
44/51352	Federal Mogul
44/51354	Federal Mogul
175/53186	Hallam Land Management
779/80027	Railtrack plc

Issues

- a. Objections to the Inset Map which refer to specific policies and allocations are addressed above together with other objections to those policies and allocations.
- b. Objections to the Inset Map which seek specific additional allocations are addressed above as Omission Sites.
- c. Provision of allotments and open areas.
- d. Criteria for designation of lands at Lydney Vicarage and at The Rocklands, Highfield Hill as Important Open Areas.
- e. Objection 590/52174 concerns the definition of Lydney town centre. Whilst it has been listed as an objection to Inset Map 1, the town centre boundary is shown more clearly on Inset Map 1A and the objection is therefore addressed under that heading.

Reasoning and Conclusions

Allotments

- 2.232 Objection 143/50533 concerns a general lack of provision of allotments. The objector states that none are currently available in Lydney, whilst the provision of allotments is not covered by the Plan. However allotments are a use of land for which it is proper for the Plan to cover. The Annex to PPG17 includes allotments as open spaces of public value. They should be included in the assessment of needs and opportunities which that guidance advises local authorities to undertake. There is no such comprehensive and up-to-date assessment available and I conclude that one should be

carried out. Until that information is available it is not possible to identify whether there is a need for allotments and how it should be met. This would properly be a matter for the next Review of the Local Plan.

Lydney Vicarage

- 2.233 This site is the walled garden to the east of the currently vacant vicarage building. The Diocese of Gloucester seeks the deletion of the Important Open Area [IOA] designation in favour of developing a meeting room.
- 2.234 I recommend elsewhere that Policy (R)FBE.7 on protection of IOAs be modified by substituting four criteria for designation, of which at least three must be satisfied. In relation to those criteria, this land is located within the Defined Settlement Boundary and adjoins a recreation ground, churchyard, a railway and public footpaths. The wall surrounding the site is lower than a building would be and the presence of large trees makes it obvious that the site is open in public views from the surrounding land. Moreover, the land provides a link between the open areas to the north and south and thereby reinforces their positive contribution to the visual amenity of the locality. It also provides an appropriate setting for the church and especially for the listed vicarage. The IOA thus makes a significant positive contribution to local character and satisfies all four recommended criteria, warranting the retention of its designation.
- 2.235 In relation to the development which the objector seeks on the site, I do not have enough information about the proposal to assess its impact on the IOA or the setting of the listed building. However, IOA designation does not preclude all development. I have recommended a revised wording for Policy (R)FBE.7 to the effect that development on an IOA may be permitted if it does not detract from the character, form or setting of the settlement, visual amenity, or the environment. Any proposal for development in the IOA should be assessed against that policy.

The Rocklands, Highfield Hill

- 2.236 This land is off Highfield Road and adjoins Omission Site OH1.2. In relation to my recommended criteria for IOA designation under policy (R)FBE.7 [see Lydney Vicarage above] the land is within the Defined Settlement Boundary, visible from the public footpath that crosses the site and thereby makes a positive contribution to the visual amenity of the locality. It therefore satisfies three of the four criteria and justifies IOA designation, as does the adjoining part of Omission Site OH1.2. Such designation does not alter the private status of the land and does not require public access or use of the land. However its openness in this case makes a significant contribution to visual amenity and I conclude that the designation is appropriate.

Consequential Modifications

- 2.237 I include recommendations consequent upon my conclusions above.

Recommendation

- 2.238 **I recommend that the Council undertake an assessment of the needs of community for open space, sports and recreational facilities to include any unmet need for allotment provision.**
- 2.239 **I recommend that the designation of the Land at Lydney Vicarage as an Important Open Area be retained.**

- 2.240 **I recommend that designation of the Land at The Rocklands, Highfield Hill as an Important Open Area be retained.**
- 2.241 **I recommend that the Inset Map 1 be modified broadly in accordance with Objection 44/70531 to include: the revised definitions of Areas A and B: a correction of the drafting error on the Revised Deposit Proposals Map which reduces to 4ha the employment area adjacent to the foundry and allocates all the remaining land south of Naas Lane for housing development; and the exclusion from the housing allocation and the Defined Settlement Boundary of the northernmost part of the site which should be retained as countryside and not allocated for recreational use.**
- 2.242 **I recommend that Map Inset 1 be modified by deletion of reference to policy (R)F.Lydney 3 and the exclusion of the land allocated by that policy from the Defined Settlement Boundary of Lydney.**

Inset Map 1A - Lydney

Objections

590/52174

Oxford, Swindon & Gloucester Co-op Society Limited

Issues

Town centre definition.

Reasoning and Conclusions

- 2.243 The objector argues that the definition of the town centre in the Revised Deposit Plan covers too large an area and is likely to lead to dispersed retailing, lack of vitality and viability and increased of car use. This is on the basis that people would not walk from one outlet to another. The main effect of the objector’s proposed boundary would be to limit the definition of the town centre to an area centred on the defined primary shopping frontages and to exclude an area to the west of Swan Road and the railway line. The area proposed for exclusion comprises a significant amount of secondary retailing, other town centre uses, and the new Tesco supermarket, opened after the objection was made.
- 2.244 PPG6 on town centres and retail development advises at paragraph 2.18 that town centres contain, and should retain a wide range of uses that need to be accessible to a large number of people. Thus, although retailing should continue to underpin such centres, it is only part of what ensures the their health.
- 2.245 Whereas the contraction of the town centre boundary as proposed would not affect existing uses in the excluded area, it would inhibit the establishment of further town centre functions, especially retailing, through the application of the Plan’s Chapter 5 policies, which properly seek to concentrate such development in the designated centre.
- 2.246 Moreover, the planned expansion Lydney will result in increased demand for services. I consider that the limited opportunities which would be available to meet that demand within the reduced town centre proposed by the objector, excluding so many existing town centres uses, would be unacceptable in that context. I conclude that the

definition of the town centre on Inset Map 1 and 1A in the Revised Deposit Plan is appropriate and should not be retained.

Recommendation

2.247 **I recommend no modification to the definition of the town centre.**

CHAPTER 2

CINDERFORD AND RUSPIDGE - Part 1 [Report Pages 2-2-1 to 2-2-]

CINDERFORD NORTHERN ARC

Background and Procedure

- 12.1 In parallel with the preparation of this Plan, the Council has been engaged with the South West Regional Development Agency (SWRDA) and English Partnerships in a joint study of possible development for the purposes of economic regeneration in an area to the north of Cinderford, to be known as the Cinderford Northern Arc. This area lies entirely within the Statutory Forest and mainly comprises Crown Land, although parts of it are in other ownership. It includes a number of important proposed development allocations and road route safeguarding policies which had already been included in the Revised Deposit Local Plan. The relevant policies are (R)F.Cinderford 2 [Newtown employment], (R)F.Cinderford 3 [Northern United employment], (R)F.Cinderford 5 [Newtown mixed use], (R)F.Cinderford 14 [Western Access], (R)F.Cinderford 15 [Forest Vale Spine Road Extension], (R)F.Cinderford 16 [Cinderford Linear Park] and (R)F.Cinderford 17 [Steam Mills Lake recreation and leisure]. The study area also includes the northernmost part of the area covered by (R)F.Cinderford 1 [Forest Vale and Whimsey employment].
- 12.2 The Cinderford Regeneration Arc Stage 1 Desk Study was prepared for SWRDA by consultants in March 2002 [LPD 70]. It was updated in June 2002 [LPD 72]. In July 2002 the Council published proposed Pre-Inquiry Changes 17 and 18 [PIC 17 & 18] which would respectively modify policies (R)F.Cinderford 17 and 5 to reflect the direction which the study was taking. In September 2002, it was announced that the whole study area would be included as a Coalfields Regeneration Site and would thus become eligible for regeneration funding. That same month the Stage 3 Final Report [LPD 71] was prepared. This identified a Preferred Option and Masterplan for the development of the area. The Masterplan does not exactly correspond with the Revised Deposit Local Plan nor even the published Pre-Inquiry Changes 17 and 18. The Local Plan Inquiry opened on 1 October 2002 but the study documents LPD 70-72, including the Masterplan, were not made public until December 2002. The Council generally supports the Preferred Option Masterplan [ref LPD71/4] but has agreed with its partners not to pursue proposals in it for Chalets and Home Working dwellings within the area of the Cinderford Linear Park [Policy (R)F.Cinderford 16].
- 12.3 The above sequence of events has given rise to a number of procedural difficulties. In particular:
- a) The preparation and publication of the Study Reports and Masterplan at a late stage in the statutory Local Plan preparation process means that the Preferred Option Masterplan [POM] is not aligned with the Revised Deposit Local Plan policies and allocations. This implies a need to either amend the POM to fit Plan, or to modify the Plan to comply with the POM.
 - b) The advertised Pre-Inquiry Changes still differ from the Preferred Option, particularly with respect to the boundaries and disposition of mixed uses at Newtown under policy (R)F.Cinderford 5 and the safeguarding of land for the Forest Vale Spine Road Extension by (R)F.Cinderford 15..

- c) Full information about the Council’s intentions for the area and the implications of its Pre-Inquiry Changes and the Preferred Option Masterplan were not available to interested persons at the time that they were required to submit their representations on the Local Plan.
 - d) Although strictly compliant with statutory procedures, the publication of the Pre-Inquiry Changes in July 2002 did not receive equivalent publicity to that for the First Deposit and Revised Deposit versions of the whole Plan. The presentation of PIC17 in particular may have misled those who were aware of the changes at all into believing that the proposed built development around Steam Mills Lake would be scaled down, when in fact it would more likely be scaled up. This potential for misunderstanding was compounded by repeated references elsewhere in the Plan to the provision of sports pitches within this allocation site, whereas these are excluded by PIC17.
 - e) By the time the Regeneration Study was published, it was only those respondents who had previously submitted objections to the relevant Local Plan allocation policies and had elected to appear at the Local Plan Inquiry who were in a position to comment upon the Study and its implications in the forum of the Local Plan Inquiry.
 - f) It was evident from representations made at the Inquiry that many of those who had duly made objections would have submitted further objections had they been fully aware of the Pre-Inquiry Changes and their implications. That applies particularly to PIC17 in the Steam Mills Lake area.
- 12.4 It follows from the above that new objections of principle could be anticipated from these and other persons should the Council seek to adopt the Local Plan in accordance with PIC17 and the Preferred Option Masterplan but the formal modification and adoption procedure affords a further opportunity for public involvement, albeit risking further procedural delay.

General Issues

- 12.5 I address the duly-made objections to the individual policies and their supporting text in Plan order below. However there are matters relating to economic regeneration, the Statutory Forest, landscape and the natural environment that are relevant to more than one policy and have more general implications for the Cinderford Northern Arc area. To avoid unnecessary repetition, I deal with these first.

Economic Regeneration

- 12.6 The economic regeneration of the Forest of Dean and in particular the South Forest is a fundamental objective of Regional Planning Guidance for the South West, the Gloucestershire Structure Plan Second Review and emerging Third Alteration, and the Strategy of this Local Plan itself. Cinderford is one of the South Forest’s principal towns and I accept that it performs relatively poorly with respect to a number of social and economic indicators as set out in the Council’s evidence to the Inquiry. Whilst unemployment in the area has reduced from the high levels of the early 1990s, the evidence suggests that this is due more to an increase in commuting to jobs outside the District than to a growth in local employment. Indeed during this period there have been continuing major losses of local employment at the Rank Xerox complex in Mitcheldean, and elsewhere.

- 12.7 Economic regeneration in Cinderford to increase the amount and variety of employment and skills would reduce the need to travel away from the town to work. For these reasons it is in principle an appropriate location to concentrate regeneration measures in order to improve the fortunes both of the town and of the surrounding area.
- 12.8 Some objectors suggested that it is unnecessary to provide for additional employment development in Cinderford, on the basis that the jobs could instead be provided by: the redevelopment of Drybrook Quarry for employment and tourism uses; self-employment in small business activities; the re-use of the Rank Xerox site at Mitcheldean [now Vantage Point]; or the re-use of the former SCA packaging site at Lydbrook [now Stowfield Business Park].
- 12.9 Taking these in turn; I attach little weight to the Drybrook site which is in active use as a quarry. There is no evidence before me that the owners support other forms of development during the period of the Local Plan. The site is not the subject of any Local Plan proposals or any duly-made objections seeking its allocation in the Local Plan for other uses.
- 12.10 I have no doubt that self-employment in the service industries and craft activities already makes a significant contribution to economic activity in the District. This can involve home-working or the re-use of existing premises and is less dependent on the allocation of new employment sites. However this source of employment has not prevented a high daily outflow of people from Cinderford and the District to employment elsewhere which is indicative of inadequate local employment opportunities. There is no evidence before me to demonstrate that self-employment in the Cinderford area could be expanded from its present level to provide an equivalent amount of employment to that proposed in the Cinderford Northern Arc. Moreover the introduction of larger new businesses as a result of the proposals can be expected to create new opportunities for secondary employment, including self-employment, in supporting activities elsewhere in the locality which would not otherwise be available.
- 12.11 Although the Rank Xerox and SCA sites are not formally allocated for employment use in the Local Plan, that is unnecessary since the sites are already in lawful employment use and the existing premises can be re-used. The Plan’s employment policies protect such existing sites for continued employment use [subject to compliance with certain criteria]. Both sites are being marketed for new employment use. However, the rents being asked for the SCA premises are, on the Council’s evidence, significantly lower than those prevailing for newer premises in Cinderford. This reinforces the impression that the design or location of the premises limits their attractiveness in terms of contemporary business requirements and would almost certainly fail to meet the needs of those businesses seeking the highest quality modern premises.
- 12.12 In respect of the Rank Xerox site, there is evidence that a significant amount of the space has been put to storage use. This provides much less employment than the former manufacturing operations. Even were other parts of the premises to be used for manufacturing, it appears unlikely that there would be a return to the very high employment levels experienced there in the past when manufacturing was a more labour-intensive activity. Neither would the buildings on this site be likely to meet the needs of all types of modern employment.

- 12.13 Overall it is a fair assumption that the former SCA and Rank Xerox sites will continue to make a contribution to local employment in the future and that this might be enhanced with appropriate investment or redevelopment. That is a matter for the landowners, with or without the assistance of bodies such as the SWRDA, but it is probable that a variety of such measures could be implemented within the terms of this Plan without further modifications. However, even if substantial amounts of employment were re-established at those sites, the current high levels of commuting out of the District and potential population increases in Cinderford still, in my view, support additional employment allocations at Cinderford. Such provisions would: improve the choice of business premises and employment; to improve the balance between local population and employment; further reduce the need to travel; and address particular social and economic weaknesses in the town. Given the relative scarcity of developable land within the town and the constraints on its expansion, the area included in the Cinderford Northern Arc must necessarily be a candidate site for such development.
- 12.14 Those weaknesses of Cinderford include: a reliance on manufacturing which is declining as a provider of employment, both here and elsewhere; an under-performing town centre and a small service sector; a need for environmental improvements to parts of the urban fabric to improve the town’s image and quality of life; and a scarcity of development land that is not constrained by considerations of access, topography, high site remediation costs relative to land value, or its protection for forestry use.
- 12.15 The town also has strengths, including its proximity to the high quality environment of the Forest of Dean. This provides opportunities for recreation, tourism, nature conservation and economic activity related to timber production and other traditional forest activities as well as forming an attractive setting for the town. The area’s past use for mining, quarrying and industrial activities has left residual problems of land contamination and stability, and water quality issues. However it has also left a heritage of forest traditions, landscapes and industrial archaeology which is of interest and value to local people, as well as having potential for tourism.
- 12.16 The challenge for this Local Plan is to achieve economic regeneration by addressing the town’s weaknesses, whilst at the same time taking advantage of the strengths. However there is a risk that inappropriate measures to address the weaknesses may cause unacceptable damage to the assets of the area. To my mind this tension is clearly evident in the Cinderford Northern Arc proposals. I return to the proposals in detail below.

The Statutory Forest

- 12.17 The Cinderford Northern Arc land assembly lies entirely within the Statutory Forest and includes substantial areas of Crown Land. These include small areas of woodland and larger areas of Forest Waste, much of which is leased to the Council and open for public access as part of the Linear Park. A further area is leased to Coleford Brick and Tile as a clay quarry. The Crown also owns the pithead buildings of the former Northern United Colliery.
- 12.18 There is no apparent legal impediment to the development for non-forestry purposes of land within the Statutory Forest that is not owned by the Crown. However, Dean Forest Voice [DFV] and other objectors claim a legal impediment to the disposal of

Crown land in the Statutory Forest and to its development for purposes unrelated to forestry, mining or quarrying. They thus contend that land within the statutory Forest can legally only revert to forest use on cessation of former mining activity, and that the Linear Park and other former mining lands allocated for redevelopment in the Cinderford Arc and elsewhere should be deleted from the Plan.

- 12.19 This is disputed by the Council and SWRDA who suggest that the matter concerning land disposal could be resolved by the exchange of Forestry Commission land for other land better suited to forestry purposes but currently in private ownership. In that case, as planning permission would not be required to put that replacement land to forestry use, it is not necessary to identify such sites in the Plan.
- 12.20 It is not for me to give a definitive opinion on matters which could be for the courts to determine in due course. [At the close of the Inquiry it was intimated by DFV that they were considering inviting the Council to make a joint application for judicial review of the whole matter.] Nor is it within my remit to re-visit historic policy, land ownership or fiscal matters concerning the former mine sites, or the establishment of the Linear Park, within the Statutory Forest. Nevertheless, as I ruled during the Inquiry, a legal constraint on land use can become material to planning where a development plan allocation would not carry reasonable prospect of fulfilment. For, in general, to confirm an allocation in such circumstances would create uncertainty and undermine the robustness of the Plan.
- 12.21 On the strength of legal submissions by DFV and the Council [Documents FOD/P4.3.1, 394/K/L/M Annex 5, 394/O/N and FOD/P4.3.2], it appears to me that the crux of the matter is whether there is current ministerial authority for disposal of land within the Statutory Forest of Dean. DFV maintain that, in default of any ministerial direction under S4(5) of the Forestry Act 1945, now repealed, all the Statutory Forest remains under Forestry Commission jurisdiction for the forestry and conservation purposes defined in the Forestry Acts of 1967 to 1979 and with no power of disposal for other forms of development.
- 12.22 The Council argue with reference to the Forestry Act 1981 and contemporary parliamentary proceedings that, notwithstanding the repeal of the ministerial power of direction in the 1945 Act without replacement, the express purpose of the 1981 Act was to give the Forestry Commission greater commercial freedom to sell or buy land, subject only to considerations of forestry needs and land exchange where appropriate. This involves also the question whether the parliamentary proceedings leading up to enactment of the statutes in question can be relevant.
- 12.23 I am only able to conclude that there remains a substantial degree of uncertainty whether statutory Forest lands are legally constrained from coming forward. By itself, this is not sufficient to warrant deletion of any allocations from the Plan but it should be borne in mind with other planning factors.
- 12.24 My first concern remains to establish whether there would be substantial planning harm as a result of the allocations of the draft Plan, and then to consider whether any planning or economic need or benefit would outweigh any such harm. This can relate to any qualitative local employment needs of Cinderford town as well as to any wider quantitative need based on strategic planning requirements – all against the background of current economic circumstances.

- 12.25 I therefore consider those development proposals involving Crown land in the Statutory Forest first on their own planning merits on the basis that any such legal obstacle as exists would be surmountable, whether by the provision of replacement land for forestry use or otherwise. However, if that is incorrect there remains a risk that proposals subsequently included in the adopted Local Plan would be unable to proceed for legal reasons. If so, the main implications would be that overall employment provision in the South Forest would be reduced and that specific forms of development proposed in the Cinderford Regeneration Study may not be provided in Cinderford [or elsewhere] for lack of a suitable site or funding.
- 12.26 Fortunately in the present instance, even without any provision of employment on Crown land in the Cinderford Northern Arc and elsewhere in the Statutory Forest, the total provision for employment in the Local Plan would still approximate to the 75ha which the Structure Plan Second Review identifies as necessary in the District. At the same time, almost half of that land be in Lydney, whilst provision in Cinderford would be much reduced. The diminished choice of sites for employers would increase the risk that actual provision would be less than the 75ha requirement because allocated sites did not meet their needs. A reduced local provision of new employment in Cinderford would also perpetuate high levels of commuting out of the town. This could increase further as the town’s population grows.
- 12.27 The other main impact of not implementing the employment provisions on Crown land in the Northern Arc would relate to the quality of the sites provided. Existing employment provision on the town’s industrial estates is concentrated in manufacturing and storage and this is reflected in the type of premises and the industrial environment. There is a shortage of other types of employment such as offices, education and research which would seek higher quality modern premises and a more attractive setting such as might be provided within the Cinderford Northern Arc and which would be available in competing locations outside the District. A lack of suitable sites is likely to reduce the variety of skills and employment which might otherwise be accommodated.
- 12.28 At the Inquiry, some objectors were concerned that development in the Northern Arc area would prejudice free-mining and commoning rights. However that is a matter for other legislation.
- 12.29 I reach the overall view that there are no planning grounds to exclude all proposals for development on the basis that they would affect Crown land within the Statutory Forest and that such development could have important planning benefits. In particular it would help to address a local need for enhanced employment provision in terms of both quality and quantity. Legal constraints may prevent some or all of the developments proceeding and prevent the achievement of those benefits. In that event the Plan would be adequately robust to meet the minimum quantitative needs in terms of alternative employment provision elsewhere in the District. However there would be a risk of under-provision should all the allocated sites not be taken up. Also the reduced choice of sites could result in a lower quality and variety of jobs, reduced opportunities to regenerate Cinderford in particular, and increased travel between home and work.

Landscape

- 12.30 I refer above to the high quality landscape setting of Cinderford as one its strengths. There are superb views out of the town towards the surrounding forest. The restoration of land bordering the north and west of the town to create the Cinderford Linear Park has positively enhanced this landscape setting and has provided a valued public recreational amenity where that landscape can be enjoyed. The landscape character of this area is appropriate to its Forest Fringe location and is typical of other open Forest Waste between local settlements and the adjoining woodland.
- 12.31 Although the Plan only places policy (R)F.Cinderford 16 under the Cinderford Linear Park heading, paragraph 2.80 confirms that the Linear Park extends as far north as the Hawkwell Inclosure. Large areas of the Linear Park would thus also be affected by the provisions of Policies (R)F.Cinderford 5, 14, 15, and 17 on the Newtown and Steam Mills lake sites and road access safeguarding. Paragraph 2.80 also refers to the proposed extension to the Park towards Drybrook in the Drybrook/Harrow Hill Chapter 16.
- 12.32 As the northern part of the Park was effectively restored and put to a recreational amenity use in the early 1990s, after its previous use as an open-cast coal-mine, it does not, to my mind, require redevelopment or otherwise meet the definition of previously-developed land set out in Annex C to PPG3. That definition is concerned with planning guidance for housing development. However I consider that a similar definition would appropriately be applied in other planning contexts. Thus the parkland should now properly be regarded as a greenfield site and not as previously-developed or brownfield land. However I consider that those parts of the Northern Arc area which are occupied by buildings and their curtilages would qualify as previously-developed land, as would the clay workings in the absence of any restoration conditions on its current permission.
- 12.33 The substantive Revised Deposit version of policy (R)F.Cinderford 5 [Newtown] would involve substantial built development for employment and residential purposes on open and largely greenfield land, including a significant area of the Linear Park. However the Revised Deposit version of (R)F.Cinderford 17 would leave the area of Steam Mills in comparatively open recreation and leisure uses which, although more formal and less natural than the present landscape, would be more compatible with the use and appearance of other parts of the Park. These uses would maintain the open connection between the southern parkland, the woodland to the north, and the proposed extension to the Park towards Drybrook.
- 12.34 By contrast, PIC17 to policy (R)F.Cinderford 17 would introduce large new buildings for employment, education and leisure into the Steam Mills area. It would delete the intended provision of non-commercial recreational playing fields, which are part of the Revised Deposit proposals, and intended to address the town’s identified playing field shortage. No substitute provision has been proposed elsewhere by the Council. There would be a significant loss of commercial woodland to the north of Steam Mills Lake, a loss of openness, and a major change in landscape character from an undulating Forest Waste and woodland to a business park. New buildings would be especially prominent on the higher ground within the site and would intrude into views from the town towards the Forest beyond. There would also be a loss of tranquillity and of the present natural informality in views within the area. Public access would be limited by the buildings and associated development, and there

would, in effect, be changes in both the landscape character and the use of the land, away from an open public recreational area.

- 12.35 That is not to say that the new development could not be attractive in its own right and capable of providing a pleasant environment for the proposed users. However the development would radically alter the landscape and erode the present positive contribution of the Linear Park to the natural landscape setting and recreational amenities of the town. Policy (R)F.Cinderford 5 modified by PIC18 for the Newtown site would beneficially replace some unsightly existing buildings but would have a similarly adverse impact on those areas within the Linear Park as (R)F.Cinderford 17 and PIC17 at Steam Mills. This adverse landscape impact on the town’s setting needs to be weighed against the economic regeneration benefits of the proposals.
- 12.36 Of the other Northern Arc policies, (R)F.Cinderford 1 and 2 propose employment development on open but low-lying land, at Forest Vale and Newtown, which is not part of the Linear Park and which adjoins similar existing development. The landscape impact would thus be much less. (R)F.Cinderford 3 proposes employment development on the Northern United site. This would largely replace existing unsightly built development, which could be adequately screened by existing and new woodland to reduce its impact on the wider landscape as seen from the town and existing roads. Some objectors have complained that there would be a loss of historic structures here, related to the mining and industrial heritage of the area. However, there is a lack of evidence before me that these particular structures are of such importance or interest that their retention should override the economic regeneration benefits of the proposal.
- 12.37 The roads for which Policies (R)F.Cinderford 14 and 15 propose safeguarding policies would have less impact on the landscape than the other proposed built development. The Western Access Road would follow the line of an existing track and the Spine Road Extension would be enclosed by new built development along its length. Whilst they would add to noise and disturbance and result in a loss of tranquillity from adjoining land, they would relieve other areas from traffic and its effects. I do not consider that either route would have an unacceptably adverse impact on the area’s landscape character.

Natural Environment

- 12.38 Cinderford Linear Park, including those parts within the Northern Arc, has been designated by Gloucestershire Wildlife Trust as a Key Wildlife Site. Although this is a non-statutory designation, it qualifies as a Site of Local Nature Conservation Interest for the purposes of Policy (R)FNE.9. That policy would permit development harmful to nature conservation provided that it had overriding social, economic or environmental benefits but would require compensation for those nature conservation features that would be harmed or lost. The Northern Arc area also includes land which appears on English Nature’s grassland inventory although this appears to lie mainly within the Key Wildlife Site and is thus subject to the same policy test. In its objection, English Nature describes the Cinderford Linear Park as ‘one of the most important open space wildlife sites within the central Forest area’, and ‘a unique wildlife resource for the population of Cinderford’. Development on the scale proposed would inevitably result in the direct and substantial loss of valuable natural habitat within these areas and would have the potential to disturb surviving habitat. The Council’s main response to objections has been to add text to the supporting

paragraphs which refers to Policy (R)FNE.9 and would require any ecological damage to be mitigated. However, that does not reflect the policy requirement to compensate for the harm.

- 12.39 Mitigation measures could reduce the harm by, for example, avoiding the disturbance of the most sensitive areas. However measures to compensate for the residual harm would, in my opinion, require the provision or improvement of wildlife habitats of equivalent or greater value either on-site or off-site, or both. There may be scope for limited on-site enhancement, in particular where related to the watercourses. However additional off-site compensatory provision is also likely to be necessary given the scale of development proposed. No location has been identified for off-site provision and it may not be possible to replicate identical habitat. However, the provision of a different form of natural habitat of equivalent or greater value to the maintenance of bio-diversity could meet the objectives of Policy (R)FNE.9.

Summary of General Matters

- 12.40 Development in the Cinderford Northern Arc would have important economic regeneration benefits but these need to be weighed against identifiable harm to the landscape, the natural environment and the recreational value of the area.
- 12.41 The proposed development within the Statutory Forest would also affect some Crown land in active or potential use for timber growing and may encroach on free-mining and commoning rights in the area. These are essentially legal issues and may be surmountable. If not they risk the inclusion in the Local Plan of development proposals which could not be implemented.

General

Objections

288/50908	Gloucestershire County Council
842/70802	Prowting Projects Ltd

Issues

- a. Need for assessment of the industrial archaeology of proposed development sites.
- b. Objection 842/70802 is listed as an objection to the Cinderford chapter as a whole but in fact comprises specific objections to Policies (R)F.Cinderford 6, (R)F.Cinderford 7, and (R)F.Cinderford 10. It is therefore considered below under those headings.

Reasoning and Conclusions

Industrial Archaeology

- 12.42 To address the County Council’s objection, the District Council amended paragraph 2.2 at the Revised Deposit stage to refer to the area’s industrial archaeology. However, the revised wording does not refer to the need for archaeological assessment. Neither is the need for such assessment consistently referred to in the allocation policies [nor in those Development Briefs which have been prepared]. I

therefore consider that the inclusion of a general reference to the potential need for assessment would be appropriate.

Recommendation

12.43 **I recommend** that Paragraph 2.2 be modified by the addition of the following sentence:

Where development proposals are likely to affect sites of archaeological interest or potential, archaeological assessments will be required in accordance with Policy (R)FBE.7.

Policy (R)F.Cinderford 1 Employment Allocation – Forest Vale And Whimsey Industrial Estates

Objection

216/52366 Environment Agency

Issue

Protection of remaining ecological features, including watercourses, marshy areas and trees.

Reasoning and Conclusions

12.44 This First Deposit objection was addressed by the addition of paragraph 2.18b at the Revised Deposit stage and no further amendment is necessary.

12.45 However, the site needs to be enlarged to incorporate the employment area covered by policy (R)F.Cinderford 7, as explained below.

Recommendation

12.46 **I recommend** no modification to Policy (R)F.Cinderford 1 or Paragraphs 2.16 to 2.18b.

Policy (R)F.Cinderford 2 - Employment Allocation – Newtown

Objection

288/50917 Gloucestershire County Council
813/70370 South West RDA
813/70371 South West RDA

Issues

- a. Matters related to the Development Brief
- b. Access and traffic on the substandard Newtown Road.
- c. Requirement for contributions to local public transport, and pedestrian and cycle links.

Reasoning and Conclusions

Development Brief

- 12.47 In this report I am not strictly concerned with supplementary planning guidance that does not form part of the Plan. However, I make certain observations here to assist in the unusual circumstances of the Cinderford Arc proposed modifications.
- 12.48 This approximately rectangular area of low-lying land lies between existing employment development and the route which Policy (R)F.Cinderford 15 proposes to safeguard for the extension of the Forest Vale Spine Road. Part is already in employment use. Paragraph 2.22a was added at the Revised Deposit stage and states that a development brief has been prepared for this site and is available as supplementary planning guidance. In fact, by the date that the Inquiry closed, no such brief had been prepared and its future had become linked to the wider consideration of the Cinderford Northern Arc, for which detailed proposals were only published during the Inquiry [LPD 70, 71 and 72]. In this context, the development brief suggested by the Regional Development Agency [SWRDA] would encompass the whole study area, including the land subject to this policy.
- 12.49 There would be logic in preparing a single brief to cover adjoining related development proposals, particularly if they were likely to proceed within a similar time frame. However the brief would not form part of the Plan and would be non-statutory. Whilst policy (R)F.Cinderford 2 has not attracted objections to the principle of the allocation, future development of other parts of the Cinderford Northern Arc has been subject to objections considered elsewhere in this report. In the circumstances, I conclude that it would be inappropriate for this Plan to specify the boundary of the area to be covered by the development brief. That would be better decided outside the Local Plan process.
- 12.50 The SWRDA also seeks maximum flexibility in the wording of the development brief in identifying sites for specific uses. However paragraph 3.15 of PPG12 ‘Development Plans’ points out that such supplementary planning guidance must be consistent with the adopted development plan. For example, if the adopted Local Plan allocates the (R)F.Cinderford 2 site for employment use as proposed, the development brief must be consistent with that allocation. I conclude that it would be inappropriate and misleading for the Plan to suggest that the development brief should provide for uses different from those set out in the Plan itself.

Access

- 12.51 Notwithstanding a County Council objection in principle to the First Deposit Plan proposal for additional access to Newtown Road, Revised Deposit paragraph 2.21 contemplates additional access to Newtown Road subject to appropriate traffic management measures. Newtown Road provides access to a variety of business and residential properties but its alignment is in part narrow and winding, whereby it is easily obstructed near its northern end and is not well suited to heavy traffic. The proposed site allocation would not have a direct frontage to Newton Road and it appears that access could be obtained either directly from the proposed Spine Road or via Broadmoor Road. Either route would avoid the potential environmental, safety and congestion problems associated with the use of Newtown Road. The Policy requirement for a contribution to the Spine Road indicates that traffic from the development would be expected to use this route. In the absence of any explanation

of the wording if the Plan, I conclude that the more definitive form based on that proposed by the County Highway Authority is to be preferred.

- 12.52 As worded, Policy (R)F.Cinderford 2 requires a contribution towards the construction of the Forest Vale Spine Road but does not require other contributions sought by the County Council. The District Council resisted such contributions at the First Deposit stage on the basis that the employment allocation would be likely to require some form of subsidy to secure its development and, by implication, would not be capable of funding the contributions. There is no financial evidence before me to substantiate these assertions. Paragraph 2.20 notes that the SWRDA has identified the land as a potential site for investment. Other sustainable travel policy objectives, including those of policy (R)FT.1, require development to make appropriate provision for accessibility by a choice of modes of transport and text para 2.18a refers to this in relation to Policy (R)F.Cinderford 1 for the Forest Vale and Whimsey Industrial Estates. However, there is no similar reference for Policy (R)F.Cinderford 2. I conclude that, for consistency, policy (R)F.Cinderford 2 should be amended to assist in the encouragement of alternative travel modes for the Newtown employment site.

Recommendation

- 12.53 **I recommend that the final sentence of Paragraph 2.21 be modified to:**

The Highway Authority has indicated that it will not support any additional access to Newtown Road, in order to prevent increased traffic using this substandard route.

- 12.54 **I recommend that Policy (R)F.Cinderford 2 be modified to:**

3 hectares of land at Newtown is allocated for classes B1, B2 and B8 employment use. Only B1 use will be permitted adjoining the existing residential area of Newtown in order to protect residential amenity. The development will be required to:

- 1. Provide appropriate contributions to the construction of the proposed Forest Vale Spine Road extension where required to provide access to the allocated site.**
- 2. Provide for safe and convenient pedestrian and cycling links to the adjoining highway network and the town centre.**
- 3. Provide appropriate contributions to provide and enhance bus services to link the site to the principal trip attractors in Cinderford and to the surrounding employee catchment areas.**

Policy (R)F.Cinderford 3 - Employment Allocation – Northern United

Objections

26/51886	Coleford Brick & Tile
288/50920	Gloucestershire County Council
394/70587	Mr & Mrs M J Jones
622/51278	Mr A Stephens
829/70550	Mr B L Fowler
833/70629	Mr & Mrs D Coe
834/70632	Mr B Whittington

835/70661	Mr R Smurthwaite
836/70665	Ms L Daniels
837/70670	Clearwell Caves
838/70698	Mr J W Hine
839/70702	Dean Forest Voice

Supporting Statements

26/51888	Coleford Brick & Tile
26/70136	Coleford Brick & Tile
47/52785	Formpave Ltd
288/70283	Gloucestershire County Council

Issues

- a. The principle of the development with respect to impact on the Statutory Forest of Dean and the legal availability of Crown land within it.
- b. The extent of the allocation with reference to the inclusion of the brickworks
- c. Requirement for contributions to local public transport, and pedestrian and cycle links.
- d. Requirement for junction improvements on the A4136.
- e. Tourism facilities, including an extension to an existing cycle link.

Reasoning and Conclusions

Principle and Type of Development

- 12.55 This site was included in the Cinderford Regeneration Study as part of the proposed Cinderford Northern Arc. Much of the site is Crown land within the Statutory Forest and is managed by Forest Enterprise on behalf of the Forestry Commission. Most of the site is not used to grow trees or for other forestry purposes, although there are small areas of woodland beside the A4136 and along the south western perimeters. The site includes the former pithead of the Northern United Colliery where mining ceased in the mid 1960s. The surviving pithead buildings have evidently been leased from time to time for a variety of small-scale employment purposes which have generally been unrelated to mining or forestry. However they are now mostly vacant and some are derelict and increasingly unsightly. The eastern part of the site also includes several small modern business premises and residences. The notation of the site on the Proposals Map was amended at the Revised Deposit stage to correct an error which had labelled the site as that of Policy (R)F.Cinderford 5 and to enlarge the allocation to take in the buildings occupied by the Coleford Brick and Tile Works. I understand that these buildings and the land on which they stand are privately owned.
- 12.56 In the Local Plan adopted in 1996, a similarly-defined site [Policy Area 5] was allocated by Policy F.Cinderford 8, permitting proposals for the intensification or redevelopment of employment uses. This was subject to compliance with other policies, including policy FE.4 requiring a scale of development compatible with its surroundings and no unacceptable environmental, traffic or amenity effects.
- 12.57 For reasons I explain above under the general heading of the Cinderford Northern Arc, I here leave aside further consideration of the legal status of the Crown land. In purely planning terms, the history of the site would suggest that the areas occupied by the colliery buildings, the brickworks and the small business uses are lawfully established employment sites, either by way of specific permissions or the time for

which the site has been so used. Were the site not to remain formally allocated for employment use, those parts of the site in established employment uses would still be subject to other Plan policies, notably (R)FE.2, which allows for the expansion or development businesses subject to environmental, traffic and amenity criteria.

- 12.58 In those circumstances the former colliery buildings might continue to be used for small-scale, low-value employment uses as in the past. However the premises are of low quality for business use and the blighting impact of adjoining buildings within the complex would provide little incentive for the owners or occupiers to invest significant sums in their maintenance or piece-meal redevelopment. The brickworks and the small business uses in the eastern part of the site would have some redevelopment potential, should their present active uses cease, although they lack a direct road frontage or good quality vehicular access.
- 12.59 The proposed allocation would provide a more positive impetus to a comprehensive redevelopment of the pithead, in particular using the Coalfields Regeneration funding to which paragraph 2.24 refers. This would create badly-needed improved employment opportunities for Cinderford residents, reducing their need to commute to employment elsewhere.
- 12.60 One objector raises concern about the loss of buildings of heritage value as a result of the proposal. As far as I am aware, no buildings on the site have been listed for their architectural or historic interest. I accept that their utilitarian design and appearance reflect local mining and industrial heritage, and that they provide an interesting contrast to the natural beauty of their surroundings, although one which would not appeal to all viewers. However I do not consider that this consideration outweighs the potential economic benefits of redeveloping the site. In any event, the deletion of the proposed allocation would not ensure the use, protection, and survival of the buildings, many of which are already deteriorating.
- 12.61 Should the implementation of this and other nearby allocations on Crown land be prevented for legal reasons, the employment opportunities would be lost. For reasons of topography and access, there are unlikely to be opportunities to provide equivalent additional employment on non-Crown land in and around Cinderford beyond that already proposed in the Plan. That would imply continued and increased commuting as the town’s population expands. However, as the Plan total employment allocations exceed those indicated as necessary by the Structure Plan, it would not require the identification of additional employment land elsewhere in the District.
- 12.62 The open central part of the site may not have an established employment use. It is in part steeply sloping and the SWRDA study and Preferred Option Masterplan suggest that its development potential may be limited, at least in the short term. Nevertheless its continued inclusion would permit a more comprehensive treatment for the site including landscaping.
- 12.63 I conclude that the employment allocation is correct in principle and should be retained, notwithstanding the inclusion of Crown land in the Statutory Forest.

Extent of Allocation

- 12.64 The allocation was extended at the Revised Deposit stage to include the brickworks buildings. This was in response to a First Deposit objection from the occupier. It also reflects the extent of the allocation in the adopted Local Plan of 1996.

12.65 Discussion at the Inquiry indicated that it remains uncertain whether the brickworks site would become available for other uses within the Plan period. This is in part related to the continued availability of clay reserves nearby. However, if it did cease operation, it would be eligible for continued use as an established employment site, or to be redeveloped for that purpose under other Plan policies. Inclusion of the brickworks within the employment allocation helps to ensure that the site will be taken into account in future planning for the development of the adjoining land and any revised access arrangements which may affect the site. In these circumstances I conclude that it is appropriate for the brickworks to remain site to remain within in the allocation.

