

TEWKESBURY BOROUGH COUNCIL

Report to:	Executive Committee
Date of Meeting:	15 July 2015
Subject:	Cheltenham Borough Plan Part 1 – Issues and Options Consultation
Report of:	Julie Wood, Development Services Group Manager
Corporate Lead:	Mike Dawson, Chief Executive
Lead Member:	Councillor D M M Davies
Number of Appendices:	Five

Executive Summary:

The Cheltenham Borough Plan provides the District-level planning framework for the Borough that sits underneath the strategic-level Joint Core Strategy (JCS). Together the two plans will provide the development plan for Cheltenham Borough up to 2031, along with Gloucestershire Minerals and Waste Plans and any Neighbourhood Plans.

The current adopted Plan is the Cheltenham Borough Local Plan (2006). However, since its adoption, both national planning policy and guidance have been updated and the regional and county strategic level planning has been abolished. In addition, together with Tewkesbury Borough Council and Gloucester City Council, Cheltenham Borough Council has been collaboratively working on the JCS. The JCS identifies the objectively assessed need for development in the area and includes a Borough capacity for housing requirements that is to be determined through a future Local Plan. Therefore, there is a need to review the existing Local Plan to provide up to date policy guidance and allocate sites to meet the development need identified.

The Borough Council is now consulting on the Cheltenham Plan Part 1: Issues and Options document which will take place from 22 June to 3 August 2015. The Cheltenham Plan will be delivered over a series of documents but Part 1 focusses on land allocations, identification of local green space and setting an economic development strategy. Subsequent phases of the Plan will be progressed that provide the general development management policies for the area.

It is important that Tewkesbury Borough Council provides representations on the Cheltenham Plan due to the collaborative working on the higher-level Joint Core Strategy and the cross-boundary issues that are present. It is important the Cheltenham Plan sufficiently provides the appropriate sites and policies to deliver the growth identified in the JCS and in line with the spatial strategy it sets out.

Recommendation:

To AGREE the Tewkesbury Borough Council consultation response to the Cheltenham Plan Part 1: Issues and Options Consultation, as set out at Appendix 5.

Reasons for Recommendation:

To ensure the Cheltenham Plan delivers the growth identified through the Joint Core Strategy in line with the spatial strategy presented within it.

Resource Implications:

None.

Legal Implications:

Pursuant to Section 33A of the Planning and Compulsory Purchase Act 2004 inserted by Section 110 of the Localism Act 2011, local planning authorities have duty to co-operate with each other in maximising the effectiveness with which the preparation of development plan documents are undertaken so far as relating to sustainable development or use of land that has or would have a significant impact on at least two planning areas. In particular, the duty requires local planning authorities to engage constructively, actively and on an ongoing basis in any process by means of which the preparation of development plan documents are undertaken.

Risk Management Implications:

The Joint Core Strategy (JCS) sets out the objective assessed need for housing and employment for each of the three districts to 2031. The development is to be delivery partly through the strategic allocations identified in the JCS but also through the identified district capacities whose delivery is to be determined through each authorities district-level Plan. It is therefore important that each of the district-level Plans are put in place to deliver the growth identified in the JCS.

If the Cheltenham Borough Plan is not delivered or does not appropriately support the strategy set out in the JCS then there is a risk to delivering the overall growth required for the area.

Performance Management Follow-up:

Tewkesbury Borough Council's Planning Policy Team will continue to review the progress of the Cheltenham Local Plan and report on its production.

Environmental Implications:

The development of the Cheltenham Borough Plan is subject to a Sustainability Appraisal (SA) to promote sustainable development through the integration of environmental, social and economic considerations in the preparation of Local Plans. Local Plans must also be subject to Regulations for Strategic Environmental Assessment (SEA). The SA/SEA process informs plan-making by assessing developing elements of the Plan, evaluating and describing the likely significant effects of implementing the Plan, and suggesting possibilities for mitigating significant adverse effects and enhancing positive effects.

1.0 INTRODUCTION/BACKGROUND

1.1 The existing adopted Plan for Cheltenham is the Cheltenham Borough Local Plan (2006). Since this Plan was adopted, however, there have been significant changes to

the national and regional level of planning. This includes the establishment of the National Planning Policy Framework and the Planning Practice Guidance, which all Local Plans must be in compliance with, as well as the abolition of the South West Regional Spatial Strategy and the removal of county-level strategic planning through Structure Plans. There is therefore a need to review the Local Plan to reflect the current national planning framework and provide an up to date Development Plan.

