

The Reddings - Summary of Cheltenham Plan –

Pre-submission consultation Feb to 9 April 2018

With Comments (in yellow) by The Reddings Residents' Association (TRRA)

Section 1 Introduction

- The statutory development plan for Cheltenham up to 2031. Mostly concerned with land use, but also supports delivery of many CBC outcomes in its corporate strategy.
- Consultation is at the pre-submission stage and is the final version of the plan. CBC set out that they have no intention of redrafting before submitting to the planning inspectorate. Comments made will also be submitted to the inspectorate. However, there is some indication that CBC may be wavering and may redraft ahead of submission.
- The current draft is intended to inform future planning application decisions and broader policies for Cheltenham Borough as a whole.
- The JCS was found to be sound in October 2017. The Cheltenham Local Plan is a development of a “Plan ahead system”.
- NPPF and NPPG guidance is explicit that JCS strategic elements of policy should not be duplicated at local level. The Cheltenham Local Plan provides local detail on the bigger concepts expressed by the JCS. Except for retail, the JCS and Cheltenham Plan will replace all policies found in the CBC Local Plan second review 2006.
- Retail is being reviewed. Until it is adopted by the JCS authorities (Gloucester, Cheltenham and Tewkesbury) the CBC Local Plan (2006) will continue to be used. This reflects JCS policy SD2.
- Not possible to develop district plan policies for retail without accounting for the strategy, but not thought reasonable to delay production of Cheltenham Local Plan until the review is concluded.
- This is the fourth consultation on the Cheltenham plan since it was first drafted in 2012.
- CBC now want specific comments with regard to soundness and legality as set out in para 182 of the NPPF, summarised as:

“Positively prepared, justified, effective and consistent with national policy”

- Comments on each section (20 sections overall) question whether the document is legally compliant and whether you consider the document is sound. If an answer to one or both questions is No, explanations as to why you feel the document is unsound and reasons are required, together with suggestions to make the document legally compliant or sound. Comments are asked to be specific and identify the relevant policy/paragraph/site detail.

Comment:

TRRA do not consider the draft Local Plan to be legally compliant, nor sound for the reasons (highlighted in yellow)

2.0 Vision and Objectives

- Three visions are set out:
 - Vision A to make Cheltenham a strong, safe, healthy, well-connected community.
 - Vision B to make Cheltenham a prosperous and enterprising economy
 - Vision C to make Cheltenham a place where quality and sustainability of cultural assets, natural and built environment are valued and recognised.
- There are various breakdown points of how these visions are to be achieved and copies of this section are attached in full.

Comment

- In general, the visions may just be aspirational as there is no detail on how they will be achieved. If these three visions had been used to assess some of the planning decisions that have affected The Reddings community over the past few years, there would have been different outcomes on many projects; Cotswold View would not have been demolished, BMW would not have been built and Grovefield Way would still be a viable bypass road. The following items expand on this view with reference to specific policy/paragraph/sites.

As far as The Reddings and surrounding areas are concerned, largely uncontrolled and piecemeal development since 1998 has caused significant problems for the local community, which the proposed Local Plan will exacerbate. This is largely because CBC fail to enforce the NPPF and existing/emerging policies with developers during construction, or post-completion, particularly in relation to travel plans, infrastructure, community and cohesion and integration

3.0 Employment

- 3.1 The objective is to provide a strategy to better manage the use of employment land, using Policy EM1:

Safeguarding key existing employment land and buildings

- 3.3 Seven key sites are identified, including Hatherley Lane (The Reddings).
- 3.4 On key employment sites, change of use of land and buildings will not be permitted except where:
 - The proposed use is sui generis, with characteristics of B1, B2 or B8 employment.
 - Or, proposed use provides high skilled jobs, eg, knowledge based service and technology industries.
- Policy EM3 of the Local Plan made strategic allocations in the JCS for the land at West Cheltenham and North West Cheltenham. These will also be safeguarded by policy EM1.
- Sui Generis uses include car sales, a builder's yard or a vehicle and tool hire business, amongst others.
- 3.5 CBC to ensure that the best, most versatile employment land on key employment sites will remain available for B1, B2 and B8 employment uses and not eroded for other uses.
- 3.6 Lists the key characteristics for designation as a key site.
- 3.7 Intended to capitalise on key areas such as demand for serviced office accommodation.
- 3.8 Failure to follow the policy will mean loss of high quality business and enterprise parks and premium grade offices – resulting in lack of employment space in sustainable locations and increased car use as businesses locate outside the town, with negative effects on the local economy.

Spatial characteristics

- 3.9 Key employment sites concentrated on West of Cheltenham along A4019 and A40. Sites close to M5 motorway, with connections to junctions 10 and 11. Aspiration for all-movement junction (four-way) at junction 10. CBC are lobbying for funding on the post-2020 Road Investment Strategy. Upgrading junction 10 to provide significant economic growth opportunities to unlock the potential of additional land.
- 3.10 Aim to capitalise on development opportunities in the West can provide high value jobs and services, with potential for inward investment.
- 3.11 Change of use permitted for Sui Generis or uses for highly skilled jobs or high value added activities such as research and education.
- 3.12 Small number of new employment allocations under policy EM3.

Policy EM2 – Safeguarding non-designated existing employment land and buildings

- Development proposals for change of use currently or last used for employment only permitted where buildings constructed and first occupied for residential use or loss of site does not have detrimental impact on continuing operation of existing businesses. Proposed use must be job-generating and any loss of existing provision offset by net gain in quality or number of jobs on the site, or where there has been a long term sustained absence of economic activity and no reasonable prospect of the land being used for employment.
- Applicant must demonstrate that continued use for employment would create an acceptable environment or traffic problems.
- Proposals for retail need to comply with the relevant retail policies (none in JCS/current Cheltenham Plan).

- Sequential approach to redevelopment of non employment sites – 1) employment or job- generating, 2) mixed use development generating some employment.
- Policy EM3 – new employment allocations
- Specifically lists land adjacent to Pure Offices/Asda on Hatherley Lane, The Reddings (site E2) and the land adjacent to BMW off Grovefield Way (site E3).
- Proposals for traditional B Class or Sui Generis will be considered.

New employment development

- 3.19 Once built, buildings will be protected by policy EM1.
- 3.21 Hatherley Lane site E2 ideal for expansion of contemporary business activities – classified as brownfield site (note, current permission expires September 2018, adjoining site now approved for 27 houses because no interest in B1 in the area could be shown by CBC at the appeal).
- 3.22 Grovefield Way (site E3), approximately 6.4 hectares – opportunity for modern business environment. Site characterised as greenfield, currently has extant planning consent for B1 employment use (note, NOT for Sui Generis). Principal Urban Area (PUA) amended to accommodate the allocation and part of site houses flagship car dealership.

Policy EM4 – Employment skills plans

- 3.25 Aim is for people not to travel long distances to reach work. Match jobs available in local area with skills present in local workforce. Attract and retain talent, “*especially in the light of Brexit and the UK losing ranks on the list of the world’s major economies*”.
- 3.26 Local people need to **obtain** appropriate education and skills to suit local employers. Local employers need to provide opportunities for suitably qualified people and attract a highly skilled workforce.
- 3.27 Aim to create balanced relationship between labour, supply and demand in Cheltenham to compliment key themes of “*strategic economic plan for Gloucestershire (2014)*”.
- 3.28 CBC will expect an “employment skills plan (ESP)” to be submitted as a part of all relevant planning proposals. ESP to address priorities identified and agreed with CBC at early stage. ESP to contain targets which comply with industry standard benchmark. Targets to relate to jobs created construction phase.
- 3.29 Government defines major commercial development as being 1000m² of floor space. EM4 adopts the same.

Policy EM5 – Promoting cyber security sector

- 3.30 to 3.34 Initiative needs to be co-ordinated between council, property developers and business community. Cheltenham Plan aims to move initiative forward.

Policy EM6

- Business start-ups and small/medium sized enterprises.
- 3.35 CBC acknowledge limited business start-up space available in the county, particularly serviced and supported space for incubator or innovation development, lack of intermediate-type accommodation to help businesses grow, number of businesses on single occupier site where the size of the site will limit future expansion.
- 3.36 Cheltenham has a high proportion of business failures after one year (87%). CBC to offer increased business support.
- 3.37 New planning policy through Cheltenham Plan to provide robust framework to manage existing employment land and premises.

- 3.38 Policy EM6 provides in-principle support for new business start-ups. Council will support provision of further similar accommodation.

Tourism

- 3.40 Integral part of Cheltenham's economy. Planning policy is intended to capitalise on town's role as gateway to the Cotswolds.
- 3.42 Aim to increase visitor numbers with greater expenditure on tourism and collective marketing in neighbouring Cotswold authorities.

Comment (see also section 14 comments on major developments)

- Sites E2 and E3 have the greatest significance, and have a chequered history in planning and policy. Both sites were predicated strictly on a need for B1; site E2 to promote the retail offering of Asda and site E3 as it was (in 2007) the largest available site in Cheltenham for a B1 office park which was identified as critical for the development of Cheltenham.