Access and Infrastructure

12.66 In common with its responses to other allocations in the area, the County Council seeks contributions both toward highway improvements and provision for alternative modes of travel. The Revised Deposit policy does require development proposals to contribute to the Western Access Road and paragraph 2.25 was amended at the Revised Deposit stage to indicate that improvements are likely to be required where that road meets the A4136.

12.67 Other Local and Structure Plan policies, consistent with national and regional guidance, encourage of other modes of travel to reduce reliance on the car and decrease associated congestion and emissions. This site is some distance from the centre and residential parts of Cinderford and would certainly need off-site access improvements for it to become safely and conveniently accessible by alternative travel modes. It is appropriate that contributions for this purpose be provided by the development which makes them necessary. Whilst contributions could be sought under other Plan policies, the inclusion of a specific reference here would provide an early warning to prospective developers, in line with the practice followed elsewhere in the Pan. I therefore endorse the additional policy wording suggested by the County Council in Document 288E and set out in my recommendation below.

12.68 Objection 622/51278 opposes the inclusion of tourism facilities such as an extension to the existing cycle link. Although an existing long distance public footpath crosses the site, the policy and supporting text make no provision for tourism facilities and it is therefore unnecessary to amend either to exclude such provision. On the specific reference to cycle facilities, the policy and text do not require provision for tourists. However, it would be desirable for the employment site to be safely accessible by cycle and it would be impractical to restrict the use of facilities to business use only, even were that desirable. This does not alter my conclusion that the policy should be amended to encourage access by cycling.

Recommendation

12.69 **I recommend that Policy (R)F.Cinderford 3 be modified by the addition of:**

In addition a contribution will be required towards the construction of facilities to encourage access by walking, cycling and public transport.

Policy (R)F.Cinderford 4 - Employment Allocation – Lightmoor

Objections

41/50973	Countryside Agency
288/50921	Gloucestershire County Council

Issues

- a. Visual impact on the landscape character of the area.
- b. Requirement for contributions to local public transport, and pedestrian and cycle links.

Reasoning and Conclusions

Landscape Impact

12.70 This site of the former Lightmoor Colliery lies well outside the built-up area of Cinderford in open countryside within the Statutory Forest. The former colliery engine house is a listed building. The site is close to a public footpath and a signed cycle route. Policy (R)F.Cinderford 4 essentially carries forward policy F.Cinderford 9 of the Local Plan adopted in 1996, which provided for the intensification or redevelopment of employment uses on this site subject to the safeguarding of the engine house. However the site has an established employment use and is principally occupied by a timber processing business. Both Plans recognise that the development opportunities may be limited unless this situation changes.

12.71 Objection 41/50973 was submitted at the First Deposit stage when the Council was proposing the continued designation of the surroundings as a Special Landscape Area. In Part 1 Chapter 8 I have endorsed the deletion of that designation which would serve no effective purpose. Revised Deposit paragraph 2.27a recognises the distinct landscape character of the Forest and requires any development of the Lightmoor site to be designed and located with sensitivity to its Forest setting. I conclude that the addition of this paragraph adequately addresses the objector’s concerns about the potential visual impact of development on the landscape.

Transport Contributions

12.72 Having regard to the site’s location in open countryside, some measures to encourage access by alternative modes of travel to the car would be desirable, should any redevelopment result in a significant increase in travel movements. However the site is already in employment use, the opportunities for intensification are small relative to other employment allocations around the town, the site is already on a cycle route and buses pass nearby. The scope for significant contributions or improvements may therefore be limited. Should redevelopment significantly intensify the traffic generated by the site, I recognise that contributions for necessary works or measures may be sought under other Plan policies, notably Policy (R)FT.1. As the need for such measures is uncertain, I conclude that no specific requirement should be added to policy (R)F.Cinderford 4.

Recommendation

12.73 **I recommend no modification to Policy (R)F.Cinderford 4 or paragraphs 2.26-2.27a.**

Policy (R)F.Cinderford 5 - Mixed Use Allocation – Newtown

Objections

5/51366	Swan Hill Homes Limited
5/51368	Swanhill Homes Limited
41/50978	Countryside Agency
105/50543	Mrs D Belcher
216/52367	Environment Agency
223/52246	Forest Enterprise
223/52248	Forest Enterprise
245/51001	Mr J Edginton King
245/51013	Mr J Edginton King
246/51028	Ms P Edginton King
246/51021	Ms P Edginton King
288/50923	Gloucestershire County Council
488/51194	Friends of the Earth (Forest of Dean)
488/51197	Friends of the Earth (Forest of Dean)
622/51135	Mr A Stephens

Supporting Statements

13/51989	Sport England SWR
130/52633	B L Boseley Ltd

Issues

- a. Principle, type and location of development, having regard to conflict between residential and employment uses and, environmental impact.
- b. Nature conservation interests of Key Wildlife and English Nature Grassland Inventory site, taking account of PPG7, PPG9 and the Structure Plan.
- c. Landscape character and appearance, including watercourse treatment and tree protection.
- d. Provision for youth and adult and play space.

Reasoning and Conclusions

Principle, Type and Location of Development

- 12.74 The site lies within the Statutory Forest and includes Crown land controlled by Forest Enterprise. However there are no duly-made objections on these grounds to its development.
- 12.75 As defined in the Revised Deposit Plan, this site would straddle the route of the Forest Vale Spine Road extension as safeguarded by policy (R)F.Cinderford 15. Although the allocation is for mixed use, the Proposals Map clearly divides the development into 3.4ha of employment land to the west of the proposed Spine Road and 2.6ha for 70 dwellings to the east. Part of the latter area would comprise previously-developed land which is currently occupied mainly by low-intensity employment uses. However the majority of the allocation is greenfield land.
- 12.76 The Preferred Option and Masterplan for the development of the Cinderford Northern Arc [LPD71] would require a variation of the development boundaries currently defined by policy (R)F.Cinderford 5. I address the implications of this below in relation to Pre Inquiry Change 18. However I first deal with the objections to the substantive Revised Deposit version of the policy.

- 12.77 The residential part of the allocation would directly adjoin current residential areas to the north and south, and would be divided by existing and proposed roads from present and future employment areas. I do not consider that the proximity of employment uses would make the site unsuitable for residential use, although it would require careful design and layout to minimise potential disturbance. That could be addressed at the planning application stage.
- 12.78 Swapping the location of the proposed residential and employment areas, as suggested by Objection 223/52248, would result in existing residential areas directly adjoining new employment development without an intervening road. This would have much greater potential for conflict. Residential development to the west of the Spine Road would also be unacceptably isolated from other housing and services in Newtown, particularly if the Spine Road Extension becomes a main traffic route into the town, as intended.
- 12.79 When compared with the maximum walking distances advised by RPG10, the site would be beyond walking distance from the town centre of Cinderford. However it would be within cycling distance and on several bus routes. The site would also be within walking distance of a wide range of existing and proposed employment opportunities and an existing primary school. On balance, I consider that this is an appropriate location for residential and employment in relation to sustainable travel.

Nature Conservation

- 12.80 Part of the development would be on previously-developed land which is not of wildlife interest. However the majority of the site would be greenfield and includes land identified by English Nature as a Grassland Inventory site. Most of the site lies within Cinderford Linear Park which was identified by the Gloucestershire Wildlife Trust in 1997 as part of a non-statutory Key Wildlife Site. The proposed development would destroy most of the grassland and would inevitably be damaging to the existing wildlife interest of the site. At the Revised Deposit stage the Council added a provision to the policy for mitigation measures to address environmental impacts arising from the development. However the policy is less explicit than paragraph 2.76 in relation to the Spine Road across the same land. I therefore consider that the latter wording should be repeated in the supporting text to policy (R)F.Cinderford 5.
- 12.81 Paragraph 2.76 refers specifically to policy (R)FNE.9 that permit development if the social, economic or environmental benefit outweighs the harm to a site of local nature conservation interest, and where proposals compensate for those features that would be harmed or lost. In relation to policy (R)FNE.9, I recognise that it may not be possible to replicate the lost feature or habitat by provision elsewhere and that it would instead be necessary to judge whether the compensatory provision were of equivalent value. It is not possible to make that assessment at this stage as there are no proposals before me and there is no detailed assessment of the nature conservation value of the existing site. However, much of the present habitat appears to be a relatively recent creation given the previous open-cast coal-mining in the area. On the balance of probabilities, I think it should be possible to achieve compensatory provision of equivalent or greater bio-diversity value. This would accord with the objectives of paragraph 28 of PPG9 and also the objectives of paragraph 4.12 of PPG7 and Structure Plan Policy NHE.2 to sustain or enhance the biodiversity of the wider countryside.

Landscape Character and Appearance

- 12.82 Although it would encroach onto open land, with suitable design and landscaping, the proposed residential development to the east of the Spine Road Extension would have potential to improve the character and appearance of the area by replacing unsightly low-intensity employment and consolidating the residential and village-like character of the Newtown settlement. By contributing to the funding of the Spine Road extension, it would also help to reduce heavy through traffic, which currently blights the locality.
- 12.83 The employment development to the west of the proposed road would be sited on open grassland currently forming part of the Cinderford Linear Park. The land is attractive in its present form, having the Forest Waste character found in other parts of the Statutory Forest between settlements and woodland. Attractive views are available across the land towards Steam Mills Lake and the woodland to the north. Whereas development here would be less intrusive than that proposed by Pre Inquiry Change 17 on the adjoining (R)F.Cinderford 17 site, it similarly risks damage to the landscape and recreational amenity value of the Linear Park, Cinderford’s greatest visual asset. Opening up the culverted watercourse as suggested by Objection 216/52367 would be of some benefit to the landscape and nature conservation but would not itself offset the other harm to the character and appearance of the area.
- 12.84 The protection of any existing trees on the site is of concern to one objector but is not a matter which can properly be directly addressed by the Local Plan, as trees may only be protected formally by the making of a Tree Preservation Order.

Infrastructure

- 12.85 First Deposit objection 288/50923 by the County Council was addressed at the Revised Deposit stage by the deletion of the phrase including the words ‘seek to negotiate’ and instead requiring that the development will provide an appropriate contribution to youth/adult playspace provision for Cinderford. No further amendment is necessary.

Overall Conclusions

- 12.86 The harmful intrusion of major built development into the attractive open Forest Waste landscape of the Linear Park and the associated loss of a recreational amenity and natural habitat needs to be weighed against the economic regeneration benefits of the development. Much of the harm could be avoided by limiting development to the east side of the proposed Spine Road Extension. However that would involve the loss of a prime employment allocation with potential to attract new forms of employment to the town. I consider below, in relation to Pre Inquiry Change 18 to the policy whether that should include class B1, B2 and B8 employment uses.
- 12.87 In considering PIC17 to policy (R)F.Cinderford 17 below, I do not support the similar employment-related development of the adjoining Steam Mills site, which I find to be even more sensitive, and I recommend that it be not pursued. In those circumstances, I consider that to also delete the employment proposals from the (R)F.Cinderford 5 site would seriously undermine the economic regeneration objectives for the town. I conclude that the latter goal here outweighs the potential harm of the employment allocation and that the (R)F.Cinderford 5 proposals merit support as set out in the Revised Deposit Plan. However, that is subject both to compensatory provision for

the loss of habitat of local nature conservation interest and to further consideration of the type of employment development, which I address below.

Recommendation

12.88 My recommendations in relation to this policy and the supporting text are set out below after my consideration of the Pre-Inquiry Change 18.

PRE-INQUIRY CHANGE 18 to Policy (R)F.Cinderford 5 and Paragraphs 2.29, 2.30, 2.31 and 2.32 Newtown

Objections

26/80004	Coleford Brick and Tile
813/80007	South West RDA

Issues

- a. Procedural Matters
- b. Type and Location of Development with reference to leisure use and class B2 and B8 employment uses
- c. Infrastructure provision with respect to the programming and availability of the Western Access Road.

Reasoning and Conclusions

Procedure

12.89 PIC18 was published at the same time as PIC17 which relates to Policy (R)F.Cinderford 17 [Steam Mills]. In addressing the objections to PIC17 under the latter policy heading below, I criticise the publication of these proposals at a late stage in the process and the misleading presentation of PIC17, which proposed a radical change to (R)F.Cinderford 17. PIC18, although it was published at an equally late stage, proposes modifications which are relatively minor; and the Council agreed to the withdrawal of some of them during the Inquiry. I do not therefore think the late publication of PIC18 has serious practical implications for the Plan preparation process.

Type and Location of Development

12.90 The Cinderford Regeneration Study [LPD 70], which preceded the selection of the Preferred Option, pointed to potential land stability problems in the northern part of the site which may effect the priority given to development there. The Masterplan also indicates that the Spine Road might not be extended to join the main road at Nailbridge. In Document FOD/P4.3 at paragraph 5.32 the Council suggests that the proposed PIC17 to the adjacent Steam Mills site could, if approved, lead to the deletion of the employment proposals in (R)F.Cinderford 5. However I do not support PIC17. PIC18, which was issued at the same time, makes no such provision as part of the proposed changes to the latter policy. Also, whereas the Council refers to the Preferred Option Masterplan for development in this area [LPD71/4], the revised layout on that indicative plan does not correspond with the (R)F.Cinderford 5

proposals in either the Revised Deposit Plan or the Pre-Inquiry Changes. I base my consideration of these objections on the proposals as set out in PIC18.

- 12.91 PIC18 proposes the deletion of leisure use and of classes B2 and B8 employment from the proposed allocation. Objection 813/80007 seeks their reinstatement. In its evidence at paragraphs 5.34 and 5.35 of Document FOD/P4.3, the Council agreed to the reinstatement of class B2 uses but not to the reinstatement of class B8 employment. The Council’s reasoning is that storage and distribution [except where ancillary to another approved use] are not considered appropriate to the high quality, low intensity development concept for this site. In effect, this amounts to a reversion to the substantive Revised Deposit wording. At the Inquiry, the Council similarly agreed to reinstate leisure uses. I therefore confine my comments to that part of the proposed change to the policy relating to the deletion of class B8 uses.
- 12.92 I recommend above that the employment part of the mixed-use allocation be retained because of the overriding economic benefits in terms of providing for employment uses which might not otherwise be attracted to Cinderford. I consider it unlikely that class B8 storage and distribution would qualify in that respect. Neither would such use be likely to achieve the same employment benefits as class B1 or B2. I therefore endorse the Council’s proposal to delete such use from the allocation in the policy and the corresponding reference in text para 2.31.
- 12.93 In Document FOD/P4.3.3, the Council suggest a revision of the Inset Map in respect of this allocation. This has not been advertised. The modification would move the safeguarded route of the Forest Vale Spine Road Extension further to the west, reducing the employment area and enlarging the residential area, whilst re-designating the northern part of the site on either side of the road for unspecified mixed use. The latter change would permit non-residential development adjacent to existing dwellings whereas the substantive Revised Deposit Proposals Map shows residential development there. The change is not explained in evidence and it only partly resembles the Preferred Option Masterplan in Document LPD 71. I therefore consider that this change would introduce undue uncertainty in respect of the use of the northern part of the site and that this would prejudice the interests of neighbouring occupiers.

Infrastructure Provision

- 12.94 That part of PIC18 relating to paragraph 2.30 gives priority to the construction of the proposed Western Access Road, as the primary route into Cinderford. The degree of need for the Spine Road Extension would then be judged against the progress made on securing the Western Access Road. Objection 26/80004 was submitted by a business adjoining the route of the Western Access Road and seeks better Council evidence that the Western Access Road is actually programmed or otherwise likely to be available within the Plan period.
- 12.95 PIC18 follows from the Council’s support for the Preferred Option for the Cinderford Northern Arc development, which indicates that the Spine Road Extension would not be constructed in its entirety, and that through traffic would be diverted via the Western Access Road. The proposed change is of benefit in that the cost of building both roads could prove excessive and the wording clearly accords priority between them. However, the wording fails to explain why policy (R)F.Cinderford 5 only refers to contributions to the Spine Road Extension. Nor does it explain how access

would be obtained to the allocated development site, were the Spine Road Extension not to be built. The responsibility for programming either road rests primarily with the County Highway Authority with reference to the Local Transport Plan. This is a matter beyond the scope of this report, and likely to be affected by the availability of funds from development and other sources.

- 12.96 The changes to paragraphs 2.29 and 2.32 proposed in PIC18 are consequential upon PIC17 to policy (R)F.Cinderford 17. As I do not support PIC17, I do not consider these changes to be necessary.

Recommendation

- 12.97 **I recommend** that Revised Deposit Policy (R)F.Cinderford 5 be modified by deleting ‘, B2 and B8’ and substituting ‘and B2’.

- 12.98 **I recommend** that Criterion 3 of Revised Deposit Policy (R)F.Cinderford 5 be modified to:

Provide for mitigation measures and compensatory provision to address environmental impacts arising from the development.

- 12.99 **I recommend** that the Revised Deposit supporting text be modified by the addition of the following paragraph after Paragraph 2.32a:

The site allocation includes land within the Cinderford Linear Park which is identified as an English Nature Grassland Inventory Site and a Key Wildlife Site and thus a site of Local Nature Conservation Interest subject to Policy (R)FNE.9. This provides, in summary, that unavoidable harm to nature conservation interests must be minimised and that proposals which are permitted for their social or economic benefits will be required to provide compensation for those nature conservation features that would be harmed or lost as a result of the development, with the overall aims to ensure no net loss of biodiversity and to enhance it wherever possible.

- 12.100 **I recommend** no modification to Paragraph 2.29.

- 12.101 **I recommend** that [in accordance with PIC18], Paragraph 2.30 be modified by inserting before the final sentence the following two additional sentences:

The Council will give priority to the construction of the proposed Western Access Road as the primary access route into Cinderford. The need for the construction of the Spine Road Extension will be judged against the progress made on securing the Western Access Road.

- 12.102 **I recommend** that the first sentence of Paragraph 2.31 be modified by deleting ‘,B2 and B8’ and substituting ‘and B2’.

- 12.103 **I recommend** that [in accordance with PIC18] the fifth sentence of Paragraph 2.31 be modified by the deleting ‘employment uses will normally be restricted to B1, or other’ and adding after the word ‘condition’, ‘will be’.

- 12.104 **I recommend** no other modification to Policy (R)F.Cinderford 5, Paragraphs 2.29-2.32a nor to the depiction of the allocation on Revised Deposit Inset Map 2.

Policy (R)F.Cinderford 6 - Mixed Use Allocation – Station Street

Objections

106/52677	Mr K W Bell
700/51900	Cannop Foundry Ltd & Others
700/70137	Cannop Foundry Ltd & Others
827/70496	George Wimpey UK Limited
827/70504	George Wimpey UK Limited
842/70802	Prowting Projects Ltd

Supporting Statements

13/51990	Sport England SWR
700/51898	Cannop Foundry Ltd & Others

Issues

- a. Principle and type of development with reference to site capacity and restraints and the degree of emphasis on the residential component.
- b. Designation of Important Open Area [(R)FBE.7] over part of the allocation site in respect of access and best use of land.
- c. Developer requirements for infrastructure in the light of the development cost of brownfield land.

Reasoning and Conclusions

Principle and Type of Development

12.105 This proposed mixed-use allocation relates to an extensive, previously-developed urban site which is already occupied by a range of employment, community and residential uses. The substantive Revised Deposit version of the policy estimates that the site would include 105 new dwellings. By the time of the Inquiry, the easternmost part of the site, formerly in College use, was being redeveloped as a new residential estate of 65 dwellings. That would leave a balance of only 40 dwellings to be provided. However, I was informed at the Inquiry that there is planning permission for a further 20 dwellings in the central southern part of the site, south of Barleycorn Square. This is likely to be implemented, leaving only 20 uncommitted of the original 105.

12.106 There is further, recently renewed, outline planning permission for the residential development of the major western portion of the site, between Station Street itself and Cannop Foundry. Here the Council assume a capacity of up to 100 dwellings. This is consistently recorded as a commitment in the Urban Housing Capacity Study [LPD.27 Table 10] and the Council’s Inquiry evidence [Document FOD/TP2.2 Table 2] as the largest site in the District with planning permission.

12.107 Owners of land at the extreme western end of the allocation site, including Cannop Foundry and a designated Important Open Area [IOA], appeared at the Inquiry to pursue a proposal to redevelop this area too for residential use. If the IOA at the west fringe were deleted, the developable area would be about 1.5ha, with capacity for upwards of 45 dwellings, applying PPG3 guidance on housing density. I return to the IOA below.

12.108 It appears to me that it is in any event highly probable that at least 65 dwellings will be provided on this site during the Local Plan period in addition to the 65 already

under construction. A further 100 could be built if the Business Park were redeveloped, making a total site capacity of 230, more than double the number identified in Revised Deposit policy (R)F.Cinderford.6.

- 12.109 Clearly, this large scale of potential housing exceeds that which might be expected from windfall development, and I therefore consider that the allocation was appropriately included in the Revised Deposit Plan. However, I take the view that the allocation should now be amended to reflect the changed circumstances by deleting the area now occupied by the recent 65-dwelling scheme.
- 12.110 As to the type of development over the remainder of the allocation, the Council’s decision to allocate the land in the first place and then grant planning permissions for residential development, indicate that there is no overriding need to retain the business park or the foundry for employment use. The site is well located for housing and such use would potentially improve the local environment. Moreover, residential redevelopment appears to be attractive to the landowners and could fund the relocation of employment.
- 12.111 However, the redevelopment of only part of the site for housing would be discouraged if unneighbourly or unsightly employment uses would continue in close proximity. It is particularly unsatisfactory that an outline planning permission for a large residential redevelopment should be repeatedly renewed if it is not intended to be implemented. This creates uncertainty, contrary to para 3.12 of PPG12, as to whether the allocated residential redevelopment will indeed be implemented during the Plan period.
- 12.112 Policy (R)FH.2 allocates the Station Street site within Phase 2 of the town housing allocations [2003-2007]. I conclude that, to provide certainty, the foundry, the business park and any other adjoining land which is likely to come forward for residential development should be allocated not for mixed use but for 165 units of residential development within this phase, with corresponding amendment of Inset Map 2.

Important Open Area

- 12.113 The area proposed for designation as an IOA fronts Valley Road and is a steep-sided former cinder heap covered in grass. It is privately owned with no public access or obvious recreational value or potential. In Part 1 of the Plan I recommend that policy (R)FBE.7 be amended to require that IOAs are designated on the basis that they satisfy 3 of 4 criteria related to the Defined Settlement Boundary, public visibility and positive contributions to amenity and character.
- 12.114 This site is the Defined Settlement Boundary, but visible from the public highway and adjoining property along its western and southern edges only. Its contribution to visual amenity is positive in that it provides relief from the unsightly foundry building nearby but this value would be reduced if the foundry were replaced by more attractive buildings. Moreover a similar effect could be achieved with a smaller landscaped bund. I acknowledge that the presence of this cinder heap derives from the town’s industrial heritage. However, in its grass-covered condition, most observers would be unaware of this background and its contribution to local character is slight. The heap is unlikely to be restored to its original appearance, which would be unsightly.
- 12.115 Whilst this land thus arguably satisfies the strict criteria for classification as an Important Open Area, its positive contribution to the character and appearance of the

area is marginal and needs to be weighed against any planning benefits of reducing or deleting the area designated. In this regard the designation would impede the provision of vehicular access to a redevelopment of the adjoining land at the most suitable and safe location off the Valley Road roundabout. By preventing the redevelopment of a large proportion of the land held by one of several landowners, it would also make the successful implementation of a significant development allocation involving previously-developed land much less likely. I conclude that the Important Open Area designation should be deleted, and Inset Map 2 revised accordingly. The appropriate landscape treatment for the site frontage and the provision of recreational space would be matters for any planning application.

Infrastructure

12.116 The policy includes a number of requirements to make provision for infrastructure and services. Such requirements are appropriate in principle to meet the needs of the residents of the scheme and are amplified in the Development Brief. Whilst I acknowledge that the re-use of previously-developed land can incur higher site costs than greenfield development, that does not imply that development should proceed without necessary supporting services and infrastructure. The need for particular works or services and their costs would necessarily be a matter for negotiation with the Council, as would the provision of affordable housing. Government guidance in Circular 1/97 and 6/98 advises a series of tests to apply to such requirements.

Recommendation

12.117 **I recommend** that the heading preceding Policy (R)F.Cinderford 6 be modified to: ‘Housing Allocation – Station Street’.

12.118 **I recommend** that Policy (R)F.Cinderford 6 be modified by the removal of that part of the site which has been developed as an estate of 65 dwellings and an appropriate adjustment to the site area quoted in the Policy [***]. The site area should be redrawn to include only those remaining areas which are proposed to be redeveloped for residential use within the Local Plan period.

12.119 **I recommend** that first paragraph of policy (R)F.Cinderford 6 be modified to:

***** hectares of land at Station Street will be allocated to accommodate at least 165 dwellings. The development will be required to:**

12.120 **I recommend** that Paragraphs 2.33-2.35 be deleted and replaced by:

2.33 This is a large site located in close proximity to the town centre. The principal uses comprise a foundry and an adjoining business park. Both have been subject to planning permission for residential redevelopment in the past. The permission on the foundry site has lapsed, but that on the business park is current. A further planning permission has been issued for residential development on another part of the site.

12.121 **I recommend** that if residential development fails to come forward during the Plan period, consideration be given to deleting the residential allocation in the next review of the Plan.

PRE-INQUIRY CHANGE 7 to Policy (R)F.Cinderford 6 – Station Street

Objections

6/80018	Barratt Bristol
273/80034	Mr R Freshwater
842/80014	Prowting Projects Limited

Issues

- a. Consequential adjustment to Housing Land Allocation table

Reasoning and Conclusions

12.122 There is criticism of the failure to remove the 65 dwellings under construction from the Housing Land Allocation table in Policy (R)FH.2. I agree that those dwellings should be recorded as completions rather than as an allocation and that double counting should be avoided. However I conclude above that the allocation figure should be revised upwards to reflect the total number of dwellings which the site could still provide, at the same time deleting the provision for employment development on this site.

Recommendation

12.123 **I recommend no further modification in response to these objections.**

Policy (R)F.Cinderford 7 - Housing Allocation – Valley Road [North]**Objections**

288/50926	Gloucestershire County Council
394/70588	Mr & Mrs M J Jones
451/52280	Mr K McNally
451/52285	Mr K McNally
451/52282	Mr K McNally
451/70196	Mr K McNally
451/70194	Mr K McNally
451/70197	Mr K McNally
834/70633	Mr B Whittington
837/70671	Clearwell Caves
842/70802	Prowting Projects Ltd

Supporting Statements

13/51991	Sport England SWR
646/50318	Cinderford Town Council

Issues

- a. Policy title.
- b. Principle and extent of development with reference to existing employment use.
- c. Land remediation and infrastructure costs.
- d. Affordable housing contributions.

Reasoning and Conclusions

Policy Title

12.124 To avoid confusion with policy (R)F.Cinderford 10, the title of this policy should refer to Valley Road North.

Principle and Extent of Development

12.125 This 1ha site was proposed for a mixed-use allocation in the First Deposit Plan but was enlarged and re-designated as a housing allocation of 2.3ha in the Revised Deposit version. However planning permissions for employment development have subsequently been implemented on the south west part of the site. During the Inquiry the Council proposed Voluntary Change No 14 to this policy [Document FOD/P4.5.1], to exclude the area occupied by the recent employment development and reduce the site area to 1.4ha. That leaves a net developable area of about 1ha after allowing for landscape buffer zones between the housing and adjoining industrial uses. The site of the recent business development should certainly be deleted from the housing allocation. The outstanding question is whether the remainder of the site should be so allocated.

12.126 The land is in divided ownership and the housing allocation is opposed by the owner of the northern part of the site, where the greenhouse of a disused garden centre is sited. The owner has aspirations to redevelop this site as a DIY retail warehouse, incorporating a neighbouring commercial garage which he also owns. A planning application for that purpose was due to be submitted earlier this year but I have not been advised of the outcome.

12.127 At the Inquiry the landowner’s agent expressed the view that the northern site would provide a poor residential environment, being surrounded by commercial uses on three sides. The Council’s indication of the need for a landscaped buffer on those three sides supports this contention and suggests that residential development would not use the land as efficiently as employment use. I therefore consider that the site north of the dividing access road should be deleted from the residential allocation and incorporated instead within the adjacent employment area covered by Policy (R)F.Cinderford 1.

12.128 The southern part of the site is centred on a coach depot and has a long frontage to Valley Road facing existing residential development on the opposite side. There is no evidence before me that residential development is opposed by the landowner. Such development would enhance the appearance of this part of Valley Road with a particular benefit to neighbouring residents. The need to provide separation from the employment development to the rear would be much reduced when compared with the northern land, as the adjoining development is largely in class B1 use, by definition is suited to a residential area. I conclude that the southern part of the site should remain allocated for residential use.

Infrastructure and Affordable Housing Contributions

12.129 The policy requirements for contributions toward infrastructure and services are appropriate, subject to their being necessary to serve the need of the occupiers of the development. There is no evidence before me that this would not be the case. Such contributions may reduce the return to the landowner and hence the value of the property. However a lack of necessary infrastructure and services would also affect

the value of the site, particularly where site preparation costs are high. I acknowledge that these contributions and the policy requirement for the provision of affordable housing could theoretically result in a negative land value or at least a net value below that of other uses. That has been claimed here in respect of the northern land but this is unsupported by financial evidence. The actual level of contributions would be subject to negotiation in any event, whereby the need for a particular contribution would be properly tested.

- 12.130 In respect of affordable housing, the Plan advises a starting point of 40% provision. However the actual level of provision would also be subject to negotiation and Circular 6/98 includes advice that it is material to have regard to economic considerations including any particular costs of site development. However, any claim for reduced provision on this basis should be supported by financial evidence of costs and values.
- 12.131 The County Council’s First Deposit objection that the youth/adult playspace should be a definite requirement of the development, not something the Council will merely seek to negotiate was addressed by an amendment at the Revised Deposit stage which removed those words and no further amendment is needed. I conclude that no modifications are necessary to the policy in respect of infrastructure contributions or affordable housing provision.

Recommendation

- 12.132 **I recommend that the title of Policy (R)F.Cinderford 7 be modified to ‘Housing Allocation - Valley Road North’.**
- 12.133 **I recommend that Policy (R)F.Cinderford 7 be modified by reducing the site area to 1 hectare as defined on the First Deposit Proposals Map and by reducing the number of dwellings from 67 to 30.**
- 12.134 **I recommend that Paragraph 2.40 be modified to:**
- The allocated site is currently occupied principally by a coach depot and a breakers yard. The site provides an opportunity for redevelopment for residential use. A development brief will be prepared for the site to form supplementary planning guidance.**

PRE-INQUIRY CHANGE 8 to Paragraph 2.40

Objection

273/80035

Mr R Freshwater

Reasoning and Conclusions

- 12.135 PIC8 proposed the deletion of an incorrect reference to another policy in paragraph 2.40. The errors should be removed from the text and I have recommended above that the paragraph as a whole be rewritten to address other objections.

Recommendation

12.136 **I recommend that paragraph 2.40 be modified in accordance with my previous recommendation above and that any reference to Policy (R)FE.3 be deleted.**

Policy (R)F.Cinderford 8 - Housing Allocation – St Whites Farm

Objections

5/51358	Swan Hill Homes Limited
5/51360	Swan Hill Homes Ltd
25/51927	Chelbury Homes Ltd
25/51930	Chelbury Homes Ltd
41/51140	Countryside Agency
51/51578	Westbury & Persimmon Homes
51/51622	Westbury & Persimmon Homes
51/51624	Westbury & Persimmon Homes
51/51627	Westbury & Persimmon Homes
51/51629	Westbury & Persimmon Homes
105/50545	Mrs D Belcher
128/53031	Mr R Bonser
128/53032	Mr R Bonser
204/52774	Mr N Creed
204/52773	Mr N Creed
205/52770	Mr V Creed
205/52767	Mr V Creed
216/52377	Environment Agency
288/50927	Gloucestershire County Council
306/52510	Messrs Grindle
306/70190	Messrs Grindle
306/70191	Messrs Grindle
306/70192	Messrs Grindle
314/50380	Mr S P Hardcastle
314/50383	Mr S P Hardcastle
364/52716	John James Builders Ltd
414/51659	Forest of Dean Badger patrol
432/52760	Mr A Maliphant
474/52763	Mr & Mrs D T Morse
474/52766	Mr & Mrs D T Morse
523/52362	Mr K Phelps
622/51115	Mr A Stephens
622/51120	Mr A Stephens
655/52679	Mrs M Tingle
655/52680	Mrs M Tingle

Supporting Statements

13/51993	Sport England SWR
306/52226	Messrs Grindle
306/70189	Messrs Grindle
646/50315	Cinderford Town Council

Issues

- a. Local need for greenfield housing land.
- b. Phasing of development, having regard to the priority to developing previously developed land and the economic viability of the site.
- c. Site extent and capacity, taking account of landscape, open space and school expansion requirements.
- d. Design and landscape impact.
- e. Access, traffic and safety of St Whites Road.
- f. Loss of public footpath.
- g. Infrastructure capacity and services.
- h. Drainage and water supply.
- i. Affordable housing requirements.
- j. Living conditions of neighbouring occupiers.
- k. Archaeological and wildlife interests.

Reasoning and Conclusions

Principle and Phasing of Development

12.137 This is a large [7.1ha] greenfield site adjoining the existing built-up area to the south east of the town. Cinderford is identified in the Plan strategy as a principal settlement for development to include housing for an increasing population, to broaden the supply of labour and skills and to encourage growth in the service sector, as part of the economic regeneration of the South Forest. I conclude in Part 1 Chapters 1 and 2 that the Plan strategy is appropriate and recalculate an increased town housing requirement for Cinderford. Whilst the Plan does make provision for housing development on previously-developed land within the town, the opportunities for such development are relatively limited and I am satisfied that it would be impractical to provide the amount of housing required without a significant amount of greenfield development.

12.138 In Revised Deposit policies (R)FH.2 and 2a, the allocation is divided equally between Phases 2 to 2007 and Phase 3 to 2011, with the intention of providing an even rate of development across the District over the life of the Plan and to encourage the early development of the allocated previously-developed sites in Phase 2. I recognise that the scale of this site would not be so great that continuous house-building could be expected there throughout the life of the Plan and I accept that significant infrastructure costs would need to be drawn from the flow of income from dwelling sales across the whole site. These will be related to such as the long northern access road and the contribution to education provision requiring large lump sum outlay at an early stage in development. Whilst this would have adverse financing implications if the 2 Phases became widely separated, this problem should be surmountable were building not to commence until mid-way through Phase 2 with completion mid-way through Phase 3, facilitating continuous house-building and sales. It is thus unnecessary to modify the phasing in my view.

12.139 Objection 432/52670 in part seeks a closer link between local housing provision in Cinderford and local need. I take this to mean that housing should only be provided to meet needs arising in the town. However there are two justifications for providing further housing. One is the economic generation objective of planning policy for the South Forest area including Cinderford as set out elsewhere. The second is the Plan strategy to concentrate housing in towns with good access to services and public transport rather than in settlements which lack such services. This should reduce dependence on travel by car to access services. This is in line with government guidance and justifies a higher level of housing provision in the town than required to meet current need. I conclude that the allocation and its phasing are both appropriate in principle.

Site Extent and Capacity

12.140 The site area was reduced at the Revised Deposit stage to exclude the northernmost part of the First Deposit allocation and to use the land more efficiently. The notation on Inset Map 2 corresponds with the revised Development Brief [LPD35.7]. A northern access route is indicated from St Whites Road across land outside both the allocation and Defined Settlement Boundary. I do not consider that it is necessary to include the road within the housing allocation. The Brief refers to a possible alternative access via the site of the existing school, but this does not form part of the Plan’s proposals. However a second access would improve the site layout and accessibility and could create the opportunity to improve an awkward existing junction. As there has been no opportunity for formal consultation with interested persons, any such proposal would be better determined on its merits with appropriate public consultation at the time of a planning application rather than by modification of the Plan at this stage.

12.141 Objections 51/51627 and 51/51629 seek the modification of paragraphs 2.43 and 2.44 to make provision for school accommodation a mere possibility, limited to that made necessary by the housing allocation. Both paragraphs were amended at the Revised Deposit stage but using different wording from that suggested. The exact accommodation requirements for the school have yet to be established but the available area needs to be sufficient to provide for the needs arising from all sources and not just the St Whites development. Paragraph 2.43 now appropriately provides that the contribution from the development towards educational need will be in relation to the needs of the development and may be in the form of land and/or improvements to the existing school. Thus, any additional provision required to meet educational needs not derived from this development would be funded from other sources.

12.142 Paragraph 2.44 now provides that 2ha of the site will be for landscaping, open space and the possible new school site. However the policy is more definitive in including the relocation or expansion of the school in the allocation and there does not appear to be any doubt that the school development will be necessary. There remains uncertainty as to precisely how much land will be available for the school and in what location. The Development Brief indicates at paragraph 5.11 that this will be defined on the Proposals Map but it is not shown on the substantive Revised Deposit version. The Development Brief itself vaguely indicates an area for the school which is much less than 2ha and also indicates that landscaping would be needed along the site boundaries with sloping land at the southern end of the site kept open for an

undefined purpose. These areas would be unrelated to school development. However the Brief indicates that there may be scope to integrate school and other playspace requirements. I consider that this can be resolved by providing a defined area of land for the school and open space. The school development should have the prior claim on this land but the contribution of the housing development towards the school in land or finance would be limited to the need which it generates as provided for in paragraph 2.43. Any residual area not needed by the school would be available for open space use and could be counted as part of the requirement of the housing development itself for play space.

- 12.143 Paragraph 2.44 provides that 5ha of the 7.1ha site will be needed to accommodate the allocation of 150 dwellings at 30 dwellings per hectare but it is not clear what landscaping and playspace provision would be included within that area. Paragraph 5.4 of the Brief suggests a higher density. Also 0.1ha of the 7.1ha site remains unaccounted for. PPG3 recommended densities of 30-50 dwellings per hectare. include incidental open space and landscaping and children’s play areas within the housing area, but excludes primary schools, open spaces serving a wider area, and significant landscape buffer strips. In this case, I agree that the primary school and the open space should be excluded. However the policy requires strategic landscaping to the site boundaries and within the site which would be associated with the housing rather than the school. Including that landscaping within the site for density calculation purposes would require an increase in net site density above 30 dwelling per hectare. However this would make more efficient use of the land and the landscaping would benefit the visual amenities of the residents of the scheme and adjoining housing.
- 12.144 I conclude that the wording of paragraph 2.44 and Inset Map 2 need to be modified to clarify the extent and location of the provision for the primary school and to make clear which areas of open space and landscaping are to be included within the residential allocation and which within the educational allocation. This should provide that sufficient land will be available within the allocation to meet all the schools educational needs and that the net housing density exceeds 30 dwellings per hectare.

Design, Character and Appearance

- 12.145 The housing and school development would result in a significant change in the landscape having regard to the open and undeveloped state of the land at present. However, views of the site from local roads would be screened by existing development and the impact on distant views would be limited by keeping built development below the ridgeline as proposed. The main impact would thus be on views from public footpaths within the site and from adjoining mainly residential development. However I consider that this can be mitigated in the design and by landscaping, and that the residual harm to the landscape is outweighed by the need to provide homes and improved education facilities. Paragraph 2.42 was suitably amended at the Revised Deposit stage to include advice on respecting the landscape character of the area and a reference to the Development Brief, which includes reference to screen planting between the new development and existing houses. No greater level of detail would be appropriate in this Plan.
- 12.146 Objection 432/52670 includes a request that a community design exercise be required before development takes place. However I do not consider this necessary as there

will be the opportunity for the community to comment on the design of the scheme at the planning application stage and for the Council to require any changes which it agrees to be necessary.

