

TEWKESBURY BOROUGH COUNCIL

Report to:	Council
Date of Meeting:	28 July 2020
Subject:	Golden Valley Development – Supplementary Planning Document
Report of:	Planning Policy Manager
Corporate Lead:	Deputy Chief Executive
Lead Member:	Lead Member for Built Environment
Number of Appendices:	Four

Executive Summary:

This report seeks approval of Golden Valley Development Supplementary Planning Document (SPD). The Supplementary Planning Document is provided at Appendix 1.

The Supplementary Planning Document was made available for a period of five weeks consultation from 13 January – 17 February 2020 in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012. The Supplementary Planning Document has been informed by engagement with key stakeholders and the wider community around West Cheltenham through a series of face to face engagement sessions together with review by specialist Officers across Cheltenham Borough Council, Tewkesbury Borough Council and Gloucestershire County Council. An updated Consultation Statement is provided at Appendix 3.

This report and accompanying Supplementary Planning Document takes account of stakeholder and public engagement together with representations received during the statutory consultation. A full schedule of comments received and subsequent amendments to the Supplementary Planning Document is provided at Appendix 4.

The Supplementary Planning Document has been informed by the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (JCS), the emerging Local Industrial Strategy, Connecting Cheltenham Transport Strategy, applications for Local Green Space Designations and Hesters Way Neighbourhood Plan, together with technical reports and assessment detailing constraints and opportunities for West Cheltenham.

The Supplementary Planning Document has been assessed for accreditation by Building with Nature <https://www.buildingwithnature.org.uk> achieving the assessment result of Excellent.

This report marks the final stage of the Supplementary Planning Document process. If approved by both Cheltenham and Tewkesbury Councils, the Supplementary Planning Document will become a material consideration to the determination of future planning applications.

Following a branding exercise undertaken by the Cyber Central Team, the Supplementary Planning Document is now titled Golden Valley Development Supplementary Planning Document: A Garden Community and Home of Cyber Central UK.

Recommendation:

1. That the Golden Valley Development Supplementary Planning Document (SPD) as provided at Appendix 1 be APPROVED.
2. That authority be delegated to the Head of Development Services to make any minor editorial changes to the approved Supplementary Planning Document in terms of formatting, presentation and accuracy prior to final publication.

Reasons for Recommendation:

Having a Supplementary Planning Document in place for West Cheltenham will support the Council in exercising its responsibilities as a Local Planning Authority. A Supplementary Planning Document will help guide future decision-making and will have material weight in decision-making.

Resource Implications:

There are no additional resource implications arising from the adoption of the Golden Valley Development Supplementary Planning Document.

Legal Implications:

The preparation of a Supplementary Planning Document is not a statutory requirement, but a decision for each local planning authority based upon demands for further information to assist in the delivery of sustainable development and they are not subject to independent examination.

A Supplementary Planning Document cannot in itself establish land use, development management or site allocations policies, but can be used to provide further guidance for development on specific sites or on particular issues.

A Supplementary Planning Document must contain a reasoned justification of the policies contained within it, must not conflict with the adopted development plan and must have regard to national policies and advice contained in guidance issued by the Secretary of State.

A Supplementary Planning Document may be adopted either as originally prepared or modified to take account of any representations made in relation to the document or any other matter they think is relevant.

As a joint Supplementary Planning Document, it will not be adopted until both Cheltenham Borough Council and Tewkesbury Borough Council have resolved to adopt the Supplementary Planning Document.

Once adopted, the Supplementary Planning Document would be a material consideration in the determination of planning applications.

As soon as reasonably practicable after the adoption of a Supplementary Planning Document the local planning authority must publish an adoption statement, together with a copy of the adopted Supplementary Planning Document on the local planning authority's website and make these available for inspection at the local planning authority's principal office and such other places within their area as it considers appropriate.

The adoption statement must specify the date of adoption, any modifications made since originally prepared and that any person with sufficient interest in the decision to adopt the Supplementary Planning Document may apply to the High Court for permission to apply for judicial review of that decision and that any such application must be made promptly and in any event not later than three months after the date on which the Supplementary Planning Document was adopted.

