

PLANNING STATEMENT TO ACCOMPANY A HYBRID PLANNING APPLICATION FOR EMPLOYMENT GENERATING USES ON LAND AT CORINTHIAN PARK, GROVEFIELD WAY, CHELTENHAM

Our reference: TM/JG/eds/5146 • November 2016

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1.0 INTRODUCTION

1.1 This Planning Statement has been prepared by Hunter Page Planning Ltd on behalf of Hinton Properties Group (the applicant) in support of a hybrid planning application for the development of a mix of employment uses at Corinthian Park, Grovefield Way, Cheltenham, GL51 6RF.

1.2 The application comprises a hybrid planning application split into two parts to reflect two development phases:

Full Application: In respect of the south eastern portion of the site detailed planning permission is sought for the development of 5,034 sqm of commercial office space (Use Class B1), 502 sqm day nursery (Use Class D1), 1742sqm Aldi retail unit (Class A1) a 204 sqm Costa Coffee Retail Unit and Drive Thru (Use Classes A1 and A3), with associated parking, landscaping and infrastructure works.

Outline Application - All Matters Reserved (except access): Outline planning permission for the erection of 8,034 sqm of commercial office space (Use Class B1), together with associated car parking, open space, landscaping and infrastructure works.

1.3 This statement provides an appraisal of the proposed development against relevant policies within the Development Plan for the area. Other material considerations will be addressed by way of the National Planning Policy Framework and other relevant publications. Most pertinent to the determination of this application is the extant planning permission for B1 employment use across the entirety of the site.

1.4 This Planning Statement should be read in conjunction with the accompanying plans and drawings submitted as part of the application, as well as the following technical reports:

- Retail Impact Assessment prepared by DPP Planning
- Economic Impact Report prepared by Hardisty Jones Associates (HJA)
- Transport Assessment prepared by Transport Planning Associates (TPA)
- Framework Travel Plan prepared by Transport Planning Associates (TPA)
- Flood Risk Assessment and Drainage Strategy prepared by Complete Design
- Partnership Ltd (CDP)
- Ecological Assessment prepared by Ecology Solutions Ltd

- Geotechnical Desk Study prepared by Structural Soils Ltd
- Arboricultural Survey and Method Statement prepared by Treework Environmental Strategy
- Noise Impact Assessment prepared by Hoare Lea
- Delivery Management Plan Prepared by DDP

2.0 APPLICATION CONTEXT

- 2.1. Planning permission, including the approval of reserved matters, was granted for the erection of 22,000sqm of B1 employment development across the entirety of the 6.4Ha site known as Land at North Road West / Grovefield Way, Cheltenham in 2007. Since the approval of that scheme, the north east proportion of that site (some 1.8Ha) was granted full planning permission for the erection of a Flagship BMW, Mini and Motorrad Dealership and Service Garage comprising some 7,595sqm of employment space. The applicants, Cotswold BMW Group, began works on the new BMW Dealership in September 2014.
- 2.2. This hybrid planning application relates to the remaining 4.15 ha site at Grovefield Way and seeks to provide a mix of employment uses at the site. The proposals will provide significant planning and economic benefits to the area. The design approach allows the site to effectively integrate with the wider development of the area taking place at the BMW site.
- 2.3. It is important to note that the application site already has extant outline planning permission for up to 16,800 sqm of B1 employment (granted in December 2014). However, the proposals have arisen as a result of interest from both Aldi and Costa Coffee both of whom will enable this part of the site to secure reputable key anchor tenants. The identification of end users is a consideration that weighs in favour of the development proposals.
- 2.4. It is also a well-established matter of planning law that an Applicant's ability to implement a fall-back position is material in determining any planning application. As such, the consideration of this planning application, particularly in terms of the impacts of development, such as landscape, transport and ecological matters, must have regard to the Applicant's ability to develop the application site for its extant B1 use.
- 2.5. The proposed development seeks to maintain many of the principles already established as part of the approved B1 scheme and continues to seek to contribute to meeting the identified need for employment space within the Borough as established at the time of granting the extant B1 scheme and the BMW showroom currently under construction adjacent to the site.
- 2.6. It is considered that the material circumstances surrounding the determination of this application are comparable to the previously approved applications at the site; in particular, the need for employment space across the Borough remains acute.
- 2.7. The Cheltenham, Tewkesbury & Gloucester Joint Core strategy Employment Land Review (ELR) (March 2011), which remains the most comprehensive assessment of the employment land situation for the Borough, sets out that there remains a significant shortfall in the supply of employment sites within the Borough.
- 2.8. Furthermore, as part of the JCS process the Council's mapping update in September 2015 Exam 114 identifies the removal of the application site from the Green Belt entirely (see Appendix 1) as a result of difficulties demonstrating that the JCS could meet employment needs over the plan period. It is therefore evident that the need for the Grovefield Way site to deliver employment generating uses is important for the Borough to meet its employment needs over the new plan period. We note, however, that whilst the emerging JCS seeks to remove the site from the Green Belt, it does not seek to allocate the application site for B1 employment uses only.