Access and Traffic

- 12.147 Several objectors refer to existing traffic problems on St Whites Road due to heavy traffic, narrow pavements and difficult junctions. With sole access from the north as proposed, it can be expected that a high proportion of traffic movements to and from the site would be to the town centre and the route out of Cinderford towards Gloucester, avoiding St Whites Road. However some increase in traffic movements can be expected in St Whites Road and Policy (R)F.Cinderford 8 requires an appropriate contribution to off-site highway improvements to accommodate the extra traffic arising from the site. Paragraph 2.45 refers specifically to the junction of St Whites Road and Valley Road. That is some distance from the site and there would need to be evidence of the expected impact of the development on traffic movements there to justify a contribution and the scale of that contribution. The Development Brief refers to the requirement for a Traffic Impact Assessment which would form the basis for such judgements [although current Government advice in PPG13 seeks Travel Assessments which have a broader remit].
- 12.148 The junction St White’s Road with Buckshaft Road and another road is acute with poor visibility, bisects the site of the existing primary school and raises safety and congestion concerns. If all access to the housing site were taken from the north as indicated on the Proposals Map, then the only likely effect on traffic at this junction would be to increase movements along St White’s Road. However, the proposed development would provide an opportunity to relocate and redevelop the primary school site. That in turn would make improvements possible at the existing junction with associated safety and traffic flow benefits. Whereas the final accommodation solution for the primary school has yet to be resolved, I consider that the proposed allocation is more likely to result in benefits to highway interests at this location than harm.
- 12.149 The possibility of access from the housing development to Buckshaft Road at the southern end of the site is a concern of some objectors. This is not put forward in the Plan but the Development Brief indicates that consideration should be given to a second access via the school site if it is redeveloped. I lack the information to assess that possibility and consider that it should be addressed on its merits should a planning application come forward with the necessary technical input and public consultation.
- 12.150 There are public rights of way across the allocation site. Whereas the Development Brief provides for their retention or diversion, it would be appropriate, for the avoidance of doubt, for the policy itself to provide this clarification.
- 12.151 There is an objection to a proposed cycleway because of its effect on access to garages at 34 and 36 St White’s Road. Another objection refers to possible pedestrian access to St White’s Road through gardens. Although the policy requires the provision of pedestrian and cycle links to the highway network and the town centre, I can find no reference to any suggested locations in the Local Plan. Access may be possible via the site of the existing school. However these are matters of detail which

would be better resolved at the time of a planning application when there would be an opportunity for further public comment.

- 12.152 I conclude that an additional reference should be made in the policy to the retention or diversion of existing rights of way within the site but that no further modification is needed in respect of access matters.

Infrastructure and Services

- 12.153 Whereas there are objections in principle to the development on the grounds of a lack of existing facilities to support the growth in population, the policy requires that the development contribute to the provision of additional works, services and facilities both on-and off-site. These are reasonable requirements where the need arises from the development.
- 12.154 In respect of the contribution to education, a particular concern of some objectors, this could take different forms to encompass the need generated for primary, secondary or other educational accommodation which is almost certain to be needed. The requirement in Criterion 4 to make sufficient land available to accommodate the needs of the primary school refers to the allocation of the site for that purpose as well as for housing and does not require a contribution to educational provision greater than that generated by the development.
- 12.155 The County Council’s First Deposit objections that the Council would only seek to negotiate provision were addressed at the Revised Deposit stage by the removal of those words. The wording now requires appropriate contributions and does not need further amendment to meet the objection. The County Council also proposes that the contributions to off-site highway improvements [paragraph 2.45] refer to the surrounding highway network and not specifically to the St White’s Road and Valley Road junction. I consider that the County Council’s suggested wording should be substituted as there may well arise a need for other improvements, including some closer to the site.
- 12.156 The landowner seeks greater certainty as to the costs of the various infrastructure contributions in case they should make development uneconomic. That is unlikely to arise given the probable large differential between the agricultural land values and the higher gross development value of this greenfield site for housing. However the limitation in Government guidance in Circular 1/97 and elsewhere that the contributions should be reasonable and related to the needs generated by the development would provide an effective ceiling on what may be required. There are different ways in which provision could be met, including in combination with funds from other public or private sources. Some matters such as traffic levels, bus service provision, and the capacity of existing schools will vary over time. Provision to accommodate the Rugby Club on a new site nearby could potentially address some or all of the need for additional adult/youth recreational facilities. However the new facility would have to increase the overall capacity of provision and meet other policy criteria set out elsewhere in the Local Plan. I consider that proposal further in relation to Omission Site OR2.1 below. Whilst further guidance is provided by the Development Brief, negotiation is still likely to be required on all contributions or direct provision of facilities when a planning application is prepared. It would therefore be inappropriate, and potentially misleading, for this Plan to specify exact

financial contributions, even were more information on needs already available. I conclude that no modifications are necessary in respect of infrastructure matters.

Drainage, Sewerage and Water Supply

12.157 The site falls within a groundwater Source Protection Area classified as Zone 1 by the Environment Agency [EA]. The EA does not object to the development in principle and it appears that their policy can be met by restrictions on the use of soakaways. Another objector refers to drainage and sewerage problems in the area. These are matters which could be addressed at the planning application stage and no amendment to the Plan is needed.

Affordable Housing

12.158 Criterion 5 of Policy (R)F.Cinderford 8 would require the development to provide for an appropriate number of affordable housing units taking 40% as a starting point in all negotiations, equivalent to 60 dwellings on this site. The objector regards this as excessive in relation to the total need of 70 units defined in 1999 for Cinderford [Pt1 Ch2 Table 3] and the 18% target affordable housing provision for Cinderford advised in Table 7.1 of the Housing Needs Survey [HNS - Document LPD.41].

12.159 In Chapter 2 of Part 1 I point out that Table 3 relates only to the need identified in 1999 and not the greater need which would arise over the whole Plan period. The Council estimates that total need arising across the District would be double that estimated in 1999. On that basis I support the 40% provision as the starting point for negotiation of affordable housing on the St Whites’ Farm site. For it is appropriate that relatively unconstrained greenfield urban extensions such as this should make a substantial contribution to provision. This is in order to offset a shortfall in smaller settlements without housing allocations previously developed sites with higher development costs. The actual level of provision by this development, and its location on- or off-site would be a matter for negotiation.

12.160 I conclude that no modification of the Plan is necessary in respect of the contribution to affordable housing provision

Living Conditions of Neighbouring Occupiers

12.161 Potential loss of privacy due to overlooking is a matter for a detailed application. Additional noise and activity from the development, compared with the present agricultural use of the site, is unlikely to exceed the usual background level in a residential area or adjacent to the existing school and would not so harm the living conditions of neighbouring residents as to warrant the deletion of the allocation.

Archaeology

12.162 The site lies within an area of former industrial activity and an objector considers that there may be archaeological evidence associated with a ridgetop track. However, as the housing allocation does not extend to the top of the ridge, and in any event, policy (R)FHE.7 requires all development in areas of archaeological potential to be accompanied by an archaeological assessment and, where appropriate, a field evaluation. No further reference is needed in respect of this allocation.

Wildlife

12.163 Although most of the land is actively farmed, it may include some wildlife habitat. However there is a lack of evidence before me to suggest that this is so extensive or of

such value as to warrant the deletion or modification of the proposed development allocation. Chapter 8 of Part One of the Plan includes relevant policies which would be material to the determination of a planning application should a development proposal affect features of habitat interest or rare or endangered species. The Plan is to be read as a whole and no modification is necessary to policy (R)F.Cinderford 8 in this respect.

- 12.164 The Development Brief indicates that there may be an active badger population on the site. Chapter 8 of Part One of the Plan was amended at the Revised Deposit stage to draw attention to legislative protection for badgers which would come into effect here. The provision of conservation or mitigation measures may affect the scheme design but would not warrant the deletion of the allocation.

Recommendation

- 12.165 **I recommend** that Paragraph 2.44 be modified to:

5.1 hectares of the site as defined on the Proposals Map will accommodate about 150 dwellings at a density of not less than 30 dwellings per hectare including access roads within the site, private garden space, car parking, incidental open space, strategic landscaping and children’s play areas. The remaining 2 hectares will accommodate the relocation or expansion of St Whites Primary School with any residual land being made available as open space.

- 12.166 **I recommend** that Criterion 3 of Policy (R)F.Cinderford 8 be modified to:

Provide for the retention or diversion of existing public rights of way within the site and for pedestrian access to footpaths adjoining the site.

CHAPTER 2**CINDERFORD AND RUSPIDGE - Part 2 [Report Pages 2-2-37 to 2-2-]****Policy (R)F.Cinderford 9 - Housing Allocation – Nailbridge****Objections**

5/51262	Swanhill Homes Limited
5/51263	Swanhill Homes Limited
25/51938	Chelbury Homes Ltd
41/51100	Countryside Agency
64/50570	Mrs A Paskell
64/50597	Mrs A Paskell
64/50748	Mrs A Paskell
64/50746	Mrs A Paskell
88/50349	Mr & Mrs R Ballinger
88/50348	Mr & Mrs R Ballinger
89/50565	Mrs P E Ballinger
89/50591	Mrs P E Ballinger
89/50710	Mrs P E Ballinger
89/50708	Mrs P E Ballinger
89/70207	Mrs P E Ballinger
108/50560	Mr P A & Mrs A N Bennett
108/50584	Mr P A & Mrs A N Bennett
108/50674	Mr P A & Mrs A N Bennett
108/50675	Mr P A & Mrs A N Bennett
124/50568	Mr P & Mrs J Blewitt
124/50595	Mr P & Mrs J Blewitt
124/50726	Mr P & Mrs J Blewitt
124/50656	Mr P & Mrs J Blewitt
124/50725	Mr P & Mrs J Blewitt
168/50555	Mr P H S Carr
168/50577	Mr P H S Carr
168/50663	Mr P H S Carr
168/50661	Mr P H S Carr
190/50314	Mr R & Mrs P Colquhoun
190/50324	Mr R & Mrs P Colquhoun
191/50559	Mr R & Mrs P Colquhoun
191/50581	Mr R & Mrs P Colquhoun
216/52385	Environment Agency
223/50580	Forest Enterprise
223/50583	Forest Enterprise
301/50564	Mr J Griffiths
301/50589	Mr J Griffiths
301/50701	Mr J Griffiths
301/50700	Mr J Griffiths
302/51782	Mr J & Mrs P Griffiths
302/51776	Mr J & Mrs P Griffiths
329/50572	Mr & Mrs Head
329/50599	Mr & Mrs Head
329/50729	Mr & Mrs Head
329/50730	Mr & Mrs Head
394/70589	Mr & Mrs M J Jones
414/51660	Forest of Dean Badger patrol
419/50562	Mrs Lardner
419/50587	Mrs Lardner
419/50693	Mrs Lardner
510/52662	Mr A & Mrs N Paskell

510/52668	Mr A & Mrs N Paskell
622/51136	Mr A Stephens
627/50356	Mrs O M Stephens
627/50567	Mrs O M Stephens
627/50593	Mrs O M Stephens
627/50719	Mrs O M Stephens
627/50359	Mrs O M Stephens
627/50718	Mrs O M Stephens
627/70206	Mrs O M Stephens
646/50316	Cinderford Town Council
661/51750	Mr G V Towney
661/51755	Mr G V Towney
674/50667	Mr R Virgo
674/50575	Mr R Virgo
674/50602	Mr R Virgo
674/50669	Mr R Virgo
834/70634	Mr B Whittington
837/70672	Clearwell Caves

Supporting Statements

13/51994	Sport England SWR
25/51940	Chelbury Homes Ltd

Issues

- a. Principle, scale and location of development with reference to need, use of greenfield land and sustainability considerations.
- b. Extent of site.
- c. Character and appearance with respect to landscape impact and siting.
- d. Land contamination with reference to past mining activities.
- e. Access, transport and travel and road safety.
- f. Living conditions of residents regarding views, privacy, noise, crime and access.
- g. Watercourse and flood risk.
- h. Community infrastructure provision requirements.
- i. Wildlife.

Reasoning and Conclusions

Principle, Scale and Location of Development

51.167 For reasons I explain above in relation to policy (R)F.Cinderford 8 on the St Whites Farm site above, I am satisfied that it would be impractical to provide the amount of housing required in Cinderford without significant use of land outside the previously defined urban area, including greenfield sites.

51.168 This allocation includes both previously-developed land at the former sawmill and greenfield land in the southern part. In the First Deposit Plan, the settlement of Nailbridge and the proposed allocation lay outside the Defined Settlement Boundary of Cinderford where countryside policies would apply. The Revised Deposit Plan extended the Defined Settlement Boundary to include the site and part of the settlement. The proposal thus qualifies as an urban extension. However built-up

development would not be continuous and an area of open space between Nailbridge and Cinderford would be protected from most built development by its designation as an Important Open Area and Protected Outdoor Recreation Space.

51.169 In terms of accessibility, the site is within walking or cycling distance of major existing and proposed employment areas in north Cinderford and there is an existing primary school close to the site. A number of bus services provide access to the town centre and to employment outside the town. This policy requires appropriate contributions to improve the pedestrian and cycle links and the bus services.

51.170 The policy also requires that the development make appropriate contributions to the provision of necessary additional facilities, services and works to meet the needs of its occupiers of the development. This is likely to include the expansion of the accommodation at the primary school but it could be expected that pupils would walk from their homes close to the school and would not generate significant additional traffic there.

51.171 I conclude that the housing is needed and that adequate facilities would be provided or enhanced as necessary to serve the occupiers. The site is suitably located to provide for sustainable travel by means other than the car and the inclusion of a significant area of previously-developed land favours the development over purely greenfield sites.

Extent of Site

51.172 Objection 223/50580 seeks the deletion of the southern portion of the allocation in favour of an alternative area of land to the west, adjoining the A4151. I consider this as Omission Site OH2.1 below, where I conclude that the southern land is appropriately included within the proposed allocation. By comparison the area adjoining the A4151, being also greenfield land and open Forest Waste, its openness makes a more important contribution to the visual character of the settlement in a prominent location.

Character and Appearance

51.173 The development would have a significant impact on the established character and appearance of this small community. However PPG3 advises that one criterion for selecting sites for housing development should be on the basis of the ability to build communities. With its local school, open surroundings and visual separation from other development, I consider that the enlarged settlement would retain an individual village character with which residents of the existing settlement and the proposed development would be likely to identify. Also the change to the character of the settlement would be concentrated on its eastern side and the appearance of its most public and visible western side would be less altered.

51.174 Revised Deposit paragraph 2.50a identifies the landscape character of the area and refers to the supplementary Development Brief [LPD35.8], which includes further landscape advice. The appreciation of the existing openness of the site is restricted as the site is well screened from the wider landscape by trees and other built development. The Brief requires that the Gloucestershire Way Long Distance Path, crossing the site, be suitably diverted and that access linking to the Linear Park extension be provided via the site.

51.175 Paragraph 3.4 of the Development Brief refers to the opportunity to open up the culverted watercourse as requested by the Environment Agency and this would enhance the local landscape and nature conservation.

51.176 Overall I conclude that, with suitable design to respect its context, the development would have an acceptable landscape impact, and that accordingly no modification is needed to the Local Plan in this regard.

Land Contamination and Past Mining

51.177 Paragraph 2.47 refers to possible issues of ground stability and contamination from past mining activity. These will require investigation but there is no evidence before me to demonstrate that they render the land unsuitable for allocation.

Access

51.178 I have concluded above that the site is adequately accessible by means other than the car. However the car is still likely to be used for a significant number of trips and this will draw traffic through the settlement of Nailbridge. There is also the potential to aggravate existing traffic problems which are reported to occur around the primary school. However the Highway Authority has not objected in principle to the proposal. There is a lack of firm evidence before me to support the view of some objectors that the development would make highways near the site unacceptably dangerous or congested, whether or not the road is relieved by the proposed Western Access Road.

51.179 To address access matters, the policy requires appropriate contributions to necessary off-site highway works to provide safe vehicular access, and text para 2.48 requires improved access to the A4151. The Development Brief expands on these matters and refers to a possible relocation of the school car park. I consider that the policy framework in the Plan is adequate to deal with any access problems associated with the development. Detailed design of the access arrangements will follow with any planning application and provide an opportunity for further public comment on issues such as safety and the effect on individual properties.

Living Conditions of Residents

51.180 A development of this scale would change the character of the area by introducing more activity. However noise is unlikely to exceed background levels for a residential area and there is no evidence to support the view of some objectors that antisocial behaviour would increase.

51.181 Some views from some existing dwellings would change but there is no general right to maintain unaltered an existing private view. The effect on the immediate outlook from properties, daylight and privacy are matters for detailed design and further public comment at the planning application stage. This also applies to the claimed effect on the access to a garage and open ground adjacent to Miles Cottage. No amendment to the Plan is appropriate in respect of these detailed matters.

Infrastructure

51.182 I have referred above to the policy’s requirements with respect to infrastructure. These include a contribution to educational provision. A housing developer considers that the detailed requirements of the policy are too onerous to allow the site to come forward for development, having regard to the substantial costs associated with the development of brownfield land, and seeks a reduction of the constraints upon this

development to be balanced against restraint on the use of greenfield options. The objection is not supported by financial evidence of the costs or values to demonstrate that its development would not be viable. Moreover the site is itself in part greenfield. The gross development value of the land is likely to be much greater than its existing use value and the price paid for the land should reflect the site constraints including the preparation costs and the infrastructure contributions necessary to support the development. Contributions towards works and facilities made necessary by this development could not be sought from other developments to which they were not related. I conclude that no modification is necessary in respect of infrastructure contributions.

Wildlife

51.183 Objection 414/51660 seeks a badger survey. The Development Brief at paragraph 3.10 refers to there being indications of an active badger population within the site. Badgers are protected by separate and by policy (R)FNE.11 of the Plan and its accompanying text. No additional reference is needed here.

Recommendation

51.184 **I recommend no modifications to Policy (R)F.Cinderford 9 or Paragraphs 2.46-2.48.**

Policy (R)F.Cinderford 10 - Housing Allocation – Valley Road [South]

Objections

41/51152	Countryside Agency
255/50906	Ensor's Abbatoir
622/51130	Mr A Stephens
622/51131	Mr A Stephens (Inset Map 2)
842/70802	Prowting Projects Ltd

Supporting Statements

13/51995	Sport England SWR
255/50918	Ensor's Abbatoir
646/50319	Cinderford Town Council

Issues

- a. Policy title.
- b. Principle and sale of development
- c. Deliverability of the site
- d. Landscape impact
- e. Affordable housing and infrastructure contributions
- f. Traffic and road safety.

Reasoning and Conclusions

Policy Title

51.185 To avoid confusion with policy (R)F.Cinderford 7, the title of this policy should refer to Valley Road South.

Principle and Scale of Development

51.186 Cinderford is identified as one of the principal settlements where the majority of development is to take place. This is to include housing needed to accommodate a planned increase in population. That increase is intended to broaden the labour supply and skills and to encourage growth in the service sector as part of the economic regeneration of the South Forest.

51.187 Because the site comprises the abattoir and its curtilage, it qualifies as previously-developed land. The site is in an urban location with good access to services, facilities and employment. Although the need to close or relocate the abattoir means that the implementation of the allocation is not completely certain, the abattoir’s owner supports the housing allocation and it thus appears reasonably likely to be carried out during the Plan period.

51.188 The site has an area of 2.6ha and is within walking distance of the town centre and major employment areas. The First Deposit Plan proposed the designation of part of the site as an Important Open Area. This was deleted at the Revised Deposit stage. That, together with the application of Government guidance in PPG3 on housing densities explains the increase in capacity to 90 dwellings, equivalent to approximately 35-40 dwellings per hectare. However it is not necessary to explain that change in the Plan.

Landscape Impact

51.189 The site is on the edge of the built-up area close to the Linear Park. Paragraph 2.50a was added at the Revised Deposit stage to draw attention to the need for the design of the development to complement the landscape and refers to the Development Brief [LPD 35.11], which incorporates further landscape advice. I do not consider that further amendment is needed to address landscape considerations in connection with this site.

Affordable Housing and Infrastructure Contributions

51.190 Criteria 3, 5, 6 and 7 of the policy respectively require the provision of an appropriate number of affordable housing units and contributions to education, enhanced bus services and play space.

51.191 Objection 255/50906 raises the possibility that these could affect the viability of the development but is not substantiated by any financial information about development costs or values. The provision of affordable housing would be a matter for negotiation and Circular 6/98 advises that this may take account of any particular costs or other economic considerations that apply to this site. In practice, such matters would need to be substantiated and compared with the anticipated value of the development to assess its viability. There would be site preparation costs in redeveloping the abattoir building. However the remainder of the site is currently open and there is no information before me to demonstrate that particular costs associated with its redevelopment would preclude provision for affordable housing.

51.192 With respect to the infrastructure contributions, it would be reasonable to require such contributions to meet the additional needs generated by the development and its occupiers. An expansion of the town’s educational provision is likely to be needed to serve the increased population resulting from this and other developments. According to the Council’s 1994 survey, there is an existing shortage of youth and adult play space in the town and therefore this and other developments should contribute to the full provision necessary to serve their occupiers. In respect of bus services, the site appears to be within walking distance of a wide range of facilities and employment in the town and I note that no similar contribution is to be required of the nearly adjacent development at Station Street [(R)F.Cinderford 6]. Whereas Document LPD26 at page 374 refers to improved bus services from the site to the town centre it is difficult to conceive how this might be achieved and there is no reference to bus services in the otherwise comprehensive Development Brief. In these circumstances I agree that Criterion 6 should be deleted. Should a specific need be identified at the time of a planning application other Plan policies require appropriate contributions, notably Policy (R)FT.1.

Traffic and Road Safety

51.193 Although the site is well located for access by means other than the car, residential development can be expected to generate more traffic than the current use. However that should not disqualify the site from allocation unless the additional traffic were to result in insuperable safety or congestion problems, outweighing other benefits of the development. Residential development would be likely to make more efficient use of the site than a less neighbourly industrial use, as there would no longer be a need to maintain a buffer between the site and existing residential development to the east and south.

51.194 The Development Brief indicates that the development would take its vehicular access from the B4277 Valley Road and it would appear possible to form an adequately safe access to that road. In its response to Objection 288/50933 at page 373 of Document LPD26 the Council acknowledge that traffic generated here might contribute to a need to improve the Valley Road and Cinderford Bridge junction, and that a contribution will be sought if the need is proven. While this could also be sought under other Plan policies, most other housing allocations include a specific requirement for appropriate contributions to off-site highway works. I consider that this policy should include such a requirement although, the need for the works would have to be demonstrated as part of later negotiations.

Recommendation

51.195 **I recommend that the title of Policy (R)F.Cinderford 10 be modified to ‘Housing Allocation - Valley Road South’.**

51.196 **I recommend that Criterion 6 of Policy (R)F.Cinderford 10 be modified to:**

Provide an appropriate contribution to off-site highway works necessary to accommodate the vehicle movements arising from the site.

Policy (R)F.Cinderford 12 - Heywood Road Site

Objections

571/51800	Mr M J Rudland
827/70497	George Wimpey UK Limited

Issues

- a. Principle of the allocation with respect to the Urban Capacity Study.
- b. Effect on green paths and tracks.

Reasoning and Conclusions

Principle of the Allocation

51.197 Revised Deposit Paragraph 2.66a indicates that sites allocated by policies (R)F.Cinderford 12 and (R)F.Cinderford 13 will together provide approximately 10 dwellings. The latter site is the larger and it has been redeveloped as a car park with public toilets, whilst retaining the frontage retail buildings. It does not appear to include any new dwellings. The (R)F.Cinderford 12 site comprises a retail frontage and existing dwellings. It appears to have some potential for a more intensive redevelopment, which could include dwellings. The mixed-use allocation would draw the site’s potential to the attention of developers. It is uncertain precisely what form development might take or whether it would include more or less than 10 new dwellings. However, the inclusion of an indicative figure in the supporting supports mixed use in town centres, as advised by PPG6. The figure would not significantly affect overall housing supply or the delivery of other sites. In the absence of any evidence to support an alternative figure, I conclude that no change would be appropriate.

Footpaths and Tracks

51.198 Objection 571/51800 concerns a trackway from Edge Hills Road to the rear of properties fronting the High Street. The Council says the footpath has been retained in development which is now complete. However no development appears to have occurred within this allocation site and the Council may be referring to the adjoining (R)F.Cinderford 11 site. I consider that the detailed design and handling of the trackway area would be better addressed at the development control stage and would not warrant the deletion or modification of the policy.

Recommendation

51.199 **I recommend no modification to Policy (R)F.Cinderford 12 or paragraphs 2.65 and 2.66.**

Policy (R)F.Cinderford 13 - Hugh Street/Marshall’s Lane Site

Objection

571/51804 Mr M J Rudland

Supporting Statement

622/51277 Mr A Stephens

Issue

Loss of green land.

Reasoning and Conclusions

51.200 The land in question has been redeveloped as a car park and public toilets. The Council says there was no loss of green areas. I am unable to verify this and it is in any case no longer a matter for this Plan. The policy appears to be obsolete.

Recommendation

51.201 **I recommend that Policy (R)F.Cinderford 13 and paragraphs 2.67 and 2.68 be deleted.**

Policy (R)F.Cinderford 14 - Western Access Route – Safeguarding

Objections

26/51891	Coleford Brick & Tile
41/50979	Countryside Agency
288/50936	Gloucestershire County Council

Supporting Statements

26/51890 Coleford Brick & Tile

Issues

- a. Funding and viability.
- b. Future development either side of the route.
- c. Bypass function and status of the road.
- d. Nature conservation with respect to consistency with other Plan provisions for the Cinderford Northern Arc.

Reasoning and Conclusions

Funding

51.202 Paragraph 2.71 states that the Western Access Road need not be funded principally from development contributions. However, paragraph 2.75 refers to the requirements

of policies (R)F.Cinderford 3 and 17 that developments which gain access from this route should contribute towards the cost of its construction.

- 51.203 Pre Inquiry Changes 17 and 18, give priority to the construction of the Western Access Road over the Spine Road Extension, safeguarded by policy (R)F.Cinderford 15. That accords with the preferred option for the Cinderford Northern Arc. PIC17 also proposes a more valuable form of development for the (R)F.Cinderford 17 site, potentially increasing the contributions from that development, if it were to proceed. The County Highway Authority would prefer contributions to be available from that development for either road scheme. I discuss PIC17 below.
- 51.204 The Cinderford Regeneration Arc study [LPD70, 71 and 72] identified a number of areas which would require potentially costly site preparation if they were to be redeveloped. In these circumstances, it appears unlikely that the development proposed in the Revised Deposit Plan could fund the whole cost of the Western Access Road. Even the additional development proposed by PICs 17 and 18 would be unlikely to provide sufficient funding without an additional source of finance. However, at the Inquiry SWRDA confirmed that funding from English Partnerships could in principle be used for the roads and other infrastructure necessary to open up development sites eligible for Coalfields Regeneration funding.
- 51.205 I conclude from the above that there is a reasonable prospect that funding would be available for the Western Access Road during the lifetime of the Plan, or soon after, were development in this area to proceed on the basis of the Preferred Option for the Cinderford Northern Arc, as supported by PICs 17 and 18. However the need for the road and the likely availability of funding would be diminished were development to proceed on the basis of the less ambitious Revised Deposit proposals. In the latter circumstances, it would become more likely that the Spine Road Extension would be constructed instead of the Western Access Road.

Future Development

- 51.206 The safeguarded route for the road would cross an identified Key Wildlife Site, and would lie in the countryside and the Statutory Forest outside any settlement boundary. The Countryside Agency is concerned that the road would in future lead to additional future development on either side of it, that would damage the landscape, and seeks a restriction on that possibility.
- 51.207 The Revised Deposit Plan and PICs 17 and 18 propose several major developments alongside the safeguarded route. I consider these separately in relation to the northern United site [(R)F.Cinderford 3] and the Steam Mills site [(R)F.Cinderford 17]. Policy (R)F.Cinderford 16 proposes leisure and recreational development of Cinderford Linear Park, south of part of the route. Any further development beside the road would fall to be considered under the Plan’s generally restrictive and criteria-based policies relating to development outside settlement boundaries, in the Forest or on sites of local nature conservation interest, as appropriate. In this respect there would be no justification for treating development proposals beside this road differently from those close to any other road outside a settlement or adjacent to similar land elsewhere in the District.

Function and Status of Western Access Route

- 51.208 The intended various functions of the Western Access Road are described in text para 2.76 as to relieve vehicle-pedestrian conflict along the A4151, provide for heavy goods and general traffic destined for Cinderford’s principal employment area, as well as and to provide an alternative through route, avoiding the town centre, bypassing Cinderford to the west, and linking the A4136 with Cinderford Bridge and the B4226 Speech House Road. The road is also clearly intended to provide access to new development along its length. Paragraph 2.73 refers to possible traffic management measures in Steam Mills particularly for heavy goods vehicles. Paragraph 2.74 seeks further traffic management measures in the High Street and town centre and the development of Forest Vale Road as part of a bypass.
- 51.209 In practice, the way the Western Access Road were used would heavily depend on whether the shorter Forest Vale Spine Road Extension were also built, and how effectively traffic could be discouraged from using the A4151. This is because the shorter route would be potentially more attractive than the Western Access Road for journeys between Cinderford and the north and east.
- 51.210 For through traffic between the A4136 and Speech House Road, Forest Vale Road is already likely to be a more attractive option than the town centre, and indeed is signed for through traffic. It thereby operates as a form of bypass for the town centre. For traffic with an origin or destination in the north or east, the projected Western Access Road would not make this journey any shorter or quicker, and could have the opposite effect. Traffic from the west on the A4136 is unlikely to have a destination in the Central Forest as alternative routes avoiding Cinderford would be more direct. The Western Access Road would therefore appear unlikely to make Cinderford a significantly more popular route for movements between the A4136 and the Central Forest. Traffic between the A4136 and the southern A4151 would still be likely to travel through the town centre.
- 51.211 I conclude that the Western Access Road would have little effect on through movements and that it is unnecessary to alter the text to remove references to its limited potential to act as a bypass, which is unlikely to result in excessive traffic generation.

Nature Conservation

- 51.212 The proposed road would be wider than the existing forest track and would traverse the Cinderford Linear Park which is designated as Key Wildlife Site and is thus a Site of Local Nature Conservation Interest to which Policy (R)FNE.9 applies. Elsewhere in relation to objections to other policies concerning development proposals within the Cinderford Northern Arc area I have recommended modifications to the policies and text to address this situation. For consistency, I consider that there should be changes to this policy and its supporting text, as set out in my recommendations below.

Recommendation

51.213 **I recommend** that Policy (R)F.Cinderford 14 be modified by deleting the second sentence and the substituting:

The development will be required to provide for mitigation measures and compensatory provision to address environmental impacts arising from the development.

51.214 **I recommend** that paragraph 2.75 be modified by the deleting the final sentence and substituting:

The ecological damage or loss resulting from the construction of the new road across the Key Wildlife Site will need to be mitigated, and compensatory provision made, as required by Policy (R)FNE.9.

Policy (R)F.Cinderford 15 Forest Vale Spine Road Extension – Safeguarding

Objections

245/51008	Mr J Edginton King
245/51013	Mr J Edginton King
246/51028	Ms P Edginton King
246/51022	Ms P Edginton King

Issues

Nature conservation

Reasoning and Conclusions

51.215 This road is included in the Local Transport Plan as a development-funded proposal. Its main function would be to provide traffic relief for the Steam Mills area and to enable access to be provided to large development sites allocated on adjoining land. The road would be almost entirely bordered by that new development, covering most or all of the grassland inventory site, and is unlikely to be built except as part of that wider development scheme.

51.216 Revised Deposit text para 2.76 requires the mitigation of ecological damage or loss. However it appears impractical that impact could be moderated where the grassland habitat would be lost. In these circumstances, policy (R)FNE.9 would require compensation, suggesting that features of equivalent or greater nature conservation value would have to be provided elsewhere.

51.217 I recommend below that PIC17 to Policy (R)F.Cinderford 17 on the Steam Mills site be not adopted. That would reduce the adverse impact on the Key Wildlife Site. However there would still be loss, and accordingly I consider that the policy and text should be modified to refer to compensatory provision, rather than to mitigation.

51.218 PIC18 indicates the Spine Road Extension should have a lower priority than the proposed Western Access Road [policy (R)F.Cinderford 14]. This accords with the preferred option for Cinderford Northern Arc, which would modify the development

allocation and access arrangements in this area. However the effect on the Key Wildlife Site would be similar.

Recommendation

51.219 **I recommend** that Policy (R)F.Cinderford 15 be modified by the deleting the second sentence and substituting:

The development will be required to provide for mitigation measures and compensatory provision to address environmental impacts arising from the development.

51.220 **I recommend** that Paragraph 2.76 be modified by the deleting the final sentence and substituting:

The ecological damage or loss resulting from the construction of the new road will need to be mitigated and compensatory provision made as required by Policy (R)FNE.9.

Policy (R)F.Cinderford 16 - Cinderford Linear Park

Supporting Statement

13/52000

Sport England SWR

Reasoning and Conclusions

51.221 There are no duly-made objections to this policy or the supporting text.

51.222 What is recorded as a supporting statement from Sport England appears to be directed at the Revised Deposit version of (R)F.Cinderford 17 rather than (R)F.Cinderford 16.

51.223 The Council does not intend to pursue alternative development proposals for this allocation which were part of the Preferred Option and Masterplan of the Cinderford Regeneration Study.

Recommendation

51.224 **I recommend** that no modifications be made to Policy (R)F.Cinderford 16 or Paragraphs 2.77-2.80.

Policy (R)F.Cinderford 17 - Steam Mills Lake Recreation/Leisure Site

Objections

26/51894	Coleford Brick & Tile
26/70147	Coleford Brick & Tile
216/52390	Environment Agency
245/51011	Mr J Edginton King
245/51013	Mr J Edginton King
246/51028	Ms P Edginton King
246/51024	Ms P Edginton King
288/50935	Gloucestershire County Council
394/70590	Mr & Mrs Jones
634/70148	Gloucestershire Wildlife Trust
834/70635	Mr B Whittington
837/70673	Clearwell Caves

Supporting Statements

13/52002	Sport England SWR
646/50317	Cinderford Town Council

Issues

- a. Recreational value.
- b. Contributions to the Western Access Road and Spine Road Extension with reference to development viability.
- c. Protection of clay reserves.
- d. Nature conservation interest of Key Wildlife Site, including with reference to watercourse restoration, and impact mitigation or compensation.
- e. Access and transport modes.

Reasoning and Conclusions

Introduction

51.225 This section of the report addresses the objections to (R)F.Cinderford 17 and the supporting paragraphs as they appear in the substantive Revised Deposit version of the Local Plan. The following section addresses the objections to the proposed Pre-Inquiry Change 17 to the policy and those paragraphs.

51.226 The site is part of land restored from former open cast coal workings to create the northern section of Cinderford Linear Park. The Park is designated a non-statutory Key Wildlife Site. The land is also Crown Land within the Statutory Forest. Part is currently leased to Coleford Brick and Tile for clay extraction for brick-making. A larger area is leased to the District Council for public recreational use and is promoted as part of the Linear Park. Whereas the policy describes the land as surrounding Steam Mills Lake, the Council explained at the Inquiry that the 15ha site area includes the Lake itself. As this has been the cause of confusion, I consider that the site area should be re-measured to exclude the Lake and the policy amended accordingly.

51.227 In summary, the Revised Deposit allocation is for land surrounding Steam Mills Lake to be developed for leisure and recreation, including sports pitches and buildings for outdoor sports, as well as commercial uses for recreation, leisure and tourism.

Contributions would be sought from these developments toward the construction of the Western Access Road, and mitigation measures would be required to address environmental impacts arising from the development.

Recreational Value

- 51.228 At present this part of Cinderford Linear Park provides mainly for informal recreation and angling. The land was restored as a park by the District Council with Government grants which were not then available to the Forestry Commission. This would have been compatible with the policy of the Forestry Commission to provide public access for recreational use to its land within the Dean National Forest Park. The Linear Park is agreed to be subject to a grant condition requiring that unlimited public access continue be available for a 30-year period beginning in the early 1990s.
- 51.229 Paragraph 2.79 refers to the major shortfall of sports pitch provision in Cinderford and refers to the contributions to be sought from housing developments towards new provision. It goes on to refer to the physical constraints of the town which limit the options for provision. This allocation is intended to address the shortfall. The provision of sports pitches may require changes in ground levels but would have less impact on the landscape and its openness than would built development. Some ancillary buildings would be needed.
- 51.230 Paragraph 2.81 requires the type of tourism and leisure development proposed in the Steam Mills area to be compatible with the continued recreational use of the Linear Park.
- 51.231 I conclude that the enhanced recreational provision would be an important social benefit which would need to be weighed against any identified harm.

Viability

- 51.232 I refer above in relation to Policy (R)F.Cinderford 14 to the funding of the proposed Western Access Road. I there conclude that the road is unlikely to be funded from development contributions alone but that Coalfields Regeneration funding might be available if the road were necessary to open up regeneration sites. SWRDA would be influential in securing such funding from English Partnerships.
- 51.233 Objection 26/51894 seeks a more commercial development for the (R)F.Cinderford 17 in order to increase funding for the road. The road would improve access to that objector’s adjacent Northern United site within the (R)F.Cinderford 3 policy area. SWRDA did not submit a similar objection but would evidently support a more intensive commercial employment-based development of the (R)F.Cinderford 17 site along the lines set out in the its published Northern Arc Preferred Option [LPD71], to realise perceived greater benefits for regeneration. That has led to proposed Pre-Inquiry Change 17, which I consider below.
- 51.234 Without details of the leisure, recreation and tourism uses proposed in the Revised Deposit allocation, it is difficult to assess their ability to fund contributions to the road. However it appears that they would be less likely than a more intensive employment-based development to make a large contribution. The case for securing external road funding on economic regeneration grounds may also be weaker in respect of a recreation/leisure development. Thus, whereas part of the road would be needed to provide access to the adjacent Northern United allocation and should be eligible for associated funding as well as developer contributions, there must be some

uncertainty as to whether available funding would be sufficient to enable the road to serve also the Park Recreation/Leisure site and be built to a standard to allow for through traffic as intended.

51.235 However the highway authority considers that the Forest Vale Spine Road would also be suitable to provide access to this site. That shorter road has a reasonable prospect of securing adequate developer contributions from a variety of developments should the Western Access Road not be built. It may also be eligible for Coalfields Regeneration funding. Paragraph 2.85 already refers to access to proposed sports pitches north of the lake as being taken from the east.

51.236 There is no evidence before me that the recreation/leisure development of the Linear Park site would otherwise not be viable and I conclude that the possible difficulty of funding the Western Access Road would not warrant the deletion of the allocation on the grounds of a lack of viability.

Clay Reserves

51.237 Revised Deposit text para 2.82 states that reserves of clay are still present under the allocation site. However neither the policy nor the supporting paragraphs give any protection to those reserves and, if adopted as presently worded, could be used to obstruct the grant of planning permission for clay extraction, as being in conflict with the development plan. The District Council recently objected to a planning application made to the County Minerals Planning Authority to prolong clay extraction in the area. Whereas policy M6 of the Gloucestershire Structure Plan seeks to protect minerals resources from sterilisation by development ‘as far as possible’, that could be overridden by the subsequent adoption of a Local Plan with a conflicting development proposal.

51.238 The explanatory text to policy M6 provides that where it is essential for development to be located on mineral bearing land, the mineral should be extracted in advance of development if this is practical and consistent with other policies. With this in mind, the Council and SWRDA suggested at the Inquiry that it might be possible to remove and stockpile the clay. Referring to the revised Northern Arc scheme proposed in the Pre-Inquiry Changes, SWRDA also considered that it should be possible to programme the development so as to enable clay extraction to continue for a period after the other development had commenced. The objector welcomed the latter comments but was concerned that sufficient land was not available adjacent to the brickworks to stockpile the clay. Existing stockpiled clay there was contaminated and was to be returned to the clay workings, but only after the removal of the good quality clay. The only other suitable clay in the vicinity was stated to lie to the south of the workings within the Linear Park, which is also allocated for leisure and recreational development by Policy (R)F.Cinderford 16.

51.239 Brick making is a traditional activity in the Statutory Forest [of which this site is part] and the brickworks provides local employment and a useful local product. It would accord with Structure Plan policy to avoid sterilising the clay resource and it would not appear to be essential for development to proceed on that part of the site before the clay is removed. I consider that the wording of the supporting text should be amended to allow for that.

Nature Conservation

- 51.240 The Revised Deposit policy and paragraph 2.85 require the provision of mitigation measures to address environmental impacts arising from the development. Paragraph 2.85 refers more specifically to the site’s status as a [non statutory] Key Wildlife Site and to the requirement of policy (R)FNE.9 for any ecological damage or loss resulting from development to be mitigated.
- 51.241 Policy (R)FNE.9 does not exclude all damaging development on sites of Local Nature Conservation Interest which include Key Wildlife Sites, provided that the social, economic or environmental benefits of the proposed development clearly outweigh the potential harm. I consider that there would be clear social benefits in allocating this site for leisure and recreation use given the shortage of such facilities in Cinderford. However policy (R)FNE.9 would require unavoidable harm to nature conservation interests be ‘minimised’, and that proposals provide for compensation for those nature conservation features that would be harmed or lost. That is different from mitigation which would only moderate the harm and would require measures such as new habitat of equivalent or greater nature conservation value. One means of enhancing nature conservation value is to improve the existing watercourses on the site as proposed in Objection 216/52390. The Council indicated that it would amend the Development Brief to refer to this but no revised brief has been prepared. Moreover the loss of other areas of nature conservation interest to built development or to re-graded and closely mown sports pitches could require further compensatory measures including off-site provision.