Risk Management Implications:

There is no statutory requirement to prepare Supplementary Planning Documents. However, it is considered to be important that Tewkesbury Borough has appropriate planning policies to guide the development of the garden community to ensure that it supports the objectives of the Joint Core Strategy and comes forward as a high quality sustainable site that makes a positive contribution to the wider area.

Performance Management Follow-up:

Following adoption, the Council will monitor the effectiveness of the Supplementary Planning Document as part of the planning and development process and will use the results to review policies and practices if necessary.

Environmental Implications:

The Gloucester, Cheltenham and Tewkesbury Joint Core Strategy allocation at West Cheltenham was subject to assessment via the Joint Core Strategy Sustainability Appraisal.

Garden Community principles have been a key driver for the objectives and vision of the Supplementary Planning Document, building on sustainability outcomes.

1.0 INTRODUCTION/BACKGROUND

- 1.1** The Gloucester, Cheltenham and Tewkesbury Joint Core Strategy was adopted by the three Councils in December 2017. Three specific policies are relevant to this report, firstly Policy SA1 – Strategic Allocations, secondly Policy A7 - West Cheltenham and thirdly, Policy SD5 – Green Belt.
- 1.2** Policy SA1 is a delivery policy that sets the context of how the Joint Core Strategy strategic allocations will be delivered. It requires that development proposals should enable a comprehensive scheme to be delivered via a masterplan. The policy sets out expectations in policy terms of use of local green space, the planning of infrastructure and strategy for transport.
- 1.3** Policy A7 formally designates land at West Cheltenham for approximately 1,100 new homes and approximately 45 hectares of employment land to be focussed upon a cyber security hub. The policy provides detail within the context of Policy SA1 and Policy SD5 relating to comprehensive master planning, constraints and transport.
- 1.4** Policy SD5 details the Joint Core Strategy policy for Green Belt, this also includes land identified to meet longer term development needs and allocated as safeguarded land. Land at West Cheltenham immediately adjacent to land allocated for development by Policy A7 is safeguarded. The trigger for development on this area is through a review of the Joint Core Strategy (except for uses that would not be deemed inappropriate in the Green Belt). The policy sets out criteria for development proposals, should such land be released, in terms of integration, transport and infrastructure and not leading to piecemeal, isolated or inefficient use of land in this area.

- 1.5** In spring 2019 the local planning authorities of Cheltenham and Tewkesbury agreed to the commissioning of consultants to prepare a masterplan Supplementary Planning Document for West Cheltenham. It was agreed jointly across the two Councils that in order to drive quality both in terms of physical buildings, but also good place making in terms of connectivity to existing communities, transport, green space, infrastructure and sustainability, the Councils needed to take a more directional role in the steering of potential delivery outcomes. Having a Supplementary Planning Document in place will provide further planning guidance to supplement Joint Core Strategy policy A7 and add value in the determination of future planning applications.
- 1.6** Six consultancy bids were submitted via Homes England Framework. Following assessment, including interview of three shortlisted bids, consultants Avison Young were appointed.
- 1.7** The Supplementary Planning Document, the subject of this report now presented to Council for adoption, has been prepared under the provisions of The Town and Country Planning (Local Planning) (England) Regulations 2012. It is important that the Council, as local planning authority, takes a lead in the planning of the major strategic allocation at West Cheltenham, by doing so it provides an opportunity for community and stakeholder engagement on the Supplementary Planning Document before any decisions are made on this key aspect of delivery of the Joint Core Strategy.
- 1.8** Following a branding exercise undertaken by the Cyber Central Team, the Supplementary Planning Document is now titled Golden Valley Development Supplementary Planning Document: A Garden Community and Home of Cyber Central UK.
- 1.9** Cheltenham Borough Council is considering the Supplementary Planning Document for approval at a meeting scheduled for 20 July 2020.