3.0 SITE CONTEXT

- 3.1. The application site comprises some 4.15 hectares of land adjacent and to the north west of Grovefield Way and to the south of the A40, Cheltenham; a site location plan accompanies the application package.
- 3.2. The site falls within the Gloucester and Cheltenham Green Belt on the western edge of Cheltenham. It is surrounded by a mix of residential, commercial and employment uses including Arle Court Park and Ride facility to the north east of the site, commercial development (including an ASDA Supermarket) to the east and residential development at the Reddings to the east and south east of the site. A new BMW Dealership to the north east of the site is also currently under construction and is due to be completed by early 2017.
- 3.3. To the north the application site is separated from the dual carriageway at the A40 by an earth bank with a belt of tree planting that provides screening. A scheme to manage the tree belt along the A40 across the length of the site has been approved as part of the BMW Dealership scheme; this application will have regard to those management proposals.
- 3.4. The general topography of the site is such that the land is at its highest in the south east and east with the land falling away as you move north-west and then west across the site.
- 3.5. The site will be accessed from Grovefield Way which runs between the A40 to the north east of the site, alongside the eastern site boundary and then southwards through the Reddings towards Up Hatherley. The A40 provides access to the M5 Motorway some 2km to the west and Cheltenham town centre approximately 4km to the east. A Transport Assessment accompanies the planning application submission and details the surrounding road network in full as well as information on walking, cycling and public transport provision.
- 3.6. The site is within the Environment Agency's Flood Zone 1 therefore posing a low risk to flooding. The planning application submission is accompanied by a Flood Risk Assessment that fully assesses the risks posed to the development by flooding and the impact that the proposed development might have on flooding.

RELEVANT PLANNING HISTORY

- 3.7. Planning permission was granted at appeal in May 2007 [PINS Reference: APP/B1605/A/06/2015866/NWF] for the wider site at Grovefield Way for B1 industrial uses and the extension of the Arle Court Park and Ride Facility; the application subject of that appeal [LPA Reference: 05/00799/OUT] was refused by Cheltenham Borough Council in March 2006.
- 3.8. Following the grant of outline planning permission 05/00799/OUT, Reserved Matters Approval was granted in May 2009 [LPA Reference 09/00369/REM] for details of the access road, parking and siting of the proposed buildings. Subsequent Reserved Matters were approved [LPA Reference: 09/00720/REM] in December 2009 including details of the proposed landscape scheme and management plan, the design and appearance of 'Phase 1' and a design handbook relating to design and appearance of remaining phases of development and boundary treatments. Further Reserved Matters Approval [LPA Reference 10/00690/REM] was approved in July 2010 for the design, appearance and landscaping of 'Phase 2' of the development.
- 3.9. Notwithstanding the approval of the above reserved matters applications the proposed development has not been implemented. Planning permission was subsequently been granted [LPA Reference: 10/00468/TIME] by Cheltenham Borough Council for an extension of the time limit for implementation of outline planning permission [05/00799/OUT]; that application was granted in June 2012.
- 3.10. Following the approval of the above extension of time application 10/00468/TIME leave was requested in November 2012 and July 2013 from the High Court to challenge the legality of the permission by way of Judicial Review. Leave was denied by the Courts and no challenge was allowed.
- 3.11. Further to the above extension of time application 10/00468/TIME, and the denial of a legal challenge, the LPA granted reserved matters approval 12/01086/REM for the remaining details required from the outline approval. That application was submitted in July 2012 and approval was issued 21st August 2013.