Access

- 51.242 Paragraph 2.85 provides that some access to the site may be from the east. The Highway Authority considers that the whole site could be accessed from the proposed Forest Vale Spine Road Extension. Given also my finding above that the Western Access Road may not be built if it fails to attract sufficient funding, I conclude that this policy should refer to a potential need for contributions to the Spine Road Extension.
- 51.243 Consistent with certain of my other recommendations, the policy should require rather than seek appropriate contributions to the road funding. The latter term is too tentative and discretionary. To be appropriate, the specific contributions would have to satisfy the usual tests advised by the Government including relevance to the development and to planning, need and reasonableness.
- 51.244 Having regard to the distance of the site from much of the town and the needs of users without car transport, it is important that the site should be accessible by means other than the car. There is some existing provision for pedestrian and cycle access to the area and there are a number of bus services along the A4151. However some improvements may be necessary and it would be appropriate to make reference to them in the policy and the supporting text, consistent with most other development allocations in the Plan.

Recommendation

- 51.245 **I recommend that the site area be re-measured and that the actual land area excluding Steam Mills Lake be substituted for the 15 hectares figure in Policy (R)F.Cinderford 17.**

51.246 **I recommend** that Policy (R)F.Cinderford 17 be modified by the deleting the final sentence and substituting:

In addition, the development will be required to provide for mitigation measures and compensatory provision to address environmental impacts arising from the development.

51.247 **I recommend** that Paragraph 2.85 be modified by deleting the final sentence and the substituting:

The ecological damage or loss resulting from the construction of the new road will need to be mitigated and compensatory provision made as required by Policy (R)FNE.9.

51.248 **I recommend** that paragraph 2.82 be modified by the deleting the penultimate sentence commencing: ‘Reserves of clay ...’ and substituting:

Reserves of clay are still present under parts of the site and provision should be made for their identification and removal prior to the implementation of the development in those areas.

PRE-INQUIRY CHANGE 17 to Policy (R)F.Cinderford 17 – Steam Mill Lake [Cinderford Northern Arc]

Summary of proposed changes:-

- ◆ **Allocation name to be changed from Steam Mills Lake to Cinderford Northern Arc.**
- ◆ **Site area defined in the policy to be reduced from 15ha to 8.3ha to reflect the calculation of the land capable of being developed, but leaving site boundaries unchanged.**
- ◆ **Allocation to be for class B1 business use and education, in addition to commercial recreation, leisure and tourism with deletion of allocation for non-commercial leisure and recreation use, sports pitches and buildings for outdoor sports.**
- ◆ **Design reference to be added to the policy.**
- ◆ **Paragraphs 2.83-2.85 to be rewritten accordingly.**

Objections

18/80009	English Nature
26/80005	Coleford Brick and Tile
41/80002	Countryside Agency
288/80001	Gloucestershire County Council
634/80012	Gloucestershire Wildlife
813/80008	South West Regional Development Agency
833/80006	Mr & Mrs D Coe
834/80003	Mr B Whittington

Issues

- a. Economic regeneration.
- b. Type of development.
- c. Landscape impact.
- d. Nature conservation.
- e. Description and extent of site.
- f. Access, traffic and infrastructure contributions

Reasoning and Conclusions

Introduction

51.249 PIC17 implies a reduction of almost a half in the area allocated for development under this policy. However the overall extent of the policy area remains unchanged. Whilst introducing education and business uses, the wording of the policy and text gives no indication of the relative scale of these developments or the proportion of the site which would be given to them, rather than to the commercial recreation, leisure and tourism uses, which remain included in the allocation. Whereas PIC17 deletes the reference to sports pitches in the policy, it proposes no corresponding change to text paragraph 2.79, which refers to the major shortfall in sports pitches in Cinderford and

continues, misleadingly, to state that (R)F.Cinderford 17 includes provision for sports pitches near Steam Mills Lake.

- 51.250 A revised Development Brief for the policy area is listed in the index of Briefs published in May 2002 [LPD 35], but the revised brief itself was not published then, nor before the close of the Inquiry. Neither was any proposed change to the Proposals Map or other illustrative material issued with PIC17 to explain the reduction in the site area or the proposed change from a recreation use allocation to a mixed use allocation. The only information available to interested persons was the amended wording of the policy and the supporting paragraphs.
- 51.251 Text paragraph 2.83 refers to the Cinderford Northern Arc and to an initial Masterplan of this area. However the Masterplan was not published with PIC17 or 18 and, when published subsequently with Document LPD 71, it did not correspond closely with the Plan allocations themselves, nor even the Pre-Inquiry Changes. Paragraph 2.84 includes the statement that: ‘The proposals for this site comprise high quality business uses in a Business Park surrounding with enhanced structural landscaping to develop the waterfront setting around the water features on the site, and the existing forest background.’ That makes no reference to the other uses described in the policy and its meaning was evidently not clear to those who did submit objections, including the Countryside Agency.
- 51.252 Despite some degree of confusion, I consider that the main issues germane to this proposal emerged from the objections and I go on to assess them in turn.

Economic Regeneration

- 51.253 At the beginning of this Chapter, I refer to the tension in the Cinderford Northern Arc proposals between the economic regeneration benefits of the proposed developments and the risk that they may unacceptably damage the town’s notable strengths in its landscape setting and the recreational amenity value of the Linear Park.
- 51.254 In relation to the other Plan allocations within the compass of the Cinderford Northern Arc proposals, I have generally concluded that the harm would be acceptable, in that it would be outweighed by the economic benefits. Some of those proposals are carried forward from the adopted Local Plan and most were featured in the First and Revised Deposit Local Plans and only relatively modest changes proposed some of the policies at the Pre-Inquiry stage. This applies to the substantive Revised Deposit version of policy (R)F.Cinderford 17, which would result in a moderate change to the landscape and only modest built development, whilst achieving important social benefits in terms of addressing a deficiency in recreational provision.
- 51.255 The Pre-Inquiry Changes to the (R)F.Cinderford 17 site are much more radical. The likely resulting scale and built volume of the proposed employment, education and commercial leisure development would be substantial, as would the resultant economic regeneration benefits, were the proposals to be successfully implemented. However the features which contribute to the development potential, in terms its prominent location and attractive topography and landscape within the Linear Park, are the precisely the same features which are most vulnerable to harm from the development.

Landscape Impact

- 51.256 The Countryside Agency expresses concern about the potential changes to the landscape of this significant site, should the proposal be adopted as proposed. The Agency regards the description of the proposals in paragraph 2.84 as insufficiently explicit. It is not clear whether the Agency had, at that stage, seen the Preferred Option Masterplan [now in LPD 71], as the objection states that the joint study of the area was not then in the public domain. The objection seeks that the policy should acknowledge the existing landscape character and its sensitivity to change.
- 51.257 The present landscape character of the area is one of a rolling open parkland of rough grass around the lake, together with tree-lined watercourses. An area of enclosed young woodland to the north of the lake is excluded from the Key Wildlife Site designation. The site is criss-crossed by footpaths and has a backdrop of mature woodland to the north and west. Notwithstanding its history of mineral extraction, the restoration of the land in the early 1990s as part of the Linear Park has created one of the most attractive and accessible areas of countryside around Cinderford. There is open public access, which allows it to be seen from any area within the site. More distant views are available from the Newtown area, and the site would be highly visible from the proposed Western Access Road or the Forest Vale Spine Road Extension.
- 51.258 The preferred option Masterplan indicates that almost all of the site north and east of Steam Mills Lake would be developed for employment and education uses, and there would be a pub/restaurant to the south east of the Lake. Within these areas are shown a narrow strip of parkland extending into the Newtown area of policy (R)F.Cinderford 5, a retained pond in the south-east corner of the site, and formal avenues. Narrow strips of informal woodland are indicated on sloping land to the south and west of Steam Mills Lake, but much of the young woodland to the north of the Lake would be removed and replaced with built development for employment. Although the Council maintains that public access would still be available to the area, this would no longer be unlimited but would inevitably be greatly restricted by buildings, other structures and enclosures, and by vehicle parking. These features would also intrude into views across the area, and would potentially block important views of the landscape beyond.
- 51.259 I accept that the Masterplan is only indicative, and that it does not form part of PIC17. However it is referred to in proposed revised version of paragraph 2.83 and it has evidently informed the definition of the developable site area. I conclude that development on the likely scale implied by PIC17, and indicated on the Masterplan, would radically alter and harm the natural appearance of the landscape and would not be compatible with its established character.

Nature Conservation

- 51.260 English Nature expresses its disappointment that the land is to be allocated for development, despite the recognised value of the site as part of one of the most important open space wildlife sites in the Central Forest area. The objection goes on to seek measures to minimise, mitigate and compensate for the harm. Again it is not clear whether the objector was fully aware of the Masterplan proposals.
- 51.261 Gloucestershire Wildlife Trust draws attention to the site’s status as an identified Key Wildlife Site. This is important for biodiversity, and the Trust objects to the removal of that reference from the text as not adequately reflecting the ecological importance

of the area. The objection also claims the site as important in English Nature’s Grassland Inventory.

51.262 The Council’s response to these objections refers to the examination of environmental issues as part of the Cinderford Regeneration Arc – Stage 1 Desk Study [LPD 70]. The Council claims that this fully explored the environmental issues that would need to be considered. The Preferred Option in the Stage 3 Final Report [LPD71] is said to retain all significant landscape and habitat features of the area, including the standing water, stream courses, existing woodland planting and linear woodland features. In its original response to these objections [Document LPD 59] the Council stated that it would add to the text of the Plan a statement requiring a full Environmental Impact Assessment as part of any development of the Cinderford Northern Arc. The Council also refers to the requirements of Policy (R)FNE.9 in respect of compensatory measures for lost or damaged nature conservation features. However PIC17 would remove the reference in the Revised Deposit version of paragraph 2.85 to the location of the land within a Key Wildlife Site. That paragraph, and the policy, would refer only to mitigation measures in respect of environmental considerations and impacts, and would not properly reflect the requirements of Policy (R)FNE.9.

51.263 I consider that the PIC17 proposals would be likely to result in a much more severe environmental impact and loss of habitat than the Revised Deposit proposals for this site, and that there would be much less scope for on-site compensatory provision to maintain bio-diversity. This would compound the loss of habitat on adjacent Northern Arc sites.

Site Description and Extent

51.264 The Countryside Agency proposes, on the grounds of avoiding confusion, to apply the Cinderford Northern Arc title not to this site but to the group of adjoining sites, which were covered by the Cinderford Regeneration Study. That would include the lands covered by policies (R)F.Cinderford 5, 3, 14, 15 and 16 as well as 17. I agree that it is confusing to rename this site as the Cinderford Northern Arc when that term has been used elsewhere to apply to the wider area and for the proposed Development Brief. However the Cinderford Northern Arc term has also become associated with the Preferred Option proposals, some of which I do not support, and others [(R)F.Cinderford 16] which the Council themselves does not support. Whilst it remains a useful collective title, appropriate for a joint Development Brief, I do not consider it necessary or desirable to re-order the Plan to put these related policies together under one title. That would confuse the numbering and would make it difficult for interested persons to track the changes.

51.265 I also do not support a suggestion, made by the Council at the Inquiry, that policy areas (R)F.Cinderford 5, 3 and 17 be subsumed into one policy to permit uses to be redistributed within that area. That would risk considerable uncertainty and confusion, particularly for adjoining occupiers.

51.266 I conclude that the site should retain its substantive Revised Deposit title of ‘Steam Mills Lake’ and that the Cinderford Northern Arc term would be better applied to the Development Brief and not used within the Local Plan, save within the descriptive text.

51.267 Coleford Brick and Tile question the unexplained reduction in the site area from 15ha to 8.3ha. The oral explanation given for the change at the Inquiry was that the

reduced site area excludes land which is not intended to be developed. This superseded the incorrect written explanation at paragraph 5.33 of Document FOD/P4.3. The lack of explanation is likely to have misled interested persons when PIC17 was published into believing that the scale of the development was to be reduced, when this was not the case.

Type of Development

51.268 SWRDA seeks the inclusion of class B2 general Industry and class B8 storage and distribution uses within the site. At the Inquiry, SWRDA accepted that class B8 use would be inappropriate and, in effect, withdrew this part of the objection. In Document FOD/P4.3, the Council agrees to the inclusion of class B2 uses. However I consider that the inclusion of B2 use would risk noise and other pollution that would exacerbate the harmful impact of the development on the landscape and the natural environment.

Access, Traffic and Infrastructure Contributions

51.269 In Document 288G, the County Highway Authority proposes detailed modifications to Policy (R)F.Cinderford 17 to address its objections in respect of provision for contributions to the Forest Vale Spine Road Extension [if required to provide access to the site], and to improve accessibility by means other than the car. These refer to contributions for both the Western Access and Spine Roads and also the A4136, pedestrian, cycle and footpath links, and a Travel Plan.

51.270 The Council agrees to all these changes, and they would also address objections regarding the mitigation of traffic impact in settlements along the A4136. I concur with the view that they would be necessary in the context of the major employment-centred development proposed in PIC17. However they would not be necessary in the context of the more modest development proposed for the site in the substantive Revised Deposit Plan.

Overall Conclusions

51.271 My overall conclusion is that PIC17 would result in serious harm to the landscape setting of the town, and to the natural environment and recreational amenity value of the site. This would outweigh the potential economic regeneration benefits.

Recommendation

51.272 **I recommend that the Plan be not modified as proposed in PIC17.**

OMISSION SITES

Omission Site OH2.1 – Land North of Steam Mills CP School, Nailbridge

Objection

223/50583

Forest Enterprise

Reasoning and Conclusions

- 51.273 This site of about 1.7ha is bounded to the west by the A4151 and existing dwellings, to the south by the primary school, and to the north and east by low-density residential development. It comprises open Forest Waste and is Crown Land within the Statutory Forest. The site is said to have been the location for old mine workings but the remains of that activity have now blended into the landscape and the unenclosed site is available for public recreational use under the Forestry Commission’s open access policy. In accordance with the definition advised by Annex C to PPG3 Housing, I do not consider that the site qualifies as previously-developed land. It is instead a greenfield site. It is traversed by access tracks that serve nearby properties and which also include a public footpath that forms part of the Gloucestershire Way Long Distance Footpath. The site lies outside, but adjoining, the Defined Settlement Boundary. A site nearby to the east, comprising both previously-developed and greenfield land, is proposed for residential development by Policy (R)F.Cinderford 9 [Housing Allocation – Nailbridge].
- 51.274 The subject site was allocated for residential development in the Cinderford Local Plan of 1983 but was not developed. An objection to its non-allocation for housing in the subsequent Forest of Dean Local Plan of 1996 was not supported by the Inspector on the basis that there was then no need for the additional housing land in the District. That position has changed in as much as housing allocations are now needed to meet the housing supply requirements of the current Plan. However the Plan makes these allocations elsewhere, including the Nailbridge housing allocation by policy (R)F.Cinderford 9. The objector contends that the subject site is preferable to the southern greenfield portion of the latter site.
- 51.275 The two sites share some characteristics. However the objection site is significantly more prominent in the landscape as seen from the A4151, the public footpaths and surrounding housing. By contrast the southern part of the (R)F.Cinderford 9 site is wholly or partially screened from public view by existing buildings, woodland and a railway embankment. I also judge the objection site to make a more important contribution to the character of the settlement as a typical Forest village made up of informally arranged buildings interspersed with Forest Waste. I consider that the development of this site would be more harmful to that character than would development of the (R)F.Cinderford 9 site.
- 51.276 I conclude that the site is not needed for residential development in the Local Plan period and that its development would be unacceptably harmful to the character and appearance of the area.

Recommendation

51.277 **I recommend that the Land North of Steam Mill CP School be not allocated for development nor included in the Defined Settlement Boundary of Cinderford.**

Omission Site OH2.2 – Land to the East of Buckshaft Road**Objection**

364/52716

John James Builders Ltd

Reasoning and Conclusions

51.278 The objector proposes that this site should be allocated for residential development as an addition to the (R)F.Cinderford 8 allocation at St Whites Farm. The site occupies high ground surrounded by agricultural land and woodland and is poorly related to the existing built-up area. Housing development here would be unacceptably intrusive in the countryside landscape.

51.279 No indication has been given as to how access might be provided. Buckshaft Lane runs along the northern boundary but is a narrow and steep lane without footways and would not be suitable to provide vehicular access to the development. The (R)F.Cinderford 8 site is proposed to take vehicular access from its northern end. To extend that access to the objection site would result in an over-extended cul-de-sac that would be inconvenient for residents and their visitors and for the provision of services. It would make poor provision for emergency access and inhibit bus service provision, whereby residents would have poor access to employment and services by means other than the car.

51.280 The site is greenfield land which has not previously been developed and it compares poorly with other proposed allocations in Cinderford in terms of access and landscape impact and with respect to the sequential test of PPG3 for the selection of housing development sites. Notwithstanding that I have calculated a shortfall of residential allocations in Cinderford, in my judgement there is no evidence an overriding need for additional housing in the town sufficient to override these objections to the omission land, which should therefore not be allocated.

Recommendation

51.281 **I recommend that Land to the East of Buckshaft Road be not allocated for development.**

Omission Site OH2.3 – Land North West of St Whites Road

Objection

29/51351	Diocese of Gloucester
29/51345	Diocese of Gloucester
29/51348	Diocese of Gloucester

Reasoning and Conclusions

- 51.282 This objection relates to 0.2ha portion of an area of open land at St Whites Road which is designated in the Plan as a Protected Outdoor Recreation Space and an Important Open Area [IOA]. It is proposed that these designations be removed to permit the construction of a new vicarage for St Johns Church. The site is owned by the Diocese of Gloucester.
- 51.283 The open space is mainly used as a playing field for the nearby St Whites Primary School. The objector claims that this part of the site is not part of the playing field which I take to mean that it is not part of the marked football pitch. The Council disputes this on the basis that the land has been used as part of a marked running track and would have other uses for such as cricket. It is not physically divided from the rest of the open area and appears to be maintained as part of that area. I consider that it is probable that it is used by the school for outdoor recreation purposes. In planning terms, for that reason it merits protection by Policy (R)FBE.9.
- 51.284 That policy does not prevent development in all circumstances, subject to adequate compensatory provision is made and there is no overriding present or future community need for the open space. There is a possibility that the recreation requirements of the primary school may change as a result of a proposed development associated with Policy (R)F.Cinderford 8 which is likely to include the expansion or relocation of the school. However, it currently remains uncertain whether any or all of this land would become surplus to the school’s requirements. However the position could be reassessed should those circumstances change, having regard to the level of open space provision locally for children and adults.
- 51.285 The Council’s 1994 survey indicated an overall shortfall of such provision in the town. moreover, the children’s play area adjacent to the site is currently unusable. The 1994 survey may be inaccurate and out of date in some respects and does not appear to have been as comprehensive as the surveys now advised by the recently revised PPG17. However no other information is before me, and PPG17 advises that regard should be had to all the functions which open space can perform (including visual amenity) before it is considered to be surplus to requirements.
- 51.286 The objection site is part of an attractive area of open space in an otherwise closely built up area. Its development would reduce the openness of the area and would obstruct public views of the remaining open space from the south and west. In Part 1 of the Plan I recommend that Policy (R)FBE.7 be amended to require that Important Open Areas are designated on the basis that they satisfy 3 of 4 criteria. I consider that the objection site would meet at least the first 3 criteria related to the Defined Settlement Boundary, public visibility and contribution to visual amenity, and justifies its proposed IOA designation.
- 51.287 I have considered whether a functional requirement or community need for the proposed vicarage has been demonstrated which would outweigh these other

considerations. St Johns Church stands about 200m from the objection site. The original vicarage was the large house in extensive grounds to the north of the open space but that is no longer owned by the Diocese. The present vicarage is about 800m from the Church and is stated to be unsuitable for its present use by reason of its location and split level layout. If so, it appears that it was not well chosen when the original vicarage was vacated. However there is a lack of evidence to show that no more suitable existing dwelling is available in the area which could serve the functional and community needs. The Council has also drawn attention to an area of land adjacent to the Parish Hall and the Church. Whereas document 29J includes the statement that the land is owned by the Parochial Church Council and not the Diocese, it does not say whether any approach has been made to the PCC to see if this land could be made available.

51.288 Overall I conclude that the protection of the site is merited and that, on the information before me, an overriding functional or community need has not been demonstrated which would warrant setting that protection aside.

Recommendation

51.289 **I recommend that the Land North West of St Whites Road be not allocated for development.**

Omission Site OR2.1 – Land to the East of St Whites Farm

Objection

306/52510

Messrs Grindle

Reasoning and Conclusions

51.290 It is proposed that part of St Whites Farm be allocated for leisure and recreational facilities adjoining allocation the housing allocation by (R)F.Cinderford 8. These area intended to included the possible relocation of the local Rugby Club. Revised Deposit paragraph 2.45a recognises the possibility of re-locating the Club, but the Council declined to allocate the objection site for this purpose, arguing that Policy (R)FTRL.2 allows for such recreational developments in the countryside.

51.291 There does appear to be a shortage of adult/youth playing pitch provision to serve Cinderford and this could be a candidate location for new provision. However this would need to exceed the size of the existing Rugby Club facilities if there were to be a net increase in provision.

51.292 The objection is vague as to the nature of the facilities required such as the type of buildings and their precise location. This impedes an assessment of matters such as the potential landscape impact on what is a prominent ridge. Neither am I aware of any other technical investigation of the site’s suitability. I therefore conclude that it would be inappropriate to make a formal allocation in the Local Plan. Policy (R)FTRL.2 would permit the consideration of a more advanced development proposal which could address these issues and the other policy criteria.

Recommendation

51.293 **I recommend that the Land to the East of St Whites Farm be not allocated for development.**

Inset Map 2 - Cinderford

Objections

5/51263	Swanhill Homes Limited
5/51360	Swan Hill Homes Limited
5/51368	Swanhill Homes Limited
25/51930	Chelbury Homes Ltd
29/51351	Diocese of Gloucester
29/51345	Diocese of Gloucester
29/51348	Diocese of Gloucester
51/51578	Westbury & Persimmon Homes
64/50746	Mrs A Paskell
88/50349	Mr & Mrs R Ballinger
89/50708	Mrs P E Ballinger
89/70207	Mrs P E Ballinger
108/50674	Mr P A & Mrs A N Bennett
124/50656	Mr P & Mrs J Blewitt
124/50725	Mr P & Mrs J Blewitt
128/53032	Mr R Bonser
168/50661	Mr P H S Carr
190/50324	Mr R & Mrs P Colquhoun
204/52773	Mr N Creed
205/52770	Mr V Creed
223/50583	Forest Enterprise
223/52246	Forest Enterprise
245/51013	Mr J Edginton King
246/51028	Ms P Edginton King
301/50700	Mr J Griffiths
302/51782	Mr J & Mrs P Griffiths
314/50383	Mr S P Hardcastle
329/50729	Mr & Mrs Head
364/52716	John James Builders Ltd
419/50683	Mrs Lardner
451/52282	Mr K McNally
451/70196	Mr K McNally
474/52766	Mr & Mrs D T Morse
488/51197	Friends of the Earth (Forest of Dean)
510/52668	Mr A & Mrs N Paskell
622/51120	Mr A Stephens
622/51131	Mr A Stephens
622/51138	Mr A Stephens
627/50359	Mrs O M Stephens
627/50718	Mrs O M Stephens
627/70206	Mrs O M Stephens
655/52680	Mrs M Tingle
661/51755	Mr G V Towney
674/50667	Mr R Virgo
827/70496	George Wimpey UK Limited

Supporting Statement

51/51588

Westbury & Persimmon Homes

Issues

- a. Objections to the Inset Map which refer to specific policies and allocations are addressed above alongside other objections to those policies and allocations.
- b. Objections to the Inset Map which seek additional development at specified locations are addressed above as ‘Omission Sites’

Reasoning and Conclusions

51.294 I here make recommendations only consequent upon my considerations above.

Recommendation

51.295 **I recommend that Inset Map 2 be modified consistent with my recommendation that Policy (R)F.Cinderford 6 [Station Street] be modified by the removal of that part of the site which has been developed as an estate of 65 dwellings and the site area adjusted accordingly.**

51.296 **I recommend that Inset Map 2 be modified consistent with my recommendation that the site of Policy (R)F.Cinderford 7 [Valley Road] be reduced and the employment area transferred to the site of Policy (R)F.Cinderford 1 [Forest Vale].**

51.297 **I recommend that Inset Map 2 be modified to differentiate those parts of the site allocated by policy (R)F.Cinderford 8 for housing from those for school or open space development.**

Inset Map 2A - Cinderford

Objection

590/52188

Oxford, Swindon & Gloucester Co-operative Society Limited

Issues

Proposed exclusion the Rugby Club, tennis courts, and sports field from the defined the town centre.

Reasoning and Conclusions

51.298 PPG6 sets out at paragraph 1.1 the Government’s policy objectives to ensure the availability in town centres of a wide range of shops, employment, services and facilities to which people have easy access by a choice of means of transport and to focus development to so as to maximise the opportunity to use means of transport other than the car. Other advice in PPG6 encourages the location in town centres of other uses, including leisure, which attract a lot of people.

51.299 The Rugby Club is a leisure use which attracting many people, whether as players, spectators, or as users of the club’s bar and other facilities. The site is also the venue

for the town’s regular retail market. The central location in the town means that the site is accessible on foot to a significant proportion of residents. The site also directly adjoins the town’s main bus stand. It is thus highly accessible by means of transport other than the car and it can be expected that trips to the Club would often be combined with visits to other town centre facilities. I thus consider that the present use of the site qualifies as a leisure and retail use which is appropriately included in the definition of town centre activities.

51.300 However paragraphs 2.51-2.56 of the Revised Deposit Plan point to the poor economic performance of the town centre and the very high outflow of retail expenditure to other centres. A need is identified for retail expansion and it is evident from the Council’s written submissions, if not from the Plan itself, that the Council considers the Rugby Club site a candidate location for the expansion of retail and other town centre uses, subject to the replacement of the Rugby Club on a suitable site elsewhere. That site would necessarily be outside the town centre and, having regard to the topography and built-up character of the town, would probably also lie outside the Defined Settlement Boundary. However any harm in terms of increased journey lengths or reduced accessibility by non-car means to the Rugby Club would need to be weighed with the travel patterns of the retail development made possible by the relocation. Such a development would inherit the locational benefits of the existing Rugby Club but would be likely to operate over much longer periods and attract a greater number of trips. Many of those trips would be shorter than existing out-of-town trips and could be made by foot, cycle or bus.

51.301 The inclusion of the site within the defined town centre means that proposals for retail development there would be favoured and would not have to demonstrate compliance with the sequential test for site selection which is intended to reinforce town centres by restricting development elsewhere. I disagree with the objector’s contention that the site is remote from the retail core. Competition from a new retail development may affect rival businesses within the town centre, including that of the objector, but it is not the role of the planning system to restrict such competition. The new development would be no less accessible by non-car means than other parts of the town centre and a broader retail offer in the town centre would provide the opportunity to reduce the outflow of spending from the town. I conclude that the site is appropriately included within the town centre.

Recommendation

51.302 **I recommend no modification to the definition of the town centre boundary.**

CHAPTER 3 - COLEFORD

General

Objections

207/52302	Mr M Crofts
288/70286	Gloucestershire County Council
394/70582	Mr & Mrs M J Jones
539/50146	Coleford Town Council
539/70003	Coleford Town Council
651/51892	Watts of Lydney Group Ltd
778/70123	Environment Agency
808/70321	Mrs M C Griffiths

Supporting Statement

840/70708	Dwr Cymru Welsh Water
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Issues

- a. Title of Chapter and Inset Map 3.
- b. The capacity of the drainage system and Newland Sewage Treatment Works to cater for new development.
- c. Constraint on allocated employment land due to single ownership.
- d. Loss of town centre passing trade.
- e. Provision for archaeological assessment in advance of development.
- f. Omission of land from allocation for development.

Reasoning and Conclusions

Title of Chapter

- 13.1 I have found in relation to policy (R)F.Strategy that, to recognise the community status of the constituent settlements enclosed within the Defined Settlement Boundary of Coleford that, this Chapter and Inset Map 3 should be retitled Coleford Group of Settlements.

Drainage Capacity

- 13.2 There are two major, long-running drainage concerns affecting Coleford, where the bulk of the town and the surrounding settlements drain via the Newland valley. These are the capacity of the existing sewerage in the town centre and the ability of the foul water connection to the Newland sewage treatment works [STW], and of the STW itself, to accommodate the effluent from existing and proposed development.
- 13.3 I recognise current public demand for these matters to be resolved, but I am restricted in this report to considering the implications that drainage capacity limitations have for the supply of development land, and assessing whether and how new development can avoid worsening present drainage problems. I address both these issues with respect to individual sites later in this chapter.
- 13.4 In general relation to Coleford, I acknowledge that the shortcomings of the drainage system result in a effective embargo on new discharges in much of the town with no evident indication of when improvements to the system will enable this to be lifted. Despite the completion of a new foul sewer to the Newland STW, there is much

anecdotal evidence of unacceptable discharge quality related to both system capacity and the performance of a combined sewer overflow to the Whitecliff Brook. Until proposed automatic logging equipment is installed and several years monitoring completed to assess the effects of variations in rainfall and drainage flows, there will remain significant uncertainty about the ability of the system to serve the developing community.

- 13.5 I am confident that policy (R)FBE.2 on infrastructure provision, together with individual site development criteria, equip the Council to control development so as to avoid exacerbation of current drainage problems, essentially by requiring discharge limitations to be engineered on site, as an alternative to refusing permission. However, such measures can be costly to developers and have implications for land supply. The Environment Agency did not appear at the Inquiry to discuss these matters and the Council is left in a difficult position of uncertainty as to the effectiveness of their Plan provisions for Coleford. In the circumstances I conclude that it is necessary to retain the cautionary stance of the First Deposit version of Paragraph 3.6, albeit incorporating the explanatory addition of the Revised Deposit modification.

Employment Land

- 13.6 The text to Employment Allocation policy (R)F.Coleford 4 explains that the status of the land has changed since the adoption of the current Local Plan in that its prospective development for employment is no longer tied to the adjacent Smith Kline Beecham [or Glaxo Smith Kline – GSK] operation. In the circumstances I am not persuaded that further allocations are needed, simply on grounds related to the land being in the same ownership as the GSK site.

Town Centre Trade

- 13.7 I understand expressed fear that passing trade will be lost if an additional town centre access road is built from Old Station Way, in line with policy (R)F.Coleford 3. However, the supporting text to that policy [para 3.20-21] makes clear that this would be in addition to existing routes and should enhance traffic management, in particular to reduce heavy goods traffic in High Street. I agree with the Council that this would benefit the shopping environment and I do not consider that further policies to safeguard trading interests are necessary.

Archaeological Assessment

- 13.8 I consider that the Revised Deposit wording of para 3.2 adequately signals the potential need for archaeological assessment of sites in Coleford in advance of development. This matter is covered by policies (R)FHE.6 and 7 in any event.

Omission Sites

- 13.9 I deal separately with omission sites below.

Recommendation

- 13.10 **I recommend that Paragraph 3.6 be modified to:**

Within Coleford there are a number of culverted water courses. Most of the town and surrounding settlements drain down the Newland valley to the River Wye. There are problems of localised flooding and deficiencies in the surface water and foul sewers themselves in and downstream of the town centre. The

capacity of a recent replacement foul sewer from Coleford town to the Newland sewage treatment works, and of the treatment works itself, remains a matter of concern. Development proposals will need to have regard to these issues. In view of known constraints, new development will not therefore be able to take place until these problems are resolved or until the development itself brings a solution in advance of its occupation. This requirement is expressed by policy (R)FBE.2.

Policy (R)F.Coleford 2 – Town Centre Retail Sites including The Marshes

Objections

207/52305	Mr M Crofts
827/70494	George Wimpey UK Limited

Supporting Statement

185/53019	Mrs E Clarke
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Issues

- a. The effect of planning constraints on the retail land at The Marshes on its potential for including an element of housing.
- b. Effect of the proposed alternative access on historic Coleford.

Reasoning and Conclusions

The Marshes

13.11 Notwithstanding topographical and access constraints, and the need to consider visual impact and sewerage capacity, the land at The Marshes appears to offer an opportunity for an addition to the retail core of Coleford whilst incorporating a small but significant contribution to sustainable urban housing. The provision of new entrances to the site, as indicated in the development brief [LPD35.16], would overcome the inadequacy of the current entrance from Lords Hill.

13.12 I accept that the physical and imposed financial constraints on the site could have some negative effect on its deliverability. I take this into account in considering its potential contribution to housing land supply in relation to policy (R)FH.2, where I recommend a small degree of oversupply, compared with my calculation of the town requirement. I regard the policy itself as sufficiently flexible to allow for negotiation of all aspects of any planning application.

Alternative Access

13.13 It is easy to confuse the possible alternative entrance proposals to the two sites nominated in this policy with the new town centre access road from Old Station Way on land safeguarded by policy (R)F.Coleford 3, which I consider below. There is no evidence that the new entrance arrangements would divert significant traffic away from Coleford.

Recommendation

13.14 **I recommend no modification to policy (R)F.Coleford 2.**

Policy (R)F.Coleford 3 – New Access Road – Old Station Way

Objections

207/52309	Mr M Crofts
546/52838	GWR Museum (Coleford)
645/52554	Mr K Thomas

Supporting Statements

539/70008	Coleford Town Council
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Issues

- a. Effect on historic town centre.
- b. Loss of open space.
- c. Road Safety.

Reasoning and Conclusions

- 13.15 The supporting text to this policy [para 3.20-21] makes clear that the contemplated new alternative access road would be in addition to existing routes and should enhance traffic management, in particular reducing heavy goods traffic in High Street. I agree with the Council that this would benefit the local environment. I also consider that it would thereby enhance awareness and appreciation of the historic features of the town.
- 13.16 The construction of a new access road as indicated on Inset Map 3A could affect an existing area of open space, which is currently part of the setting of the Great Western Railway Museum. This is one of many design issues that would have to be resolved before any such scheme could proceed. Particular attention would also be required to ensure the creation of a safe junction with Old Station Way.
- 13.17 I conclude that provision for an additional access should be retained, in view of the significant overall benefits it could bring to Coleford. However, the idea has not evidently been developed in detail and the Revised Deposit wording is unclear regarding the possible location of the road. In responding to objections, the Council proposes that the road as shown on the Inset Map be deleted. In the circumstances, the policy should not safeguard land and the related notation should be removed from Inset Map 3A. Instead the policy should simply favour an alternative access.

Recommendation

- 13.18 **I recommend that the first sentence of policy (R)F.Coleford 3 be modified to:**
- Favourable consideration will be given to the creation of an alternative access road from Old Station Way in order to enable a reduction in the use of the High Street for access.**

Policy (R)F.Coleford 4 Employment Allocation – land Adjoining Smith Kline Beecham

Objections

38/51385	SmithKline Beecham
180/52466	Hewelsfield & Brockweir Parish Council
207/52297	Mr M Crofts
390/51704	Rothdean Ltd
414/51661	Forest of Dean Badger Patrol

Supporting Statement

38/51389	SmithKline Beecham
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Issues

- a. Contribution to off-site highway works at Gloucester Road junction with Bank Street.
- b. Extent of the allocation and its impact on the southern approach to Coleford and a nearby tourist attraction.
- c. Sterilisation of limestone reserves.
- d. Badger survey.
- e. Omission of land from allocation for employment.

Reasoning and Conclusions

Contribution to off-site Highway Works

13.19 Having regard to established national guidance and practice, it is not appropriate to require potential developers to contribute to the cost of highway works remote from the site unless there is detailed technical evidence that such works would be required to accommodate effects directly caused by the development. In this instance no such evidence has been adduced regarding the Gloucester Road junction with Bank Street in the town centre, or any other location. It is sufficient in the circumstances that reference is made to particular locations in the development brief. The policy should not specify them.

13.20 It is reasonable however, given the substantial extent of the site, for the policy to require expressly the submission of a Transport Assessment with any planning application, in line with the development brief, and to state that contributions will be sought from developers to fund any off-site highway works that are found to be a pre-requisite of planning permission. I recommend below a modified wording of the policy to implement these changes.

Impact on the Southern Approach to Coleford

13.21 The substantial allocation of employment land adjacent to Smith Line Beecham [or Glaxo Smith Kline - GSK] potentially has the effect of prominently extending the built settlement southward into the open countryside on the southern approaches to the town. Here where the Perrygrove Farm miniature railway is an important tourist attraction fronting the east of the B4228. I discuss this area in more detail in connection with housing Omission Site OH3.16 at Perrygrove Farm, and there conclude that the area has acquired a distinctly urban fringe character. I am

persuaded that the landscape and design measures prescribed in the policy can act to soften the harmful impact of any development, whether by GSK or others, so as to render it visually acceptable in its present context.

- 13.22 I agree with the operator of the nearby tourist attraction that there is scant evidence of specific need for this particular employment site, especially now that a former tie to GSK has been removed in this Plan Review. Nevertheless, it is self-evident that, where new employment and housing is to be co-located in Coleford, this land offers itself as a logical extension to consolidate the neighbouring established industry or to attract new employers. In the absence of widespread objection to the allocation on grounds of need, I conclude that, on balance, any detrimental impacts can be acceptably mitigated.

Limestone Reserves

- 13.23 In the absence of any reference in the Mineral Local Plan to safeguarding limestone reserves under the land, no further reference is necessary to this matter, which is outside the purview of this Plan.

Badgers

- 13.24 It is sufficient to the important planning interest of safeguarding the protected badger that a wildlife survey is a requirement of the development brief [LPD35.15]. The importance of badger protection is covered generally in this Plan by way of the reference made in policy (R)FNE.11 and the text at para 8.65.

Omission Sites

- 13.25 I deal separately with omission sites below.

Recommendation

- 13.26 **I recommend that policy (R)F.Coleford 4 be modified to:**

Employment Allocation – Land Adjoining Glaxo Smith Kline *[or as appropriate]*

6.8 hectares of land adjoining Glaxo Smith Kline will be allocated for employment use (Classes B1, B2 and B8).

Proposals for development shall have regard to the high level of visibility of the site within the landscape and the transport implications of the development, including the potential for additional road traffic generation, and shall include:

- 1. Comprehensive development of the entire site to include strategic landscaping**
- 2. Implementation of the strategic landscaping at or before the commencement of the built part of the development**
- 3. Single access to the site serving also as the principal access to the adjacent Glaxo Smith Kline site**
- 4. Cycle and Pedestrian links to the adjoining highway network**
- 5. A Transport Assessment to include consideration of enhanced bus services to serve the site and any off-site highway improvements required to accommodate additional traffic generated by the development.**

The Council will seek to negotiate an appropriate contribution by the developer to the cost of enhanced bus services and any off-site highway works required as a result of the development.

Policy (R)F.Coleford 5 – Employment Sites - Safeguarding

Objections

216/52397	Environment Agency
252/70106	Mr I G Ellis
394/70713	Mr & Mrs M J Jones
438/52855	Mr P D K Marques
438/52861	Mr P D K Marques
749/70233	Mr A Graham
769/70072	K W T Coaches
783/70159	Challice Road Sweeping
792/70211	P J Engineering
809/70323	United Rentals Ltd
810/70325	Mr J Childs
829/70552	Mr B L Fowler
833/70659	Mr & Mrs D Coe
834/70715	Mr B Whittington
835/70663	Mr R Smurthwaite
836/70667	Ms L Daniels
838/70700	Mr J W Hine
839/70704	Dean Forest Voice
844/70806	Mr C R Graham

Issues

- a. Protection of groundwater.
- b. Objection to the inclusion of the land at Broadwell on grounds of potential relocation of the CU Lighting factory and the use of the present, previously developed, site for housing.
- c. Objection to the exclusion of the land at Milkwall on grounds of Statutory Forest heritage and loss of employment land.