Site E2 has never been developed and extant B1 permission will lapse in September 2018.

Adjacent to site E2 is another B1 site designated by the Asda development (CBC ref: 10/--252/FUL). It was never developed. In November 2016, following a Planning Inspector appeal, housing was permitted on the site as CBC were unable to provide any evidence of demand for B12, B3 or B8 usage in the area.

Site E3 was permissioned for B class development in the greenbelt in 2007 on appeal against CBC's refusal. It included exceptional circumstances for a Park and Ride (P&R) extension, "low key" development with enhanced planting to provide occasional glimpses of a low rise office development, with light purging shuttering to prevent nuisance to residential properties. It was not developed. The P&R extension option was not taken up by Gloucestershire County Council. Permission lapsed but was reinstated for a similar B1 office development to create 1200 new jobs. That permission is extant until 2019. No development occurred until "Sui generis" permitted BMW flagship building to be constructed. Subsequently, developers have applied for a hybrid A1, A3, C3 and B1 development in December 2016. CBC recommended permit. Planning committee refused permission in December 2017. The policy in 3.4 has introduced a thin entering wedge on these key E2 and E3 sites. The loss of greenbelt status in the JCS means that a strict B class policy must be maintained on sites E2 and E3 to prevent them being lost to housing or retail. The absence of a coherent retail policy for The Reddings on the basis of the retained policy makes the site vulnerable to defeat on policies EM1, EM2, EM3, EM4 and EM6. They would be better promoted to policy EM5 given the proximity to GCHQ and the Park and Ride where many GCHQ staff park and walk to work. Tourism will be badly affected by poor transport planning in the area historically and currently proposed, as the Arle Court Roundabout (ACR) on the A40 will reach 187% of capacity if and until Junction 10 is made four-way.

4.0 Retail

- JCS policy S2 states that the 2006 Cheltenham Borough Local Plan policies are safe.
- Cheltenham Plan doesn't include any new policies on retail, retains existing policies but RTT has been deleted.
- Policies to be introduced once JCS retail review is complete. Cheltenham policies to be aligned to work in tandem with the revised JCS policy in the future.

Comment

Current retail policies for The Reddings

- Policy RT1 (retail hierarchy/sequence) – remains in force so that applications are considered for town centre first, then district centres and local centres in order. Currently, The Reddings is not designated as a retail area. Neither is the Grovefield site.
- Policy RT7 was deleted by the JCS. This is because part A was no longer consistent with the NPPF. However, part B remains a valid appendix to retained policy RT1, because Cheltenham has chosen to define an orderly “retail hierarchy”. The main purpose of RT7(B) was to preserve the townscape from scattered commercial start-ups.
- Currently, Asda, B&Q, KFC, etc, are not a designated centre. Grovefield Way is also not a designated centre.
- The planners did not raise objection to “retail” in the refusal of permission on Grovefield site in December 2017. Clarity is required as to the intention of the Local Plan in recognising the current retail offerings as a “retail centre” and the means to contain it in its current location, without creeping along Grovefield Way.
- The concern is that with the JCS being approved and the Cheltenham plan remaining silent and not having policy RT7, the planners/applicants may claim that retail impact is no longer an issue. Meanwhile policy RT1 on retail hierarchy and sequence remains in force, but is not being enforced by the planners.

5.0 Design requirements

- 5.1 New buildings and spaces make positive contribution to lives of residents and visitors. Good design is important to make places socially and economically successful, good to live in and attractive to visit.
- 5.3 Careful urban design creates a reduction in crime and antisocial behaviour and can produce attractive, high quality and sustainable places.

Policy D1: Design

- Development only to be permitted where principles of urban and architectural design are met, it compliments and respects neighbourhood developments and character of the locality, extensions and alterations must avoid:

“causing harm to the architectural integrity, eroding open space around the existing building”

- 5.4 Key principles of design set out in tables SD4B and SD4C of the JCS. They define overall layout, scale, landscape.
- 5.5 CBC to take account of key urban and architectural design principles and will require preparation and masterplan or design brief to accord with framework in table SD4D of the JCS. Recommendations of design review panel to be taken into account. Innovative design to raise design standards in the area to be encouraged.

Shopfront design

- 5.6 High quality comprehensive facilities in pleasant surroundings are an important part of Cheltenham’s attraction to residents and tourists. A shopfront design guide has been created.

Public art

- 5.7 CBC prepared public art strategy to set out diverse practice that forms contemporary public art or art in public which can be developed to enhance the town.
- 5.8 Extensions to existing buildings to respect character and scale of original. Must meet a high standard of design. Expected to use materials to match the original building with similar forms of roof, doors, windows and other elements. Extension must remain subordinate to the original building. Can distinguish the extension by a substantial set-back on the building line. Extension must not detract from the original. CBC adopted “Residential alterations and extensions supplementary planning document (SPD)” to guide householders, builders and agents considering altering or extending houses.
- 5.9 Extensions will not be permitted where unacceptable loss of garden or other open space is lost.

Policy D2 – Advertisements, sign and hoardings

- 5.10 to 5.15 Nothing of particular relevance to The Reddings at present but beware on future development applications.

Policy D3 – Private green space

- 5.17 Will not permit development on private green areas, open spaces and gardens that make significant contribution to the townscape and environmental quality.
- Proposals must take account of scale and location of existing buildings and main features of the site. Where appropriate requirement enforced to:

“retain mature trees, retain and enhance existing landscaping, provide new landscaping, avoid disturbance of significant habitats”.

- 5.17 Para 53 of NPPF states:

“local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, eg, where development would cause harm to the local area”.

- 5.19 CBC will have regard to the following:

“spacious character of the town, quality of local townscape, character of the locality, setting of the building, important landmarks, views and vistas”.

- 5.20 Many large properties in Cheltenham that were original private homes. Some converted to flats, nursing homes, schools, business premises. Often set in extensive grounds, maturity of which creates attractive and valuable green spaces. Also contain well established plant and animal habitats.
- 5.21 Policy D3 requires full account of the development site and surrounding and habitats to be undertaken.
- 5.22 “The Development and Garden Land and Infill Site in Cheltenham SPD” adopted by CBC in 2009, and remains important material consideration. Framework outlines factors influencing applications, sets out what is required from garden, land and urban infill proposals.

Comment

- See comments on Section 16 – Green infrastructure.

6.0 Greenbelt

- 6.2 Cheltenham Plan has important role implementing greenbelt policy.
- 6.3 Within greenbelt boundaries – development restricted to limited types of development deemed appropriate by NPPF and the JCS unless special circumstances can be demonstrated. Policies GB1 and GB2 reflect the need for tight controls.

Policy GB1: Residential infilling in the greenbelt

- Development within the greenbelt restricted to types of development deemed appropriate by NPPF and JCS. Limited residential infilling of built frontages along **The Reddings**, Shaw Green Lane and Bowbridge Lane will be permitted only where there is no resulting harm to the openness of the greenbelt.
- Infilling means construction of new building or buildings between two existing buildings. Policy precludes demolition and replacement of existing houses which are assessed under policy GB2 (Rebuilding or replacement of dwellings in the greenbelt).

Residential infilling in the greenbelt

- 6.4 Residential development stretches into greenbelt on certain roads. **The Reddings is particularly affected**. Infilling of these locations will be permitted subject to careful assessment and providing it does not compromise the character or functionality of the greenbelt.
- 6.5 Policy is consistent with JCS policy SD5 for sustainable development patterns across the borough.

Comment

- **How is this compatible with the proposed PUA extensions of The Hayloft and Chestnuts Farm – see comments on Section 12.**

Policy GB2: Rebuilding or replacement of dwellings in the greenbelt

- Rebuilding or replacement of existing dwellings in the greenbelt only permitted where:
 - a. Building continues to be used as dwelling.
 - b. New building not materially larger than the one it replaces.
 - c. If more than one existing dwelling is to be replaced, replacement dwellings are to be no greater than the number demolished.
 - d. There is no harm to the openness and visual amenity of the greenbelt.
- 6.6 Policy seeks to avoid detriment, with traditional greenbelt dwellings of modest proportions being replaced by large modern houses.
- 6.8 NPPF states new building in greenbelt is inappropriate. Exception is replacement of a building, providing new building is same use and not materially larger than the one it replaces.
- 6.9 Policy GB2 mirrors 6.8 above. Harm to the greenbelt gears key determinant. Openness and visual amenities should not be eroded by development and encroachment.
- 6.10 An existing dwelling must have been lived in as permanent residential unit within the last 5 years and should not have been used for any purpose in the meantime. Existing building to be recognisable as a dwelling, should not be dilapidated, derelict or in abandoned condition.
- 6.11 Replacement dwelling to be scale, character and similar size and materials to existing where appropriate to character and appearance of site. If CBC consider existing dwelling is poorly designed or out-of-character, opportunity to improve appearance of site and locality through improved design materials and orientation will be considered.
- 6.12 Change of use of dwellings in greenbelt to other uses considered under policy L2: Conversion of rural buildings.