- 1.2** In addition, since 2008, Gloucester City, Cheltenham Borough and Tewkesbury Borough Councils have been collaborating on the development of the Joint Core Strategy (JCS). The JCS provides the strategic-level Development Plan for the area up to 2031, identifying the objectively assessed need for housing and employment as well as associated infrastructure requirements. The JCS also contains a suite of strategic development management policies to guide future development and will allocate a number of larger-scale Strategic Allocations to meet the needs of the area. The strategic nature of the JCS means that smaller-scale development allocations and locally-specific development management policies are then left for each individual district-level Local Plan to development.
- 1.3** The Cheltenham Borough Plan, therefore, provides the district-level planning framework for the Borough that sits underneath the strategic-level Joint Core Strategy. Together the two Plans will provide the Development Plan for Cheltenham Borough up to 2031, along with the Gloucestershire Minerals and Waste Plans and any Neighbourhood Plans which have been adopted.
- 1.4** Work has been underway on the new 'Cheltenham Plan' since 2012 and an initial Scoping Consultation was undertaken in Summer 2013 to consider the subjects and issues the Plan should cover. Now the Borough Council is consulting on the Cheltenham Plan Part 1: Issues and Options document which sets out a number of issues faced by the Borough and possible options for future policy development. The Plan will be delivered over a series of documents which together will comprise the Cheltenham Plan. This Part 1 document focusses on the issues of development land allocations, identification of local green space and setting out an economic strategy for the Borough. Subsequent phases of the Plan will be progressed that provide the general development management policies for the area.

2.0 CHELTENHAM'S ECONOMY

- 2.1** The consultation document sets out what the Borough Council considers are the main issues affecting Cheltenham's economy and the potential approaches and options available through the planning process to help deliver economic growth. The document recognises the strategic context for economic growth provided by the JCS as well as the GFirst Local Enterprise Partnership that Cheltenham is a key location for growth in the area.
- 2.2** The strategy of the JCS is to concentrate new development in and around the urban areas of Cheltenham and Gloucester, including meeting employment needs. The proposed Strategic Allocations provide locations for new employment growth, however; it is for the Cheltenham Plan to review employment land provision within the existing urban area. It is noted that the supply of employment land in urban areas is often constrained but that not all existing sites are suitable for modern needs. Therefore there needs to be a careful balance in considering any changes of use to non-employment uses to continue to provide a suitable range of employment sites within the town.
- 2.3** The consultation proposes three types of policy approach to remedy the main issues that are identified in relation to the economy. Each approach also further contains a number of alternative options within it. The consultation document recognises that the approaches and options are not exclusive of each other and could be taken forward

together. These three approaches are:

- Safeguarding existing and future employment land;
- Promoting one type of industry over another; and
- Promoting a Cyber Security cluster.

2.4 None of the options suggested present any specific cross-boundary issues for Tewkesbury Borough.

3.0 LOCAL GREEN SPACE

3.1 The consultation document highlights that, at a meeting of Cheltenham Borough Council in April 2014, in which the Pre-Submission JCS was agreed, the Council resolved that it wished to explore the potential for Local Green Space designations as part of the Cheltenham Plan. In particular the request was to evaluate the potential for Local Green Space in the areas around Leckhampton and North West Cheltenham.

3.2 The consultation sets out that the Local Green Space is intended to give a high level of protection from development to green area of particular local significance or which are demonstrably special to local communities. The document also quotes the guidance provided in the National Planning Policy Framework which states that the designation:

- will not be appropriate for most green area or open space;
- (must be) demonstrably special to a local community; and
- the green area concerned is local in character and is not an extensive tract of land.

3.3 Further to this, a quote from the Planning Policy Guidance is provided which states that: *“designating any Local Green Space will need to be consistent with local planning for sustainable development in the area. In particular, plans must identify sufficient land in suitable locations to meet identified development needs and the Local Green Space designation should not be used in a way that undermines this aim of plan making”*.

3.4 As part of the evidence base supporting the Cheltenham Plan, the Borough Council commissioned Gloucestershire Rural Community Council to work with Parishes and neighbourhood forums on a Local Green Space Study. The aim of the work was to support communities in analysing and identifying potential Local Green Spaces so that they can be considered for designation through the emerging Cheltenham Plan.