- 3.12. On 14th March 2014 full planning permission was granted [LPA Ref: 13/01101/FUL] for the proposed erection of a flagship BMW, Mini and Motorrad dealership including vehicle sales and servicing facilities and will include the creation of an access from Grovefield Way. The proposal comprised some 7,595sqm of employment space. The application site comprised some 1.8Ha at the north east of the Grovefield Way site referenced above.
- 3.13. In April 2014 the Applicant submitted a revised application proposal [LPA Ref: 14/00656/FUL] for the erection of a flagship BMW, Mini and Motorrad dealership including vehicle sales and servicing facilities. The scheme comprised of minor amendments to the original scheme to include a revised access ramp and an additional mezzanine level for car storage. Construction of the BMW Dealership on this part of the site is currently underway.
- 3.14. More recently, an application for outline planning permission (ref 14/01323/OUT) was granted by the LPA in December 2014 for the erection of up to 16,800 sqm of B1 Office space on the application site.
- 3.15. The planning history at the site, in particular the existence of the extant outline planning permission 14/01323/OUT is material to the consideration of this application. The considerations set out within the Planning Inspector's Decision Letter in May 2007 [PINS Reference: APP/B1605/A/06/2015866/NWF] are also relevant; a copy of that Decision Letter is attached at Appendix 2 of this Statement.

4.0. THE PROPOSAL

- 4.1. As set out above, the site already benefits from an extant planning permission for employment uses, specifically B1 office use. This revised application now comprises a hybrid planning application split into two parts to reflect two development phases and to allow a more flexible approach to the timing of development on the site. Each phase consists of the following elements:

Phase 1 - Full Application: In respect of the south eastern portion of the site detailed planning permission is sought for the development of 5,034 sqm of commercial office space (Use Class B1), 502 sqm day nursery (Use Class D1), 1740 sqm Aldi retail unit (Class A1) a 204 sqm Costa Coffee Retail Unit and Drive Thru (Use Classes A1 and A3), with associated parking, landscaping and infrastructure works.

Phase 2 - Outline Application: All Matters Reserved (except access): Outline planning permission for the erection of 8,034 sqm of commercial office space (Use Class B1), together with associated car parking, open space, landscaping and infrastructure works.

- 4.2. The supporting Design and Access Statement prepared by Hinton Group provides full details on the design of the proposed developments. Nevertheless, a brief summary of the proposals is set out below. The application package also includes a range of technical information, as listed in Section 1 above, which provides the necessary justification against which to consider the proposal.
- 4.3. The site layout and design have been directly driven by the careful analysis of the site and surrounding area. The form and layout of development has sought to utilise the topography, existing views, and vegetation to minimise any impact on the landscape, and deliver a useable and high quality space. A range of different uses have been proposed in the scheme in order to add vitality and economic benefits as well as to cater for all ranges of business uses and to help encourage market interest for the proposed offices.
- 4.4. The proposed site access road is at the junction with Grovefield Way and has been agreed in principle with the local highway authority as part of the permitted B1 use on the wider site. The site access junction on Grovefield Way and an approximate 160 metre section of the access road has already been constructed as part of the approved BMW Mini car showroom development up to the boundary of the BMW site. This access road will be extended into the application site to serve the proposed development.