7.0 Landscape

- 7.1 Cotswold escarpment and AONB's
- 7.2 Architectural heritage

Policy L1: Landscape and setting

- 7.3 Setting means features that create distinctive sense of place for the borough – Cotswold escarpment, distinguished architectural heritage and myriad green spaces.
- 7.5 CBC mindful to protect views into and out of area of acknowledged importance, eg, Conservation Areas, ancient monuments, historic parks and gardens, AONB, greenbelt, SS's, nature reserves, important geology and geomorphology sites, listed buildings and buildings of local importance.

Policy L2: Conversion of rural buildings

- 7.7 JCS supports appropriate types of development. Cheltenham plan recognises potential of rural buildings to accommodate new building where previous use is no longer required or they are unsuitable for original use.
- 7.8 In Cheltenham, rural buildings are generally within greenbelt or AONB. Conversion requires special consideration. CBC will consider the effect of the conversion on the natural beauty and landscape character of adjoining countryside.
- 7.9 Policy applies to conversion of all rural buildings, whether modern or traditional. Buildings must be physically capable of being converted in terms of size, soundness and structural stability without the need of extensive rebuilding, alteration or extension. Where extension or significant alteration is proposed, it must be demonstrated that the building is capable of conversion on its own merit and the extension or alteration must not harm the character of the building, setting or character and appearing of the landscape.
- 7.10 Proposals involving conversion to residential use must be compliant with JCS policy SD10 and comply with general principles promoting sustainable patterns of development.

8.0 The Cotswold ANOB

- Approximately 1/3 of the borough area.
- Covered by paras 115 and 116 of the NPPF and policy SD7 of the JCS.
- Not really relevant to The Reddings.

9.0 Historic environment

- Architectural heritage is one of Cheltenham's greatest assets, much protected by Conservation Area designation.
- 9.4 NPPF provides strong protection to historic environment.
- 9.6 JCS policy SD8 and Cheltenham Plan set out positive strategy for conservation.
- 9.7 Gloucestershire's historic environment record (HER) – evidence base for decision making on future management of historic environment.
- 9.8 Undertakings from the council to ensure conservation and enjoyment of the historic environment.

Historic environment development plan

- 9.12 Council will use relevant conservation area appraisal and management plan to inform and guide any decision.
- 9.13 If applications affect a heritage asset or settings, application is to be supported by description of the asset's historic, architectural and archaeological significance under four headings.
- 9.14 Design to be based on understanding of characteristics of local area.

Policy HE1

- Buildings of local importance and non-designated heritage assets.
- Planning permission only granted where it would involve demolition or substantial alteration to the external appearance of any building designated as being of local importance on the Local List and any non-designated heritage assets when it can be demonstrated that:
 - All reasonable steps taken to retain the building, including examination of alternative uses, the retention of the building, even with alterations is demonstrably impractical;
 - Public benefits of redevelopment outweigh the retention of the building with any harm weighed against public benefits of the proposal.

Buildings of local interest

- 9.15 Other buildings and structures of particular local importance for distinctiveness or contribution to the visual or historic character of the area – where they are within Conservation Areas, there is some protection from demolition.
- Demolition of non-residential buildings outside Conservation Area is not subject to planning control.
- An index of local interest has been published and will be periodically reviewed.
- By continuation of the original use is no longer feasible, CBC will support change of use, or inclusion of the building in a wider scheme of development.

Comment

- A building of considerable local interest was recently lost (CBC ref: 17/01220/FUL) despite much local opposition. Access to the CBC Conservation Officer was poor, and access to the local index, and obtaining listing on it, is difficult. CBC officers often remind the Planning Committee and others that demolition cannot be prevented. This Local Plan provides an opportunity to set out guidelines as to when demolition would not be supported by CBC officers and quantify when harm would be caused. That opportunity is not taken.

Policy HE2: National and Local Archaeological Remains of Importance

- Presumption in favour of the physical preservation insitu.
- 9.17 On sites known or potential archaeological interest – CBC to consult and be guided by county archaeologist and Gloucester Environment Record. CBC may request archaeological assessment from the developer.

Policy HE3: Advertisement signs and hoardings in conservation areas

- Not relevant to The Reddings as no Conservation Area designation.

Conservation Area reviews

- 9.21 Follows provision of planning (listed buildings and conservation areas) Act 1990. CBC designate Conservation Areas and undertake reviews of existing designated areas. Once finalised, appraisals and management plans are adopted by CBC as supplementary planning documents (SPD's).
- 9.22 Nineteen character areas listed; includes Dean Close and Hatherley Park area as the closest to The Reddings.

Biodiversity and geodiversity

- 10.1 Cheltenham contains many habitats – ponds, railway cuttings, hedges and verges, small copses, parks, cemeteries, school playing fields, allotments and old buildings hosting foxes and badgers to wildflowers and butterflies.
- 10.2 Rural areas contain very significant habitats and support a great diversity of wildlife.
- Many wildlife habitats are under severe threat from development and agricultural pressures. Management is required to ensure invasive species do not destroy sensitive flora and fauna, eg, sycamores and gorse.
- 10.4 Part 3 of the Countryside and Rights of Way Act 2000 (the CROW Act) gives protection to wildlife and natural features for conservation of biological diversity. Improved protection for SSSI's and enforcement of wildlife legislation.
- 10.5 JCS recognises the need to protect and conserve wildlife and habitats.
- 10.6 Essential tools on planning decisions is Gloucestershire Nature Map. Comprehensive resource compiled by Gloucestershire Biodiversity Partnership as part of UK Biodiversity Framework 2012. Represents assessment of biodiversity opportunities and identifies tracts of lands called strategic nature areas (SNA's). Identifies prioritised areas for maintenance and expansion of priority habitat (Section 41 of the NERC Act 2006). Embodies a 50 year vision to allow adaption to climate change secure functioning ecosystems.
- 10.7 Map points to areas of greatest potential for restoration and creation of priority habitat. Map based on inclusion of existing areas of identified wildlife value but does not include all designated or local sites of importance for wildlife, landscape or built features of importance for flora, fauna or habitat. S&A's do not include all areas where priority habitats could existing; just identify best opportunity for coherent, resilient, ecological network.

Comment

- The previous planning applications in The Reddings have had GNER advising that there is almost no wildlife in The Reddings, which is incorrect. TRRA have raised this with GNER. GNER advise that their advice is limited by CBC's restricted nature of their requests. GNER's records of wildlife, flora and fauna in The Reddings are in fact much more extensive. The Local Plan should be amended to ensure that appropriate requests are made and that residents are made aware of GNER, and the need to keep them updated in order to maintain biodiversity and geodiversity, as the plan aspires to.

Cheltenham's biodiversity resource

- 10.9 SSI's designated by Natural England. Sites at Charlton Kings and Leckhampton Hill. Natural England must be consulted over any planning applications which may affect the SSI.
- 10.10 CBC as landowner committed to management of conservation interests.

Legally protected species

- 10.11 Countryside and Rights of Way Act 2000 and Conservation (Natural Habitats and C.) Regulations 1994 protects certain species and habitats. Other species have own legislation, eg, Badgers Act 1992. In Cheltenham, habitats of barn owl, badger and bat are particularly relevant. List is not exhaustive and other habitats may be relevant. Bats are present on site E3 (Grovefield).
- Legally protected species may be found outside designated areas require special attention. Where species are known, applicant expected to supply information of how development will affect the species, and measures to mitigate impact.

- 10.13 **Important for The Reddings** – JCS policy SD9 – Presence of protected species is a material consideration in determination of a planning application. Applicant to provide appropriate survey/mitigation information on affected proposed development. CBC to seek advice of Natural England and Gloucestershire Wildlife Trust (GWT) to assess whether needs have been adequately taken into account.

Comment

- See comment under 10.7 above.

Designated conservation sites

- JCS policy SD9 (ii) – regionally important geological/geomorphological sites (RIGS).
- 10.14 RIGS treated in same way as key wildlife sites. Considered important for aesthetic, cultural, amenity, historical and wildlife values.
- 10.15 Currently no geodiversity action plan for Gloucestershire.
- 10.16 GWT has compiled a schedule of 850 key wildlife sites. Six are in Cheltenham; Kingham Lane, Ravensgate Hill, Timbercombe, Ashgrove Farm, Glenfall Wood, grassland at Fiddlers Green Lane.

Local nature reserves (statutory designation)

- 10.18 Local nature reserves (LNR) designated and managed by local authorities. Places of wildlife or geological features of special interest locally which provide opportunities for studying natural surroundings. Any site may qualify for LNR if managed by local authority (either owned or leased). Natural England to be consulted prior to declaration. GWT also involved in designation process. Two LNR's are Griffiths Avenue and Pilley Bridge.