Reasoning and Conclusions

- 13.27 I consider that in the context merely of safeguarding existing employment sites, the protection of groundwater is adequately covered in general by policy (R)FNE.12.
- 13.28 I have had full regard both to the written objections to the inclusion of the Broadwell site and, on the other hand, the well-made oral representations against the deletion of the Milkwall site. It appears to me that the proper aim to consolidate the employment base of Coleford is mainly met by the express safeguarding by policy (R)F.Coleford 5 of the large tract of industrial land bounded by Tufthorn Avenue, Old Station Way and Arthur Cooper Way. The less extensive lands at Broadwell and Milkwall make a proportionately smaller contribution to employment, yet still have the general protection of policy (R)FE3 unless they become underused, environmentally harmful or potentially suitable for mixed redevelopment retaining the same scale of employment.

- 13.29 Thus the employment uses of the sites at Broadwell and Milkwall could both be beneficially intensified, consistent with the established use and without undue detriment to nearby residential areas. Alternatively, the land could be redeveloped for mixed use where this were to prove the best land use option and where potential objections could be overcome.
- 13.30 I discuss the question of the legal status of Statutory Forest land elsewhere in this report, and I acknowledge ongoing uncertainty regarding the legal availability of such land, including the Milkwall industrial site, for redevelopment. I leave the question of reversion to forestry to the legal process. Meanwhile, I conclude that neither the Broadwell nor the Milkwall lands should remain subject to policy (R)F.Coleford 5, and the related notation should be removed from those sites on that Inset Map 3.
- 13.31 The matters of individual company policy and property values, cited by objectors, are not strictly planning issues and do not much influence my consideration of this policy.

Recommendation

- 13.32 **I recommend that policy (R)F.Coleford 5 be modified by the deletion of reference to the Land at Broadwell.**

Policy (R)F.Coleford 6 – Employment Site – Whitecliff Quarry

Objections

41/51101	Countryside Agency
288/50943	Gloucestershire County Council
414/51664	Forest of Dean Badger Patrol

Issues

- a. Quality of highway access and lack of public transport, pedestrian and cycle links.
- b. Landscape protection.
- c. Badger survey.

Reasoning and Conclusions

- 13.33 This site undoubtedly has poor highway access along a narrow road without footways and no public transport connections. Entirely new development would therefore be unlikely to comply with Gloucestershire Structure Plan policy T.1. However, the Whitecliff Quarry site is established by way of planning consents to provide small-scale, unobtrusive, low-cost employment and leisure opportunities close to Coleford. On that basis I see no reason to question its express allocation for the limited consolidation of these uses, subject to the stringent criteria already included in the policy and text. These aim to control traffic hazards and noise, as well as impacts on the surrounding landscape, wildlife and general amenity.
- 13.34 However, I find the heading and layout of the policy confusing. The policy title should refer to employment and recreation, in order to reflect its true content. Existing Criteria 1-4 should apply to all development under the allocation, and not only the outdoor leisure use. And the requirement for sensitive design should be elevated to policy status in addition to the explanation in Revised Deposit text para 3.31. For

practical reasons Criterion 1 should refer to unacceptable traffic hazards. I recommend a modified version accordingly.

- 13.35 The importance of badger protection is adequately covered generally in Criterion 3 and by way of the specific references in policy (R)FNE.11 and text para 8.65.

Recommendation

- 13.36 **I recommend that policy (R)F.Coleford 6 be modified to:**

Employment and Recreation Site – Whitecliff Quarry

1 hectare of land at Whitecliff Quarry is allocated for employment use (Class B1, B2, B8) and the remaining area of the former quarry will be restricted to outdoor leisure uses.

New development shall:

- 1. be located and designed to take account of the character of the surrounding landscape, to mitigate views of the development and to improve or enhance its setting**
- 2. not give rise to unacceptable road traffic hazards**
- 3. not detract unduly from the amenity of the surrounding area, having regard to intensity of use, hours of operation and generation of noise**
- 4. provide for safeguarding wildlife habitats affected by the development.**

Policy (R)F.Coleford 7 – Leisure/Recreation/Tourism – Cannop Depot

Objections

245/51014	Mr J Edginton King
246/51017	Ms P Edginton King
252/70103	Mr I G Ellis
288/50944	Gloucestershire County Council
394/70585	Mr & Mrs M J Jones
394/70591	Mr & Mrs M J Jones
394/70592	Mr & Mrs M J Jones
414/51665	Forest of Dean Badger patrol
422/52759	West Dean Parish Council
488/51199	Friends of the Earth (Forest of Dean)
781/70149	Mr D J Evans
789/70198	Mr H R Evans
804/70303	Mr K Phelps
814/70372	Ms E Mormon
829/70551	Mr B L Fowler
833/70630	Mr & Mrs D Coe
834/70636	Mr B Whittington
834/70637	Mr B Whittington
835/70662	Mr R Smurthwaite
836/70666	Ms L Daniels
837/70668	Clearwell Caves
837/70674	Clearwell Caves
837/70675	Clearwell Caves

838/70699 Mr J W Hine
839/70703 Dean Forest Voice

Issues

- a. Increased area of the allocation in the Revised Deposit Plan.
- b. Statutory Forest status.
- c. Impact of built residential recreational development, increased visitors, cycle and vehicular traffic on Forest character and heritage, ecology and wildlife.
- d. Public transport accessibility.
- e. Tourism needs.

Reasoning and Conclusions

- 13.37 During the course of the Inquiry the Council conceded that, following fresh consideration by Forest Enterprise, the allocation should revert to the First Deposit version, essentially limited to the existing depot area on the former pithead site. In this connection they propose Voluntary Change 16 [VC16], which deletes reference to a wider area of forest around the Depot site and incorporates certain minor points of clarification. There is no evidence of objection to this modification of the Revised Deposit policy and text. Accordingly I deal with the objections on the basis of VC16 ie in effect the First Deposit version of policy (R)F.Coleford 7 and text paras 3.33-36, whereby objections to the enlargement of the allocation are met, and I do not discuss them further.
- 13.38 I have regard to the submissions made with respect to the status and legal availability of the depot land for redevelopment due to its location within the Statutory Forest of Dean. These arguments are discussed in more detail elsewhere, and my conclusion that the status of such land remains uncertain applies equally to Cannop Depot. However, I deal first with the strict planning issues arising from the objections.
- 13.39 With the deletion of the surrounding forest area from the allocation the redevelopment of the Depot [former pithead] itself would have little or no direct impact on Forest heritage features or ecological balance. However, the introduction of a substantial hotel would be likely to increase the net number and length of visits to the immediate area. Even in the context of the suggested eco-hotel development, sensitive to the local environment, dedicated to energy conservation and with a target clientele appreciative of the value of the natural forest, this would inevitably result in significantly greater pressure on forest infrastructure and designated key wildlife sites and any protected species, due to walkers and cyclists, no matter how well ordered their routes and activities.
- 13.40 External to the site itself there would be commensurate increases in road traffic. Even if new public transport links were secured in association with the development to comply with GSP policy T.1, and vehicle flows kept well within road capacity, I consider that there would be a marked alteration in local character.
- 13.41 There is already substantial tourist development locally including Speech House, Beechenhurst and many heritage attractions close by. A further hotel development at Cannop, no matter how sympathetically designed, would result in significant further urbanisation of the Cannop Valley, acknowledged by the Plan itself [text para 3.33] as being a core woodland feature of the Forest of Dean.

- 13.42 I accept that there is an acknowledged need for the Forest of Dean District to consolidate its increasingly important tourist industry by attracting more overnight and longer-staying visitors to the kind of high quality accommodation that is regarded as being currently in short supply in the District. However, I find merit in the much-expressed view that such facilities located relatively close by, in or adjacent to existing towns or villages or at the borders of the woodland areas, would better conserve the Forest heritage whilst still supporting the promotion of tourism.
- 13.43 For these reasons I reach the conclusion that the Cannop Depot allocation should be deleted altogether from the Plan and Proposals Maps. In arriving at this recommendation I am alert to the fact that the future of the site may be uncertain in terms of the working life of the Depot and the uncertainty surrounding its Statutory Forest status. However, these considerations do not much influence my assessment, which is based on more cogent planning issues.

Recommendation

- 13.44 **I recommend that policy (R)F.Coleford 7 and text paragraphs 3.33 to 3.36 be deleted.**

Policy (R)F.Coleford 8 – Housing Allocation – Angel Farm

Objections

5/51259	Swanhill Homes Limited
38/51390	SmithKline Beecham
41/51146	Countryside Agency
49/51585	Westbury Homes Holdings
49/51601	Westbury Homes Holdings
49/51603	Westbury Homes Holdings
56/50031	Mr A Adams
56/50038	Mr A Adams
60/50033	Mrs Q Adams
60/50040	Mrs Q Adams
93/51861	Mrs C Bartle
94/52345	Mr J Bartle
95/52310	Mr C Bath
100/52208	Ms D Beard
109/52055	Mr S Bennett
114/52201	Mrs N Biddle
137/52441	Mr CG C Brain
140/52363	Mrs S Brain
152/51866	Mrs D Brown
166/50310	Dr J Camp
167/52503	Mr M J Camp
175/51446	Hallam Land Management
194/52414	Mrs G V Cook
194/70067	Mrs G V Cook
194/70068	Mrs G V Cook
195/51244	Mr L N Cook
208/52431	Mr & Mrs D J Crook
216/52399	Environment Agency
229/50527	Mr H J Deane & Mrs C J Dinnadge
242/52476	Mr & Mrs G Edey
251/52504	Mr D G Ellis

251/70007	Mr D G Ellis
251/70009	Mr D G Ellis
252/50010	Mr I G Ellis
253/52411	Mrs J Ellis
253/70104	Mrs J Ellis
253/70105	Mrs J Ellis
265/52298	Messrs Farr & Jenkins
272/52244	Mr & Mrs Fox
288/50947	Gloucestershire County Council
289/52427	Mr S D & Mrs J Good
304/52462	Mrs M Griffiths
324/52233	Mr & Mrs P R Hatton
330/52042	Mr M K Heaney
335/51683	Mrs Hoare
346/50176	Mr J H Horwood
357/52252	Mr & Mrs K Ireland
357/52254	Mr & Mrs K Ireland
390/51648	Rothdean Ltd
398/50360	Mr W L & Mrs L M Jones
398/50365	Mr W L & Mrs L M Jones
414/51667	Forest of Dean Badger patrol
421/50019	Mr D Lee
421/50049	Mr D Lee
430/52547	Mrs E Lodge
433/52501	Mr N Marangon
443/52249	Mr Matthews
481/52470	Mr D F Nash
483/52551	Mrs B Neave
516/50105	Mr & Mrs J Pendry
516/70039	Mr & Mrs J Pendry
535/52225	Mr & Mrs D Price
557/52059	Mr K H Richey
557/52703	Mr K H Richey
589/50374	Mrs I G Sharp
599/52051	Ms W Siriwardena
611/52665	Mr & Mrs R Smith
624/50164	Mr J W Stephens
624/50183	Mr J W Stephens
624/70789	Mr J W Stephens
624/70790	Mr J W Stephens
625/50167	Mrs N M Stephens
673/51504	Mr P Virgo
683/50017	Mrs K Washington
683/50026	Mrs K Washington
683/50043	Mrs K Washington
684/50023	Mr M Washinton
684/50046	Mr M Washinton
698/52521	Mrs M Wiggins
718/50631	Mr & Mrs Winter
727/52260	Mr & Mrs Young
729/53166	Mr & Mrs M Addis

Supporting Statements

13/51996	Sport England SWR
49/51599	Westbury Homes Holdings
840/70709	Dwr Cymru Welsh Water

Issues

- a. The extent of and need for the allocation and the use of greenfield land.
- b. Landscape impact.
- c. Access, traffic and parking.
- d. Drainage and flooding.
- e. Community infrastructure capacity.
- f. Land stability.
- g. Natural environment.
- h. Alternative approaches and sites.
- i. Omission sites of other land for residential development.

Reasoning and Conclusions

13.45 First on a point of clarification; there is evidence of some confusion between the extent of the First Deposit and Revised Deposit allocations. I am satisfied that the Revised Deposit version now for consideration is for about 100 dwellings on a gross area of 3.9ha [not 7.9ha as originally noted], but includes a small additional area for road access off the end of Hampshire Gardens.

Need for and Extent of the Allocation and use of Greenfield Land

13.46 I deal in detail with matters of land supply and the locational strategy for housing, including the use of greenfield land, in connection with policies (R)F.Strategy 1, 3 and 6 and (R)FH.2. I conclude that there is a degree of need for additional housing allocations in Coleford. Here I mainly assess the specific planning effects and implications of the Angel Farm allocation.

Landscape Impact

13.47 There is no doubt that the residential development contemplated at Angel Farm would substantially extend the built settlement of Coleford into the open countryside. This would be highly visible from points in and around the Newland valley to the south west, and potentially damaging to the character and appearance of that essentially rural area.

13.48 However, this impact would be softened by tree planting that has already been undertaken on the hillside. The urban extension would thus be partly screened by woodland against the backdrop of existing development, with an intervening undeveloped area required by policy Criterion 2 along the Newland Street approach to Coleford. In addition, the Revised Deposit version of text para 3.39 expressly requires the design to be sensitive to landscape character. I consider that these factors would together result in the development being acceptable in landscape terms, irrespective whether the local landscape is specially designated.

13.49 I am satisfied too that water courses or ponds on the land, of concern to the Environment Agency and wildlife interests, could be accommodated and protected as part of the detailed landscape design, as required by policy criterion 2, in connection with a future planning application. This will also be covered by supplementary planning guidance [LPD35.13 or as modified].

Access, Traffic and Parking

- 13.50 It is necessary to consider the issues of traffic capacity, parking and highway safety in Hampshire Gardens as the proposed access, and whether Mushet Place should also be used to provide a second route into the land. The practicality and safety of providing a separate pedestrian and cycle route off Cinder Hill must also be taken into account.
- 13.51 Accepted guidance on residential roads in Design Bulletin 32, and in County Highway Authority Requirements for Development, is that a single access 5.5m wide can serve 100 dwellings whereas 300 dwellings would require two accesses. On that basis, either of two roads serving 300 or more dwellings would accommodate the traffic generated by at least 150 houses.
- 13.52 The development of the Angel Farm site for 100 dwellings as proposed would result in the existing Hampshire Gardens cul de sac serving only 126 units in all. Moreover, the carriageway is 6.1m wide with footways both sides. I note that the gradient of Hampshire Gardens encourages car use, notwithstanding the relatively close proximity of the site to the town and its community facilities. However, on balance, I accept the County Council view [as clarified in correspondence at Appendix 5 to Document 49B] that Hampshire Gardens is technically capable of accommodating the traffic from an additional 100 dwellings. This would be subject to traffic calming measures along the route and capacity improvements to the junction at Cinder Hill.
- 13.53 It would be desirable in the interest of safety to provide a secondary vehicle access off Mushet Place as well as a separate pedestrian and cycle route to Cinder Hill via an existing track beside Hill House, subject to accommodating existing vehicular access rights safely. However, the relatively generous overall highway width of Hampshire Gardens makes a total blockage comparatively unlikely, and Hampshire Gardens appears capable of carrying extra walkers and cyclists safely with suitable traffic calming.
- 13.54 Taking into account that access via Mushet Place would depend on property acquisition, and that the availability of the privately owned track at Hill House is doubtful, it is neither necessary nor appropriate for the Plan to prescribe the use of either route, whether directly or by reference to supplementary planning guidance.
- 13.55 In reaching this technical conclusion I do not disregard the deeply held and strongly expressed views of local residents. They clearly have cause to fear increased congestion, danger and disturbance from additional traffic along Hampshire Gardens, where much on-street parking takes place, especially at the Cinder Hill junction close to the Fire Station and a Day Care Centre. However, any new development would be required to be self-contained with respect to parking, and the required road improvements would bring some benefit to the present network. Any continuing illegal or dangerous parking is a matter for law enforcement in any event. Although there would be some detriment to amenity, I do not find the objections on grounds of traffic generation and safety to be overriding.
- 13.56 At the same time, I consider it necessary to make a Transport Assessment a policy requirement of any development proposal.

Drainage and Flooding

- 13.57 Again I respect the concerns of local residents who have evidently had to cope with unresolved problems of surface water run-off from the Angel Farm land in the past.

Also, I understand why they cite previous mining under the land, and the ponds on the surface, as sources of danger. However, on the evidence [Document 49D Appendix 1] there is scope for a sustainable urban drainage system to serve the site by way of natural watercourses and properly constructed soakaways to the underlying sandstone, preventing excess run-off.

- 13.58 I am alert also to the ongoing concern regarding the capacity of the available foul water sewer to Newland treatment works. I deal with that matter above and recommend a cautionary wording of text para 3.6. With that modification, whilst the continuing uncertainty about sewer capacity is most regrettable, I do not find the drainage objections sufficient alone to justify deleting the allocation. However, it is important that the Revised Deposit addition to text para 3.40, requiring development to avoid exacerbating drainage problems, be elevated to policy status, including a requirement for a foul and surface water drainage assessment in support of any planning application. The policy will thus provide a stop on development if these important drainage problems cannot be resolved.

Other Impacts

- 13.59 I recognise concern about the capacity of local services, especially education and health, and consider that policy Criteria 8 and 9 of the policy should be broadened to require any development to provide appropriately for both of these interests.
- 13.60 There is technical evidence that development of the land as proposed would not produce undue noise or air pollution, and that the site would continue to enjoy a good acoustic environment in Noise Exposure Category A of PPG24. I find no substantial objection on these grounds. [Document 49a Appendix 1]
- 13.61 Despite local concerns about mining subsidence, there is no evidence of serious ground stability problems and this aspect of the design would be addressed in the determinations of the requisite planning and building control applications.
- 13.62 As to the natural environment, the development would have the effect of displacing wildlife even if existing hedgerows, ponds and other features were preserved. At the same time, the evidence is that the site is of low ecological significance, justifying no specific provision for any species, beyond the general protection afforded by Chapter 8 of Part 1 of the Plan. [Document 49A Appendix 1] Accordingly, there is no overriding ecological objection.

Overall Assessment

- 13.63 I conclude that none of the planning impacts of the projected development of 100 houses at Angel Farm individually or jointly warrant deletion of the allocation. Moreover, there is a need for new housing development in Coleford in terms of broad housing strategy and land supply considerations, and I find among the omission sites below no other land that offers a more sustainable or less harmful alternative. I therefore propose that the allocation be confirmed subject to the necessary modifications to the policy and text I have identified, together with a corrective amendment to Inset Map 3.

Recommendations

13.64 **I recommend** that Criterion 8 of Policy (R)F.Coleford 8 be modified by adding ‘and health’ after ‘educational’.

13.65 **I recommend** that Policy (R)F.Coleford 8 be modified adding after Criterion 9:
10. Provide for foul and surface water drainage measures to avoid worsening drainage problems in the area.

Any proposal for development must be accompanied by a Transport Assessment and Foul and Surface Water Drainage Assessment.

13.66 **I recommend** that Paragraph 3.40 be modified by deleting the third and fifth sentences.

Policy (R)F.Coleford 9 – Housing Allocation – Owen Farm

Objections

5/51255	Swanhill Homes Limited
41/51149	Countryside Agency
95/52313	Mr C Bath
122/51831	Mrs A Blethyn
216/52404	Environment Agency
252/50012	Mr I G Ellis
265/52304	Messrs Farr & Jenkins
335/51686	Mrs Hoare
390/51654	Rothdean Ltd
394/70583	Mr & Mrs M J Jones
414/51668	Forest of Dean Badger patrol
443/52263	Mr Matthews
718/50632	Mr & Mrs Winter
727/52261	Mr & Mrs Young
808/70322	Mrs M C Griffiths

Supporting Statements

13/51997	Sport England SWR
539/50420	Coleford Town Council
840/70710	Dwr Cymru Welsh Water

Issues

- a. The extent of and need for the allocation and the use of greenfield land.
- b. Landscape impact.
- c. Access and traffic.
- d. Drainage.
- e. Badger survey.
- f. Environmental Impact Assessment.
- g. Alternative approaches and sites.
- h. Omission of other land for residential development.

Reasoning and Conclusions

The Extent of and Need for the Allocation and the use of Greenfield Land

13.67 I deal in detail with matters of land supply and the locational strategy for housing, including the use of greenfield land, in connection with policies (R)F.Strategy 1, 3 and 6 and (R)FH.2. I conclude that there is a degree of need for additional land to be allocated for housing in Coleford. I here mainly assess the specific planning effects and implications of the Owen Farm allocation.

Landscape Impact

13.68 There is no doubt that the residential development contemplated at Owen Farm would substantially extend the built settlement into the open countryside, and would be visible on the northern approach to Coleford.

13.69 However, this impact would be mitigated by landscaping required by Criterion 2. Landscaping will also be covered by supplementary planning guidance [LPD35.14 or as modified]. In addition, the Revised Deposit version of text para 3.41 expressly requires the design to be sensitive to landscape character. The site is relatively low-lying and bounded to the south east and north east by existing residential development. I consider that these factors would together result in the development being acceptable in landscape terms, irrespective whether the local landscape is specially designated.

13.70 I am satisfied too that watercourses or a drainage ditch on the land, of concern to the Environment Agency, could be accommodated and protected as part of the detailed landscape design. However, the watercourse should be mentioned specifically in Criterion 2.

Access and Traffic

13.71 I have not seen evidence to suggest that satisfactory access could not be obtained from Staunton Road, subject to suitable improvements as part of any detailed proposal

Drainage

13.72 In connection with the Owen Farm site, I give substantial weight to the ongoing concern regarding the capacity of the sewerage system via Coleford including the foul water sewer to Newland treatment works. I deal with those matters above and recommend a cautionary wording of text para 3.6. With that modification, I do not find the drainage objections sufficient alone to justify deleting the allocation.

13.73 However, it is important that the Revised Deposit addition to text para 3.41a, requiring development to avoid exacerbating drainage problems, be elevated to policy status. With that modification, whilst the continuing uncertainty about sewer capacity is most regrettable, I do not find the drainage objections sufficient alone to justify deleting the allocation. The policy will thus provide a stop on development if these important drainage problems cannot be resolved.

Badger Survey

13.74 As to the natural environment, the development would have the effect of displacing wildlife. At the same time, there is no evidence justifying specific provision for any species, beyond the general protection afforded by Chapter 8 of Part 1 of the Plan.

Environmental Impact Assessment [EIA]

13.75 The provision of a statutory EIA is a matter for development control in connection with any future planning application in the light of EIA Regulations current at the time. I have not seen evidence of significant environmental effects sufficient to justify specific reference to EIA in the policy.

Overall Assessment

13.76 I conclude that no planning impact of the projected development of 140 houses at Owen Farm warrants deletion of the whole allocation. Need for the development is borne out in terms of broad housing strategy and land supply considerations, and I have noted no other land offering a more sustainable alternative. The allocation should therefore stand with the modifications to the policy and text I have identified, including reference to health provision for consistency with policy (R)F.Coleford 8.

Omission Sites

13.77 I deal separately with omission sites below.

Recommendations

13.78 **I recommend that Criterion 6 of Policy (R)F.Coleford 9 be modified by adding ‘and health’ after ‘educational’.**

13.79 **I recommend that Policy (R)F.Coleford 9 be modified adding after Criterion 8:
9. Provide for foul water drainage measures to avoid worsening drainage problems in the area.**

Any proposal for development must be accompanied by a Foul Water Drainage Assessment.

Policy (R)F.Coleford 10 – Housing Allocation – Poolway Farm

[Omission Site OH3.19 – First Deposit
Omission Site OH3.20 – Proposed Extension]

Objections

5/51252	Swanhill Homes Limited
52/51752	H Kear & R Hitchins
95/52314	Mr C Bath
185/53017	Mrs E Clarke
252/50015	Mr I G Ellis
265/52306	Messrs Farr & Jenkins
270/52444	Mr & Mrs G Fletcher
327/52648	Mr V R Hawkins
335/51687	Mrs Hoare
390/51656	Rothdean Ltd
414/51669	Forest of Dean Badger patrol
423/50931	Mr J L Leech
443/52264	Mr Matthews
465/52620	Mrs J E Mitchell
543/51952	Mrs R Raymond
543/52987	Mrs R Raymond
647/52275	Mr M D Thomas

699/52460	Mr & Mrs A Wilber
718/50633	Mr & Mrs Winter
727/52262	Mr & Mrs Young
760/70044	Forest Hill Golf Club

Supporting Statements

13/51998	Sport England SWR
465/70016	Mrs J E Mitchell
539/50402	Coleford Town Council

Issues

- a. The extent of and need for the allocation and the use of greenfield land
- b. Landscape impact
- c. Access and traffic
- d. Drainage, flooding and other aspects of infrastructure capacity
- e. Natural environment
- f. Alternative approaches and sites

Reasoning and Conclusions

Omission Sites OH3.19 and 20

13.80 This allocation for 80 dwellings is deleted from the Revised Deposit version of the Plan and is therefore regarded as an Omission Site OH3.19. However, I take into account all the First Deposit responses to its inclusion, and the Revised Deposit responses opposing its deletion, as well as one seeking its enlargement as Omission site OH3.20

The Extent of and Need for the Allocation and the use of Greenfield Land

13.81 I deal in detail with matters of land supply and the locational strategy for housing, including the use of greenfield land, in connection with the relevant Part 1 policies, concluding that there is a degree of need for additional residential land allocations in Coleford. I here mainly assess the specific planning effects and implications of the Poolway Farm allocation.

13.82 In connection with each issue, I first deal with the case for the reinstatement of the allocation in the adopted Plan, followed by the case for its enlargement. I draw together my findings on these and all other factors into an overall assessment.

Landscape

13.83 Development of 80 houses over the 3.6ha site as previously allocated would extend the urban settlement into the Landscape Protection Area between Coleford and Berry Hill to the north, safeguarded by policy (R)F.Coleford 13. Such an extension would have no clearly defensible northern boundary and would, to some extent, impinge on views of the Protection Area from within Coleford.

13.84 However, the land is comparatively low-lying and is assessed to be of moderate landscape constraint [Document FOD/P3.6.1 Appendix]. It is already partly occupied by farm buildings with potential for conversion to dwellings at its western end and by other outhouses near the access from Gloucester Road, to the south east. Accordingly in my opinion, residential development of the First Deposit allocation, in conjunction

with suitable planting, would be visually acceptable in the landscape, irrespective of its protected or special status.

- 13.85 Objectors propose not only the reinstatement of the allocation but also its extension northward to the boundary of the Forest Hills Golf Course and pond, virtually doubling its area. This would encompass small fields no longer convenient for agriculture, whilst the inclusion of strategic landscaping could keep the net development density up to the 30dph minimum guideline of PPG13. Nevertheless, the enlarged allocation would still encompass a substantial area of land currently assessed to be of mainly high landscape constraint within the Protection Area [Document FOD/P3.6.1].
- 13.86 I consider that, viewed against the golf course and separated by only a single field from a permitted residential golf academy to the north east, development over the increased area proposed would have the effect of consolidating development at the edge of the settlement without using the land efficiently. Even with careful structural planting this would change the visual character of the landscape to a degree that I judge would be unacceptable, especially in the context of policy (R)F.Coleford 13.

Traffic and Access

- 13.87 No doubt the development of 80 houses would generate noticeable extra traffic. However, I have not seen overriding evidence that this would cause unacceptable danger, congestion or environmental impact, subject to the provision an appropriately designed access from Gloucester Road.
- 13.88 Although further from Coleford town centre than competing sites at Angel Farm and Owen Farm, the land is a similar distance from the local primary school as Angel Farm, and the site was assessed in the Urban Capacity Study as meeting PPG3 sustainability criteria in this respect. I find no objection in principle on such grounds.

Drainage

- 13.89 There is a current drainage embargo on new connections to the foul water system at the location of Poolway Farm due to inadequate sewer capacity in the centre of Coleford to the south west. I deal with this matter above in connection the introductory paragraph 3.6. Whilst there is no objection in principle to a new discharge, and there may be alternative means of draining the site to the north, these depend on either improvements to the town centre system, or relatively expensive measures to secure a northward outfall.
- 13.90 No improvements are programmed and no alternative proven. Accordingly it seems unlikely that the Poolway Frm land would come forward before the later years of the Plan period. However, that is not to say that there is an overriding drainage objection in the event that additional housing land is sought in Coleford, subject to the drainage assessment mentioned in text para 3.42 being made a policy requirement.

Other Considerations

- 13.91 As to the natural environment, the development would have the effect of displacing wildlife. At the same time, there is no evidence that the site is of particular ecological significance. I do not therefore consider that any specific provision is justified for any species, beyond the general protection afforded by Chapter 8 of Part 1 of the Plan. [Document 49A Appendix 1]

13.92 I note that there would be no loss of high value agricultural land, due to the development contemplated in the First Deposit allocation.

Overall Assessment

13.93 I have found a substantial objection to a proposed enlargement of the Poolway Farm housing allocation. However, I conclude that there is no planning impact of the original First Deposit allocation of 3.6ha for 80 houses sufficient to warrant overriding objection to its inclusion in the Plan, albeit the delivery of the site is likely to be delayed until the later years of the Plan period due to drainage constraints.

13.94 The need for the development is borne out in terms of broad housing strategy and land supply considerations, and I have noted no other land offering a more sustainable and certain alternative. Therefore, the First Deposit allocation and the related text para 3.42 should be reinstated subject to necessary modifications to the policy and text, including reference to health provision consistent with policies (R)F.Coleford 8 and 9.

Recommendations

13.95 **I recommend that policy (R)F.Coleford 10 be reinstated subject to the modification of Criterion 6 by adding ‘and health’ after ‘educational’.**

AND

By adding after Criterion 8:

9. Provide for foul water drainage measures to avoid worsening drainage problems in the area.

Any proposal for development must be accompanied by a Foul Water Drainage Assessment.

Policy (R)F.Coleford 11 – Housing Allocation - Milkwall

Objections

216/52398	Environment Agency
252/50021	Mr I G Ellis
834/70638	Mr B Whittington

Issues

- a. Groundwater protection.
- b. Intrusion into Statutory Forest
- c. Loss of employment site.

Reasoning and Conclusions

13.96 The objections to the Milkwall housing allocation raise similar interests of groundwater and Statutory Forest status to those discussed in connection with the nearby industrial site under policy (R)F.Coleford 5. I consider the last sentence of the Revised Deposit version of text para 3.43, supported by general policy (R)FNE.12, adequate to protect groundwater interests. I leave the question of reversion to forestry or redevelopment essentially to the legal process. Significantly though, legal uncertainty as to the practical availability of Statutory Forest land necessarily

influences my view as to the real net contribution of the site to housing land supply after allowing for its prior use for 13 static mobile homes. However, I propose a slight over provision of housing in Coleford in connection with policy (R)FH.2.

- 13.97 As for the loss of employment land, there is a degree of merit in the argument that residential redevelopment of the frontage portion of the allocation in current productive employment use will be inconsistent with the industrial uses opposite. Even so, the sites are clearly separated by Station Road and the interrelationship of adjacent uses is a matter for future control of development on the merits of such specific proposals as may be received. I have not seen clear evidence that the cessation of the existing commercial use would be a significant loss to the employment base of Coleford, whereas its retention would potentially be in conflict with the bulk of the residential allocation immediately adjacent. Accordingly, I conclude that the Milkwall housing allocation should remain intact.

Recommendation

- 13.98 **I recommend no modification to policy (R)F.Coleford 11 or to paragraph 3.43.**

Policy (R)F.Coleford 12 – Housing Allocation – Lords Hill

Objections

6/80020	Barratt Bristol
273/80042	Mr R Freshwater
385/52209	Mr B Jones
394/70584	Mr & Mrs M J Jones
637/52814	Mr E & Mrs S Taylor
842/80016	Prowting Projects Ltd

Supporting Statements

13/51999	Sport England SWR
840/70711	Dwr Cymru Welsh Water

Issues

- a. Affordable housing
- b. Loss of light and privacy,
- c. Access and traffic
- d. Sewerage and sewage treatment capacity.

Reasoning and Conclusions

- 13.99 As the allocation is below the affordable housing provision threshold of Part 1 Chapter 2 of the Plan, Criterion 2 of the policy may be deleted, in line with Pre Inquiry Change 15.
- 13.100 With regard to the local planning effects of the allocated development, I consider that the understandable concerns of existing residents about light, privacy and traffic can be addressed as part of the development control process in connection with an actual proposal.

13.101 I deal with the matters of sewerage and sewage treatment above in connection with text para 3.6. I consider that the important constraint of drainage capacity justifies a new policy criterion requiring satisfactory drainage provision, stopping short of a full assessment, given the modest extent of the site.

13.102 In addition the policy should refer to health provision, consistent with other Coleford housing allocations.

13.103 Overall, subject those modification, there is no reason to delete this allocation.

Recommendations

13.104 **I recommend that Criterion 2 of Policy (R)F.Coleford 12 be deleted.**

13.105 **I recommend that Policy (R)F.Coleford 12 be further modified by inserting a new Criterion 2 as follows:**

Provide for satisfactory foul and surface water drainage.

13.106 **I recommend that Criterion 3 of Policy (R)F.Coleford 12 be modified by inserting ‘and health’ after ‘educational’.**

Policy (R)F.Coleford 13 – Strategic Open Space - Safeguarding

Objections

5/51395	Swanhill Homes Limited
150/52681	Mr R Brock
390/51657	Rothdean Ltd
543/51949	Mrs R Raymond

Issues

- a. Justification of policy in addition to the provisions of Chapter 8 on the Natural Environment (R)FNE.2.
- b. Restriction of Development Initiative.
- c. Loss of allocated land at Poolway Farm from the Protected Area

Reasoning and Conclusions

13.107 I recognise that the protection of the open landscape between Coleford and Berry Hill frustrates certain land interests there. I deal with a number of Omission site objections in this connection below, where I consider their individual effects on the area.

13.108 Overall I am satisfied that the protection of the open countryside between these two main components of the town of Coleford, as designated by the Plan, is important to the particular character of the settlement. For this reason it justifies the specific provision by policy (R)F.Coleford 13, in addition to the broader cover afforded by Part 1 Chapter 8 on the Natural Environment.

13.109 If the Poolway Farm housing allocation by policy (R)F.Coleford 10 is deleted as now proposed by the Council the land would justifiably become part of the Landscape Protection Area, being contiguous with other land included. However, I deal with the

question of the landscape quality of that land above, in connection with policy (R)F.Coleford 10, which I propose be reinstated.

Recommendation

13.110 **I recommend no modification to policy (R)F.Coleford 13.**

OMISSION SITES

Note: For Omission Sites OH3.19, Poolway Farm reinstatement and OH3.20, Poolway Farm extension - see policy (R)F.Coleford 10.

Omission Site OH3.1 – Land at Bridewell Farm, Christchurch

Objector

443/52228

Mr Matthews

Reasoning and Conclusions

13.111 My assessment of this site should be read in conjunction with my conclusions below on the proposed extension to the Defined Settlement Boundary [DSB] on Inset Map 3, and my recommendations concerning the locational strategy for housing in connection with policies (R)F.Strategy 1, 3 and 6 and (R)FH.2.

13.112 The objector proposes that land currently occupied by a bungalow and vehicle depot with access from the west of Woodland Road, north of Christchurch, be included within the Coleford DSB as suitable for residential redevelopment. Such a proposal has already been dismissed at appeal on the overriding ground of adverse impact on the form and essentially rural setting of Christchurch. I consider that new built development on the site would amount to an unwarranted urban intrusion into the countryside at the fringe of Christchurch close to the boundary of the Wye Valley AONB. I conclude that the enlargement of the DSB sought is not justified.

Recommendation

13.113 **I recommend no modification to the Coleford Defined Settlement Boundary in respect of the land at Bridewell Farm, Christchurch, which should not be allocated for development.**

Omission Site OH3.2 – Land at Boxbush Farm, Christchurch

Objector

383/50429

Mr A G and Mrs D I Jones

Reasoning and Conclusions

13.114 My assessment of this site should be read in conjunction with my conclusions below on the proposed extension to the DSB on Inset Map 3, and my recommendations concerning the locational strategy for housing in connection with policies (R)F.Strategy 1, 3 and 6 and (R)FH.2.

13.115 The objector proposes that a parcel of land just outside the DSB to the north of Christchurch, and for many years underused for agriculture, be included within the Coleford DSB as suitable for residential redevelopment. The Revised Deposit Plan proposes to delineate the DSB along an unmade track on the southern boundary of the

Omission site, and for much of its length the eastern boundary of the land abuts the currently adopted DSB. Therefore, on first consideration the area, might appear as a natural adjunct to the settlement. However, I conclude elsewhere that the triangle of land south of the unmade track should remain excluded from the DSB on grounds of its rural character. On that basis the Boxbush Farm site would not be an appropriate addition to the settlement, as it would potentially extend built development into the countryside, detrimental to the setting of Christchurch at the fringe of the urban area.

Recommendation

13.116 **I recommend no modification to the Coleford Defined Settlement Boundary in respect of the land at Boxbush Farm, Christchurch, which should not be allocated for development.**

Omission Site OH3.3 – Land at Orchard Barn, Coopers Road, Berry Hill

Objector

335/51688

Mrs Hoare

Reasoning and Conclusions

- 13.117 My assessment of this site should be read in conjunction with my conclusions below on Omission Site OH3.4 and the proposed extension to the DSB on Inset Map 3, as well as my recommendations concerning the locational strategy for housing in connection with policies (R)F.Strategy 1, 3 and 6 and (R)FH.2.
- 13.118 The objector proposes that a specific 0.1ha, historically residential plot north of Orchard Cottages as well as intervening land off Maze Walk [including Omission Site OH3.4] be included in the settlement of Berry Hill, by way of a north eastward extension of the DSB at that point.
- 13.119 I regard this area outside the built settlement as essentially rural in nature, and consider that such a modification would potentially result in harmful urbanisation of the setting of this part of Berry Hill, detrimental to its valuable Forest Fringe character.

Recommendation

13.120 **I recommend no modification to the Coleford Defined Settlement Boundary in respect of the land at Orchard Barn, Coopers Road, Berry Hill, which should not be allocated for development.**

Omission Site OH3.4 – Land at Maze Walk, Berry Hill

Objector

266/50764 Mr M V Farrant

Reasoning and Conclusions

- 13.121 My assessment of this site should be read in conjunction with my conclusions above on Omission Site OH3.3 and below on the proposed extension to the DSB on Inset Map 3, as well as my recommendations concerning the locational strategy for housing in connection with policies (R)F.Strategy 1, 3 and 6 and (R)FH.2.
- 13.122 The objector proposes that a 0.7ha field, no longer in practical farming use and located immediately outside but adjacent to the DSB east of Berry Hill, be included within the Coleford DSB as suitable for residential redevelopment.
- 13.123 The land in question is an open field between Orchard Cottages on Maze Walk and the rear boundaries of properties within the adopted DSB fronting Park Road. By contrast with the built settlement the land is entirely rural in character. Recent substantial development within the DSB and at existing rural properties in the vicinity merely accentuates the need to protect the countryside. Accordingly, I conclude that the land should not be encompassed within the DSB, for the similar reasons as Omission Sites OH3.1, 2, 4 and 5.

Recommendation

- 13.124 **I recommend that the land at Maze Walk, Berry Hill, be not allocated for development.**

Omission Site OH3.5 – Land at Brummells Drive, Berry Hill

Objector

282/50592 Mr D L Gallear

Reasoning and Conclusions

- 13.125 My assessment of this site should be read in conjunction with my conclusions below on the proposed extension to the DSB on Inset Map 3.
- 13.126 The objector contends that the proposed northern DSB extension at Christchurch would give rise to access and road safety problems associated with any new development off Woodland Road or Ross Road, which carry significant through traffic. By contrast, it is asserted that land to the south west, hard against the DSB but served by Brummells Drive and Marion’s Walk, affording cul de sac access from the south and north respectively, would offer a better option to extend the settlement.
- 13.127 I understand this point of view but regard the overriding factor to be the essentially rural nature of the substantially wooded omission land at the fringe of the settlement. Whilst, being partly enclosed by built development within the DSB, the land acts as a valuable transition from urban Berry Hill to the countryside toward the Wye Valley AONB, contributing to the interrelationship of town and Forest that is a particular characteristic of the District. As such it should remain outside the DSB.