2.0 GARDEN COMMUNITY

- 2.1** In November 2018, a joint bid by Cheltenham and Tewkesbury Councils was made to the Garden Communities programme. The impetus to submit a bid was twofold, firstly concerns around pre-application engagement with the site promoters at that time to deliver a successful comprehensive development that embedded the principles of sustainable and mixed communities as set out by the Joint Core Strategy, and secondly to drive the agenda of Cyber Central, building on this opportunity to drive exceptional quality and innovation. The Garden Communities bid submitted was supported by Severn Trent Water.
- 2.2** Homes England supported the bid for Garden Communities and this status was awarded in June 2019. In providing Garden Community Status to the delivery of West Cheltenham, Homes England will be looking for clear demonstration against the principles set out in the bid, including:
- Diverse living options – varied affordable and flexible tenancies with the first 1,000 homes being delivered by Cheltenham Borough Council.
 - Connected – an accessible development that is physically, digitally and culturally integrated.
 - A 24/7 campus – a dynamic community that integrates a diverse mixture of uses and people.
 - Inclusive – a transformational development that creates strong communities.
 - Healthy – a green and biodiverse development that encourages physical and mental wellbeing.

- Environmentally innovative – an ecologically friendly development that is restorative to its natural surroundings.
- A smart ecosystem – a connected community that is digitally, environmentally and socially intelligent.
- Intense and tranquil – a vibrant and thriving community within a unique landscape setting.
- A world class campus – a collaborative community that brings together leading cyber businesses and innovators alongside academic facilities dedicated to cyber and digital technologies.

2.3 In developing this Supplementary Planning Document, taking fully into account the principles of Garden Communities, we have a unique opportunity to deliver a national exemplar, planning for a pioneering new community that combines world class cyber business and academic facilities, exemplar housing and state of the art amenity and leisure facilities in a highly accessible and environmentally sustainable development. Homes England were fully engaged in the drafting of the Supplementary Planning Document.

3.0 CONSULTATION ON DRAFT SUPPLEMENTARY PLANNING DOCUMENT

3.1 Consultation on the Supplementary Planning Document was undertaken collaboratively by Cheltenham and Tewkesbury Councils and facilitated by the Avison Young consultancy team under the provisions of The Town and Country Planning (Local Planning) (England) Regulations 2012.

3.2 Consultation on the Supplementary Planning Document was also undertaken in accordance with the Council's Statement of Community Involvement (SCI).

3.3 Consultation took place for five weeks beginning on 13 January 2020 and closing at 5pm 17 February 2020. The minimum period for consultation, as set by the Town and Country Planning (Local Planning) (England) Regulations 2012, is four weeks.

3.4 To aid consultation an online community platform was created by consultancy Commonplace. This supplemented engagement via our more traditional routes of Council websites, general notifications and face to face engagement. The purpose of using this platform was to help the Councils reach those who do not engage through the more traditional channels to help us balance our understanding of community needs and views on the draft Supplementary Planning Document. Using this platform gave the officer and consultancy team real time community feedback, allowing us to focus community engagement and boosting of key messages through social media/press to specific groups.

3.5 The following list provides the range of consultation methods that was utilised for the consultation:

- Commonplace online community platform.
- Letters/emails to all interested parties via Cheltenham Borough Council/Tewkesbury Borough Council online database, including all Councillors and relevant Parish Councils.
- Leaflet drop to locality directly impacted by the area of the Supplementary Planning Document.
- Emails to Gloucestershire Voluntary and Community Sector.
- Press releases.
- Cheltenham Borough Council/Tewkesbury Borough Council website.

- Cheltenham Borough Council/Tewkesbury Borough Council social media accounts (Facebook and Twitter).
- Posters.
- Public exhibitions with facility via iPad to submit comments online at the event.
- Deposit locations for hard copies at council offices, community centres and libraries.
- Static display in Cheltenham Borough Council reception with facility via iPad/PC to submit comments online.

3.6 The consultation statement that was made available during the consultation has been updated to include reference to representations and feedback obtained during the consultation and is provided at Appendix 3 of this report.

3.7 Technical appendices were prepared to support the Supplementary Planning Document for the purposes of consultations including analysis of site context and constraints and a full summary of the early engagement work with stakeholders and the wider community.