Non-statutory nature reserves

- 10.19 Areas not managed by Local Authorities safeguarded by agreement with landowners as evidence of intent to maintain wildlife importance where small, undeveloped plots of land or large gardens provide haven for wildlife.
- 10.20 If sufficient local interest, non-statutory designation can ensure protection of sites at minimal cost. CBC in conjunction with local interest groups identify and designate non-statutory nature reserves with the agreement of landowners during the planning period.
- 10.21 CBC can also apply for Green Flag and Green Pennant recognition.

Comment

- There is a nature reserve in Grovefield Way/Coldpool Lane, with Badgeworth Buttercup.

Other habitats

- 10.22 CBC recognises contribution of small landscape features, such as shrubs, thickets, ponds, meadows and copses make to ecological and biodiversity of an area.
- 10.23 Continuous green areas such as large linear open spaces, hedgerows, tree-lined roadside verges, banks, disused railway lines or watercourses and green lanes have greater ecological value than isolated spaces. Green corridors provide connected linkages for wildlife.

Water-based environment

- 10.24 comprises rivers, streams, lakes, ponds and ground water. Protecting and enhancing quality of water environment is responsibility of Environment Agency (EA). EA particular responsibilities

for conservation of landscape, flora, fauna and geographical features which are dependent upon aquatic environment plus duty to prevent pollution.

- 10.25 CBC to work with EA to meet conservation objectives.
- 10.26 CBC to promote and enhance by conserving areas along river corridor, a system of restoration and enhancement, encourage developers to integrate watercourses into developments, encourage developers to apply sustainable drainage principles by designing land drainage systems.
- Note, Hatherley Brook is to be protected by JCS.

Development proposals and biodiversity

- 10.27 CBC seek to protect all species and habitats listed in the UK Biodiversity Framework and Gloucestershire Nature Map from development, per legislation and policy SD9 of the JCS. Planning applications required to include survey of biodiversity features and measures to safeguard.
- 10.28 If conflict between development proposal and need to protect natural features, CBC to weigh relative merits of proposal and value of feature or habitat under threat and seek advice from Natural England, Gloucestershire Wildlife Trust and others as necessary and appropriate.
- 10.29 Holistic approach to be adopted in assessing proposals to account for natural characteristics of each individual site and wider context of the site in relation to surrounding biodiversity networks and ecosystems. Key consideration is cumulative effect of allowing one development after the other, and potential damage arising through piecemeal erosion of biodiversity interests.

11.0 Residential development

- 11.1 To compliment the JCS, Cheltenham plan makes a number of allocations for residential and mixed use development through policies H1 and H2 to ensure identified needs are met over planned period and to provide steady supply of land for housing to create sustainable, inclusive mixed communities.
- 11.2 National policy requires Local Plans to identify supplier-specific deliverable sites. JCS figure is 35,175 dwellings; Cheltenham figure is 10,917 of these.
- 440 houses through policy H1; 350 mixed use through policy H2; windfall allowance of less than 5 units at 784 dwellings.

Comment

- Windfall to come from “The Reddings” on new Principal Urban Area (PUA) extensions along Grovefield Way/North Road West? Major concern in view of the non-specific wording of the JCS on allocations of residential development below 450 houses and policy set out in 11.5 below.

Policy H1: Land allocated for housing development

- Brockhampton Lane (GL51 9RS – 20 dwellings); Monkscroft Primary School – 60 dwellings (off Princess Elizabeth Way).

Site-specific policies

- 11.4 Cheltenham is tightly constrained by greenbelt and AONB with little undesignated land in which to expand. Therefore utilising previously developed and underused sites within the existing urban area in line with JCS policy SP1.
- 11.5 Sites included are 0.5ha or more in size to accommodate 10 or more residential units. Selected sequentially 1) brownfield 2) PUA 3) development potential in JCS 4) constrained sites in PUA 5) greenbelt and AONB. Selected sites would demonstrate a public benefit (see comment below 11.2).
- 11.6 0.5ha/10 units chosen as definition of “major development” in development management procedure order (2015).

Land allocated for mixed use development

- 11.8 Combines residential and other uses (including commercial).

Comment

- Raised as possible allocation on proposed PUA extensions in The Reddings. Does this conflict with PUA extension on site E3 and the Employment policies, especially in respect of site E2 where an adjoining site has now been reallocated?

Policy H2: Land allocated for mixed use development

- ND3 land at Coronation Square – regeneration of community and retail.
- ND5 Leckhampton – 250 dwellings and secondary school
- ND3 0.4ha
- ND5 Leckhampton – landscape impacts, highways issues and greenspace. 250 houses plus through-school. Site area 15ha. Traffic measure impacts on PE Way required. Retention and enhancement of local centre facilities, including retail, healthcare and other community facilities required. Constraints include local greenspace, AONB, flood mitigation, highways, heritage assets, land ownership.

Comment

- Is Leckhampton the best place for the new school? Figures suggest a temporary spike in demand in the area. Proposal is to build on greenbelt as exceptional circumstance. If use as a school cannot be sustained in 10-15 years, the land which adjoins the ANOB could be designated as previously developed and unplanned use may then result.

12.0 Housing mix and standard

- 12.1 JCS identifies specific types of dwelling, but District Plan decides locations. Cheltenham needs specific high quality student accommodation and well-designed elderly care provision. **These are seen as key to the future of Cheltenham!**

Comment

- The specialist survey evidence to the JCS enquiry advised that Cheltenham was viewed as being closed to business and only open to coffee shops and care home developments. are the aims of 12.1 and Section 3 compatible?

Affordable housing

- Three classifications in annex 2, NPPF: social rented houses, affordable rented houses and intermediate housing for sale and rent, eg shared equity, ownership or loans.
- Housing not defined as affordable housing, such as “low cost market housing”, may be included as “affordable” designation with future legislation.
- 12.4 JCS policy SD12 sets out affordable housing. CBC will redevelop 100% “affordable” on redundant small council sites; introduce covenants for specific levels of affordable housing on sale redevelopment of CBC sites; use Right-to-Buy receipts to purchase homes for use as affordable homes in future; enforcement action to bring vacant residential properties into use for affordable housing.
- 12.5 Alternative delivery considered by CBC in future: use of vacant floor space above shops; compulsory purchase on stalled sites; pursue unimplemented planning consents; acquiring homes lost through Right to Buy; acquiring HMO’s; acquiring sites for development; acquiring small sites for 10 dwellings or less.
- Section 106 sites that are not meeting affordable housing obligations; provide private rented houses on long term lets.

Student accommodation

- 12.8 CBC supports provision of more purpose-built student accommodation.
- 12.9 University of Gloucestershire projects 50% increase in student numbers to 2031 = approximately 4000 additional students requiring 450 new private dwellings. University estimates expansion of purpose-built halls of residence to provide additional 1500 bed spaces across JCS area (policy ST11). Currently 179 place shortfall on bed spaces = 14 per annum. Shortfall expected to come forward through windfall development.

Policy HM1: Student accommodation

- Should be located in accessible locations, close to public transport, local facilities and services. CBC will support high quality living environments, well-managed facilities with no detriment to local amenity, nearby residents or surrounding areas, facility suitable for year-round occupation with long term sustainability and adaptability.

Elderly care provision increasing old age and infirmity demographic which sheltered housing and minor nursing care or home help cannot assist with requires residential or nursing home care.

- Increasing demand from older people in population will mean increase in demand for care homes.

Policy HM2: Elderly care provision

- Focus on high specification care-ready accommodation to meet identified need, not having harmful impact on character and amenities of surrounding area, accessible to local shops and public transport. A portion of C3 or C2 class housing required to contribute to affordable housing needs. Schemes to provide adequate external amenity space for sitting, socialising, gardening and leisure pursuits. Proposals for dementia care to include adequate communal facilities, accommodation for staff and reflect best practice.
- 12.14 Old people represent 13% of population in 2011, projected to increase to 20% by 2031. Nursing homes, retirement villages and care-based housing, including extra care required.
- 12.15 Need 1456 C3 use retirement sheltered units and 1011 C2 extra care units. Current shortfall of 1034 extra care bed space = 80 per annum.

Comment

- Why do the number of flats built not count directly as allocation. In the new care home being built in The Reddings there are 80 flats, but allocation on the Local Plan/JCS is only for 9.

Loss of residential accommodation

- 12.19 Greatest risk in town centre. Older terraced housing, important to Cheltenham's historic character suffers poor condition and high maintenance. Many still in good condition and improvement can be cheaper than demolition and new construction.

Policy HM3: Loss of residential accommodation

- Will not be approved except where continual residential use is undesirable, there is evidence that facilities are poor and difficult to improve, a change of use is necessary to ensure retention of building of architectural/historic interest, proposed use would be beneficial to wider economy and local community such as doctors and dentist surgeries, hotels, guest houses, nursing homes, residential institutions, playgroups, children's nurseries and other community facilities such as corner shops. Each case judged on its merits.