Recommendation

- 13.128 **I recommend no modification to the Coleford Defined Settlement Boundary in respect of the land at Brummells Drive, Berry Hill, which should not be allocated for development.**

Omission Site OH3.6 – Land at Crowash Farm, Berry Hill

Objector

5/51398

Swanhill Homes Limited

Reasoning and Conclusions

- 13.129 The objectors propose the allocation of some 10.7ha of current farmland between the southern built edge of Berry Hill the A4136 Lower Road, initially for 120 houses at the eastern end of the site. The area comprises the northern part of the designated Coleford Landscape Protection Area safeguarded by policy (R)F.Coleford 13.
- 13.130 My recommendations concerning the locational strategy for housing are made in connection with policies (R)F.Strategy 1, 3 and 6 and (R)FH.2. I confine myself here to examining the case for this site being allocated for residential development as proposed, mainly with reference to the suitability of the land for housing in terms of visual, landscape and sustainability considerations, compared with other sites favoured in the Plan.
- 13.131 The site is undoubtedly prominent, as it lies at the lip of the slope north of the main settlement of Coleford. It contributes to the protected rural gap separating the satellite communities within the Coleford Defined Settlement Boundary. At the same time, housing at the eastern end of the site would lie comparatively unobtrusively between the rear of dwellings fronting Hillcrest Road to the north and Lower Road to the south, at a point where it is lined with frontage development along its southern side. In my opinion such development could be seen as a logical consolidation of Berry Hill and Five Acres to the south west, without detracting to any major extent from the rest of the Landscape Protection Area to the west and south. Undue encroachment into the rural landscape and significant coalescence of Berry Hill and Coleford could thus be avoided.
- 13.132 However, notwithstanding that the main A4136 provides a defensible boundary, I do not regard the western half of the omission site in the same light. This is visually linked across the main road to the open field above Coleford beyond. I consider that built development in this location would seriously harm the Landscape Protection Area.
- 13.133 Having regard to the sequential approach to allocating development land promulgated in PPG3, there is no doubt that the site is conveniently near the tertiary college at Five Acres as well as the variety of other community facilities offered close by in the substantial settlement of Berry Hill. Moreover, there are good transport links along the A4136. Notwithstanding these advantages, the comparatively long journey of around 1.7km to the main centre of Coleford itself, and its chief employment areas some 0.8km further south, would give rise to a high level of local car trips, especially in view of the intervening gradient. For this reason, I do not find the location of the

omission site to be sustainable in comparison with the allocations favoured in the Plan.

13.134 I note that the development could bring benefits by way of affordable housing and public open space where currently the land is private. Nevertheless it is my overall conclusion that none of the omission land should be allocated for housing in the Plan in the absence of a pressing need for additional housing land in terms of broad housing strategy and land supply considerations.

Recommendation

13.135 **I recommend that the Land at Crowash Farm be not allocated for development nor included in the Defined Settlement Boundary of Coleford.**

Omission Site OH3.7 – Land at Five Acres

Objector

405/52150 Mr H Kear

Reasoning and Conclusions

13.136 The land in question is a triangular area behind existing development in the south western quadrant of the Five Acres road junction on the A4136. The Council estimates that, if included for development, it might accommodate some 13 dwellings, subject to any highway authority views.

13.137 My recommendations concerning the locational strategy for housing are made in connection with policies (R)F.Strategy 1, 3 and 6 and (R)FH.2. I confine myself here to examining, on the scant written evidence available, the case for this land being allocated for residential development

13.138 Like the larger Crowash Farm Omission site OH3.6, considered above, the land is within the Coleford Landscape Protection Area defined on Inset Map 3. Whilst in a similar way to the Crowash Farm proposal, development there could be seen as logically consolidating established development, I judge that it should not be included for allocation in the absence of any pressing need for additional housing, especially so far distant from the main centre of Coleford.

Recommendation

13.139 **I recommend that the Land at Five Acres be not allocated for development nor included in the Defined Settlement Boundary of Coleford.**

Omission Site OH3.8 – Land at Angel Field, Coleford

Objector

95/52307 Mr C Bath

Reasoning and Conclusions

- 13.140 My recommendations concerning the locational strategy for housing are made in connection with policies (R)F.Strategy 1, 3 and 6 and (R)FH.2. I confine myself here to examining the case for this site being allocated for residential development, mainly with reference to issues of landscape and accessibility, compared with sites favoured in the Plan.
- 13.141 The objector proposes the allocation of 0.9ha of undeveloped, south sloping land adjacent to the west side of Coleford, some 250m from the town centre, with access, to be obtained by agreement, via the cul de sac, Angel Field. The land is partly enclosed by existing development within the Defined Settlement Boundary and is only open to the countryside along its south western border. A public footpath runs along the northern boundary. The Council estimates the potential yield of the site to be about 30 dwellings. Like the allocated Angel Farm site [policy (R)F.Coleford 8], across the Whitecliff Valley to the south east, Angel Field is visible from outside the town to the west.
- 13.142 There appears to be little dispute that the countryside is attractive and rightly protected by the Defined Settlement Boundary drawn firmly along the distinct western urban edge at this point. However, the site is screened by vegetation so that, despite its position, development could be softened in appearance. I consider that Angel Field could be developed so as to create a defensible boundary along its south western edge. I do not therefore believe a precedent would follow for later inclusion of other enclosed fields to the west. With respect to visual impact on the landscape, Angel Field thus compares with the Angel Farm allocations.
- 13.143 On the question of accessibility, the site is not as directly related to the community facilities of the town as Angel Farm is, and road access would have to be negotiated over other land. It is not certain that such an agreement would be reached. In these respects the site offers a less practical and sustainable option for allocation than Angel Farm does.
- 13.144 However, the site is otherwise served by existing urban infrastructure including sewerage free of the constraints on new development that affect the central parts of the town. Moreover, the land is not of great value to agriculture. These factors weigh in its favour.
- 13.145 In my overall judgement though, the inclusion of the land at Angel Field for housing in this Plan is not justified without a pressing need for additional housing land in terms of broad housing strategy and land supply considerations.

Recommendation

- 13.146 **I recommend that the Land at Angel Field be not allocated for development nor included in the Defined Settlement Boundary of Coleford.**

Omission Site OH3.9 – Land at Newland Street, Coleford

Objector

718/50634 Mr and Mrs Winter

Reasoning and Conclusions

- 13.147 My recommendations concerning the locational strategy for housing are made in connection with policies (R)F.Strategy 1, 3 and 6 and (R)FH.2. I confine myself here to examining the case for this site being allocated for residential development, mainly with reference to issues of landscape and accessibility, compared with sites favoured in the Plan.
- 13.148 The objector proposes the allocation of 0.7ha of undeveloped land on the floor of the Whitecliff Valley. The site fronts the northern side of Newland Street and lies south west of Coleford a short distance outside the DSB and about 300m from the town centre. The Council estimates the capacity of the site to be about 29 dwellings.
- 13.149 The site is comparatively low lying with respect to the immediately surrounding topography. In that respect it is less obtrusive from certain public vantage points, such as the Buchanan Recreation Ground to the north west, than is the elevated Angel Farm site allocated by policy (R)F.Coleford 8. I recognise that the western approach to the town along Newland Street is not especially attractive, due in part to several built developments, some permitted in recent years.
- 13.150 Nevertheless, the area has hitherto remained primarily rural in character, despite some frontage development at the fringe of the DSB, opposite the omission site. I consider that, even with careful landscaping, new housing on the land would unacceptably extend the urban settlement both sides of the road beyond the point where, significantly, the DSB is given sharp demarcation by the impressive, listed railway bridge over Newland Street, which acts as a western gateway to the town
- 13.151 The site is a short level walk from the amenities of the town centre and in that sense is both accessible and sustainable. I bear in mind that it would not suffer from the drainage constraints currently applicable to central sites, and that the land is of comparatively low agricultural value. Whilst all these factors militate in favour of the site, my overall conclusion is that it would not be appropriate to allocate the land for housing, due to the overriding impact on the character of the countryside.

Recommendation

- 13.152 **I recommend no modification in respect of the land at Newland Street, which should not be allocated for development.**

Omission Site OH3.10 – Land at Broadwell Concrete Works

Objector

438/52858 Mr P D K Marques

Reasoning and Conclusions

- 13.153 The land in question is within the Broadwell employment site safeguarded by policy (R)F.Coleford 5. It is estimated by the Council to be capable, in terms of its area, of

accommodating some 80 houses if it were allocated for residential development. I recommend above that the employment site be deleted from policy (R)F.Coleford 5. However, that is not to say that the site should necessarily be in part allocated for housing as implied by the objector, given that general protection of the employment use remains in any event by way of policy (R)FE3.

13.154 It is possible to envisage that circumstances could arise in which a change of use from lamp column manufacture to housing over part of the land could become preferable in planning terms. That would depend on many factors, including both the requirement for employment land and whether any conflict between adjacent established industrial uses and new residential development could be overcome in any detailed design. On current evidence I see no justification for specifically allocating any land at the Broadwell Concrete works site for housing.

Recommendation

13.155 **I recommend that none of the land at Broadwell Concrete Works be allocated for residential development.**

Omission Site OH3.11 – Land at Laurel Cottage, Coalway

Objector

265/52308

Messrs Farr and Jenkins

Reasoning and Conclusions

13.156 The objector proposes that a triangular area of land between Parkend Road and Parkend Walk, Coalway, be included within the Coleford Defined Settlement Boundary [DSB], and within that area an open paddock north of Laurel Cottage be allocated for 20 to 30 houses. The Council estimates the potential yield of the specific omission site to be about 21 dwellings.

13.157 My recommendations concerning the locational strategy for housing are made in connection with policies (R)F.Strategy 1, 3 and 6 and (R)FH.2. I confine myself here to examining the case for some or all of the land concerned being included within the DSB and allocated as proposed. This assessment is mainly with reference to issues of character and location, compared with sites favoured in the Plan.

13.158 I recognise Coalway as a satellite settlement of comparatively open form within the eastern part of the Coleford group of settlements. It is right that the DSB is drawn tightly round built development to protect the outlying Forest fringe areas that characterise the District. However, I find that the DSB has been drawn illogically in the vicinity of the omission land. It includes part of the open paddock of Laurel Cottage whilst excluding certain buildings on Parkend Walk. By extending the DSB as proposed, a more rational demarcation can be achieved. At the same time, an Important Open Area in the angle of the road junction north of the paddock can be protected by policy (R)F.BE7. In this way, an appropriate transition from built to rural character can better be maintained. I make recommendations that Inset Map 3 be modified accordingly.

13.159 Notwithstanding its satellite location some 2km from Coleford centre, Coalway is well served by its primary school, a range of shops and public transport connections.

However, I make no recommendation for a specific allocation of the land in the absence of pressing need for additional housing.

Recommendation

13.160 **I recommend that the Land at Laurel Cottage be not allocated for development. [But see recommended modifications to Inset Map 3 below.]**

Omission Site OH3.12 Land at Wynols Hill, Coalway

Objections

390/51648 Rothdean Ltd

Reasoning and Conclusions

13.161 The objector contends that land adjacent to Wynols Hill at the western periphery Coalway should be allocated for housing in part-substitution for the major greenfield allocations round Coleford.

13.162 New dwellings on the subject land would stand out into the Coleford Landscape Protection Area as a fresh urban intrusion. This would be in contrast with the land at the Laurels [OH3.11] to the south east of the settlement which has potential for integration into the settlement in conjunction with a proper rationalisation of the DSB at that point. I conclude that the land at Wynols Hill should not be allocated for development.

Recommendation

13.163 **I recommend that the land at Wynols Hill be not allocated for development.**

Omission Site OH3.13 – Land at the rear of Jugs Hole Pond, Coalway

Objector

106/52193 Mr K W Bell

Reasoning and Conclusions

13.164 The objector proposes that a substantial tract of land outside the present Coleford DSB east of Coalway be allocated as part of the settlement for housing. The Council estimates that the site could accommodate some 165 dwellings.

13.165 Jugs Hole Pond and the space around it are separated from the open omission site by a substantial hedge. In my opinion this area at the fringe of the settlement acts as an appropriate transition between suburban and rural character. I consider that to carry built development beyond its present limits at this point would unacceptably damage the countryside outside the DSB. Moreover, the land does not enjoy good road access.

Recommendation

13.166 **I recommend that the land at the rear of Jugs Hole Pond, Coalway, be not allocated for development.**

Omission Site OH3.14 – Land at The Purples, Coalway

Objector

648/52429 Mr and Mrs P Thomas

Reasoning and Conclusions

13.167 The objector proposes the inclusion of a parcel of land just outside the adopted DSB west of Coalway for residential development within the settlement, on grounds that this would be a logical urban extension up to a defensible woodland boundary. The Council estimates the potential yield of the site as about 20 dwellings.

13.168 Such development would cause the settlement to step out into open countryside beyond its defined boundary. It would thus create a detached urban element out of keeping with the character of the area, where the open space of the undeveloped omission site contributes to the kind of visual transition from urban to woodland landscape that typifies the Forest of Dean. I conclude that such an urban extension would not be acceptable in this location.

Recommendation

13.169 **I recommend that the land at The Purples, Coalway, be not allocated for development.**

Omission Site OH3.15 - Land at The Gorse, Coleford

Objector

390/51648 Rothdean Ltd

Reasoning and Conclusions

13.170 The objector contends that land at The Gorse, north of The Coombs at the periphery of Coleford should be allocated for housing in part-substitution for the major greenfield allocations.

13.171 The land is open and lies prominently north of The Coombs in the Coleford Landscape Protection Area, separated from Buchanan Avenue by Staunton Road. Thus it is unlike the Poolway Farm allocation to the east which, whilst similarly located in the LPA, contains existing buildings and is in a low-lying area where development can be more readily integrated with adjacent housing. I conclude that the land at The Gorse not unsuitable to be allocated in the Plan for housing.

Recommendation

13.172 **I recommend that the land at The Gorse be not allocated for development.**

Omission Site OH3.16 – Land at Perrygrove Farm, Coleford

Objector

207/52316 Mr M Crofts

Reasoning and Conclusions

- 13.173 The objector proposes the allocation for housing of a tract of some 7-8ha of land fronting the east side of the B4228 south of Coleford. The site is no longer used for agriculture, being devoted mainly to a miniature railway. This is a local tourist attraction based at the residential Perrygrove farmstead, which is situated just outside the southern boundary of the omission site. The northern boundary abuts vacant land allocated for employment by policy (R)F.Coleford 4, and the eastern side is bounded by the rear fences of properties fronting Tufthorn Avenue. The centre of the site is occupied by the protected Perrygrove Wood.
- 13.174 It is estimated that up to 5ha of the land, after excluding the protected woodland, could potentially be developed for up to 150 dwellings. The objector suggests that, even if the bulk of the site is rejected, a narrow strip between the woodland and the rear of Tufthorn Avenue should still be included for a small number of units served off the existing cul de sac, Ruffet Place.
- 13.175 My recommendations concerning the locational strategy for housing are made in connection with policies (R)F.Strategy 1, 3 and 6 and (R)FH.2. I confine myself here to examining the case for all or part of this site being allocated for residential development, mainly with reference to the suitability of the land for housing in terms of visual, landscape and sustainability considerations, compared with other sites favoured in the Plan .
- 13.176 Notwithstanding that this land is contiguous with existing housing and major developed and potential employment sites inside the Coleford Defined Settlement Boundary, it has hitherto remained primarily rural. This is due to the screening afforded the built settlement to the east by the protected woodland within the site, taken with the mainly open countryside to the west and south.
- 13.177 I accept that this southern approach to Coleford is changing in character. Opposite the site the commercial redevelopment of Pingry Farm is already taking place, while to the north the Glaxo Smith Kline factory is visible, and industrial development will potentially extend eastward in line with Plan allocations toward the present Tufthorn Industrial Estate. Even though the tourism use of the omission site itself is restricted to a non-urban style of development, it contributes to this reduction in the rural character of the area.
- 13.178 Whilst conscious that it is the very purpose of the Defined Settlement Boundary to protect outlying rural areas, I consider that this process of urbanisation has proceeded to a point where carefully designed residential use of the Perrygrove Farm would no longer be unacceptable in landscape terms. Also there are reasonable transport links via the main and local roads and the close proximity of existing and potential employment render the site comparatively sustainable with respect to its location, However, it is considerably further from the town centre than the other main housing sites under consideration in Coleford.

13.179 In my overall judgement the land as a whole should not be allocated for residential development in this Plan without a pressing need for additional housing land in terms of broad housing strategy and land supply considerations.

13.180 Finally, whilst understanding the inconvenience to the owner of maintaining the narrow strip of land behind the trees at the eastern site boundary, I do not think this should be taken into the DSB for development in isolation. For the site would be backland with respect to Tuffhorn Avenue whereas it currently serves as a buffer in between the protected woodland and the domestic activity in the rear of nearby dwellings.

Recommendation

13.181 **I recommend that the Land at Perrygrove Farm be not allocated for development nor included in the Defined Settlement Boundary of Coleford.**

Omission Site OH3.17 – Land at Lower Palmers Flat

Objector

614/50760

Mr T Smith

Reasoning and Conclusions

13.182 I understand why the objector sees the sole remaining undeveloped plot at Lower Palmers Flat as an eyesore to be removed by development in keeping with the other dwellings of the group, situated not far from the amenities of Milkwall and Coalway.

13.183 However, I agree with the Council that such development would consolidate built development some distance from the DSB of Coleford, in the open countryside, which should be protected in line with national policy.

13.184 I recognise the equally important national policy to make best use of land, but that relates essentially to urban locations. There is nothing to say that vacant plots in small rural settlements should be necessarily developed, especially where this would have an unduly urbanising effect on their locality, as I believe would occur in this case. The need for direct road frontage access would exacerbate the adverse change in the nature of the locality. Moreover, a precedent could be set for further harm to the character of the Forest.

13.185 I note other rural developments cited by the objector but do not find these comparable. Development at nearby Gorsty Knoll replaced a commercial use whereas the omission site is vacant. Development at No 1 Lower Palmers Flat, as permitted, amounted to no more than an extension of existing development within the plot. I deal with the present objection on its own merits in any event. I conclude that the plot should not be allocated for development.

Recommendation

13.186 **I recommend that the land at Lower Palmers Flat be not allocated for development.**

Omission Site OE3.18– Land at Staunton Road, Coleford

Objector

390/51702 Rothdean Ltd

Reasoning and Conclusions

13.187 The objector contends that a relative shortage of employment land to serve Coleford over the Plan period, together with highway considerations, justifies a limited employment allocation to be made on the land.

13.188 Built industrial development on the subject land would create a prominent urban extension jutting far into the open countryside outside the Coleford DSB up to the boundary of the Wye Valley AONB. Because of this adverse impact on the character and appearance of the area, I regard the site as unsuitable for the allocation sought, notwithstanding the availability of access off the main Staunton Road.

Recommendation

13.189 **I recommend that the land at Staunton Road be not allocated for development.**

Inset Map 3 - Coleford

Objections

5/51253	Swanhill Homes Limited
5/51256	Swanhill Homes Limited
5/51260	Swanhill Homes Limited
5/51379	Swanhill Homes Limited
5/51398	Swanhill Homes Limited
49/51565	Westbury Homes Holdings
49/70576	Westbury Homes Holdings
56/50037	Mr A Adams
60/50042	Mrs Q Adams
69/50668	Mr D L Steiner
78/50665	Mr & Mrs S Baggett
94/52346	Mr J Bartle
95/52307	Mr C Bath
106/52193	Mr K W Bell
146/50706	Mr & Mrs D J Britton
164/50485	Ms L Butler
166/50313	Dr J Camp
175/51448	Hallam Land Management
175/53187	Hallam Land Management
188/50662	Mr & Mrs J Cole
207/52299	Mr M Crofts
207/52316	Mr M Crofts
209/50680	Mr & Mrs F Crump
212/50709	Mr G O Davies
215/50714	Mrs J Davies
229/50529	Mr H J Deane & Mrs C J Dinnadge
242/52478	Mr & Mrs G Edey
252/50011	Mr I G Ellis
252/50013	Mr I G Ellis
252/50014	Mr I G Ellis
252/53185	Mr I G Ellis

254/50682	Mrs J Elsmore
265/52308	Messrs Farr & Jenkins
266/50764	Mr M V Farrant
270/52449	Mr & Mrs G Fletcher
280/50717	Mr S M Furnival
282/50585	Mr D L Gallear
282/50592	Mr D L Gallear
299/50696	Mrs L Gregory
308/50192	Mr & Mrs P Gwilliam
325/50671	Mr & Mrs C J Hawkins
326/50673	Miss D J Hawkins
327/52644	Mr V R Hawkins
331/50705	Mr & Mrs C Hemsley
335/51688	Mrs Hoare
346/50175	Mr J H Horwood
383/50429	Mr A G & Mrs D I Jones
385/52214	Mr B Jones
390/51676	Rothdean Ltd
390/51702	Rothdean Ltd
398/50363	Mr W L & Mrs L M Jones
399/50698	Ms W H Jones
405/52150	Mr H Kear
421/50053	Mr D Lee
423/50938	Mr J L Leech
426/50702	Mr I Lewis
438/52858	Mr P D K Marques
438/52864	Mr P D K Marques
443/52228	Mr Matthews
504/50689	Mr S J Osbourn
506/50387	Mr G Parker & Mrs C Honeyman Brown
516/50107	Mr & Mrs J Pendry
528/50688	Mr A Pople
529/50685	Mr J Pople-Crump
530/50691	Ms R Pople-Crump
538/50188	Mrs M Price
539/50395	Coleford Town Council
539/50410	Coleford Town Council
543/51953	Mrs R Raymond
589/50376	Mrs I G Sharp
614/50760	Mr T Smith
624/50171	Mr J W Stephens
624/50185	Mr J W Stephens
625/50173	Mrs N M Stephens
637/52813	Mr E & Mrs S Taylor
639/50716	Mr M Taylor
647/52277	Mr M D Thomas
648/52429	Mr & Mrs P Thomas
673/50000	Mr P Virgo
673/53168	Mr P Virgo
683/50045	Mrs K Washington
684/50048	Mr M Washinton
699/52465	Mr & Mrs A Wilber
716/50694	Mr D E Williams & Ms J Bancroft-Jones
718/50634	Mr & Mrs Winter
726/50676	Mr & Mrs D J Yemm
727/52259	Mr & Mrs Young
729/53164	Mr & Mrs M Addis
760/70045	Forest Hill Golf Club
769/70073	K W T Coaches

781/70150	Mr D J Evans
783/70160	Challice Road Sweeping
789/70199	Mr H R Evans
792/70212	P J Engineering
809/70324	United Rentals Ltd
810/70326	Mr J Childs
827/70495	George Wimpey UK Limited
829/70553	Mr B L Fowler
837/70669	Clearwell Caves

Supporting Statements

38/51391	SmithKline Beecham
49/70575	Westbury Homes Holdings
59/50259	Mrs M M Adams
256/50187	Ms K Etheridge
257/51089	Mr M T Etheridge
370/50294	Mrs B K Jenkins

Issues

- a. The majority of the responses to Inset Map 3 relate to matters consequential upon objections to policies, site allocations or to omission sites. These in effect duplicate issues covered in connection with Part 1 of the Plan or earlier in this chapter. Therefore I do not set these matters out in detail again here, but make certain recommendations on Inset Map 3 consistent with the conclusions I have already reached elsewhere.
- b. The sole issue raised specifically in connection with Inset Map 3 is the proposed extension to the settlement boundary at Christchurch with respect to local character, access and traffic.

Reasoning and Conclusions

Defined Settlement Boundary - Christchurch

- 13.190 The north western extremity of the built settlement of Berry Hill and Christchurch lies close to the boundary of the Wye Valley AONB. There is a history of pressure to include additional land in this area within the Coleford DSB for development. This has been largely resisted by the Council and at appeal, chiefly in the overriding interest of protecting the open countryside.
- 13.191 I deal with several proposals for such development by way of Omission sites OH3.1 to OH3.5 above, where I conclude in each case that there is no justification for the enlargements to the DSB sought by objectors.
- 13.192 In contrast, certain new development has been permitted fronting the triangular area outside the DSB between Ross Road and Woodland Road, Christchurch. In consequence the Plan proposes the inclusion of this area to round off the settlement, subject to the designation of the open green area at the southern end as an Important Open Area protected by policy (R)FBE.7. This would have the effect of encouraging new development in the small fields in the northern part of the triangle, only separated from the wider countryside by an unmade track.
- 13.193 The Council takes the view that the area has become sufficiently built up to be distinguished from its rural surroundings and encompassed within the DSB. However, I find otherwise and share the opinion of several objectors that the area typifies the close interrelationship of the Forest settlements with the neighbouring

countryside, still providing a valuable transition in character from urban to rural. I appreciate that the small paddocks in the area do not lend themselves to modern agriculture and I accept that small additions to the considerable local and tourist traffic in the area could be accommodated by suitable access and frontage road improvements. Overall though, I consider it important to local character that the area outside the current DSB remain as part of the open countryside. Accordingly, the proposed Important Open Area designation becomes unnecessary. I conclude that the DSB extension and the IOA designation should be deleted from Inset Map 3.

Defined Settlement Boundary - Christchurch

13.194 I conclude in connection with Omission site OH3.11 that the DSB should be extended and Important Open Area protection afforded over lands south east of Coalway.

Further Modifications consequent upon conclusions reached elsewhere in this Report.

13.195 I conclude in connection with policy (R)F.Coleford 5 that the notation relating to the safeguarding of land for employment at Broadwell and Milkwall should be deleted.

13.196 I conclude in connection with policy (R)F.Coleford 8 that the notation relating to the Angel Farm housing allocation at its boundary with an Important Open Area should be modified to include the required area for access off Hampshire Gardens.

Recommendation

13.197 **I recommend** that Inset Map 3 be modified as follows:

Inset Map 3 be retitled - Coleford Group of Settlements.

the extension to the Defined Settlement Boundary and the Protected Open Area designation between Woodland Road and Ross Road be deleted;

the Coleford Defined Settlement Boundary be modified to include land between Parkend Road and Parkend Walk north of Laurel Cottage [as indicated on the plan appended to Document 265A];

the notation relating to policy (R)FBE.7 [Important Open Area] be applied to the open area north of the paddock to Laurel cottage;

the notation relating policy (R)F.Coleford 5 to lands at Broadwell and Milkwall be deleted; and

the common boundary of the Angel Farm housing allocation under policy (R)F.Coleford 8 and the adjacent Important Open Area be modified to include the required area for access off Hampshire Gardens.

Inset Map 3A - Coleford

Objections

546/52839	GWR Museum (Coleford)
645/52560	Mr K Thomas

Issue

Alternative access road to Coleford town centre.

Reasoning and Conclusions

13.198 I conclude in connection with policy (R)F.Coleford 3 that the notation relating to the safeguarding of land for an alternative access road from Old Station Way should be deleted.

Recommendation

13.199 **I recommend** that Inset Map 3A be modified by the deletion of the notation relating to the safeguarding of land for an access road from Old Station Way.

Inset Map 3B - Coleford/Cannop

Objections

245/51015	Mr J Edginton King
246/51016	Ms P Edginton King
488/51198	Friends of the Earth (Forest of Dean)
804/70304	Mr K Phelps
814/70373	Ms E Mormon

Issues

Impact of tourist development including on the Forest landscape.

Reasoning and Conclusions

13.200 I conclude with respect to policy R(F).Coleford 7 that the Cannop Depot allocation and Inset 3B should be deleted.

Recommendation

13.201 **I recommend** that Inset Map 3B be deleted.

CHAPTER 4 - NEWENT

General

Objections

12/52421	Walker Stuart Planning
107/52630	Mr P Bennett
171/52794	Mr M A Carter
216/52407	Environment Agency
230/53153	Ms R Ditchburn
230/53154	Ms R Ditchburn
230/53155	Ms R Ditchburn
230/53156	Ms R Ditchburn
230/53157	Ms R Ditchburn
230/53158	Ms R Ditchburn
234/53061	Mr J Mills

Supporting Statements

584/52895	Mrs H Selwood
584/52896	Mrs H Selwood

Issues

- a. Overall level of provision for development in Newent and the use of greenfield land.
- b. Objection to allocation or omission of land for development, including with reference to pedestrian access and road safety.
- c. Tourism promotion.
- d. Groundwater protection.
- e. Omission of lands for development.

Reasoning and Conclusions

- 14.1 I deal in detail with matters of land supply and the locational strategy for housing, including the use of greenfield land, in connection with policies (R)F.Strategy 1, 3 and 6 and (R)FH.2.
- 14.2 I consider site-specific objections, including matters of pedestrian access and road safety, in connection with individual allocations and omission sites below.
- 14.3 With respect to Tourism, text para 4.9 contains brief mention of support for development of the important tourist industry in Newent, but the matter is taken no further. Given the significance thus attributed to Newent as a focus for tourism, it is not sufficient to rely on the general and neutral wording of Part 1 policy (R)FTRL.1 on Tourism, Recreation and Leisure within the Towns. The subject at least justifies its own heading in the early part of the Newent Chapter, with cross reference to policy (R)FTRL.1. The Council should also consider whether to include a positive policy for tourism in this chapter.
- 14.4 With respect to groundwater protection, the Environment Agency draws attention to the presence of a major aquifer underlying the whole of Newent. It is essential that the development control process includes early consideration of this important interest in connection with any potential proposal. There is no site-specific evidence to justify special policy criteria for any of the sites nominated in the Newent Chapter, and

policy (R)FNE.12 makes adequate general provision groundwater protection. However, the matter needs to be better highlighted by way of its own heading, with cross-reference to policy (R)FNE.12, in place of the brief mention at the end text para 4.9 of the Revised Deposit version.

Recommendations

14.5 **I recommend** that Paragraph 4.9 be modified by the deletion of the fifth, sixth and eighth sentences [from ‘The tourism industry to important industry’ and from ‘The Environment Agency to aquifer.’].

14.6 **I recommend** that Chapter 4 be modified by inserting after paragraph 4.9 [as modified above] a new section on Tourism on the following lines:

Tourism

Tourism has been developing in the North Forest, with Newent acting as an important focus for this important industry. Proposals in Newent for the further development of tourism will be supported with reference to policy (R)FTRL.1.

14.7 **I recommend** the Council to consider whether to add a specific policy to the Newent Chapter making positive provision for tourism development.

14.8 **I recommend** that Chapter 4 be modified by inserting before the heading ‘Town Centre’ a new section on Groundwater Protection on the following lines:

Groundwater Protection

The Environment Agency identifies Newent as lying over a major aquifer. Accordingly all proposals for development in Newent must provide for groundwater protection where necessary, in accordance with policy (R)FNE.12.

Policy (R)F.Newent 1 – Housing Allocation – Market Square

Objections

6/80019	Barratt Bristol
24/51970	Newent Town Council
113/52615	Mr D Bick
273/80036	Mr R Freshwater
363/70224	Newent Civic Society
366/52164	Ms V L James
366/52165	Ms V L James
586/52467	Mr K Setters
842/80015	Prowting Projects Ltd

Supporting Statements

366/52163	Ms V L James
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Issues

- a. Procedural and factual matters
- b. Conservation Areas and public open space
- c. Access

Reasoning and Conclusions

14.9 Objections to this allocation have been overridden by the grant of permission for 15 dwellings and their subsequent physical completion. The policy does not appear to serve any further purpose and should be deleted in accordance with Pre Inquiry Change 9.

Recommendation

14.10 **I recommend that policy (R)F.Newent 1 be deleted in accordance with Pre Inquiry Change 9.**

Policy (R)F.Newent 2 – Mixed Use Allocation – Bennions Garage

[Omission Site OH4.1]

Objections

24/70515	Newent Town Council
24/70517	Newent Town Council
171/52795	Mr M A Carter
287/52337	Mr D C Glover
363/52827	Newent Civic Society
363/70223	Newent Civic Society
366/52166	Ms V L James
586/52488	Mr K Setters
669/53039	Mr K Urch
827/70500	George Wimpey UK Limited

Supporting Statements

24/70516	Newent Town Council
24/70519	Newent Town Council

Issues

- a. Need and justification for mixed or residential uses.
- b. Access at Watery Lane.
- c. Planning constraints, developer contributions and practical delivery.
- d. Qualified terms of policy wording.

Reasoning and Conclusions

14.11 I treat this land as an omission site to the extent that several objectors favour its reallocation exclusively for housing.

14.12 The Bennions Garage site is one of two adjacent allocations in Broad Street, the other being considered separately under policy (R)F.Newent 3 below. In the Revised Deposit version, this site is enlarged and allocated for community uses as well as for retail development and approximately 30 dwellings. This accords well with its

established town centre location in the light of national policy encouraging mixed redevelopment of brownfield sites in town centres. In this case it is also a proper aim to preserve the listed street frontage.

- 14.13 I understand both local frustration that this important site has remained vacant for many years and the wish of several respondents for policy constraints to be eased in favour of solely residential redevelopment, including for the elderly, without retaining the listed facade. I gather that negotiations were ongoing at the time of the Inquiry over an application including some 24 or 26 dwellings on the site, whilst on the other hand I received no detailed reasoned evidence in support of a radical revision of policy (R)F.Newent 2. In current circumstances it would not be appropriate for me to recommend a departure from the important objectives of the policy to secure redevelopment of a kind that would clearly best serve the long-term interests of historic Newent.
- 14.14 There is also some concern about a projected access connected to Watery Lane. However, in the absence of a technical objection at this stage by the highway authority, I leave that matter for detailed consideration in connection with any planning application.
- 14.15 The delay in redeveloping the land is also reflected in resistance to the several requirements of policy (R)F.Newent 2 for developer contributions to affordable housing, education, community facilities and playspace, in addition to the constraints upon the form of any redevelopment. It seems likely that these further provisions have contributed to the long period of vacancy. However, the qualification that such contributions shall be appropriate to a mixed development scheme, wherein the number of dwellings is only specified approximately, introduces an amount of flexibility and provides for degree of judgement. Whilst this compromises the certainty of the Plan somewhat, I consider the wording of the policy to be justified in this particular case, due to the central importance of the site to the town. It follows that I do not accept the contention of one objector that, due to the many constraints upon it, the site should be deleted altogether, only to be regarded as a potential windfall.
- 14.16 At the same time, if no permission has been granted and no realistic application remains outstanding by the time the Council next come to review the Plan [albeit under new legislation], the Council should at that stage reassess the site in the light of the prospects of redevelopment actually taking place in accordance with the Revised Deposit policy as it stands. The doubt as to the practical delivery of this site implies that it may not make its due contribution to the Phase 2 housing land supply as set out [under the sub heading of Broad Street] in policy (R)FH.2, and I take this factor into account in dealing with that policy.

Recommendations

- 14.17 **I recommend no modification of the Revised Deposit version of policy (R)F.Newent 2.**
- However,**
- 14.18 **I recommend that policy (R)F.Newent 2 be fully reassessed when the Plan is next reviewed [albeit under new legislation], should the site remain undeveloped and not subject to realistic redevelopment proposals.**

Policy (R)F.Newent 3 – Mixed Use Allocation – Broad Street

Objections

24/51960	Newent Town Council
24/51962	Newent Town Council
24/70520	Newent Town Council
363/52817	Newent Civic Society
363/70222	Newent Civic Society
366/52168	Ms V L James
669/53040	Mr K Urch
690/51848	Mr B Wellington
827/70498	George Wimpey UK Limited

Supporting Statement

234/50465	Mr J Mills
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Issues

- a. Need and justification for mixed or residential uses including for the elderly.
- b. Planning constraints and practical delivery.
- c. Secondary access via the car park at Watery Lane, and other policy details.

Reasoning and Conclusions

- 14.19 The land at Broad Street is adjacent to the Bennions Garage site allocated by policy (R)F.Newent 2, and to a great extent they can be considered together. Accordingly my conclusions reached in connection with policy (R)F.Newent 2 above may be taken as applying here.
- 14.20 Briefly, the flexible mixed development proposal accords well with this established town centre location, and with national policy on mixed, town centre redevelopment. Even though not individually listed, the present traditional street façades are significant to the Conservation Area and the setting of nearby listed buildings, and should be preserved if possible.
- 14.21 As in the case of the Bennions Garage site, there is doubt as to the practical delivery of the land for development, due to the constraints imposed by policy (R)FH.Newent 3. I take this into account in relation to the phase 2 housing land supply of policy (R)FH.2. However, I do not consider radical modification or deletion of the policy to be appropriate at this stage, subject to future review.
- 14.22 On the matter of access, there is objection to the projected connection to Watery Lane on grounds of potential conflict with parking arrangements and pedestrian movement. I respect this concern but, in the absence of a technical objection at this stage by the highway authority, I leave such matters for detailed consideration in connection with any planning application.

Recommendations

14.23 **I recommend no modification of the Revised Deposit version of policy (R)F.Newent 3.**

However,

14.24 **I recommend that policy (R)F.Newent 3 be fully reassessed when the Plan is next reviewed [albeit under new legislation], should the site remain undeveloped and not subject to realistic redevelopment proposals.**

Policy (R)F.Newent 4 – Town Centre Traffic Management

Objection

366/52170 Ms V L James

Issues

Details of traffic calming and management provisions.

Reasoning and Conclusions

14.25 Public responses to the provision for town centre traffic management include well-considered suggestions for speed and parking limits and enforcement. However, these are matters for assessment by the highway authority in advance of any scheme requiring approval under this policy and are not for detailed consideration in this report.

Recommendation

14.26 **I recommend no modification to policy (R)F.Newent 4**

Policy (R)F.Newent 5 – Amenity Open Space and Community Use Lewell Street

Objections

24/51967	Newent Town Council
24/51969	Newent Town Council
160/52600	Mr J S Burr
234/53058	Mr J Mills
363/52825	Newent Civic Society
366/52171	Ms V L James
669/53042	Mr K Urch

Supporting Statements

13/52004	Sport England SWR
24/70521	Newent Town Council

Issues

Loss of green, public recreational open space.

Reasoning and Conclusions

- 14.27 Concern is centred on the potential loss of the present central urban green space at Lewell Street, if it were to become occupied by a replacement community centre, especially if the community use of the former school at Ross Road were lost due to redevelopment [policy (R)F.Newent 7 and text para 4.43].
- 14.28 The Council accepts, and there is no countervailing evidence, that the supporting text to policy (R)F.Newent 5 should not prescribe such use for the Lewell Street land and that specific reference to re-siting the community centre there should be omitted from text para 4.32, and also from text para 4.43 relating to the Ross Road site. The Revised Deposit version of the Plan achieves this, leaving the primary allocation of the Lewell Street site as open recreation with any building ancillary to that use.
- 14.29 Whilst any uncertainty about the future of existing community facilities is unfortunate, there remains substantial flexibility for the location of a new community centre if required in due course, if not at Lewell street itself, then alternatively at one of the mixed use allocations in Broad Street [policies (R)F.Newent 2&3], or elsewhere. I conclude that no further modification to policy (R)F.Newent 5 or text paras 4.32 and 4.43 are necessary.

Recommendation

- 14.30 **I recommend no modification to policy (R)F.Newent 5 or the related supporting text.**

Policy (R)F.Newent 6 - Newent Business Park - Extension Paragraphs 4.36 to 4.41

Objections

24/51957	Newent Town Council
171/52792	Mr M A Carter
213/50140	Ms H Davies
216/52408	Environment Agency
233/52284	Mr S Dossett
233/52950	Mr S Dossett
234/53059	Mr J Mills
283/52954	Mr D M Gander
288/50964	Gloucestershire County Council
363/52819	Newent Civic Society
366/52172	Ms V L James
463/50406	Cleeve Mill Neighbourhood Watch
586/52487	Mr K Setters
669/53044	Mr K Urch
795/50131	D Goulding & Sons
851/51737	E & B Freeman(Newent) Ltd

Supporting Statements

536/52846	Mr G B Price
690/51843	Mr B Wellington
851/51736	E & B Freeman(Newent) Ltd

Issues

- a. The degree of need for additional greenfield employment land.
- b. Possible alternative land uses.
- c. Impact on residential areas.
- d. Effect on the rural landscape and tourist attraction.
- e. Contributions toward highway improvements.
- f. Contributions toward drainage and flood prevention measures.

Reasoning and Conclusions

Need

- 14.31 A broad view is expressed by a number of objectors that no further employment land should be allocated in Newent until the Cleeve Mill Business Park is fully developed in accordance with its extant permission.
- 14.32 I deal with the locational strategy of employment in the North Forest generally and Newent in particular in connection with policies (R)F.Strategy 7 and (R)FE.1. I there find no substantial evidence against the principle that employment land in Newent should be allocated in excess of that required for mere population increase, in order to counter outward commuting. That is subject to upholding the principle that development in the essentially agricultural North Forest and the market town of Newent should be otherwise comparatively restrained
- 14.33 I assess here the specific planning implications of the Newent Business Park Extension in the light of that conclusion. In doing so I have regard to my consideration of the major undeveloped part of the Cleeve Mill Business Park as Omission Site OH4.3 below, where I recommend no change in its status in this Plan.
- 14.34 The established use of the Cleeve Mill Business Park is, in any event, restricted to Class B1 business, whereas the Newent Business Park Extension would also include Class B2 and B8 industry, storage and distribution. Thus they are not directly comparable and the failure of the bulk of the Cleeve Mill site to attract substantial Class B1 business development, despite a long period of availability, is of little relevance to objections to policy (R)F.Newent 7. Nor in my view is the lack of a direct motorway link of great significance in terms of the level of provision made in the Plan. Clearly better transport connections might enhance demand for new industrial sites, but that would run counter to the restraint sought by the Plan.
- 14.35 On the other hand, it is evident from the uptake of the present Newent Business Park, with only 1ha remaining vacant, that more land should be allocated for consolidation and expansion of the employment base to serve the local population within the Plan period. I agree with the Council that this sole 4.2ha general industrial allocation is in scale with the proper strategic aims for employment in Newent. I also judge the location of the allocation to be appropriate in principle, subject to consideration of a number of other factors raised in the objections.