5.0. RELEVANT PLANNING POLICY

- 5.1. In order to consider the acceptability or otherwise of the proposed development it is important to assess all relevant planning policy considerations.
- 5.2. Section 38 (6) of the Planning and Compulsory Purchase Act 2004 and section 70 (2) of the Town and Country Planning Act 1990 requires that planning applications be considered in accordance with an up to date development plan unless material considerations indicate otherwise.
- 5.3. In this case, the Development Plan for consideration is the Cheltenham Borough Local Plan Second Review 2006. Relevant material considerations include the National Planning Policy Framework (NPPF), the Planning Practice Guidance (PPG) and the Gloucester, Cheltenham and Tewkesbury Draft Joint Core Strategy October 2013 (DJCS), which is currently undergoing examination and is at a relatively advanced stage.
- 5.4. **Policy CP1** states that development will only be permitted that takes account of the principles of sustainable development.
- 5.5. **Policy CP3** seeks to promote a sustainable environment. It sets out that development will only be permitted where it would not harm the setting of Cheltenham, not harm the landscape, conserve or enhance the built environment, promote biodiversity and avoid pollution and flooding.
- 5.6. **Policy CP5** relates to sustainable transport ensuring that new development is located and designed to minimize the need to travel. The site is situated within close proximity of a number of public transport routes, a number of shops and opportunities for employment, schools and hospitals. The site is therefore situated within a sustainable location thus meeting with Policy CP5.
- 5.7. **Policy CP6** states that mixed use development will only be permitted on suitable sites that meet the following criteria:
- a. where the uses are compatible with each other and adjoining land uses; and
 - b. for schemes attracting a significant number of trips, only in the Core Commercial Area; or
 - c. for other schemes, only in the Core Commercial Area, district or neighbourhood centres, or in locations which are highly accessible by a regular choice of means of transport, excluding the residential parts of the conservation areas.

LOCAL PLANNING POLICY

CHELTENHAM LOCAL PLAN SECOND REVIEW (JUNE 2006)

- 5.4. The CBLP was adopted in December 1997 and revised in June 2006. Those policies that were saved during this revision remain valid, until the Local Plan is replaced by policies in the new Development Plan Documents. However, the Local Plan was prepared and adopted in accordance with the Planning and Compensation Act 1991 and not the Planning and Compulsory Purchase Act 2004. Paragraph 215 of the NPPF is therefore applicable and weight should be afforded to the relevant policies according to their consistency with the Framework.
- 5.5. The policies that are relevant to this application are identified below.
- 5.6. **Policy CP1** states that development will only be permitted that takes account of the principles of sustainable development.
- 5.7. **Policy CP3** seeks to promote a sustainable environment. It sets out that development will only be permitted where it would not harm the setting of Cheltenham, not harm the landscape, conserve or enhance the built environment, promote biodiversity and avoid pollution and flooding.
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 - b. for schemes attracting a significant number of trips, only in the Core Commercial Area; or
 - c. for other schemes, only in the Core Commercial Area, district or neighbourhood centres, or in locations which are highly accessible by a regular choice of means of transport, excluding the residential parts of the conservation areas.
- 5.10. The supporting text to that policy sets out that 'compatible' means unlikely to cause harm to amenity by loss of privacy or disturbance from noise, smells, fumes, vibration, glare from artificial lights, hours of operation or travel patterns.
- 5.11. It also notes that where mixed uses are proposed on employment land, proposals will be subject to policy EM 2 (safeguarding of employment land).
- 5.12. **Policy CP7** is concerned with the design of new development and essentially states that new development will only be permitted where it is of a high standard of architectural design.
- 5.13. **Policy EM1** is concerned with employment uses and states:
- 'The development or change of use of land for employment use (note 1) will be permitted where the development:*
- a. *involves land already in employment use; or*
 - b. *is on a land safeguarded for employment uses in this plan; or*
 - c. *forms part of a mixed use development in accordance with policy CP 6; and*
 - d. *accords with policies CP 4, BE 2, and HS 7.'*

5.14. **Policy EM2** seeks to retain land that is currently or was last in use for employment purposes (in the B classes) unless one of the listed exception tests are met. It goes on to state that mixed use development will be permitted on employment land provided that certain criteria are met, including:

- a. *'any loss of existing floorspace would be offset by a gain in the quality of provision through modernisation of the existing site. This should secure or create employment opportunities important to Cheltenham's local economy, and*
- b. *the loss of part of the site to other uses does not have a detrimental impact on the range of types and sizes of sites for business uses in the area nor the continuing operation of existing business sites; and*
- c. *the use is appropriate to the location and adds value to the local community and area.'*

5.15. However, with regard to the relevance of this policy when determining the application it is important to note that, whilst outline planning permission has been granted for B class employment uses on this site since 2007, the site has not yet been developed for such uses. As a result, it is considered that very limited weight can be afforded to this policy in the decision making process. This was also a point acknowledged in the Officer's report to committee when considering the approved BMW scheme adjacent to the application site which stated at page 9:

"The lack of a current or previous history of B class use on the site serves to reduce the impact of policy EM2 on the application."