12.20 Erosion of areas that are essentially residential by commercial use except those ancillary to residential uses to be strongly resisted by council, especially in central Cheltenham Conservation Area. Quiet residential environment can be seriously harmed by commercial activities.

Comment

- The Reddings has already been seriously harmed by commercial activity since 1998. Over £2,000,000 has been raised by CBC in Section 106 contributions, none has been spent in the area. Most development has been in the greenbelt or "garden grabs". A legacy has been left where Grovefield Way (constructed as an orbital ring road in 1998) is now a congested estate road. Stationary traffic is a daily event, fume pollution on Grovefield Way and Hatherley Lane, adjacent to many residential properties has almost certainly passed actionable thresholds, (but CBC will not monitor it), local flooding is now occurring due to ground water, storm water and foul water where inadequate provision has been made by developers and existing intra-structure cannot cope. North Road West road surface is being damaged by run-off water from site E3 creating potholes on a national cycle way, but CBC do not take enforcement action against the developer. Local businesses have not implemented their travel plans. Staff now park on local roads causing hazards with several police tickets being issued each week. Staff now rent over 100 (probably 150 spaces) of the existing 534 space park and ride. There are many reports to CBC where legitimate users of the P&R cannot find a space to park. It has become a "park & walk" (to work). Despite many complaints, CBC will

not enforce the travel plans and therefore breach NPPF requirements (document evidence available on request). The P&R is central to the JCS transport evidence & needs to be extended, the only way of achieving a major reduction in car use from this direction (including from Gloucester and the M5) would be to extend the Arle Court P&R. However the JCS Examination has determined that this can only be achieved by making Arle Court a multi-storey P & R, as there is no longer any adjacent land available (an opportunity to obtain an area of land for its expansion for a nominal £10 payment from the planning appeal into the BMW site was not taken up).

Cambridge is currently considering a multi-storey (two storey high) expansion of its Trumpington P&R. This option has been costed at £25k per parking space. Using this figure as a guide it would cost approx. **£13 million** to double the existing number of spaces (from 534 to c. 1000) by a multi-storey structure at Arle Court. For comparison, a new surface P & R in Cambridge has been costed at £3,650 per space, almost 8 times cheaper. Given these costs (and the huge JCS transport infrastructure deficit) Cheltenham surely has no option but to find land for an additional new surface P & R in the West Cheltenham development area, to accommodate the current and future demand that cannot be met at the Arle Court P & R. This will be the only way to reduce cars travelling into Cheltenham from this direction.

Two of the most recent reviews of the Arle Court P & R:

Jan 11, 2018

"I am a pensioner who has tried to park at Arle Court Park and ride on numerous occasions, at different times of the day. Unfortunately of late it has been completely full. Why is this so? Is it due to people who are employed parking as it is a free car park? Are they no longer parking in the town car parks as the parking charges are too high? This does not give pensioners a chance to go into town as often as they would like. I feel that this needs to be addressed by the council."

3 Weeks ago

"I used to go to Cheltenham regularly using park and ride but not anymore. There isn't a parking space to be had and I'm not spending half my life looking for one. I heard the spaces are taken by people working locally, which isn't fair or I hope they are paying. You took one of the park and rides away in Gloucester so now I have to pay to park in one of your expensive car parks, if I want to go to Cheltenham by bus I have to take two as I live in Newent so there's half the day gone. You've taken away the park and ride for the ordinary customer. It used to be a good service so please do something about it but I won't hold my breath. I suspect I'm not the only one writing to you on this subject and I would appreciate a reply."

Even if construction of a multi-storey P&R were possible, it needs to be phased with other aspects in particular the West Cheltenham/Cyber Park proposal to which the Arle Court P&R is a key feature. The works to expand J10 of the M5 to 4 way is also key to the viability of the CTP. The transport evidence to the JCS predicts that J11 of the M5 will be significantly over capacity until J10 is constructed and the Arle Court Roundabout (that Grovefield Way and Hatherley Lane connect to) will reach 187% capacity (Do Minimum 7). Simultaneously, the new 80 resident care home on Hatherley Lane will open, sites E2 & E3 are likely to be developed, as will the new 27 houses next to site E2 (which was designated employment land).

The Local Plan as presently drafted is aspirational, but these visions and policies have been in contemplation as an emerging plan for much of the time that many of the current problems have arisen as a consequence of previous planning decisions, despite the current policies. This must mean that CBC are not implementing them correctly at the planning stage or are not enforcing them. As far as we can see, the Local Plan does have any measures within it to ensure that once planning permission has been granted, the developer's plans and statements can and will be enforced. Presently, TRRA are told by CBC planning department, enforcement officers and Councillors that they cannot, or will not enforce a condition. As such, the draft plan cannot be considered sound, or legal.

The current Local Plan includes “phase 1” evidence of junctions that require further modelling based on the proposed school in neighbouring Leckhampton and a few small scale housing developments. Arle Court Roundabout capacity is modelled to increase to 103%, but does not include for the potential impact of the Sui-Generis proposal for sites E2 and E3. Neither does it model the inevitable increase in traffic on Grovesfield Way/Hatherley Lane, or local roads. The school was also omitted from the JCS traffic evidence. The resultant pollution from stationary cars, lorries, vans, etc., will further exacerbate the noise, light and fume pollution in The local area, contrary to NPPF and DEFRA guidelines. It is not a sustainable, legal, or sound plan.

Policy HM4: Agricultural and forestry dwellings

- Permission for new only granted where need is justified and building is of similar size. Accommodation to be limited to persons working in agriculture or forestry.

Houses in multiple occupation (HMO)

- 12.23 Shared residential property, occupants not related and share kitchen and bathroom facilities.
- 12.24 Small HMO's = class C4 - small houses and flats occupied between 3 and 6 unrelated individuals sharing kitchen or bathroom.
- 12.25 Larger HMO's = more than 6 individuals and fall within **Sui Generis** class. Planning permission is always required either for purpose-built or change of use to an existing property.
- 12.26 HMO's important but can have negative impact on communities due to noise, antisocial behaviour or unkempt gardens. Close to university, areas being dominated by high number of HMO's.
- 12.27 Government report on HMO's looks at problems caused by high concentrations.
- 12.28 Introduce planning measures to control proliferation. National HMO lobby (voluntary association of community action groups) define high concentration of HMO's as 10% of properties or 20% of population.
- 12.32 Planning authorities may remove HMO's from permitted development.
- 12.33 Change of use within C3 dwelling house to class 4 HMO has been permitted development since October 2010.

Policy HM5: Houses in multiple occupation

- Limits St Pauls ward to not exceed 10% of all properties within a 100m radius. Cannot have 2 adjacent properties in HMO use.

Amendments to Principal Urban Area (PUA)

- 12.42 Dividing line between built-up urban areas and non-urban/rural areas (countryside) to define where planning policies apply.
- 12.43 The boundary serves a number of related but separate purposes: create an edge to existing development and encourage consolidation; help separate communities and retain individual identities; define logical boundaries between areas with different features and purposes, eg, areas of environmental landscape designations and those suitable for development.
- 12.44 Advantages of boundaries: easy to understand to provide certainty over where development is likely to be acceptable and where it's not; direct development to urban area and increase viability of local services; ensure plan-led and more controlled approach to future development to prevent encroachment into countryside; allow presumption in favour of development for sites too small to be identified as formal allocations.

- 12.45 JCS policy SP2 directs new development to existing urban areas and strategic allocations, therefore unnecessary to update boundary for Cheltenham's urban area.
- 12.46 PUA is an important designation. Plan process has reviewed anomalies to include recent edge of settlement developments which fit within the built form of the town and should be included.
- 12.47 Boundaries redrawn to include sites where land has been developed or planning permission granted for development.
- 12.49 Relevant alterations listed in table 7:
 - 20 Highfields, Coldpool Lane – new residential development (0.06ha);
 - 21 The Hayloft, The Reddings (0.07ha) – inclusion of residential dwelling;
 - 22 Chestnuts Farm, Branch Road (0.04ha) – inclusion of existing farm buildings to form consistent boundary.

Comment

- If the Hayloft application (CBC ref: 16/02205/FUL) had been considered within the emerging policies of the Cheltenham Local Plan (the emerging policy is quoted in the refusal of permission for the hybrid proposal on Grovefield (site E3) then it should not have been recommended for acceptance by the CBC planners, and it should have had no prospect of success at its ongoing current appeal if it were judged by the policies in section 12. The extension of the PUA onto the site, which has over 1 acre of arable land attached will by virtue 12.44 permit more development on a busy stretch of road, at the junction with Badgeworth Lane, where the JCS transport evidence proposes that the bus route 97/98 service be increased to connect with Gloucester. The buses pass and turn by this site, making safe entrance and exit onto it really quite difficult. Similarly the JCS transport evidence proposes to provide a new traffic light-controlled junction at Badgeworth Lane/Shurdington Road to allow vehicle to use Badgeworth Lane, a means to leave the congested A46 & utilise Badgeworth Lane, The Reddings, Coldpool Lane, Grovefield Way to access the extended P&R and/or the West Cheltenham Cyber Park and new 5600 houses. Many vehicles will also use it as access onto Arle Court roundabout/A40 and M5 which will increase the congestion and local pollution. The pollution from stationary cars, lorries, vans, etc., will further exacerbate the noise, light and fume pollution in the local area, contrary to NPPF and DEFRA guidelines. It is not a sustainable, legal, or sound plan.