Alternatives

- 14.36 The first of these is whether an alternative location using previously developed land could be found for further industry. Whilst the Council respond that policy (R)F.Strategy 3 resists greenfield development where brownfield alternatives exist, it

is to be expected that policy allocations provide reasonable certainty. Accordingly the allocation should be considered in relation to any such possibilities, but I have not seen evidence in this regard.

- 14.37 The next matter is whether a more appropriate location to extend the Business Park would be to the north of Gloucester Road and west of the housing at Croft Road, where currently land is allocated by policy (R)F.Newent 9 for recreation.
- 14.38 A further objection proposes alternative use of the Business Park Extension land as a neighbourhood centre. This would serve the present residential area north of Onslow Road as well as any future housing development to the south under policy (R)F.Newent 8. Significantly, the Council respond that this may be a suitable use of the land but prefer the employment allocation on grounds of protecting the town centre from competing retail development.
- 14.39 I deal with the Onslow Road housing and Gloucester Road recreation allocations under policies (R)F.Newent 8 and 9 below, where I conclude that substantial housing and recreation allocations should remain. However, the foregoing objections raise questions of the mutual juxtaposition of the several uses over all three of these major allocations on the eastern edge of the town, and I return to this in my overall assessment below.

Impacts on Residential, Landscape, Tourist and Historic interests.

- 14.40 Although the Council chooses not to argue the matter in any detail, I do not find great weight in the general objection that the Business Park Extension would lie too close to housing. It would extend the existing site further away from residential areas and criterion 4 would restrict uses closest to dwellings to Class 1 business as they are potentially quieter than Class B2 industry. Moreover, whilst the existing site is regarded by one objector as unsightly, it is at least separated from existing housing by Onslow Road, and there is scope in both this and the Onslow Road housing allocation for strategic landscape planting to offset the visual impact.
- 14.41 In the circumstances I do not consider that the scale or visual impact of the development would be such as to detract unacceptably from the rural charm or tourist potential of Newent and the surrounding North Forest area.
- 14.42 It is reasonable to add reference in the policy to pedestrian and cycle links to the nearby housing areas, to take the best advantage of their proximity.
- 14.43 An objection on grounds of impact on the historic iron industry is made in vague terms and the Council response is merely to note the comment. In the circumstances I make no specific recommendation, given the general safeguard to archaeological interests by way of policy (R)FHE.7.

Contributions toward Highway and Drainage works

- 14.44 I consider that the requirement for a contribution toward improving the Gloucester Road junction should be strengthened by making it into a policy criterion related to the effects of the development.
- 14.45 It is essential that development avoid any worsening of existing flood problems on adjacent land. However, such requirements must not go beyond catering for the effects of the development. I recommend a modified wording of Criterion 5 accordingly.

Overall Assessment

- 14.46 Drawing together the foregoing conclusions in relation to the Business Park Extension, I find no overriding objection such as might persuade me to recommend its outright deletion. Indeed I find such an allocation in a suitable location in Newent to be necessary, for the reasons I have explained. I come to an equivalent conclusion concerning the recreational allocation north of Gloucester Road under policy (R)F.Newent 9.
- 14.47 However, in the light of all the other factors raised in the objections, including the question whether any alternative previously developed locations have been explored, I am led to recommend the Council, before the Plan is adopted, to review comprehensively both the Business Park Extension and the Gloucester Road Recreation allocations. At the same time, account should be taken of my recommendations on the nearby Onslow Road site.
- 14.48 The main issues considered in that reassessment should be:
- whether a suitable alternative previously developed land is available,
 - whether the Business Park Extension would be better located north of Gloucester Road, taking into account the same concerns of residential amenity, landscape, tourism, historic environment, highways and drainage, and whether, correspondingly, the recreational allocation would be better located south of the present Newent Business Park,
 - whether there should be an allocation for a neighbourhood centre to serve the increasing residential areas of East Newent.

Points of Detail

- 14.49 The Plan departs at this point from its usual format, in that it places text ahead of the related policy. I therefore add a further recommendation to reposition text paras 4.36 to 4.37 below policy (R)F.Newent 6, with corresponding minor rewording.

Recommendations

- 14.50 **I recommend the Council to review the provisions of Policy (R)F.Newent 6 in the terms set out in paragraph 14.48 above.**
- 14.51 **I recommend that Policy (R)F.Newent 6 criterion 2 be modified by adding after ‘..... highway network’ the words ‘and to the adjoining residential areas’.**
- 14.52 **I recommend that Policy (R)F.Newent 6 be modified by deleting the fifth criterion and substituting:**
- 5. Make provision for the drainage of surface water from the development without exacerbating any drainage problems on adjacent land and without detriment to the nature conservation value of the watercourse along the southern boundary of the site.’**
- 14.53 **I recommend that Policy (R)F.Newent 6 be modified by deleting the last sentence and adding instead a sixth criterion as follows:**

6. make an appropriate contribution to the improvement of the B4125 Gloucester Road junction to provide for the additional traffic generated by the development.’

14.54 **I recommend that Paragraphs 4.36 and 4.37 be repositioned below policy (R)F.Newent 6 with corresponding minor modifications to the wording**

Policy (R)F.Newent 7 – Mixed Use Allocation – Ross Road

Objections

24/51963	Newent Town Council
24/51966	Newent Town Council
33/50987	Budgens Stores Ltd
33/52961	Budgens Stores Ltd
33/70046	Budgens Stores Ltd
160/52694	Mr J S Burr
288/50966	Gloucestershire County Council
288/70288	Gloucestershire County Council
363/52823	Newent Civic Society
363/52826	Newent Civic Society
501/52202	Mr & Mrs W Offord
669/53057	Mr K Urch
690/51759	Mr B Wellington
690/51846	Mr B Wellington
773/70085	Mr B Collier
795/50143	D Goulding & Sons
827/70502	George Wimpey UK Limited

Supporting Statements

234/53052	Mr J Mills
363/52822	Newent Civic Society
366/52175	Ms V L James
586/52485	Mr K Setters

Issues

- a. Objection to retail use.
- b. Suggested alternative hotel use.
- c. Development approach, planning constraints and practical delivery.
- d. Access and road safety.
- e. Drainage and flooding.
- f. Loss of community use.

Reasoning and Conclusions

Specified Uses

14.55 I understand the concern of a local trader that retail development should not be allowed on the site. However, although not itself central, the site presently enjoys a key commercial frontage on the approach to the centre where retail use could be appropriate, provided it would not harm the vitality and viability of the main shopping

area. Such retail use would be likely to comprise outlets associated with some other commercial activity on the site.

- 14.56 I consider that the Revised Deposit wording of text para 4.43 goes a long way toward clarifying this matter, but to provide sufficient certainty the test of protecting the town centre should be elevated to policy status, by way of adding a fifth criterion, as it directly concerns the uses permitted.
- 14.57 As it stands, the terminology of both the text and the policy itself are unclear on the basis of the definition of commercial development accorded by the Glossary of Terms at Appendix G to Part 1. As commercial development needs to be specified in the policy, yet can include retail, it is necessary to qualify further the type of retail to be allowed by referring in para 4.43 to the probability of retail use being ancillary to other commercial activity.
- 14.58 Alternative hotel use in the location of the present community centre, as proposed by the Town Council and another objector, is not precluded by the policy should this prove acceptable in other respects and, on the limited evidence available, no further modification to the Plan is necessary in this respect.

Approach, Constraints and Delivery

- 14.59 I agree with one objector that the practical delivery of the site is likely to be delayed by the many constraints on the development permitted by the policy, and that comprehensive redevelopment would be preferable to a piecemeal approach. However, it is evident from the development brief [LPD35.23] that the land is in multiple ownership with several uses set to continue. On balance, I think the development brief goes as far as it can to set down the pattern of development in accordance with policy (R)F.Newent 7, given that an express requirement for comprehensive redevelopment is not a practical option.
- 14.60 I regard the uncertainty surrounding the Ross Road allocation as a result of these factors as an unsatisfactory aspect of the Plan, making it less robust than it should be, but I am not persuaded to recommend its outright deletion, for policy control over its potential redevelopment is plainly desirable. Nevertheless, the questionable value of its potential contribution to housing land supply and phasing must be taken into account, and I do so in relation to policy (R)FH.2.

Access and Road Safety

- 14.61 There is understandable concern that any redevelopment of the Ross Road site that would cause intensification of use and traffic generation, could lead to safety problems on the surrounding roads. The matter is covered in the policy and, given the land is already largely developed by its existing uses, it is sufficient to leave detailed consideration for such proposals as may come forward, when the highway authority will be involved as a statutory consultee. There is also concern that separate footpath connections should be made to the town centre and nearby canal towpath. Express reference in the policy to safe pedestrian and cycle access is desirable. Otherwise the provision of safe access is also secured by general policies (R)FT.2 and (R)FBE.1.

Drainage and Flooding

- 14.62 Adjacent landowners express fear of worsening drainage and flood problems, with implications for the viability of their farming business. It is essential that this matter be considered as part of any proposals to avoid any worsening the situation by new

development under policy (R)F.Newent 7. [The present situation is not a matter on which I am able to make a recommendation.] However, I consider the matters of drainage and flood risk to be adequately covered in this case by the general requirements of (R)FBE.2 and (R)FBE.4, which apply to all development proposals.

Loss of Community Use

- 14.63 I deal with concern over the potential loss of community use of the former school on the site in connection with policy (R)F.Newent 5 above. I there conclude that the Revised Deposit version of the supporting text relating to both the Ross Road and the Lewell Street sites appropriately makes flexible provision for a new community centre if required. That could be partly funded by negotiation under criterion 3 of policy (R)F.Newent 7. It is beyond my role to concern myself with whether the present facility can or should be withdrawn from community use, for that involves matters outside the strict scope of planning. I have concentrated in this assessment on the planning merits of the proposed uses of the land.

Recommendations

- 14.64 **I recommend that Policy (R)F.Newent 7 be modified by inserting in the second sentence after ‘..... satisfactory provision for’, the words ‘pedestrian, cycle and’.**
- 14.65 **I recommend that Policy (R)F.Newent 7 be modified by the addition of a fifth criterion as follows:**
- 5. Not to include retail development that would harm the retail viability and vitality of the town centre.**
- 14.66 **I recommend that Paragraph 4.43 be modified by deleting the second and third [underlined] sentences and substituting:**
- The site is not suitable for town centre uses and retail development will only be acceptable where it does not harm the viability and vitality of Newent town centre. It is probable that any retail use permitted will be ancillary to other commercial use of the site.**

Paragraph 4.44 – Cleeve Mill Business Park

Objection

463/50405

Cleeve Mill Neighbourhood Watch

Issues

Additional entrance to Cleeve Mill Business Park.

Reasoning and Conclusions

- 14.67 Class B1 business use is now established over the whole of the Cleeve Mill Business Park site, by virtue of the completion of several units at the western end. I appreciate that the local Neighbourhood Watch would like a new entrance to the Business Park to be provided off the Newent Bypass, to divert potentially increased commercial traffic away from their homes, especially assuming the development will in due course be complete. However, the Council does not support their view that this is

necessary. Moreover, I have not seen any indication that such a scheme is being promoted by the highway authority. A new access cannot, in any event, now be required to be funded by the established development.

- 14.68 In the circumstances, it is not within the scope of my considerations to recommend the inclusion of a policy in the Plan for an access scheme that appears, on available evidence, highly unlikely to come to fruition. [The public are, of course, at liberty to take up their concerns directly with the highway authority where they perceive a safety hazard due to the permitted or any proposed alternative use that would generate more traffic than Class B1.]

Recommendation

- 14.69 **I recommend no modification in respect of road access to the Cleeve Mill Business Park.**

Policy (R)F.Newent 8 – Housing Allocation – Onslow Road

[Omission Site OH4.2 - Reduction of First Deposit site
Omission Site OH4.3 - Proposed Extension]

Objections

5/51248	Swanhill Homes Limited
12/52396	Walker Stuart Planning
24/51955	Newent Town Council
54/51764	Commercial Bank Trust plc
107/52628	Mr P Bennett
113/52614	Mr D Bick
144/52934	Mr D Brindley
160/52657	Mr J S Burr
160/70447	Mr J S Burr
171/53089	Mr M A Carter
174/52320	Mr S J Chester
193/52606	Mrs E Cook
213/50139	Ms H Davies
216/52415	Environment Agency
230/53107	Ms R Ditchburn
230/53108	Ms R Ditchburn
230/53109	Ms R Ditchburn
230/53159	Ms R Ditchburn
231/52294	Mr T Ditchburn
233/52287	Mr S Dossett
234/53045	Mr J Mills
236/53024	Mr M Draper
248/52798	Mrs R Edwards
250/52721	Mr & Mrs M Ellerby
283/52955	Mr D M Gander
287/52333	Mr D C Glover
315/50988	Robert Hitchins Limited
315/50990	Robert Hitchins Limited
315/51002	Robert Hitchins Limited
315/70332	Robert Hitchins Limited
315/70359	Robert Hitchins Limited
315/70360	Robert Hitchins Limited
319/52744	Mr J Harris
319/52848	Mr J Harris

321/52732	Mr S J Harris
352/52725	Mrs M Hughes
363/52830	Newent Civic Society
363/70219	Newent Civic Society
366/52178	Ms V L James
466/52730	Mr S Moon
466/70443	Mr S Moon
498/52904	Mrs C Offord
501/52196	Mr & Mrs W Offord
501/52197	Mr & Mrs W Offord
501/52200	Mr & Mrs W Offord
501/52205	Mr & Mrs W Offord
502/52901	Mr W A Offord
509/52907	The National Birds of Prey
522/52718	Mrs K Perry-Gardiner
586/52482	Mr K Setters
608/52741	Mr M Smith
669/52598	Mr K Urch
782/70157	Mr S Smeaton
791/70241	Mr & Mrs G J Highton
795/70234	Messrs D Goulding & Sons
832/70577	Mr L H Hill

Supporting Statements

24/70522	Newent Town Council
303/52750	Glebe Infants School
315/51009	Robert Hitchins Limited
463/50401	Cleeve Mill Neighbourhood Watch
536/52850	Mr G B Price
643/52746	Mr A J Thomas
690/51845	Mr B Wellington

Issues

- a. The extent of and need for the allocation, and the use of greenfield land.
- b. Landscape and Natural Environment.
- c. Traffic and access
- d. Drainage and flooding.
- e. Community benefit, infrastructure capacity and affordable housing.
- f. Alternative approaches and sites.

Reasoning and Conclusions

Omission Sites OH4.2 and OH4.3

14.70 This First Deposit allocation for around 150 dwellings on 5.5ha of land, with sports pitches on a further 3.9ha, is reduced in the Revised Deposit of the Plan to only 50 dwellings on 1.7ha. This change is subject to objection, coupled with a proposal to enlarge the allocation to 260 dwellings over 8.6ha. In these respects I treat the lands concerned as omission sites. However, I take into account all the First Deposit responses to its inclusion, as well as the Revised Deposit responses opposing its reduction and seeking its enlargement.

The Extent of and Need for the Allocation and the use of Greenfield Land

- 14.71 I discuss matters of land supply and the locational strategy for housing, including the use of greenfield land, in connection with the relevant Part 1 policies. I confine myself here to assessing the specific planning effects and implications of the Onslow Road allocation [also termed Foley Road and Bury Bar].
- 14.72 In connection with each issue, I first deal with the case for the reinstatement of the full allocation in the adopted Plan, followed by the case for its enlargement and then the factors against its inclusion. Finally I draw together my findings on these and all other factors into an overall assessment, which I then use to inform my conclusions on general policies including (R)FH.2.

Natural Environment and Landscape

- 14.73 There is no doubt that any new housing development to the south of Onslow Road would have significant impact on the countryside outside the town with implications for wildlife and the natural environment. However, I have not seen evidence that particular species or nature conservation interests would be compromised even by the expanded allocation for 260 dwellings on 8.6ha sought by the potential developers in conjunction with 4ha of sports pitches.
- 14.74 Equally, in the absence of any special landscape designation, I see no overriding objection, even to the larger proposed allocation, especially given the degree of vegetative screening already available at the outer edges of the land. Moreover, I consider that the development could visually be well integrated with the existing settlement edge, already comprising dwellings along both sides of Onslow Road.
- 14.75 Accordingly, I find no objection on landscape or natural environment grounds to the full allocations sought in the objections, subject to the need for 260 dwellings and the associated open space being proven and no other site offering a more sustainable alternative to such a greenfield urban extension.

Traffic and Access

- 14.76 The potential traffic generation by a substantial urban extension, even of only 50 dwellings as proposed in the Revised Deposit, causes understandable concern among existing residents. I do not consider on the evidence provided, that traffic flows in the town centre and conservation area would be affected to such a degree as to justify objection even to 260 new dwellings at Onslow Road. At the same time any new dwellings will cause a noticeable increase in local traffic. In my opinion however, Criterion 1 of the policy would provide sufficiently for this, by securing road improvements and traffic calming measures commensurate with the level of development ultimately permitted.
- 14.77 With respect to traffic circulation, Onslow Road would simply be extended by the Revised Deposit allocation as a no through road, whilst Foley Road would remain in its present form as an uncomfortably long residential cul de sac. It is demonstrated [Document 315H/3] that the 150 unit First Deposit allocation [Omission proposal 2 ref OH4.2] would carry the potential benefit of introducing a looped road circulation system incorporating Onslow Road. Moreover, the proposed enlargement [Omission proposal 1 ref OH4.3] would go further and obviate the disadvantage of the existing layout by joining the far end of Foley Road via the new development to Onslow Road. That would create a loop accommodating public transport as well as private vehicles,

and offering an alternative emergency access. I do not consider these material benefits alone to justify either of the increased allocations, but they should be taken into account.

- 14.78 The accessibility of the site to the community facilities of the town was discussed in some detail at the Inquiry. There is no doubt that, with respect to PPG3 and RPG10 criteria, all the allocations proposed, but especially the reduced Revised Deposit site, lie an acceptable walking distance from all amenities, save for the junior schools on the western side of the town, and even those are within a kilometre. This factor supports the allocation of the Onslow Road lands.

Drainage and Flooding

- 14.79 It is of concern that adjacent landowners find it necessary to object to further development on grounds of present drainage problems attributed to the existing housing development at Onslow Road. It is vital that this situation is not worsened by any future development under policy (R)F.Newent 8. However, it is beyond the scope of this report to anticipate a solution to present difficulties and on the limited available evidence it seems to me that, with proper development control, the policy contains a sufficient safeguard by way of Criterion 7 on drainage provision.

Community Benefit, Infrastructure Capacity and Affordable Housing

- 14.80 Community benefit is not a primary requirement of development. However, I am satisfied that the terms of the policy are sufficiently rigorous to ensure proper contributions toward the supply of affordable housing, education and other community facilities. There is no specific evidence of inadequate foul sewerage capacity and this matter is subject to general policy (R)FBE.2 in any event.

Other Matters

- 14.81 As to the location of recreation space within the same allocation as housing; I do not find this necessary or consistent with the overall layout of the Plan wherein recreational land is considered separately in the light of other land uses. It is material that an enlarged allocation at Onslow Road could support added play and recreational provision on adjacent land but that does not alone justify an allocation beyond identified need. In this case I have not seen reasoned evidence to dispute the approach of the Plan in allocating recreational land by way of policies (R)F.Newent 9-10 and supporting paras 4.53-58.
- 14.82 The only factor to justify an increase in planned recreation provision would be a very substantial increase in total housing allocations on a scale not contemplated in this report. Within the Revised Deposit version of policy (R)F.Newent 8 I consider the requirement of Criterion 10 for an appropriate contribution to recreation to be sufficient.
- 14.83 On a point of detailed policy wording; I favour the Revised Deposit version requiring appropriate provision for such as education and playspace, where the appropriate level can be judged on merit in line with general policies of Part 1 Chapter 6. The First Deposit version, wherein the Council seek to negotiate, is unacceptably vague and is rightly modified.

Overall Assessment

- 14.84 I conclude that none of the potential planning impacts of the Revised Deposit allocations of 50 houses, nor the First Deposit allocation of around 150 dwellings, nor the proposals for 260 units at Onslow Road individually or jointly warrant substantial objection even to the largest of the omission sites.
- 14.85 Nevertheless, even the reduced Revised Deposit development would give rise to a visible urban extension over greenfield land. This is undesirable unless the need for the development is borne out in terms of broad housing strategy and land supply considerations, and no other site or sites offer a more sustainable alternative.
- 14.86 I deal with alternative sites in connection with policy (R)F.Newent 8a [Bradford's Lane] and the series of Omission Sites below. I reach the overall view that the Onslow Road sites offer the preferred option to meet the major part of the Newent housing requirement that I recalculate under policy (R)FH.2 to be 242, requiring a contribution of 170 units in addition to the mixed use sites that I support above. I propose that number be allocated over the original 5.5ha of the First Deposit site. That will only give rise to an overall density just over 30 dwellings to the hectare, still at the lower end of the range stated in PPG3 and consistent with other proposals of this Plan.
- 14.87 According to the Revised Deposit modification to Inset Map 4, the reinstatement of the First Deposit housing site will produce an apparent overlap between housing and the Bury Bar recreation allocation of Revised Deposit policy (R)F.Newent 10. However, according to land areas stated that policy and the First Deposit version of (R)F.Newent 8, there is sufficient space within the area defined for recreation on Inset Map 4 to provide the requisite 1.5ha of sports pitches proposed by policy (R)F.Newent 10.

Recommendation

- 14.88 **I recommend that Policy (R)F.Newent 8 be modified to:**

5.5ha of land at Onslow Road is allocated for around 170 dwellings. The development will be required to:

[criteria as Revised Deposit version]

Paragraph 4.49 – Housing Policy (R)F.Newent 8A – Housing Allocation – Bradford's Lane

Objections

24/70514	Newent Town Council
24/70523	Newent Town Council
160/70444	Mr J S Burr
175/70391	Hallam Land Management
315/70329	Robert Hitchins Limited
319/70439	Mr J Harris
363/70216	Newent Civic Society
366/70213	Ms V L James
536/70449	Mr G B Price
537/70056	Mrs K J Price

608/70109	Mr M Smith
690/70169	Mr B Wellington
748/70001	Mr D Organ MP
748/70803	Mr D Organ MP
751/70004	Mr C & Mrs C Waters
752/70017	Mr A & Mrs K L Fishpool
753/70020	Mrs C Duffield
754/70023	Mr N Hayes
754/70254	Mr N Hayes
755/70027	Mrs K Clarke
755/70135	Mrs K Clarke
756/70030	Mr P & Mrs A Wirth
757/70033	Miss R Pyle & Mr S Vinall
759/70040	Mr L Ormond
761/70048	The Eckley Family
762/70050	Mr M & Mrs S Phillips
763/70053	Mr & Mrs B R Davis
765/70060	Mrs H Richards
768/70069	Mr S Parker
773/70088	Mr B Collier
774/70091	Mrs L M Lawford
775/70094	Mrs J D Thomas
776/70097	Mr D F Carvalho & Mr N S Hutchinson
777/70100	Mr & Mrs N Gregson
782/70158	Mr S Smeaton
784/70163	Mrs M Williams
785/70166	Mrs M Morgan
791/70208	Mr & Mrs G J Highton
793/70225	Mrs B Wright
794/70228	Mr W G Inns
796/70237	Ms S Hockey
801/70251	Mr A K Hayes
802/70255	Mr & Mrs Selwood
822/70430	Mr J B Methwen
823/70433	Mrs M Smith
825/70436	Mr A L Richards

Supporting Statements

175/70392	Hallam Land Management
502/70082	Mr W A Offord

Issues

- a. The need for and phasing of the allocation and the use of greenfield land.
- b. Landscape and Natural Environment.
- c. Traffic, access and bus facilities.
- d. Affordable housing and other benefits of development.

Reasoning and Conclusions

14.89 I deal here with the Revised Deposit Bradfords Lane allocation alone. Proposals to include additional lands at west of Newent for housing and employment are considered in relation to Omission Sites OH4.4 and 5 below.

Need, Phasing and the use of Greenfield Land

14.90 I discuss matters of land supply and the locational and phasing strategy for housing, including the use of greenfield land, in connection with policies (R)F.Strategy 1, 3

and 6 and (R)FH.2.. I confine myself here to assessing the specific planning effects and implications of the Bradfords Lane site.

- 14.91 In seeking that the Bradfords Lane allocation, if confirmed, should be advanced from Phase 3 [to 2011] to Phase 2 [to 2007] under policy (R)FH.2a, Hallam Land Management [HLM] questions the potential deliverability of the three central allocations in Newent on previously-developed land [Bennions Garage, Broad Street and Ross Road]. As a compromise HLM suggests an addition to the wording of policy (R)F.Newent 8a, to link its phasing to progress on other Newent sites. My own findings on those sites [policies (R)F.Newent.2, 3 and 7] include that their deliverability in Phase 2 of the Plan is open to question. This factor has implications for the phasing of residential development in Newent beyond the interest of the Bradfords Lane site in particular. This matter is covered overall in connection with policies (R)FH.2 and 2a.
- 14.92 HLM also contend that such re-phasing of the Bradfords Lane allocation would set no precedent due to benefits claimed over the competing allocation at Onslow Road. I return to this aspect of the objection in my overall assessment below.

Landscape and Natural Environment

- 14.93 I take into account the Illman Young Landscape Appraisal of Land North West of Newent, undertaken for the Council [LPD51], the Landscape Report on the Bradfords Lane allocation site produced by the Cooper Partnership for the potential developers HLM [Document 175B/3] and the specialist landscape evidence by Epcad on behalf of objectors Robert Hitchins Limited. Judging also from my own observations of the site and its surroundings, Bradfords Lane remains rural in character despite the residential area immediately to its east. This is due largely to its mature hedgerows, incorporating a number of distinctive horse chestnut trees along the allocation site frontage. The bulk of the land immediately west of the settlement is open and rural in character, forming part of the attractive wider countryside of the North Forest.
- 14.94 Being close to the existing urban edge and substantially enclosed by boundary vegetation, the allocation site is classified as being of moderate landscape constraint, compared with the more sensitive areas to its south and west. However, as the ground falls generally westward, the site is still visible from many distant viewpoints, whilst rural views are enjoyed from Public Footpaths over the land and can also be glimpsed across the site via gaps in the hedge along Bradfords Lane itself. I therefore consider that the site is an integral part of the open countryside, subject to little urban influence, and that Bradfords Lane serves to define a firm and defensible boundary to the settlement.
- 14.95 To extend the settlement by developing the allocation site for housing as proposed would create an entirely new and visible urban edge. The proposed road access off Bradfords Lane might threaten the survival of some of the frontage horse chestnut trees and would certainly have the effect of making Bradfords Lane more urban in nature. In my judgement such development would severely detract from the appearance and character of the countryside and I conclude that it should not be permitted to take place in the absence of any overriding need or benefit.
- 14.96 In the event that countervailing considerations were to lead to the retention of the allocation, substantial additional landscaping would be needed to the north and west boundaries and within the site to soften the visual impact of new built development.

However, with the support of a suitable supplementary design brief, I do not consider that this would give rise to a policy requirement for structural landscaping, and criterion 2 could be modified accordingly, as agreed by the Council, and set out in Voluntary Change 17 [LPD75].

Traffic, Access and Bus Facilities

- 14.97 At the Inquiry, in the interest of a fair hearing both to those promoting and opposing the allocation, I invited an exchange of written evidence concerning the feasibility of providing the requisite road access off Bradfords Lane. This led to the production of more detailed information, based to a great extent on conjecture, than would normally be sought at such proceedings. However, the material submitted serves to illustrate that satisfactory access could probably be achieved, but only subject to certain conditions being fulfilled.
- 14.98 The proposed scheme would depend on the imposition of a 20mph speed limit on Bradfords Lane together with carriageway narrowing for safe visibility and traffic calming. The potential developers propose associated improvements, including a small roundabout at the Ross Road junction and a new pedestrian crossing on Gloucester Road to the east. Such measures are consistent with the findings of the Newent Transport Study [LPD65] and there is no evidence that the development would cause the practical capacity of the local network to be exceeded. The highway authority has intimated that the scheme would be likely to be approved, including a 20 mph speed limit due to the proximity of a school entrance.
- 14.99 However, the location of the entrance to the site would be dictated by the position of valued mature chestnut trees, and the presence of other junctions on the opposite side of Bradfords Lane would make the whole layout complicated. In my opinion, although the new development would no doubt be self-contained with respect to parking, there is potential for greater congestion and inconvenience at peak traffic times, which would be difficult to overcome in any design. I do not consider this factor alone to be fatal to the proposed allocation. Even so, it emphasises the degree of urbanisation the development would cause, and weighs against the adoption of policy (R)F.Newent 8a.
- 14.100 In the event that the site were to remain in the Plan, there is no dissent surrounding the agreement, reached at the Inquiry between the Council and the potential developer, that the requirement for on-site bus access and turning facilities should be deleted from Criterion 3. That is, subject to the retention of Criterion 10, which provides for an appropriate contribution to enhanced town centre bus services, in the interest of transport sustainability. This is covered in Voluntary Change 17 [LPD75].
- 14.101 There is detailed evidence on accessibility [Documents 175E/Table1; 315P/Table1]. This demonstrates that, whilst broadly well related to the town and conveniently close to primary and infant schools and local bus stops, the Bradfords Lane site is more than the target walking distances of RPG10 via safe pedestrian routes from most other community and town centre facilities. The town centre itself, the nearest supermarket and the main employment site are all more than, or only just under, the guideline maximum distances away, albeit I acknowledge that there is potential employment nearer, at Ross Road, as well as existing employment locally, including at the schools themselves. Bus connections and cycle and pedestrian links could be improved in line

with the policy criteria but, in my overall judgement, the advantage of proximity to schools is offset by the greater distance from the town centre and most employment.

Affordable Housing

- 14.102 The promoters of the Bradfords Lane site claim a contribution to affordable housing as a potential benefit. They point out that, despite the provisions of policy (R)FH.13 for a negotiated affordable share of residential development, in practice the provision of affordable housing is not guaranteed. In particular, on small town centre brownfield sites close to the provision threshold of policy (R)FH.13, it is less likely to be secured than on larger greenfield allocations, due to the implication of site preparation costs and other constraints for viability. This is illustrated in the case of the Bennions Garage Site under policy (R)F.Newent 2 where a potential developer admits to limiting the number of units to avoid the burden of an affordable share [Document 175G].
- 14.103 It follows that, in contrast, larger greenfield locations, such as the Bradfords Lane land, offer a better prospect of contributing to the affordable housing supply and helping reverse the current shortage. However this applies equally to other greenfield locations in Newent and consequently has little bearing on the allocation of Bradfords Lane site in circumstances where an equivalent amount of housing is to be allocated elsewhere.

Overall Assessment

- 14.104 There is no doubt that the development of the Bradfords Lane site could bring forward desirable road safety improvements to Bradfords Lane identified in the Newent Transport Study together with an element of affordable housing, in current short supply. On the submitted evidence, this could be achieved without creating pressure on infrastructure in terms of drainage, educational capacity and public open space, and there is no evidence of detriment to farm viability due to the loss of grade 1 and 2 land.
- 14.105 However, I conclude that the main objection on landscape impact grounds remains the primary material consideration in this instance. Accordingly, the Bradfords Lane housing allocation should be deleted in the face of preferable alternative locations to meet the identified housing needs of Newent. I deal with alternative sites in connection with policy (R)F.Newent 8 [Onslow Road] and the series of Omission Sites OH4 below. I make my recommendation on the Bradfords Lane site in the light my conclusions above that an enlarged allocation at Onslow Road offers the preferable option for meeting the major part of the Plan housing requirement for Newent.

Recommendations

- 14.106 **I recommend that policy (R)F.Newent 8a and Paragraphs 4.52a to 4.52c be deleted.**
- However,**
- 14.107 **I recommend that, in the event that the Bradfords Lane site is retained contrary to the foregoing recommendation, that policy (R)F.Newent 8a and paragraphs 4.52a to 4.52c be modified in accordance with Voluntary Change 17.**

Policy (R)F.Newent 9 – Recreation Land Allocation – Gloucester Road

Objections

79/52816	Mr & Mrs Bagnall
213/50137	Ms H Davies
234/53062	Mr J Mills
288/53167	Gloucestershire County Council
348/51945	Mr L Howard & Mr W Gunter
348/51946	Mr L Howard & Mr W Gunter
463/50394	Cleeve Mill Neighbourhood Watch
795/50144	D Goulding & Sons

Supporting Statements

13/52005	Sport England SWR
366/52181	Ms V L James
536/52847	Mr G B Price

Issues

- a. Impact on residential amenity.
- b. Flooding on adjacent land.
- c. Area of importance to former iron industry.
- d. Alternative mixed use to include employment, recreation and a tourist hotel.

Reasoning and Conclusions

- 14.108 The main objection to this allocation stems from the fact that nearby live many elderly people who fear disturbance by noise and activity associated with sports use of the allocated land. I have seen no evidence to dispute the stated need for the additional sports ground provision in Newent in text para 4.56, and this fringe location close to residential areas seems appropriate in other respects. I do not find recreational use to be in fundamental conflict with adjacent housing, given the protection to living conditions afforded by general policy (R)FBE.1, applicable to all proposals.
- 14.109 There is evidently a flooding problem on adjacent land and it is essential that any proposal fully evaluates the need for drainage and flood control measures to prevent worsening of the situation as a result of development on the allocated site. This matter, however, is part of the development control process covered by policies (R)FBE.2 and (R)FBE.4, which apply to all development.
- 14.110 Reference to the former local iron making industry led to the inclusion of text para 4.57 requiring evaluation of this interest before development, but without clear explanation. The earlier para 4.55 requires consideration of adjacent land uses and landscaping, but it precedes the basic explanation of the allocation in para 4.56. The result is that, as it stands, the reasoned justification for policy (R)F.Newent 9 is disjointed, and para 4.57 is unintelligible. The development constraints deserve policy status, consistent with other sections of the Plan, with subsequent explanation suitably recast.
- 14.111 As to proposed alternative uses, I have seen no substantial planning evidence that this site would lend itself better to mixed development to include a tourist hotel. The Council’s main objection is that the site is too close to the nearby sewage treatment works [STW] for any form of residential occupancy. I conclude below that land at Cleeve Mill Business Park [Omission site OH4.6] should not, at least in this Plan, be

reallocated for residential occupation, pending improvements to the STW with respect to odour emission. It follows that the same conclusion must apply to the majority of the Gloucester Road Land.

- 14.112 On the evidence submitted in connection with policy (R)F.Newent 9, I have formed the overall opinion that the recreational allocation, or equivalent, should stand, in order to fulfil the identified recreational need. However, on the basis of my findings on policies (R)F.Newent 6 on the Business Park Extension, I am led to recommend the Council to reassess comprehensively both these allocations before the Plan is adopted.

Recommendations

- 14.113 **I recommend the Council to reconsider the appropriate uses of the land subject to policy (R)F.Newent 9 as part of a comprehensive reassessment with the Newent Business Park Extension in accordance with my recommendations on policy (R)F.Newent 6.**
- 14.114 **I recommend that if the same land is proposed for recreation in the adopted version of the Plan, policy (R)F.Newent 9 be redrafted to include criteria as appropriate on amenity in relation to adjacent residential and sewage treatment land uses, strategic landscaping and advance assessment of iron industry interest.**
- 14.115 **I recommend that if the same land is proposed for recreation in the adopted version of the Plan, Paragraphs 4.55 to 4.57 be redrafted to provide, first, a statement of the recreational requirement, preceding clear explanation of the policy constraints.**
-

OMISSION SITES

Note: For Omission Site OH4.1 - Bennions Garage – see policy (R)FH.Newent 2
 For Omission Site OH4.2 – Onslow Road First Deposit – see policy (R)F.Newent 8
 For Omission Site OH4.3 – Onslow Road Extension – see policy (R)F.Newent 8

Omission Sites OH4.4 – Land West of Newent

Objectors

319/52133	Mrs J Harris
352/52723	Mrs M Hughes
522/52106	Mrs K Perry-Gardiner
608/52160	Mr M Smith

Reasoning and Conclusions

14.116 In their original representations the objectors, together representing the Conigree Partnership, put forward a residential proposal over several fields west of Bradfords Lane. This area is conveniently defined by the Council in Appendix 3 to Document P1.4. At the Inquiry, the Conigree Partnership supported their proposal with an illustrative layout dated 16 January 2003 [Document 319B]. Strictly, this enlarges the omission site beyond that defined in the duly made objection by adding an indefinite area to its western side. A key aspect of the proposal is a new distributor road linking the B4221 Gloucester Road in the north to Watery Lane in the south, in effect bypassing Bradfords Lane. Although, as illustrated, much of this road would lie outwith the omission site, I give due consideration to the proposal in principle as an urban extension served by such an addition to the highway network.

Landscape, Urban Edge and Ecology

14.117 The Council relies upon the undisputed Illman Young Landscape Assessment of May 2000 [Document LPD51]. This clearly identifies the bulk of the omission land as an area of varied rural landscape of high constraint. The only exception to this is the single field that lies between Bradfords Lane and Gloucester Road at their junction to the north east of the omission land. This is assessed to be of moderate landscape constraint and is allocated for housing in policy (R)F.Newent 8a of the Revised Deposit draft. I consider that site above and recommend its deletion on highway as well as landscape grounds.

14.118 The high landscape quality of the omission site as a whole is emphasised by its location outside the urban settlement of Newent, here defined by Bradfords Lane with its dense hedgerows and significant specimen trees. The area contains high quality farmland, community woodland and a key wildlife site, as well as a number of mature rural dwellings, one of which, Bradfords Cottage, is a listed building. The topography is such that the area is highly visible both from the local Public Footpath networks, and from more distant viewpoints to the west, as contiguous with the attractive open countryside spreading for some miles westward beyond the town.

14.119 I recognise that the presence of a certain amount of built development on the land makes the character transition from urban to rural indistinct to a degree, and I accept

that ecological interests could be protected or even enhanced within a comprehensive development scheme. Nevertheless, I consider overall that the urban extension proposed would cause significant damage to the character and appearance of the rural landscape, and that this is a cogent material consideration to be weighed against any countervailing benefit.

Transportation Benefits

- 14.120 The principle of a western relief road to Newent has evidently been debated over many years. At the Inquiry, the Council indicated that the Gloucester County Council have no objection to this in principle and, as highway authority, adopted a neutral position on the omission site. At the same time I have not been made aware that such a scheme is the subject of any formal proposal, other than by the Conigree Partnership in connection with this Plan. Nevertheless it is appropriate that I consider any potential benefits of the road link as an integral part of the omission proposal.
- 14.121 It is acknowledged in the Newent Transport Study [Document LPD65] that Bradfords Lane itself and with other parts of the town including Watery Lane, currently suffers traffic problems, and suggests a range of improvements and management measures to address these. I find merit in the view put forward by the Conigree Partnership that a western distributor road would deal directly with the cause of some of the congestion and safety issues facing Newent. In particular it would remove substantial through traffic from Bradfords Lane by re-routing secondary school and tourist trips directly from Gloucester Road to the southern end of Watery Lane. It would also facilitate detailed speed control, circulatory, parking and other improvements in the town. Such potential benefits are a material factor to be weighed in the balance of all planning factors. However, such a radical proposal would require rigorous technical assessment before adoption.