3.8 Engagement with the local community and wider stakeholders has been an integral part of the masterplanning process, this has included:

- Internal officer working group - comprising officers from across Cheltenham Borough Council, Tewkesbury Borough Council and Gloucestershire County Council with a remit to consider, advise and inform the emerging Supplementary Planning Document. This group has fed into the drafting of the Supplementary Planning Document.
- Engagement with Homes England technical specialists' team.
- Engagement with stakeholders including NHS, County Education, Gloucestershire Highways, Wildlife and Wetlands Trust, GCHQ, infrastructure providers. Informal engagement has taken place together with an evening workshop on 3 September 2019. 32 people attended the workshop representing the following groups:

BAE Systems, Bamboo Technology Group, Boddington Parish Council, Cheltenham Borough Homes, Cheltenham churches, Cheltenham Borough Council, Church of England, First LEP, Gloucestershire County Council, Gloucester Local Nature Partnership, Hester's Way Neighbourhood Plan Forum, Hester's Way Partnership, local residents, Police, Stagecoach West, Swindon Parish Council, Tewkesbury Borough Council, Uckington Parish Council, University of Gloucestershire and, Wildfowl and Wetlands Trust.

- Four community drop in events were held at the following times and locations:
 - o 11 September, 12:30-3pm at Hester's Way Community Centre.
 - o 11 September, 3:30-5:30pm at Springbank Community Centre.
 - o 19 September, 1-3:30pm at Tewkesbury-Cheltenham West Community Fire Station.
 - o 19 September, 4:30-7:30pm at Gloucestershire College.

3.9 The community drop in events provided the opportunity for local residents to give their thoughts and ideas about the area, and the key opportunities as the masterplan was developed. A large map of the area was tabled alongside information boards introducing the project and key diagrams showing our initial ideas. 210 people attended across the four events. Whilst many wider stakeholders and local groups recognise the benefits of Cyber Central and the opportunities it brings for existing and new residents, residents at engagement sessions nearest to the site raised localised issues relating to boundaries, loss of green space and views, and regarding trees and hedgerows.

3.10 In response to the analytics drawn from the variety of consultation vehicles used we were able to ascertain the broad demographics of individuals accessing the consultation material. This clearly demonstrated that our reach was not extending to the age group of under 25's. In response to this investment was made in boosting social media via Facebook and Instagram and the delivery of two 'pop up' consultations which took place at:

- The Wilson on 6 February 2020, and
- Gloucestershire College on 13 February 2020.

3.11 The event at the Wilson was part of a larger, regular cultural event which was celebrating LGBT+ history month. The pop-up consultation at Gloucestershire College provided visibility to a significant number of people as well as direct engagement with around 20 students and staff.

4.0 CONSULTATION FEEDBACK

4.1 The feedback from the engagement throughout the preparation of the Supplementary Planning Document has been invaluable in shaping it. Key issues arising from the consultation on the draft Supplementary Planning Document included are noted below.

Summary of key issues	Summary of amendments made to SPD
Traffic, parking and infrastructure concerns. Challenges around existing issues and future impact arising from development	<ul style="list-style-type: none"> • Further review undertaken of TPA existing transport work undertaken and refinement of text to provide flexibility around response to transport modelling at development management stage. • Review of emerging Gloucestershire Local Transport Plan and refinement of Supplementary Planning Document, where appropriate, in particular to draw on modal shift policy support / last mile deliveries etc. • Review of role and function of 'Main Street' and management of transport movements in this context. • Inclusion of multi modal transport hubs. • References added to car parking management plan. • Links to transport assessments and requirements at planning application validation stage.
Detailed comments from bus operator in regard to bus routes, linkages and wider public transport considerations.	<ul style="list-style-type: none"> • Additional engagement undertaken with Stagecoach regarding public transport. Refinement of text within Supplementary Planning Document.
Status of M5 junction 10 & West Cheltenham Transport improvement works (A40).	<ul style="list-style-type: none"> • Supplementary Planning Document updated to reflect current status.