13.0 Gypsies, travellers and travelling show people

- JCS policy SD13 – only site in Cheltenham is Castle Green Stud, Mill Lane – 3 x pitches.

14.0 Health and environmental quality

- 14.1 Protection and enhancement of the environment considered essential for health and wellbeing of Cheltenham.
- 14.2 To be successful requires clear understanding of characteristics of local area in terms of character, built form, architecture, heritage and landscape.

Policy SL1: Safe and sustainable living

- Development will only be permitted where it would: not cause unacceptable harm to amenity of adjoining owners and local living conditions or by nature of size, location, layout or design give rise to crime or fear of crime or endanger public safety; make adequate provision for security and prevention of crime and disorder, including counter-terrorism measures where necessary; accord with policies SD4 and SD5 of JCS.
- For daylighting, CBC will consider BSI British Standards Codes of Practice BS8602-2:2008 Lighting for Buildings and BRE Publication Site Layout Planning for Daylight and Sunlight; Guide to Good Practice (2011).
- Privacy for residents means 21m between dwellings facing each other with clear glazing and 12m between facing dwellings where only one window has clear glazing.

Safe and sustainable communities

- 14.3 Built surroundings need to be safe, attractive, long term and liveable environments for whole community.
- 14.4 In assessing impacts of development and potential harm, CBC to consider loss of daylight, loss of outlook, loss of privacy and potential disturbance from noise, smells, dust, fumes, vibration, glare from artificial light, hours of operation and traffic/travel patterns.
- 14.5 Further information in Planning Guidance on Sustainable Buildings (2003) and Supplementary Planning Document on Residential Alterations and Extensions (2008).
- 14.6 CBC works with police to ensure public safety to tackle crime and causes of crime.
- 14.7 Successful community built through matrix of formal and informal opportunities. Foremost, requires understanding of what people need from the places where they live and work. CBC encourage appropriate models of sustainability, such as set out in its report Welcome to the Future – A Local Model For Building Socially Sustainable Communities (2016) to create holistic development and integrated communities.

Major development proposals

- 14.8 Need to be accompanied by Health Impact Assessment in accordance with JCS policy SD14. Applicant needs to submit supporting information to demonstrate how development positively contributes to health and wellbeing, particularly the 10 principles of active design developed by Sport England and supported by Public Health England.

Comment

- There are no sports facilities in The Reddings. There is an unused sports field close by (Up Hatherley) which is controlled by Tewkesbury Borough Council. It was constructed 6 years ago as a replacement for the sports field lost when 400 houses were built on the former Dowty sports field/farm site opposite (within the CBC boundary). There are no medical facilities in The Reddings (except for a private hospital close to the Arle Court roundabout), no GP, no dentist, or similar. GP appointments in neighbouring Up Hatherley are very frequently unavailable for 4 weeks or more in

advance, yet the development continues. Section 106 money is acquired and never spent in the area. The CBC introduction of “Sui-generis” class use on site E3 (former prized greenbelt) instead of the B1 development approved by the inspector in 2007 has resulted in commercial activity in the area, 7 days per week. The “security lighting” necessary for a “flagship BMW showroom and garage” means excessive lighting 24 hours a day, 365 days per year, close to residential properties. The original permission for a B1 site in the greenbelt was granted by the inspector for a “low key” development with “occasional glimpses” through enhanced planting in keeping with the greenbelt. The “employment” created has been no more than a handful of jobs, because the 3 BMW garages in Cheltenham, Gloucester and Tewkesbury have been closed and all jobs transferred onto this site. The closed sites are now being redeveloped into supermarkets and coffee shops. This CBC policy has resulted in a net loss of up to 400 jobs on the site based on the 1200 new jobs claimed by the developer for the extant B1 development on the Grovefield site in 2011 (when the option to extend the P&R onto the site for a nominal sum was lost by Gloucester County Council). In 2016, the developer applied to vary the permission to A1, A3 and C3 in return for building 2 small B1 offices, CBC supported the hybrid (retail) proposal and recommended “permit” to the Planning Committee, who overwhelmingly rejected it in December 2017. However, although it was rejected on 3 counts, the principal of permitting “retail” on this site, was not one of the reasons cited for the refusal. The JCS has since removed the greenbelt status and protection from the site. The Local Plan does not have a retail policy and the retained policies are incoherent if applied to the Reddings, because it has no classification as a retail area of any description, despite a Harvester restaurant, a Travelodge hotel, BMW superstore, KFC fast food outlet, Asda superstore, Pets at Home, and Home-Bargains store all having been built in The Reddings since 2001. All of these are grouped around the junction of Grovefield Way, Hatherley Lane and the Arle Court Roundabout and add considerably to the local congestion and pollution. Without a retail policy, the Local Plan cannot be considered to be sound for the West, South-west and South of Cheltenham. Without a coherent transport policy, which properly assesses the current traffic usage, capacity of the roads, existing pollution, local parking problems caused by recent development and the consequence that the P&R can no longer be used as intended (because it has become a carpark for local employees) and neither can it be extended economically, the Local Plan cannot be considered to be sound. Similarly, the impact that 80 new elderly residents in the new care home as well as the potential new houses/employment buildings in the PUA extension areas around The Hayloft and Chestnuts Farm (where no development or permissions have been granted pursuant to 12.47 of the above) will have on the existing lack of resilient infrastructure in The Reddings is not assessed at all.

Presently, CBC do not have, nor seem willing to collect any local data pursuant to an SEA/Sustainability plan, nor engage in effective Community Involvement sufficient to make the plan legal. Reference to almost any CBC Officer Report to the Planning Committee will show it to be broadly a cut and paste of the developers submitted Design and Access/Sustainability reports. Developer “expert” reports are seemingly accepted at face value without any of the objective and informed analysis that would be expected by the officers, especially when an expert with similar qualifications and expertise submits an alternative view. The Local Plan, as proposed, simply constitutes a developers’ charter and therefore fails to meet its own 3 visions. A sound Local Plan, which objectively assesses the current issues and finds solutions, is required. The proposed plan fails to meet that standard and cannot presently be considered to be sound, or legal. There is no obvious need to rush through the Local Plan, it is far more important to get it right.

15.0 Transport network

- Two strategic allocations at West and North West Cheltenham, including 45ha cyber park and delivery of phases 3 and 4 of the Cheltenham Transport Plan means looking at function of neighbourhoods and understanding how to develop connectivity with options in terms of transport type.
- 15.2 Best to worst modes of transport for the environment are: (best) walking and cycling; ultra-low emission vehicles; buses and trains (depending upon fuel); motorcycles; shared cars; single occupant cars (worst).
- 15.3 To reduce emissions, either travel less or change modes of transport. Cheltenham is relatively flat and self-contained (people live and work in the town). This significantly increases transport choices other than car.
- County Council manages and maintains local network and non-commercial passenger transport services. Also responsible for local transport plan (LTP) and delivery of infrastructure to support JCS.
- 15.5 Policy INF1 of JCS sets out requirements and expectations for development in Cheltenham. Part 1 ensures proposals to improve and encourage access to sustainable modes of travel. JCS policy SD3 requires development to prioritise movement through design.
- 15.6 Majority of transport policy is covered by plans and strategies other than Cheltenham Plan. In some instances, a local level of response has been identified.
- 15.7 Cheltenham Plan identifies certain infrastructure to be protected, eg, former Honeybourne line (policy TN1).

Comment

- As section 14 and section 12 comments. The Local Plan and emerging LTP from the JCS requires much greater detailed analysis work before it can be considered to be sound.

Town centre parking

- 15.11 NPPF states local authorities should improve quality of parking in town centres to be convenient, safe and secure.
- 15.12 Car parking has a major influence on transport selection or journeys. Parking takes up large amount of space on street, carparks and in development.
- 15.13 Cheltenham carpark space demand highest in town centre. Future development is likely to create further demand for parking space. Provision of additional facilities for parking would likely cause further congestion on highways, reduce environmental quality and damage to the town. To combat, the plan does not propose to accommodate additional demand but encourage use of alternative forms of transport. Strategy to include: on-street parking to be short stay; longer stay parking in carparks; discourage commuter parking; commuter travel to be via alternative modes of transport.
- 15.4 Survey findings indicate commuters use prime town centre spaces for long stay parking, and park and ride remains underutilised. Provisions of GCC Local Plan and GCC Draft Parking Strategy seek to: *“encourage walking, cycling and public transport by investment in park and ride; pricing policy to ensure long stay parking is more expensive than bus travel or park and ride; link to wider planning policy allocating sites of sufficient size to attract new public transport.”*

Policy TN2: long stay car parking

- Will not be permitted in core commercial area for public use unless a need can be demonstrated.
- 15.15 CBC to encourage commuters to use alternative transport. CBC to work with County Council to assess available funding streams and promote sustainable transport initiatives when possible.