Overall Assessment

- 14.122 I assess the matters of land supply and locational strategy for housing in Newent as a whole in connection with Part 1 policies (R)F.Strategy 1, 3 and 6 and (R)FH.2, as well as the allocation policies of this chapter. Whilst I have identified a strategic need for some additional housing in Newent, I do not judge that need to be currently of such a scale as to warrant radical reconsideration of the omission land in the face of the very substantial visual harm this would cause to the rural landscape. That is, notwithstanding the material highway benefits that could accrue from such an initiative.
- 14.123 In reaching this conclusion I have also taken into account that the housing and the road could no doubt be developed innovatively and in sympathy with the topography to produce a self-contained mix of densities and dwelling types, in line with current national guidance, and in the interest of the socio-economic balance of Newent. However, there is nothing to say comparable advantage could not be realised by other sites more closely associated with the existing town infrastructure.

Recommendation

- 14.124 **I recommend that the Land West of Newent be not allocated for development.**

Omission Site OE4.5 – Land at Mantley Chase

Objections

12/52420 Walker Stuart Planning

Reasoning and Conclusions

- 14.125 In a representation separate from the Conigree Partnership proposal for land west of Bradford Lane [Omission site OH4.4], Walker Stuart Planning promote 1.5ha of land at Mantley Chase for employment. This proposal was not pursued in any detail.
- 14.126 The main house is reached via a driveway from Gloucester Road at Mantley Lodge and the associated orchard and pasture land provides its setting within the sensitive landscape. It follows from my foregoing conclusions in connection with Omission site OH4.4 above that this site should not be identified in the Plan for development in a manner that would cause harm to the appearance and character of its rural location.
- 14.127 Whether or not the Mantley Chase land might accommodate a change to some kind of employment use is not a matter on which I am able to make any further recommendation in the absence of reasoned evidence for or against such a proposal.

Recommendation

- 14.128 **I recommend that the Land at Mantley Chase be not allocated for development.**

Omission Site OH4.6 – Land at Cleeve Mill Business Park

Objector

54/51758 Commercial Bank plc

Reasoning and Conclusions

- 14.129 The land in question lies north of Cleeve Mill Lane between housing to the west and a sewage treatment works [STW] to the east. The site comprises the bulk of an area of some 1.5ha with permission for Class B1 business use, but has been only partly developed along its western end. There are currently no proposals for further business development on the site. Most of the land is within a 200m cordon sanitaire defined around the STW, within which the Council resists residential development on amenity grounds, consistent with a long appeal history.
- 14.130 There is common ground between the Council and the objector that the land itself would be suitable for residential development. The main issues are whether, as a matter of policy, it should be kept for its established business use, and whether it is still to be regarded as too close to the sewage works to avoid nuisance such as odour and flies.
- 14.131 I deal with the locational strategy of employment in the North Forest generally and Newent in particular in connection with policies (R)F.Strategy 7 and (R)FE.1. I there find no substantial evidence against the principle that employment land in Newent should be available in excess of that required for mere population increase, in order to counter outward commuting. Thus, notwithstanding that the larger undeveloped part

of the Cleeve Mill business site has remained vacant for a long time, there are grounds for its remaining in employment use.

- 14.132 Nevertheless, I have found in connection with policy (R)F.Newent 6 that a substantial employment allocation should remain in the Plan to extend the nearby Newent Business Park, either as proposed, or north of Gloucester Road. That will ensure a supply of new employment land for Newent, including in use Class B1. In the circumstances, and in the absence of detailed quantitative evidence of employment land shortfall, I consider that, in purely strategic terms, some or all of the Cleeve Mill omission land could in principle be developed for housing without serious detriment to employment potential in Newent.
- 14.133 I discuss the locational strategy and land supply for housing in connection with policies (R)F.Strategy 1, 3 and 6 and (R)FH.2. I conclude there that there is a degree of need for additional housing allocations in Newent, but in connection with policy (R)F.Newent 8 and Omission Sites OH4.2 and 3 above that this can be suitably met at Onslow Road. I here assess the overall suitability of the Cleeve Mill omission land for residential occupation in relation to the potential effects of the nearby STW.
- 14.134 The objector has gone to some pains to adduce up to date evidence of the current and likely future performance of the STW. It is right that this factor should be reassessed as part of the Plan preparation process, especially in the light of the increasing national importance of making best use of urban sites. From the technical evidence I am satisfied that the problem of smell that has constrained the omission land for so long is set to improve by way of odour control measures applied to the sludge tank and higher discharge standards.
- 14.135 However, at the Inquiry the operators of the STW had only predicted an improvement in effluent quality over three years to early 2005 and indicated some scope to bring forward odour control during 2003-4 as part of an objective for long term improvement. I am not sufficiently reassured by this evidence that the time has yet arrived for the Cleeve Mill land to be reconsidered for residential occupation. I consider a period of improved STW performance needs to be monitored before such an allocation would be appropriate. Accordingly, I conclude that there should be no modification to the status of the site within this Plan.
- 14.136 The land, if still vacant, could nevertheless be reconsidered for housing or mixed development in any future Plan review or urban capacity study, taking into account such improvement in STW performance as may have become established, as well as the take-up level of the Newent Business Park Extension and the housing land supply position.

Recommendation

- 14.137 **I recommend no modification to the status of the land at Cleeve Mill Business Park in the Plan.**

Inset Maps 4 and 4a – Newent and Newent Town Centre

Objections

5/51250	Swanhill Homes Limited
12/52400	Walker Stuart Planning
12/52420	Walker Stuart Planning
24/51956	Newent Town Council
24/51958	Newent Town Council
24/51971	Newent Town Council
24/51973	Newent Town Council
24/70524	Newent Town Council
39/52751	M F Freeman Limited
54/51758	Commercial Bank Trust plc
54/51762	Commercial Bank Trust plc
113/52611	Mr D Bick
144/52937	Mr D Brindley
160/70446	Mr J S Burr
171/52796	Mr M A Carter
174/52325	Mr S J Chester
175/53188	Hallam Land Management
193/52610	Mrs E Cook
230/51546	Ms R Ditchburn
231/52291	Mr T Ditchburn
233/52289	Mr S Dossett
234/50984	Mr J Mills
234/53047	Mr J Mills
236/53025	Mr M Draper
236/53026	Mr M Draper
248/52804	Mrs R Edwards
250/52722	Mr & Mrs M Ellerby
287/52336	Mr D C Glover
287/52339	Mr D C Glover
315/70331	Robert Hitchins Limited
315/70334	Robert Hitchins Limited
319/52133	Mr J Harris
319/52745	Mr J Harris
319/52853	Mr J Harris
321/52738	Mr S J Harris
348/51946	Mr L Howard & Mr W Gunter
352/52131	Mrs M Hughes
352/52723	Mrs M Hughes
363/52821	Newent Civic Society
363/52831	Newent Civic Society
363/70218	Newent Civic Society
363/70221	Newent Civic Society
366/52167	Ms V L James
366/52173	Ms V L James
366/52177	Ms V L James
366/70215	Ms V L James
463/50397	Cleeve Mill Neighbourhood Watch
463/50418	Cleeve Mill Neighbourhood Watch
466/52100	Mr S Moon
466/52729	Mr S Moon
498/52905	Mrs C Offord
501/52203	Mr & Mrs W Offord
501/52206	Mr & Mrs W Offord
502/52902	Mr W A Offord
509/52908	The National Birds of Prey

519/51793	Mr D Penny
522/52106	Mrs K Perry-Gardiner
522/52717	Mrs K Perry-Gardiner
536/70450	Mr G B Price
537/70058	Mrs K J Price
586/52469	Mr K Setters
586/52484	Mr K Setters
608/52160	Mr M Smith
608/52740	Mr M Smith
608/70111	Mr M Smith
669/52602	Mr K Urch
669/53041	Mr K Urch
669/53048	Mr K Urch
669/53060	Mr K Urch
690/70171	Mr B Wellington
748/70804	Mr D Organ MP
751/70006	Mr C & Mrs C Waters
752/70018	Mr A & Mrs K L Fishpool
753/70021	Mrs C Duffield
754/70025	Mr N Hayes
754/70252	Mr N Hayes
755/70029	Mrs K Clarke
755/70152	Mrs K Clarke
756/70032	Mr P & Mrs A Wirth
757/70035	Miss R Pyle & Mr S Vinall
758/70038	Mr N J Davis
759/70042	Mr L Ormond
761/70049	The Eckley Family
762/70052	Mr M & Mrs S Phillips
763/70055	Mr & Mrs B R Davis
765/70062	Mrs H Richards
768/70071	Mr S Parker
773/70087	Mr B Collier
773/70090	Mr B Collier
774/70093	Mrs L M Lawford
775/70096	Mrs J D Thomas
776/70099	Mrs D F Carvalho & Mr N S Hutchinson
777/70102	Mr & Mrs N Gregson
784/70165	Mrs M Williams
785/70168	Mrs M Morgan
791/70210	Mr & Mrs G J Highton
793/70227	Mrs B Wright
794/70230	Mr W G Inns
795/70235	Messrs D Goulding & Sons
796/70239	Ms S Hockey
801/70249	Mr A K Hayes
802/70257	Mr & Mrs Selwood
822/70432	Mr J B Methwen
823/70435	Mrs M Smith
825/70438	Mr A L Richards
827/70499	George Wimpey UK Limited
827/70501	George Wimpey UK Limited
827/70503	George Wimpey UK Limited

Supporting Statements

502/70084	Mr W A Offord
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Issues

- a. The majority of the responses to Inset Maps 4 and 4a relate to matters consequential upon objections to policies, site allocations or to omission sites. These in effect duplicate issues covered in connection with Part 1 of the Plan or earlier in this chapter. Therefore I do not set these matters out in detail again here, but make certain recommendations on Inset Maps 4 and 4a consistent with the conclusions I have already reached elsewhere.
- b. The only issues raised specifically in connection with Inset Map 4 are the absence of demarcation of developable brownfield land in the ownership of the District Council [raised by the Newent Town Council], and the revision of the Ladders and Fencing Industries site to the line of the Hereford and Gloucester Canal [raised by the Canal Trust].

Reasoning and Conclusions

- 14.138 There is no justification for showing all developable brownfield land in any particular ownership. It is the function of the Urban Capacity Study [LPD27] to identify all such land to inform the Plan preparation process. No modification is necessary to the Inset Maps in this respect.
- 14.139 The protection accorded by policy (R)FTRL.6 to the historic line of the Hereford and Gloucester Canal is already properly extended to the whole of the section north of Newent by way of modification to Inset Map 4 at the Revised Deposit stage.
- 14.140 However, modifications to Inset Maps 4 and 4a consequential upon my recommendations elsewhere are necessary. The first relates to the reinstatement of the Onslow Road housing site under policy (R)F.Newent 8. Others could result from my recommendations to review land employment and recreational land uses proposed in policies (R)F.Newent 6 and 9.

Recommendations

- 14.141 **I recommend that Inset Map 4 be modified in accordance with the reinstatement of the First Deposit version of Policy (R)F.Newent 8 – Onslow Road.**
- 14.142 **I recommend that Inset Map 4 be modified as may ultimately be come appropriate consequent upon my recommendations on policies (R)F.Newent 6 and (R)F.Newent 9.**

CHAPTER 5 - ALVINGTON

General

Objections

644/70014 Mrs C M Thomas

Supporting Statements

288/51035 Gloucestershire County Council

Issue

Description of the play area.

Reasoning and Conclusions

- 15.1 Paragraph 5.2 is a description of the services and facilities available in the village. A reference to a children’s play area was added at the Revised Deposit stage when amendments were also made to Inset Map 5 to protect this area for recreational use under Policy (R)FBE.9. As the area is roughly equidistant from all the extremities of the built up area, it is appropriately described as near the centre of the village. The management of the play area is beyond the scope of the Local Plan and it is thus unnecessary to refer to which particular group of children it is intended to serve. For these reason I endorse neither the objector’s suggested wording nor the Council’s suggested modification in Document LPD.75.

Recommendation

- 15.2 **I recommend no modification to Paragraph 5.2.**

Policy (R)F.Alvington 1 – Built Environment

Objections

15/52805	J L Taylor & Son
15/52806	J L Taylor & Son
240/52290	Mrs Eagles
240/52292	Mrs Eagles
360/52268	Mr D James
360/52270	Mr D James
640/50611	Mr S Taylor
640/50613	Mr S Taylor
657/52265	Mr P Toffolo
657/52266	Mr P Toffolo

Issues

Potential for infilling development.

Reasoning and Conclusions

- 15.3 The policy area comprises all that area within the defined settlement boundary which lies to the south-east of the A48. Most of the policy area is also within the designated Conservation Area. The area is characterised by closely-built frontage development along the A48 with scattered, often detached, dwellings elsewhere. Many of the dwellings occupy large plots and there are also intervening areas of open land. There

- is a designated Important Open Area around the church protected by policy (R)FBE.7. The lanes serving the area are particularly narrow with restricted visibility at many of the junctions.
- 15.4 The declared objective of the Policy as set out in paragraph 5.8 is to assist in retaining the special character of the area and to safeguard the area from pressures for incremental change. However an area with a character and appearance meriting protection was defined as recently as 1990 by the designation of the Conservation Area. That excluded the southern part of the area covered by Policy (R)F.Alvington 1 which must then have been judged to be of less value. Also the policy area excludes that part of the Conservation Area to the north-west of the A48 and thereby implies an inappropriate grading of the character of different parts of the Conservation Area.
- 15.5 The policy is the same as the Restriction on Development provisions found elsewhere in the Plan but that part of the heading is omitted, presumably in error. I consider these policies in general terms after policy (R)FBE.1 in Part 1 Chapter 6 of this report, where I conclude that such policies should be deleted.
- 15.6 In any event, the policy is unnecessary within the Conservation Area or its setting as policy (R)FHE.1 will not permit development which would detract from the visual, historic or architectural character of the area. Whether inside or outside a Conservation Area, other Plan policies require various types of development (not just housing) to be compatible with the character of their surroundings. All that is needed is to adequately define that character in order that the impact of proposed development can be assessed against it.
- 15.7 At the Inquiry, several objectors to the policy expanded on their objection to promote the development of specific small sites within the policy area. I make no judgement on the merits of those developments. To assess the impact on the Conservation Area would require an assessment of more detailed and specific proposals and would normally require a full planning application as explained in paragraph 9.15 of Part One of the Plan. The assessment would need to include design considerations and other factors such as whether satisfactory access arrangements were and the impact of any necessary access works on the character of the area.
- 15.8 I conclude that the policy should be deleted and that paragraph 5.8 should be reworded to concentrate on a definition of the character of the Conservation Area which can assist the application of other plan policies for various types of development.

Recommendation

15.9 **I recommend that Policy (R)F.Alvington 1 be deleted.**

15.10 **I recommend that paragraph 5.8 be modified to:**

Important contributions to the character and attractiveness of the Conservation Area are made by agricultural land, orchards, private gardens, the churchyard and the area’s narrow access lanes. In applying Plan policies which seek to preserve and enhance the character of the Conservation Area and its setting and which require development to complement the character of its surroundings, regard will be had to these and other characteristics of the area. Account will also be taken of the likely cumulative impact of incremental change on the area’s character and appearance.

Inset Map 5 - Alvington

Objections

15/52806	J L Taylor & Son
240/52290	Mrs Eagles
360/52270	Mr D James
640/50611	Mr S Taylor
657/52266	Mr P Toffolo

Issue

See Policy (R)F.Alvington 1

Reasoning and Conclusions

15.11 See Policy (R)F.Alvington 1

Recommendation

15.12 **I recommend that Inset Map 5 be modified by the deletion of the notation for Policy (R)F.Alvington 1.**

CHAPTER 6 - AWRE

General

Objection

790/70203

Awre Parish Council

Issue

Village designation and mention of Post Office.

Reasoning and Conclusions

- 16.1 The Council have used the term settlement in a general sense to describe a range of collections of dwellings, including hamlets and villages. I consider that this approach is reasonable and has been used consistently throughout the Plan. As regards the objector’s other concern regarding the presence of a Post Office in the village, this omission has been acknowledged by the Council and I consider that this factual change should be made to the Plan.

Recommendation

- 16.2 **I recommend that Paragraph 6.1 be modified by adding “a Post Office” to the list of village services in the penultimate sentence of the paragraph.**
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CHAPTER 7 - AYLBURTON

General

Objection

800/70247 Mr & Mrs I Curtis

Supporting Statements

27/70205 Lydney Park Estate
288/51038 Gloucestershire County Council

Issue

Objection 800/70247 relates to a development proposal which is not in the Plan.

Reasoning and Conclusions

- 17.1 Objection 800/70247 raises a number of concerns about a proposed development of 12-18 properties with an access via Cross Farm Close. The substantive Revised Deposit Plan contains no such proposal. However, Inset Map 7 was amended at that stage to include an area of land to the south of Cross Farm Close within the Defined Settlement Boundary where consideration would be given to any planning applications for the development of small groups of dwellings. Should any planning application be submitted for such a development, there are statutory requirements for public consultation and that would be the appropriate time for neighbouring occupiers to submit representations to the Council. The similar Objection 800/70248 relates the Inset Map and is considered below.

Recommendation

- 17.2 **I recommend no modification to the Plan in respect of this objection.**

Omission Site OH7.1 – Land South of Cross Farm Close.

Objection

27/52655 Lydney Park Estate

Reasoning and Conclusions

- 17.3 Inset Map 7 was amended at the Revised Deposit stage and now includes the subject land within the Defined Settlement Boundary.
- 17.4 The land has not been allocated for housing development. With an area of only 0.3ha it would not warrant specific allocation in the Local Plan which generally only allocates sites for 10 or more dwellings. However Aylburton is a village covered by Policy (R)FH.4 which would permit the development of a small group of dwellings subject to criteria stated in that policy and to other Local Plan policies. Paragraph 2.25 defines a small group of dwellings as 12 or less. However this site would be unlikely to accommodate as many as 12 dwellings.
- 17.5 At the Inquiry, the objector sought clarification of the affordable housing requirement for development on this site. Elsewhere in the Report I have recommended modifications to the Plan’s affordable housing policies. However I have endorsed the

requirement that sites of 0.2ha/5 dwellings or more in settlements of this size should make provision for affordable housing. This should normally be on the site. The actual amount would be the subject of negotiation but I have endorsed the Council’s suggested starting point for negotiations of 40% provision.

Recommendation

- 17.6 **I recommend that the Land South of Cross Farm Close be not allocated for development.**

Omission Site OH7.2 – Land to the North of No 2, High Street

Objection

428/52705

Mr K E Lindley

Issues

Potential to complete the Maplefield residential development within an extended Defined Settlement Boundary.

Reasoning and Conclusions

- 17.7 This land projects into open countryside. If developed, the site would remain bounded by countryside on three sides and would intrude into the rural landscape. The site appears to be greenfield land which has not previously been developed and is not well contained by built development or other features. I conclude that it was appropriately excluded from the Defined Settlement Boundary.

Recommendation

- 17.8 **I recommend that the Land North of No 2 High Street be not allocated for development nor included within the Defined Settlement Boundary of Aylburton.**

Inset Map 7 - Aylburton

Objections

27/52655

Lydney Park Estate

428/52705

Mr K E Lindley

800/70248

Mr & Mrs I Curtis

Issues

- a. Object to a proposed development (which is not shown on the Inset Map).
- b. Nos 1, 2 and 3 High Street and their curtilage should be included within the Defined Settlement Boundary.

Reasoning and Conclusions

- 17.9 Objections 27/52655 and 428/52705 relate to Omission Sites OH7.1 and OH7.2.
- 17.10 Objection 800/70248 relates to Objection 800/70247 (see General section above). It was accepted by the Council as a duly-made objection relating to an amendment to Inset Map 7 at the Revised Deposit stage. That amendment included land to the south

of Cross Farm Close within the Defined Settlement Boundary. This is the land referred to above as Omission Site OH7.1. The amendment would allow that land to be considered for housing development subject to the application of various Plan policies. These include Policy (R)FH.4 which would require that any development be satisfactorily integrated into the settlement and be compatible with its form and character. Policy (R)FBE.1 has further criteria for development including that it should safeguard amenity. The land is bounded by built development on two sides and is, in my view, appropriately included within the Defined Settlement Boundary. Should any planning application be submitted for a housing development, there are statutory requirements for public consultation and that would be the appropriate time for neighbouring occupiers to submit representations to the Council.

- 17.11 Objection 428/52705 seeks, among other things, that Nos1-3 High Street and their curtilage be included within the Defined Settlement Boundary. The main purpose of the DSB is to define the limits of settlements beyond which development would be subject to more restrictive countryside policies. In this case the excluded land is also within the Plan’s designated Coastal Zone where there are additional restrictions on built development. The properties are prominently located at the edge of the village and front a busy main road. The existing buildings only occupy a small area of their curtilages. The inclusion of the curtilages within the DSB would invite proposals for more intensive built development which would be likely to conflict with the objectives of policies to protect the countryside, the coastal zone, and also the Conservation Area within which the properties lie. I conclude that there is no justification for modifying the DSB to include these properties.

Recommendation

- 17.12 **I recommend no modification to Inset Map 7.**
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CHAPTER 8 - BEACHLEY

General

Objection

848/70559 Tidenham Parish Council

Supporting Statement

75/50439 Mrs E Brown

Issue

Incorrect statement - Beachley does not have a Post Office.

Reasoning and Conclusions

- 18.1 I note that the Plan incorrectly refers to the presence of a Post Office in the village. This error has been acknowledged by the Council, and for reasons of accuracy the reference to a Post Office in the Chapter should be removed.

Recommendation

- 18.2 **I recommend that the first sentence of Paragraph 13.2 be amended to read “Beachley has few services”.**
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CHAPTER 9 - BLAISDON

General

Objection

219/52124 Mr & Mrs Davis
408/52933 Mr R H Keyse

Issues

Potential for additional housing in Blaisdon

Reasoning and Conclusions

- 19.1 Blaisdon is a small settlement of about 70 persons. It has a public house, church and meeting hall but it has no shop, school or significant employment and no frequent bus service. Almost all of the main settlement is designated as a Conservation Area. There is no Defined Settlement Boundary and the settlement is thus subject to the same Plan policies as the open countryside. These would not permit new housing development except for agriculture or forestry as provided for under Policy (R)FH.6. That policy allows for affordable homes on exceptions sites outside DSBs. However paragraph 2.29 explains that these are expected to be well related to existing defined settlements. There are no defined settlements sufficiently close to Blaisdon to meet that test.
- 19.2 In the countryside, Policy (R)FBE.5 would permit the re-use of existing buildings for industrial, commercial, tourism (including holiday accommodation), recreational or community uses (subject to criteria). Policy (R) FBE.6 would permit residential re-use if every reasonable attempt had failed to secure re-use under (R)FBE.5.
- 19.3 The Plan strategy accords with national, regional and structure plan sustainable development objectives relating to matters such as energy demands, best use of infrastructure, conservation of the environment and prioritising the re-use of previously developed land in urban areas over greenfield development in less accessible locations (Policies (R)F.Strategy 2 and 3). To these ends the Plan concentrates most housing development in or adjoining the District’s towns and larger villages and seeks to limit housing development elsewhere.
- 19.4 To allocate housing development to Blaisdon would undermine all these aims. Residents would need to travel away from the settlement to gain access to employment and most services, and would be heavily reliant on travel by car. The settlement would remain too small for additional local services such as a shop or primary school to be viable. Relocating development here would not make the best use of the services and infrastructure which already exist in other larger settlements and urban areas. Any significant new housing development in the village would probably of necessity be located on a greenfield site [which Annex C of PPG3 defines as including agricultural land and buildings]. Providing additional development over and above that already proposed in the Plan would undermine the Plan’s intention to limit commuting from the north of the District to urban areas, in accordance with regional and structure plan objectives. Moreover, significant additional housing development in the Conservation Area would be unlikely to preserve or enhance its spacious character or appearance.

19.5 For these reasons I conclude that Blaisdon is not a suitable location for additional housing development, whether by specific site allocation or as infill development within a defined settlement boundary .

Recommendation

19.6 **I recommend no modification in respect of these objections**

Omission Site OH9.1 – Land to the South West of the Red Hart Inn

Objection

219/52124

Mr & Mrs Davis

Reasoning and Conclusions

19.7 For the reasons given above I conclude that Blaisdon is an unsuitable location for a housing allocation. This particular site is agricultural greenfield land with poor accessibility to jobs, services and facilities and would thereby perform poorly in terms of the sequential test for the selection of sites that is advised by PPG3 on housing. Moreover the development of this site would intrude into the openness which is a particular characteristic of the Conservation Area, harming its character and appearance. That would still apply even if the site were reduced in size as suggested at the Inquiry.

Recommendation

19.8 **I recommend that the Land to the South West of the Red Hart Inn be not allocated for development.**

Omission Site OH9.2 – Land at Spout Farm Yard and Blaisdon Nurseries

Objection

408/52933

Mr R H Keyse

Reasoning and Conclusions

19.9 I explain above why I consider Blaisdon to be an unsuitable location for a housing allocation. This site comprises horticultural and other agricultural land and buildings and is thus by definition a greenfield site which does not qualify as previously-developed land as defined in Annex C to PPG3.

19.10 I acknowledge that the site includes underused buildings of substantial construction. These contribute to the traditional rural character and appearance of the Conservation Area and could be considered for re-use under the terms of policies (R)FBE.5 and (R)FBE.6. In particular, employment uses would help to balance the provision of housing and employment in this rural area. Tourism uses would help to support the rural economy and holiday accommodation would not require access to schools or employment. By contrast, to redevelop the site with new general housing at government-recommended densities of 30 dwellings per hectare or more would be

likely to result in significantly more trips by car. I conclude that the site should not be allocated for housing.

Recommendation

19.11 **I recommend that the Land at Spout Farm Yard and Blaisdon Nurseries be not allocated for housing.**

Inset Map 9 - Blaisdon

Objections

219/52124	Mr & Mrs Davis
408/52933	Mr R H Keyse

Issues

Omission of land for development.

Reasoning and Conclusions

19.12 See Omission Sites OH9.1 and OH9.2 above.

Recommendation

19.13 **I recommend no modification to Inset Map 9.**

CHAPTER 10 - BLAKENEY

General

Objection

222/50138 Mr J J Davis

Issues

See Omission Site OH10.1

Policy (R)F.Blakeney 1 – Housing Allocation – Former Goods Station

Objections

150/80047	Mr R C Brock
414/51674	Forest of Dean Badger patrol
521/70483	Mr A Perry
787/70178	Candystripe Securities Ltd
787/70180	Candystripe Securities Ltd
787/70179	Candystripe Securities Ltd
790/70578	Awre Parish Council
273/80043	Mr R Freshwater

Supporting Statements

25/51834	Chelbury Homes Ltd
25/53180	Chelbury Homes Ltd
787/70177	Candystripe Securities Ltd
288/51040	Gloucestershire County Council

Issues

- a. Principle of the allocation.
- b. Development density and extent of site.
- c. Infrastructure requirements.
- d. Car parking provision for local users.
- e. Affordable housing provision
- f. Wildlife protection
- g. Lack of democracy

Reasoning and Conclusions

Principle

20.1 Blakeney is a large village. The site of the former goods station is currently in low-key employment and storage uses. It lies within the Defined Settlement Boundary and qualifies as previously-developed land in an urban area. Any alternative housing site of this scale would be likely to involve greenfield development outside the settlement boundary. The proposed allocation is within walking distance of a variety of services and facilities including the adjacent primary school and is adjacent to a bus route with reasonably frequent services which provide access to higher level services

and employment by means other than the car. For these reasons it merits consideration for housing use.

- 20.2 The site is long and narrow and the development would be unusual in form and layout. However Blakeney and its Conservation Area are characterised by an informal and irregular development layout and this development would contribute appropriately to that variety. The development would abut built development at each end. Most of the site lies outside the Conservation Area. The part within it would be mainly taken up with an improvement to the existing access road. This may affect an existing bank and a small group of trees but need not harm the area’s character or appearance if carefully designed.
- 20.3 The site would be bordered by designated Important Open Areas. One such area overlaps the disputed site boundary. However that area is not widely seen and makes little or no contribution to public visual amenity. I conclude that this is in principle an appropriate location for housing development.

Density and site definition

- 20.4 The policy states the site area to be 0.56ha and it is allocated for approximately 10 units. During the Inquiry the Council checked the Revised Deposit site area using a Geographic Information System and found it to be 0.53ha. The Council and the objector agree that not all of the site can be developed but disagree as to the net developable area. Nevertheless it appears that the proposed density would be below the minimum 30 dwellings per hectare [dph] advised by PPG3 and generally endorsed by paragraph 2.40 of the Plan and paragraph 5.5 of the development brief [LPD.35.24]. Whereas the Council has argued that the policy wording would allow a slightly higher density, the converse is also true. There are several examples of denser developments nearby including small terraced houses within the adjoining modern housing development to the north. I acknowledge that the limited site width, the trees, varying site levels and long access requirements constrain the layout and density to a degree. However I consider that the site could accommodate development at a density of at least 30 dph and that this would be in character with the site’s surroundings.
- 20.5 The Council seeks to justify the definition of the southern site boundary on the basis that the excluded area is covered by a Tree Preservation Order. In fact there are very few trees in the disputed area and their retention would be compatible with the inclusion of the land within the site allocation. It was also evident on site that trees covered by another TPO had been included in the allocation on the site’s northern boundary and near the site entrance. Including the land up to the existing mesh fenced boundary to the west of the overhead power lines as shown on Survey Drawing 760 [appended to Document 787A] would create a more logical boundary for the site. This would avoid leaving a narrow strip of land to create future ownership and management problems. It would also ease the layout difficulties caused by the site’s narrow width. To the east of the power lines are larger protected trees on rising ground which would be more difficult to accommodate into a residential layout and I consider that the allocation boundary here should follow that suggested on the same drawing 760. I endorse the minor adjustment to the southern boundary at the site’s extreme western end agreed by the Council at paragraph 6.1 of document FOD/P6.18. These modifications marginally increase the overall site area. A consequential adjustment should be made to the boundary of the Important Open

Area designation to exclude it from the allocation. This land is of negligible public amenity value and its inclusion as a narrow strip of IOA within the site boundary would serve no purpose.

- 20.6 I conclude that the site with the amended boundary would have a developable area of at least 0.5ha and could satisfactorily accommodate at least the minimum density advised by PPG3. The proposed number of dwellings should therefore be increased from 10 to 15. I make due recommendations for modification of Inset Map 10.

Infrastructure

- 20.7 It is reasonable that developments should be required to make provision for infrastructure and facilities which is necessary to meet the needs of the occupiers. The policy includes a list of requirements and the objector queries those relating to: education provision; the provision of amenity open space and play space; the nature of the pedestrian and cycle links required; and the requirement to provide parking and turning for nearby land uses.
- 20.8 Criterion 6 requires an appropriate contribution to education provision for the prospective occupiers of the site. The objector claims this to be unnecessary on the basis that the primary school is said to have spare capacity. However there is no statistical evidence before me of the actual or forecast capacity of the primary school. Moreover education provision need not relate only to the needs of primary age children. Policy (R)FBE.2 and its supporting text makes clear that account is to be taken of any existing spare capacity. It would be for the Council to demonstrate that a contribution were necessary on the basis of available figures and forecasts at the time of a planning application.
- 20.9 The site size and number of dwellings significantly exceed the thresholds for recreational open space provision set out in the Revised Deposit version of policy (R)FBE.11. I have also recommended that a lower threshold would be appropriate in the policy. However policy (R)FBE.11 requires the provision to be either on or near a site and it is unreasonable that Criterion 6 should require that provision only to be made within the site. Policy (R)FBE.11 provides that account is to be taken of existing provision in the area measured against the needs generated by the future occupiers. There is a small local play area for young children in the adjoining development to the north although direct access is not currently available without trespassing on land in other ownership. There is further open space elsewhere in the village but I have not been provided with any up-to-date assessment of whether that would be adequate in quantitative or qualitative terms to also meet the needs of the occupiers of the development. Such an assessment would be necessary in order to negotiate appropriate provision, whether on or off site. If provision is inadequate, it may prove that a quantitative or qualitative improvement to existing off-site provision would be of more value than on-site provision of a small open space.
- 20.10 Whilst existing landscape features including the trees should be retained where appropriate, I do not consider that there is a functional need to provide on-site open space of visual amenity value only. Neither is there a need for strategic landscaping to the site boundaries. The policy should therefore refer simply to ‘landscaping’ and to ‘recreational open space’. The latter term is that used in Policy (R)FBE.11.
- 20.11 Criterion 4 requires provision for pedestrian access to footpaths adjoining the site. It is not disputed by the objector; however there is an apparent and uncertain overlap

with Criterion 3 which requires safe and convenient pedestrian and cycle links to the surrounding highway network, to the village centre and to the primary school. During the Inquiry the Council agreed that Criterion 4 is unnecessary. The development brief only seeks suitable access from the High Street and ‘if possible’ a pedestrian/cycle link via Butlers Mead to the village centre. The latter link would benefit future residents and provide access to the existing children’s play area. However it would require access over land in separate ownership and it is uncertain whether this would be available. I consider that the policy criteria should be modified to reflect the approach adopted in the development brief.

- 20.12 The Revised Deposit version of Criterion 8 requires the provision of a parking and turning area for the adjacent primary school. However the school evidently prefers children and parents to use a new access and parking area at the east end of the school site. There is already a car park for school staff which is reached via the access drive to the former station site. The objector states that the school is not seeking an additional parking area. I conclude that this requirement should be deleted.
- 20.13 Pre-Inquiry Change 16 seeks to widen the requirement to the provision of a car park to also serve local residents and other nearby premises in the area including the adjacent British Legion Club. There is no evidence that the site has a history of use to provide parking for these residents or the Club and the presence of gates and a lifting barrier across the access road suggest otherwise. During the Inquiry the Council agreed that this provision should not be required independently of any additional parking provision for the school. I therefore consider the requirement to be unreasonable and not directly related to the development and I do not support Pre-Inquiry Change 16.

Affordable Housing

- 20.14 The objector seeks the definition of the affordable housing requirement in the policy and that it be set at a lower proportion than the 40% indicated in the Part 1 Housing Chapter 2, on the basis that there might be land contamination which would be costly to remedy. However no evidence of land contamination or costs has been provided and it would be premature to conclude that a 40% proportion would render the development unviable. Should the developer seek to argue that position during negotiations, such evidence would need to be presented to the Council. The nature of the provision would also be a matter for negotiation.

Wildlife

- 20.15 An amendment to paragraph 8.65 of Part One of the Plan at the Revised Deposit stage refers to the protection of badgers as a species and advises that developers will need to employ reputable consultants to provide the necessary specialist advice. In Document FOD/P6.18 at paragraph 9.1, the Council indicates that it will propose a further reference to the protection of badger setts on proposed development sites. However no such modification has been included in Document LPD.75 or elsewhere. In my opinion, in the absence of particular evidence regarding badgers on this site, that interest is adequately covered by policy (R)FNE.11.

Lack of democracy

- 20.16 Pre-Inquiry Change 16 was published for public comment as the submission of this and another objection confirms. I do not consider that this process was undemocratic.

Recommendation

20.17 **I recommend** that Policy (R)F.Blakeney 1 be modified by to:

[...] hectares of land off High Street will be allocated to accommodate approximately 17 new housing units. The development will be required to:

1. Provide vehicular and pedestrian access from High Street.
2. Provide for landscaping to the site boundaries and within the site to incorporate existing landscape features including trees and hedgerows where appropriate.
3. Subject to securing the necessary access rights, to provide for pedestrian and cycle access via Butler’s Mead to the village centre.
4. Provide for an appropriate number of affordable housing units.
5. Provide for an appropriate contribution to education provision for the prospective occupiers of the site.
6. Provide for the recreational open space needs of the prospective occupiers in accordance with Policy (R)FBE.11.

20.18 **I recommend** that paragraph 10.9 be modified by the deletion of the sentence commencing: ‘ The allocation of this site..’ and also the deletion of the sentence commencing: ‘Therefore, the allocation policy ...’.

20.19 **I recommend** related modifications to Inset Map 10 below.

Omission Site OH10.1 – Land to the West of Blakeney

Objection

222/50138	Mr J J Davis
222/50132	Mr J J Davis

Reasoning and Conclusions

20.20 This omission site was modified during the Inquiry and includes a westward extension of the Highfield housing estate together with the adjoining land to the south occupied by the disused railway embankment, which would be removed. The objection seeks the extension of the defined settlement boundary in order that the land might be allocated for housing development. The total area would be approximately 3.53ha [excluding 0.32ha which has previously been developed as an ‘exceptions’ site for affordable housing]. At the minimum density of 30 dwellings per hectare recommended by PPG3, it would have a capacity of 106 dwellings. The objector’s representative confirmed at the Inquiry that a smaller area of about 1.2ha adjoining Highfield should be considered if the total site were not supported.

20.21 The site comprises greenfield agricultural land which has not previously been developed with buildings. The railway embankment is covered in mature trees and appears as a natural feature in the landscape. The development would involve a substantial extension of the built-up area into the countryside on prominent rising ground. The visibility of the site from the A48 would be increased with the removal

of the railway embankment and the trees. I consider that the development of either the larger or smaller sites would harm the landscape setting of the village.

- 20.22 The Plan accords with other Strategic, Regional and National Planning policy in seeking to prioritise the development for housing of previously-developed land in urban areas, followed by urban extensions on greenfield land with good accessibility to jobs, services and facilities by means other than the car, and making efficient use of existing infrastructure. In this case the site adjoins a village with some local services but little local employment and no secondary school. No new facilities or employment are proposed to accompany the development. It would not qualify as a balanced urban extension and, notwithstanding the availability of some bus services, I consider it likely that there would be a high reliance on travel by car to access employment, services and facilities in other settlements.
- 20.23 The Revised Deposit Plan already makes provision for a modest housing development in the village on previously-developed land which would provide for local needs including an element of affordable housing. Elsewhere in this report I recommend how the Plan should address, by other means, the risk of under-provision on the major housing allocation at Lydney.
- 20.24 I conclude that the site is not needed to meet the Plan’s objectives and would harm the landscape and undermine the Plan’s sustainable development objectives.

Recommendation

- 20.25 **I recommend that the Land West of Blakeney be not allocated for development nor included in the Defined Settlement Boundary.**

Omission Site OH10.2 – Land off Cinderford Road

Objection

695/53100	Mr & Mrs P J Whittle
695/53101	Mr & Mrs P J Whittle

Reasoning and Conclusions

- 20.26 This is a greenfield site which has not previously been developed and which lies outside the existing built up area. The north-eastern half is bounded by built development on three sides. Nevertheless the site lies within the open countryside for planning purposes. The south-western half is surrounded by open land and a disused tree-covered railway embankment which now forms a significant feature of the rural landscape. The land has no direct frontage to a highway and would depend on other land for access.
- 20.27 The Plan accords with other Strategic, Regional and National Planning policy in seeking to prioritise the development for housing of previously-developed land in urban areas, followed by urban extensions on greenfield land with good accessibility to jobs, services and facilities by means other than the car, and making efficient use of existing infrastructure. In this case the site adjoins a village with some local services but little local employment and no secondary school. No new facilities or employment are proposed to accompany the development. It would not qualify as a balanced urban extension and, notwithstanding the availability of some bus services, I

consider it likely that there would be a high reliance on travel by car to access employment, services and facilities in other settlements.

- 20.28 The Revised Deposit Plan already makes provision for a modest housing development in the village on previously-developed land which would provide for local needs including an element of affordable housing. I acknowledge that additional affordable housing may be needed to meet local needs, however Policy (R)FH.14 provides that such housing may be developed on ‘exceptions sites’ outside but adjoining defined settlement boundaries in locations where general housing development would be inappropriate. That was the basis for the recent development of affordable housing to the north of the omission site. It would thus be unnecessary to extend the DSB or to allocate the omission site for housing in order to provide for such development.
- 20.29 I conclude that the development of the omission site with general housing is not necessary to meet the Plan’s objectives. Such development here would undermine the Plan’s sustainable development objectives.

Recommendation

- 20.30 **I recommend that the Land off Cinderford Road be not allocated for development nor included within the Defined Settlement Boundary.**

Inset Map 10 - Blakeney

Objections

25/51836	Chelbury Homes Ltd
222/50132	Mr J J Davis
695/53100	Mr & Mrs P J Whittle
787/70179	Candystripe Securities Ltd

Issues

See above.

Recommendation

- 20.31 **I recommend that Inset Map 10 be modified in respect of Policy (R)F.Blakeney 1:**
- a. **by the revision of the southern boundary to extend the site west of the overhead power line to the existing fence shown on Drawing 760 appended to Document 787A;**
 - b. **by the revision of the southern boundary to the east of the overhead power line to the position clear of the tree canopies as indicated on Drawing 760 appended to Document 787A;**
 - c. **by amending the boundary at the western end of the site allocation to the position agreed by the Council at paragraph 6.1 of document FOD/P6.18.**