Provision of affordable homes.	<ul style="list-style-type: none"> • Clear link to Joint Core Strategy policy.
Education and facilities provision – clearer link and recognition of opportunity needed.	<ul style="list-style-type: none"> • No change to Supplementary Planning Document, as linked to negotiations through development management process. Ongoing engagement between all relevant infrastructure providers and Local Planning Authorities.
Support for sustainability principles.	<ul style="list-style-type: none"> • Helpful suggestions made across a variety of elements. Supplementary Planning Document updated where appropriate to improve its robustness and clarity of ambition and outcomes.
Support for smart city principles, but some questions around future proofing and deliverability.	<ul style="list-style-type: none"> • Challenging aspect of the Supplementary Planning Document it is prepared at a point in time. Clear link made to development management stage.
Climate change support within development proposals - needs to be emphasised as huge opportunity at this scale. Should SPD be striving for carbon positive?	<ul style="list-style-type: none"> • Supplementary Planning Document amended to clarify ambition around carbon positive. • Helpful suggestions made across a variety of elements. Supplementary Planning Document updated where appropriate to improve its robustness and clarity of ambition and outcomes.
Concern over location of high density and tall buildings, also link to airport flight paths in this regard.	<ul style="list-style-type: none"> • Clear reference added to engagement with Gloucestershire Airport. • Additional text added to explain importance of boundary relationships. • High density in parts of the Supplementary Planning Document retained as part of the masterplan.
Support for waste strategy.	<ul style="list-style-type: none"> • Additional text added to Supplementary Planning Document.
There is a clear challenge between respondents that are looking for the Supplementary Planning Document to have more detail and those that are looking for less detail.	<ul style="list-style-type: none"> • Careful review of Supplementary Planning Document undertaken to ensure it walks an appropriate line that does not frustrate the development management process by being too restrictive, but ensures the ambition is not watered down.
Clarity on status of allocated Joint Core Strategy site and safeguarded site. Clarity on garden community status.	<ul style="list-style-type: none"> • Supplementary Planning Document amended to provide clarity of status of Joint Core Strategy strategic allocation, Joint Core Strategy safeguarded land, Garden Community.
A number of detailed comments which is looking for information that is most appropriate for consideration at development management stage e.g. transport modelling, viability testing, design criteria etc.	<ul style="list-style-type: none"> • Reference added to link better to next steps of development management.

Recognition of importance between housing and employment delivery, but also challenges highlighted in context of understanding mix/phasing/overall numbers.	<ul style="list-style-type: none"> • Additional link added to Supplementary Planning Document to require delivery strategy as part of Development management process. • Clarity added in terms of where 3,000 housing numbers have been arrived at. • Clarity added that JCS policy is not a minimum in housing numbers and role of Supplementary Planning Document has been to test this and respond to efficient use of land.
Concerns regarding air quality and how this can be managed at this strategic scale coupled with amount of employment space allocated.	<ul style="list-style-type: none"> • Supplementary Planning Document reviewed with Hydrock and Cheltenham and Tewkesbury Environmental Health teams. • Link made to detail required at development management stage.
Green Infrastructure, including ecology and drainage. General support for level of provision, but some questions over certainty within the masterplan. Challenge for references to be further strengthened amid concerns ambition could get watered down at planning application stage. Requests for further references to SUDs/flood mitigation/management.	<ul style="list-style-type: none"> • Supplementary Planning Document reviewed with Hydrock. • Supplementary Planning Document assessed for accreditation by Building with Nature. • References added to detail required at Development Management Stage.
Deliverability of ambition – challenge from respondents with some questioning whether this goes far enough and others that it is set too high.	<ul style="list-style-type: none"> • Careful review of Supplementary Planning Document undertaken to ensure it walks an appropriate line that does not frustrate the development management process by being too restrictive, but ensures the ambition is not watered down. • Strengthening of ambition in some areas, e.g. climate change / energy.
Connections into the wider built up area of Princess Elizabeth Way / Springbank, links to Coronation Square.	<ul style="list-style-type: none"> • Supplementary Planning Document amended to ensure connectivity point is clear. • Comments passed onto to other projects e.g. Cheltenham Borough Homes Cheltenham West Regeneration project that is looking specifically at the Princess Elizabeth Way corridor.
Request for inclusion of food strategy.	<ul style="list-style-type: none"> • Supplementary Planning Document amended to include references to food production / food strategy.
Remove the direct link to the safeguarded land.	<ul style="list-style-type: none"> • Supplementary Planning Document amended to take account of comments and link to Joint Core Strategy review. It remains relevant that the safeguarded land is considered, but this has been removed from the Supplementary Planning Document and picked up in the supporting appendices.

4.2

A full schedule of comments received and arising changes made to the Supplementary Planning Document are provided at Appendix 4.