- 15.16 Achieve shift to more sustainable transport by exploring possibility for public transport improvement, encourage walking and cycling; define and protect strategic cycling and walking routes (policy TN1); explore new opportunities for P&R in line with Local Transport Plan.
- 15.17 CBC already reduce provision for public long stay car parking in town centre in favour of short stay. Intention to retain overall number of spaces, but ensure increased capacity for short stay use with higher turnover of users principally for short stay shoppers, visitors, essential business users and drivers with disabilities.
- 15.18 With policy TN2, CBC will continue approach and not grant permission for new, permanent or temporary off-street long stay car parks for public use.
- 15.19 JCS policies SD3 and INF1 – new development including car parking will require suitable access and parking for cycles.

Comment

- How are retail and commercial business to thrive in the town centre when access policies are being restricted, by an over-congested road network, an out-of-town train station, expensive buses and restricted parking? This policy will destroy the town centre and encourage business relocation to outlying areas of Cheltenham/elsewhere in Gloucestershire which are easily accessible. There are no proactive provisions in this policy. The cost of two bus fares from The Reddings into Cheltenham (Stagecoach P&R) exceeds parking costs; family travel is far more cost effective by car. Adequately subsidise local public transport, as many other areas of the UK and other countries do (and abolish parking charges at evenings and weekends) if a modal shift is required. This policy proposed by CBC is myopic, focusing only on single car journeys, it is punitive, cash generating, anti-business and reactive. A pro-active policy is required. Significant bus fare subsidies will encourage people onto public transport, reduce congestion and fumes. Once bus use increases, the fares generated from the full buses, will allow the service to become self-sustaining and/or to expand and attract more users. It is a sustainable model and will be more economic and pragmatic than the proposed P&R expansion.

16.0 Green infrastructure

- 16.1 One of Cheltenham's distinctive features is its green and open nature. Landscape provides green network of spaces and wildlife corridor, variety of trees, vegetation, wildlife habitats and assist biodiversity conservation.
- 16.2 CBC will seek to protect existing open spaces, enhance and improve management to provide improved facilities for recreation and nature conservation.

Green spaces

- 16.3 Green space is undeveloped land that makes positive visual and environmental contribution to the town. It occurs in a number of forms: public parks and gardens; grounds of large houses; institutions, etc; public and private playing fields; incidental open spaces on housing and industrial estates; children's play spaces in residential areas; allotments; private gardens; local green space; various open spaces incidental to layout of roads, footpaths and cycleway, etc.
- 16.4 Green space's worth for its townscape, environmental, wildlife and recreational value. This is recognised in NPPF para 73 as contribution to health and wellbeing of communities.

Comment

- All of these factors were ignored by CBC on the Cotswold View cottage demolition application, and other infill over the past 20 years, including the care home at Cheltenham Film Studios, and development at Grace Gardens, Wade Court and Redgrove Park and infill along North Road East.

Townscape value

- 16.5 Defined as positive features of place, creating special identity – primarily buildings in green spaces, supported by other elements such as trees and street furniture.

Environmental value

- 16.6 Green space contributes to an urban environment in other ways, eg, lower densities of development, lead to reduction in levels of activity in the area creating more peaceful and relaxed ambience which is important in commercial and residential areas.
- 16.7 Human life, health and wellbeing depend on healthy natural environment. Vegetation contributes by absorbing carbon dioxide and releasing oxygen, improving air quality and acts as a baffle to absorb and reduce noise.

Wildlife value

- Provides habitat for a range of flora and fauna, may also harbour legally-protected species such as barn owls, badgers and bats. Green space is therefore significant to nature conservation.

Recreational value

- 16.9 Primarily provided for public recreation but also has amenity value, eg walking, picnics and dog walking. Policy is protecting outdoor play space as set out in chapter 17: Social and Community Infrastructure.

Economic value

- 16.10 High quality parks and green spaces add economic value by improving quality of townscape, attractiveness for businesses, create community enterprise and generate new employment.

Social value

- Access to urban green space can promote healthy living, wellbeing and education with opportunities for physical recreation and relaxation and social interaction.

Local green space

- 16.12 Para 76-78 NPPF – Local communities to identify green space of particular importance where development will not be permitted except in special circumstance. Local green spaces (LGS) can be designated through a Local Plan or Neighbourhood Plan. Designation would be in addition to the current protection set out in Cheltenham Plan, JCS and “Development on Green Land and Infill Site” Supplementary Planning Document (SPD).

Policy GI1: Local green space

- Development will not be permitted within an LGS designation unless there are very special circumstances which outweigh the harm. Particular attention paid to the views of local community. Sites listed in table 8. Policy ND5 – playing fields for the proposed school in Leckhampton to be considered an appropriate use of LGS subject to other design and landscape policies.
- 16.13 CBC commissioned Gloucestershire Rural Community Council (GRCC) to work with parishes and community groups on LGS study to identify potential local green spaces.
- 16.14 Additional sites suggested during consultation stages of Cheltenham Plan considered alongside original submissions from the LGS study.
- 16.15 2006 Local Plan safeguarded a number of public green spaces, none of the sites have been developed since the policy was implemented. Former public green spaces are now included in LGS designation.
- Relevant LGS (close to The Reddings): Leckhampton fields (39.31ha); Colesborne Road and Redgrove Park (0.81ha); Caernarvon Road (1.16ha); Benhall West (3.57ha); Benhall East (6.23ha); Reddings Road (1.08ha) – (Humpty Dumps); Hatherley Park (3.11ha); Arle Court (1.73ha); Up Hatherley Green (0.18ha); Hatherley Court Gardens (1.01ha).

Trees

- 16.19 TPO’s only sources of legal protection for trees on private land.

Policy GI2: Protection and replacement of trees

- CBC to resist unnecessary felling of trees on private land and make preservation orders in appropriate cases. CBC to require any felled tree to be replaced where practical, and ensure that if pruning is required, it conforms to BS for tree work (BS3998, 2010). If trees are not protected by a preservation order or Conservation Area but contribute to townscape and character, CBC will consider trees in a preservation order.
- Felling of tree is necessary only if dead, unsafe or causing unacceptable harm to buildings or infrastructure. CBC will seek to retain trees that are dead or dying if contribute to biodiversity and pose no harm. Legitimate felling of protected trees with TPO’s require replacement planting. The council is to determine location, size and species.

Trees and development

- 16.22 Section 197 of the Town and Country Planning Act 1990 states planning authority to ensure when possible that planning permission for development includes adequate provision for preservation or planting of trees.

Comment – not what happened at BMW site.

- 16.23 CBC to encourage planting and replacement of trees on private land. CBC prepared leaflet giving guidance to developers on appropriate approach to existing trees.
- 16.24 Where tree is to be retained or planted with new development, careful planning is required until development is complete to avoid problems as trees grow. Begin with survey of existing trees in accordance with BS5837 (2012) to include trees within the site and any adjoining or overhanging which might be affected.
- 16.25 Consider age, health, habitat, height and spread of each species, positioning of trees and building to ensure tree will not be harmed or require pruning as it grows. Consider effect of trees on views, daylight and sunlight.
- 16.26 All planning applications must include details and methodology for tree protection to ensure tree is not damaged by construction work.
- 16.27 New trees of appropriate species should be planted within a development site. If not practical, council to encourage developers to fund planting of trees close to the site. Developers to submit detailed landscape proposal, including provision for new tree planting.

Policy GI3: Trees and development

- Development causing permanent damage to trees will not be permitted.
- High value means sound and healthy tree with at least 10 years of safe and useful life remaining, making significant contribution to character or appearance of site or locality.

Comment

- As for previous sections.

- How does this policy fit with the approvals granted for BMW and associated problems that are now occurring with pollution from the A40/standing traffic and extensive tree removal to expose the BMW building?

- How does this policy fit with the destruction of woodland given to the public by George Dowty (now Cheltenham Film Studios/Manor by the Lake) to build a care home in 2017?

- How does this fit with the felling of trees along the A40 close to Arle Court Roundabout to build a large “bus stop”, particularly when a similar plan was roundly rejected in 2016?

- LOCAL GREEN SPACE: “A40 CORRIDOR” (Area marked in purple)

Despite meeting ALL the criteria for Green Space Allocation, the bid for local green space designation along the A40 corridor (Area marked in purple) has been refused twice. Reason given “*There are no current plans for this land to be used as a part of any highway works. However, this could change in the future and the A40 is a vital part of the transport network. Improvements to this route should not be fettered.*” We are told that Local Green Space cannot be next to an important road. However, this is incorrect & inconsistent as other Local Green Spaces have already been allocated next to main roads.