3.5 The consultation document recognises that a number of potential Local Green Space sites have been submitted through this study and that some of the areas are within the boundaries of the emerging Strategic Allocations proposed through the JCS, namely North West Cheltenham and Leckhampton. The Cheltenham Plan must be in conformity with the JCS and, recognising the potential conflict on this issue, the consultation states that the JCS Examination in Public will consider these Local Green Space submissions as part of the JCS.

- 3.6** Therefore, the Cheltenham Plan will consider the remaining Local Green Space submissions (i.e. those not involving JCS Strategic Allocations). As such, this consultation sets out three potential policy approaches to this issue. These are:
- Allocate all locally designated Public Green Spaces as Local Green Spaces and evaluate new submissions for Local Green Space Designation.
 - Maintain existing local Public Green Spaces and only allocate Local Green Spaces that meet the NPPF criteria.
 - Maintain the existing approach of designating Public Green Spaces but evaluate new sites as part of the Local Green Space study for the Public Green Space designation.
- 3.7** In regard to the identification of Local Green Space within the Strategic Allocation areas of the JCS; it is important that this is viewed in the context of the critical contribution these sites are making towards providing housing to meet the need identified for Cheltenham and Tewkesbury Boroughs. Designations of Local Green Space, or any other policy designation, sought through subsequent Plans should not undermine the deliverability of these allocations. It is expected that any response to the Local Green Space Study through the Cheltenham Plan would not result in a reduction in the Cheltenham Borough numbers provided at the strategic allocations.
- 3.8** It is important that any assessment of land at any of the Strategic Allocations should be undertaken on a comprehensive basis and not simply relate to that part of a Strategic Allocation which falls within one authority so as to not undermine the deliverability of these allocations. This is relevant in the context of both capacity, location of land uses and also infrastructure items. Tewkesbury Borough Council has advised Cheltenham Borough Council that it will work with Cheltenham Borough Council if the Local Green Space Study does intend to consider cross boundary Strategic Allocations.
- 3.9** It is also important that any policy designations, including new Local Green Space area considerations, are made within the wider context requiring Cheltenham to allocate sufficient sites within the Borough to meet its district-level need for housing and employment land identified within the JCS.

4.0 SITE ALLOCATIONS AND DESIGNATIONS

- 4.1** The consultation document also deals with site allocations and designations, namely potential land for housing and employment development and Local Green Space areas.
- 4.2** It is noted that there is no indication provided in the document as to whether there are an adequate number of suitable, available and deliverable sites to meet the development needs set out in the JCS. It will be expected that the Cheltenham Plan allocates an adequate number of sites to meet its need. It is also noted that none of the sites being consulted on that are within the Green Belt or Area of Outstanding Natural Beauty (AONB) are considered to be suitable development. It is not clear how Cheltenham has considered non-strategic sites in the Green Belt or AONB, particularly if there are insufficient sites to meet the need for development.

Housing Allocations

- 4.3** In regard to housing, the consultation recognises the need to meeting the housing target identified for Cheltenham Borough in the Joint Core Strategy (JCS), which is 9,100 dwellings over the Plan period to 2031. The document also notes that a significant proportion of this requirement is already committed through existing planning permissions. In addition, through the Duty to Cooperate and the JCS, Tewkesbury Borough Council is helping Cheltenham meet its needs through urban extensions to Cheltenham which cross the boundary with Tewkesbury Borough. This includes North West Cheltenham and South Cheltenham Leckhampton.
- 4.4** For this consultation the Borough Council presents all sites contained within its Strategic Assessment of Land Availability (SALA) and can viewed at Appendix 2 to this report. The SALA has assessed these sites and each has been colour coded depending on its potential for development: green sites having the greatest potential; amber sites potentially being suitable but have issues which need to be resolved; and red sites not considered to be suitable. For each category the consultation asks whether the sites identified represent suitable locations for development, including whether they may be suitable for Gypsy, Traveller and Travelling Showpeople (GTTS) accommodation. It also asks if there are any other suitable sites within the Borough that should be considered.
- 4.5** None of the sites currently identified as being potentially suitable for residential use present any specific issues for Tewkesbury Borough.
- 4.6** It is noted that the consultation does not present details of the number of houses left to be provided in the Borough, taking into account of already committed schemes and the JCS allocations, based on the identified need of 9,100 dwellings. Therefore it is not clear the level of housing that needs to be allocated through the Cheltenham Plan.
- 4.7** In addition, the document does not indicate the amount of housing that could be potentially accommodated on the sites identified, either per site or globally across the Borough. Therefore it is unclear at this stage whether there are a sufficient number of available, deliverable and suitable sites to meet the identified need for the Borough set out in the JCS. It is the responsibility of Cheltenham Borough Council to provide a strategy to deliver the development required for their area and as yet it is uncertain how this is being achieved. It will be important for future stages of the Plan to demonstrate that there are an adequate number of sites to meet this need.
- 4.8** In relation to GTTS accommodation, it is not clear at this stage how Cheltenham Borough Council intends to make provision for GTTS sites through the Plan and whether there are adequate sites for meet development needs.