5.0 BUILDING WITH NATURE ACCREDITATION

5.1 The Supplementary Planning Document was submitted for Building with Nature accreditation <https://www.buildingwithnature.org.uk>. This was an important part of the drafting process as it provided an opportunity to test the strategic masterplan as set out by the Supplementary Planning Document and showcase where we can see people and wildlife benefiting from well-designed, expertly implemented and sustainably managed features. Following independent testing the SPD was awarded Building with Nature Accreditation Design Award on 9 June 2020 with the assessment result of Excellent. The receipt of this award recognises the high quality green infrastructure that has been built into the Supplementary Planning Document that will influence the planning and design stage of future schemes and demonstrates how strategic policy can lead the way on creating better places for people and wildlife to flourish.

6.0 ADOPTION OF THE SPD

6.1 As a joint Supplementary Planning Document it will not be adopted until both Cheltenham Borough Council and Tewkesbury Borough Council have resolved to adopt the Supplementary Planning Document. Cheltenham are presenting the Supplementary Planning Document to its Council for adoption on 20 July 2020.

6.2 COVID-19 has had an impact on bringing this Supplementary Planning Document to the two Councils for adoption due to the legislative requirements around the adoption process. This relates specifically to the deposit of documents following adoption.

6.3 On 13 May 2020 a Ministerial Written Statement (HCWS235) was published entitled Virtual working and planning – Covid-19 restrictions <https://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2020-05-13/HCWS235/>. This statement sets out the government's expectations for how the planning system should be operating during the COVID-19 emergency. Specifically relating to the adoption of the Supplementary Planning Document and documents being physically available for inspection the Statement included the following:

“The effects of COVID-19 mean that it is not always possible to access public buildings. As a result, access to planning documents by making them physically available for inspection at local libraries, council offices etc, is now not available. During these exceptional circumstances, the Government considers that online inspection of documents should be the default position across all planning regimes, and it is actively exploring all options to achieve this.”

6.4 Both Cheltenham and Tewkesbury Council's Statement of Community Involvement make provision for the deposit of documents at other 'deposit locations', for some of these, such as libraries it will be unclear when these will be reopening. As such a pragmatic approach has been adopted that facilitates have access to the Supplementary Planning Document and adoption statement through the Councils' offices.

6.5 At the time of writing, the Statement has not been followed by changes to regulations. However, in the spirit of the Ministerial Statement, in which it is made clear that it is important that the planning system continues to operate effectively, ensuring that all those involved can engage in the process while adhering to the government's guidance on social distancing the Councils will put in place the following actions:

- Digital availability of the Supplementary Planning Document and adoption statement via the Councils' websites.
- Public notice within Gloucestershire Echo.
- Supporting press release to all media channels.

- Facilitation of access for those who do not have access online to the Supplementary Planning Document and adoption statement through access to Cheltenham and Tewkesbury Councils through an appointment system enabling access to Council offices and access to view the Supplementary Planning Document and adoption statement.
- Notification to all relevant community groups of the access of documentation online and through the Council offices.

7.0 OTHER OPTIONS CONSIDERED

7.1 Given the strategic importance of the delivery of West Cheltenham Strategic Allocation it was not considered suitable to not prepare a Supplementary Planning Document.

8.0 RELEVANT COUNCIL POLICIES/STRATEGIES

8.1 Tewkesbury Borough Council Plan 2020-2024.
Gloucester, Cheltenham & Tewkesbury Joint Core Strategy 2011-2031.

9.0 RELEVANT GOVERNMENT POLICIES

9.1 The National Planning Policy Framework (2019).

10.0 RESOURCE IMPLICATIONS (Human/Property)

10.1 See above.

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

11.1 The preparation of the Supplementary Planning Document provides the opportunity to guide, encourage and improve development within the town that could have a positive impact in terms of helping to bring forward more sustainable forms of development.

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

12.1 None.

13.0 RELATED DECISIONS AND ANY OTHER RELEVANT FACTS

13.1 None.

Background Papers: None.

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Appendices:

- 1 - Golden Valley Development Supplementary Planning Document – Presented for Adoption.
- 2 - Golden Valley Development Supplementary Planning Document – Appendices.
- 3 - Updated Consultation Statement.
- 4 - Schedule of Comments Received and Identified Changes to Golden Valley Development Supplementary Planning Document.