In 2016, plans for this area to be destroyed by a proposed bus lane were defeated. Residents are keen to ‘future proof’ our green space from being concreted over. The A40 Corridor should be designated as a Local Green Space, given that it has already met ALL criteria set out by the Government & the Council. The ‘A40 Corridor’ meets all the NPPF Local Green Space criteria yet has been refused as a Local Green Space. As such, the proposed Cheltenham Plan is not consistent with national policy. The ‘A40 Corridor’ also meets all the additional ‘Cheltenham Borough Council’ Local Green Space criteria. The Cheltenham Plan is unreasonable and inconsistent: Why do Gloucestershire County Council refer to this land, on the south side of A40 Gloucester Road through Benhall, as a ‘wildlife corridor’? (Their report dated March 2011). Why does the Cheltenham Plan imply that this green space is a ‘roadside verge’ when it clearly includes some wooded areas? Are Cheltenham Borough Council aware of Gloucestershire County Council’s Tree Survey and Arboricultural Assessment (2015) which includes a detailed survey of 75 trees in this green space? Why does the Cheltenham Plan give the impression that ‘A40 Corridor’ is ‘highway land’ when most of the Campden Road section of this green space is in

private ownership? Why have the planning officers approved other Local Green Spaces which are directly adjacent to main roads in Cheltenham e.g. Up Hatherley Way, Old Gloucester Road.



- The “Cotswold View” site in The Reddings was a character cottage from the mid 1800’s, strongly connected with the history and character of the area with well-developed tended and mature gardens (despite considerable local objection). Why did CBC approve its demolition in June 2018, in favour of a cramped development of 3 characterless houses with non SuDS compliant tarmac driveways if these “green infra-structure” beliefs are to be upheld?

17.0 Social and community infrastructure

- 17.3 Policy IMF4 of JCS provides framework for assessing development proposals to protect and enhance community facility provision. Policy SD4 of JCS places emphasis on good design.

Policy CI1: Securing community infrastructure benefits

- Development proposals only permitted where adequate community infrastructure capacity exists or when it can be added without unacceptable impacts on people or environment. To secure infrastructure improvements, CBC to employ planning obligations as necessary and appropriate including: affordable housing; green infrastructure, including open space; suitably designed and located play, recreation, sport and leisure facilities; education provision; broadband infrastructure provision; highway works, traffic management measures pedestrian and cycle improvements, public transport enhancements and improved access for disabled; improvements to the public realm; health and wellbeing facilities; safety and security measures; flood risk management; environment protection and enhancement; climate change mitigation; cultural and heritage protection; public art.
- Comment – What improvements have The Reddings received in return for £2m Section 106 payments by developers?

New or improved infrastructure

- 17.7 New development places burden on existing infrastructure. Appropriate that portion of increased value of land returned to community through appropriate benefits related in scale and kind to development proposed. Benefit not necessarily restricted to the site itself. If major development is proposed with significant impact on traffic, appropriate for developer to contribute to investment in public transport enhancement or highway improvement.
- Comment – What improvements have The Reddings received in return for £2m Section 106 payments by developers?

Planning obligation

- 17.8 Para 122 of the Community Infrastructure Levy Regulations 2010 (CIL).
- 17.9 CBC responsible for stating level and nature of its requirements.
- 17.10 CBC strategic infrastructure to be funded by Community Infrastructure Levy (CIL) if included on council's "Regulation 123 List".

Protecting community facilities

- 17.11 "Community facility" relates to schools/training centres, libraries, sports and leisure facilities, healthcare provision, social services, emergency services, places of worship, post offices, pubs, micro pubs, corner and village shops, public halls or other facility fulfilling role in serving community.
- 17.13 May secure contribution for additional facilities on larger housing developments, eg, provision of charging points for electric vehicles to provide sustainable transport solutions.
- 17.14 **Provisions of new corner and village shops to accord with borough's retail hierarchy.**
- 17.15 Some facilities may become green infrastructure – refer to JCS policy INF3.

Comment

- Proposals for site E3 childcare in particular threaten the viability of the community centre facility next to it.

Policy CI2: Sports and open space provision in new residential development

- CBC expect provision of open space, playing pitches, built sport facilities.
- 17.18 Local standards set out to each of the three categories: the Open Space Standards Paper; Playing Pitch Strategy; Indoor Sports and Leisure Facility Strategy.

Open space

- 17.20 Defined as parks and gardens; natural and semi-natural green spaces; amenity green space; provision for children and young people; allotments; cemeteries; disused churchyards; market squares. Across the borough, some provision is adequate; other areas require improvement.

Playing pitches

- 17.22 Three main aims: protect existing; enhance through improving quality and management of sites; provide new playing pitches where there is demand. Demand should be met with small levels of spare capacity.

Comment

- None in The Reddings – Tewkesbury Borough Council have stalled on the Hatherley playing fields provision for several years now, and we understand have just leased them privately to Lakeside FC for their use. See also comments in Section 14 regarding this playing field.

Indoor sport and leisure

- 17.25 Six stage process to include consideration of design principles.
- 17.26 CBC to consider cumulative effect of housing developments to assess strategic sport and leisure facility requirements to accommodate increase demand.
- 17.27 To calculate contribution to Strategic Leisure Fund – CBC to use Sports England's sports facility calculator.

Policy CI3: Statutory and non-statutory allotments

- Located in Hatherley Road, Reddings Road, Warden Hill and 15 other sites across the borough. Development involving loss of allotment land will not be permitted unless it is demonstrated that there is no need for it or; the site does not provide significant or environmental contribution or; appropriate compensatory provision is agreed with the borough council to provide a new site in the area and serving the same catchment as the existing, with approximately the same number and size of plots, the soil is of high quality and suitable for cultivation; the site is accessible to pedestrians, cyclists and vehicles.
- 17.31 If there is genuinely redundant allotment land, it should not automatically be disposed of for development – can be used as leisure gardens and rented for private space.

Policy CI4: Broadband provision

- CBC to require new residential and commercial development to be served by high speed, reliable broadband connection.
- 17.33 2017 EU legislation requires new build and major renovations to be high speed-ready with exemptions only for historic buildings, holiday homes and projects with disproportionate cost.
- 17.34 Para 42 of NPPF recognises the need for high speed broadband technology infrastructure.
- 17.36 Policy CI4 expects high speed broadband. If not possible, practical or economic (eg smaller sites), council to seek developer contribution to accord with policy CI1 to undertake off-site work to facilitate greater access to broadband in future.

Comment

- **BT broadband provision in the area is less than 0.5bMb and runs on copper cables through the old Churchdown exchange. Only Virgin offer a viable broadband service in The Reddings.**

Social sustainability

- 17.37 Planning practitioners must understand what people need from the places where they live and work and how those needs are being met. Creates need to combine design of the physical with the design of the social world to support social and cultural life.
- 17.38 “Design for Social Sustainability (2011)” sets out framework for considering social dimensions of community life and translation into practical initiatives. Developers are to take account of its principles.
- 17.39 At local level, social, sports and open place study (2017) undertake as part of Cheltenham Plan preparation process raises questions to be asked. For example: are there enough schools, libraries, community buildings, GP’s, retail facilities to meet resident needs?; where do people go to meet other residents?; are physical links to neighbouring areas porous or rigid?; how will these be affected by new development and will there be capacity issues?

Comment

- **Certainly not enough GP/health care facilities already.**
- 17.42 Cheltenham Engage in Communities Project enabled a variety of community groups to understand the process of community-led planning, resulting in local green spaces, etc.

18.0 Renewable energy and low carbon energy development

- 18.1 JCS require assessment of renewable energy. NPPF requires wind energy developments to be considered.
- Study in 2010 considered little potential for renewable energy from wind, because of the built-up nature of the district.
- 18.3 Consequently, Cheltenham Plan does not include a policy for wind energy generation, nor identify sites for harnessing energy.

19.0 Delivery, monitoring and review

- 19.1 Monitoring is important in terms of meeting vision and objectives. Highlights policies not working and key trigger for planning review. JCS details of thorough monitoring framework. Monitoring to be reported in the annual monitoring report.

Delivery

- 19.2 JCS encompasses analysis of residential development and calculation of five year housing supply at strategic level. Part of supply is met through the Cheltenham Plan.
- Residential – 11,030 dwellings currently allocated against a requirement of 10,917.
- Current land supply – 5.6 years
- Employment land required – 1ha
- 19.4 - 34% of the supply delivered through the Cheltenham Plan has already gained consent – includes ND5 Leckhampton (250 houses).
- 19.6 Policy EM1 Employment Allocations – E3 at Grovefield Way refers to hybrid application for retail which was refused in December 2017.

Comment

- Why? What does this say about monitoring and care in the compilation of the Local Plan?
- Site E2 (Pure Offices/adjacent to Asda) – permission expires 5 years from 20 September 2013. Permission is for class B1. Adjoining site has already been permissioned for residential on appeal.

Comment

- How will it be defended at appeal on the current Local Plan and what would the introduction of “Sui-generis” result in?