Employment Allocations

- 4.9** The consultation also presents a similar approach to employment sites. Existing employment sites in the Borough are presented on maps and the consultation asks whether sites are suitable for employment use and if they should or should not be safeguarded from change of use. It also uses the red, amber, green colour coding approach for the potential new employment sites presented in the SALA. Furthermore, it also asks whether there are any additional suitable sites that should be considered for employment use. These maps can be viewed at Appendix 3 to this report
- 4.10** None of the sites currently identified as being potentially suitable for employment use present any specific issues for Tewkesbury Borough.

Local Green Space Allocations

- 4.11** Finally, this section presents maps identifying potential Local Green Space areas and asks whether they should or should not be designated as such. It also provides the opportunity to identify any other areas which should be considered for this designation. These maps can be viewed at Appendix 4 to this report
- 4.12** As set out above, Local Green Space areas have been submitted as part of the Local Green Space Study and these are included on the maps being consulted on as part of this document. This includes significant areas of land within the parts of the JCS Strategic Allocation sites at North West Cheltenham and Leckhampton. However, submissions on these sites are to be dealt with through the JCS Examination. To reiterate the above, it is expected that any response to the Local Green Space Study through the Cheltenham Plan would not result in a reduction in the Cheltenham numbers provide at the strategic allocations.
- 4.13** A significant number of other Local Green Space areas are being consulted upon across the Borough. No others directly impact upon Tewkesbury Borough, but it is important the any future allocations are considered within the wider context of meeting the development needs for the Borough set out in the JCS.

5.0 CONSULTATION

- 5.1** Cheltenham Borough Council is undertaking the consultation on the Cheltenham Plan Part 1: Issues and Options for a 6 week period from 22 June to 3 August 2015. It is seeking views on the vision and objectives, economic strategy, approach to Local Green Space designations, and the allocation of future housing and employment sites.
- 5.2** It is important that Tewkesbury Borough Council considers and provides representations on this consultation due to the collaborative working on the higher-level Joint Core Strategy and the cross-boundary issues that are present. It is important the Cheltenham Plan sufficiently provides the appropriate sites and policies to deliver the growth identified in the Joint Core Strategy and in line with the spatial strategy it sets out.
- 5.3** A Tewkesbury Borough Council response has been provided at Appendix 5 to this report.

6.0 RELEVANT COUNCIL POLICIES/STRATEGIES

- 6.1** The Submission Joint Core Strategy is particularly relevant as the Cheltenham Plan will, as per the emerging Tewkesbury Borough Plan, form the district-level Plan that sits underneath the JCS and helps to deliver the growth it identifies.

7.0 RELEVANT GOVERNMENT POLICIES

- 7.1** The National Planning Policy Framework and Planning Practice Guidance are relevant.

8.0 RESOURCE IMPLICATIONS (Human/Property)

- 8.1** None.

9.0 SUSTAINABILITY IMPLICATIONS (Social/Community Safety/Cultural/ Economic/ Environment)

9.1 The development of the Cheltenham Borough Plan is subject to a Sustainability Appraisal (SA) to promote sustainable development through the integration of environmental, social and economic considerations in the preparation of Local Plans. Local Plans must also be subject to Regulations for Strategic Environmental Assessment (SEA). The SA/SEA process informs plan-making by assessing developing elements of the Plan, evaluating and describing the likely significant effects of implementing the Plan, and suggesting possibilities for mitigating significant adverse effects and enhancing positive effects.

10.0 IMPACT UPON (Value For Money/Equalities/E-Government/Human Rights/Health And Safety)

10.1 None.

11.0 RELATED DECISIONS AND ANY OTHER RELEVANT FACTS

11.1 None.

Background Papers: None

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Appendices:

- 1 – Cheltenham Plan Part 1: Issues and Options Consultation
- 2 – Housing Site Maps
- 3 – Employment Site Maps
- 4 – Local Green Space Maps
- 5 – Tewkesbury Borough Council Response to the Issues and Options Consultation