5.16. In addition, as acknowledged in the Officer's Committee report for the BMW show room, the 2007 ELR predominately looked at land and buildings which had a history of B class use and was written at a time when the definition of employment use was narrower. As such the Planning Policy team concluded in determining the BMW application that the commitment to retain B class uses under policy EM2 was not significantly harmed by the loss of part of the Grovefield Way site to a Sui Generis Use which has some B class characteristics and would generate jobs, given the need for growth in facilities and space for non B class employment. It is therefore contended that this policy approach equally applies to the application proposals.

5.17. **Policy RT1** relates to the location of retail development and states:

'Retail development will be permitted, subject to the availability of suitable sites or buildings suitable for conversion, which relate to the role and function of retailing centres and their catchments only in the following sequence of locations:

- a. *the Central Shopping Area, subject to policy RT 2 (note 3);*
- b. *the Montpellier Shopping Area or the High Street West End Shopping Area, subject to policy RT 2 (note 3);*
- c. *elsewhere within the Core Commercial Area, subject to policy RT 1 (note 3);*
- d. *district or neighbourhood shopping centres, subject to policy RT 3 (note 3);*
- e. *out-of-centre sites which are accessible by a regular choice of means of transport, subject to policies RT 7 and CP 5 (note 3).*

In considering the location of retail development, developers and operators should demonstrate flexibility and realism in format, design, scale and car parking.'

5.18. **Policy RT7** informs that, subject to Policy RT 1, retail development (note 2) outside defined shopping areas will be permitted only where:

- a. *a need for the additional floorspace has been demonstrated, and the proposals:*
- b. *individually or in conjunction with other completed and permitted retail development, would not harm the vitality and viability of the town centre as a whole or of a district or neighbourhood centre; and*
- c. *make adequate provision for off-highway servicing (note 2), preferably at the rear, where physically possible.*

5.19. **Policy TP6** seeks to ensure that development accords with local parking standards.

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

5.20. The National Planning Policy Framework provides an important material consideration in the determination of this application. The origins of the NPPF relate back to the 'Open Source Planning Green Paper' released by the Conservative Party where they considered the previous planning system to be 'broken', in that it was not delivering the growth that the country needed. The NPPF has therefore been designed to facilitate positive growth – making economic, environmental and social progress for this and future generations and delivering sustainable development without delay. Accordingly, it holds a 'pro-growth' agenda and should be seen as a positive and enabling document. It advocates a proactive, creative and solution-seeking approach to planning.

5.21. In accordance with paragraph 215 of the NPPF, the consistency of Development Plan policies with the NPPF is material.

5.22. **Paragraphs 7-10** of the NPPF set out the definition of sustainable development highlighting and reinforcing the three dimensions - economic, social and environmental - and that new development should seek to achieve net gains across all three.

5.23. The objectives of sustainable development are to contribute to a strong, responsive and competitive economy, supporting strong, vibrant and healthy communities by providing the supply of housing required to meet the needs of present and future generations, creating a high quality built environment with accessible local services and protecting and enhancing our natural, built and historic environment. Sustainable development should, where possible widen the choice of quality homes that are available as well as to make it easier for jobs to be created in our settlements.

5.24. **Paragraph 14** sets out that the 'golden thread' of future decision making is the presumption in favour of sustainable development. For plan making this requires LPAs to positively seek opportunities to meet the development needs of their area. In meeting these needs, the Framework requires that LPAs should objectively assess their needs with sufficient flexibility to adapt to rapid change. For decision-taking this means:

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
- specific policies in this Framework indicate development should be restricted.

5.25. **Paragraph 17** of the NPPF sets out the core planning principles that should underpin the planning system both in plan making and decision taking. With reference to this application the following principle is of key relevance:

"proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth. Plans should take account of market signals, such as land prices and housing affordability, and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business communities;" (our emphasis).

Paragraphs 18-21 of the NPPF seek to build a strong, competitive economy and re-iterate and expand on the core principle set out above. They state:

*"18. The Government is committed to securing **economic growth in order to create jobs and prosperity**, building on the country's inherent strengths, and to meeting the twin challenges of global competition and of a low carbon future.*

*19. The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. **Planning should operate to encourage and not act as an impediment to sustainable growth**. Therefore significant weight should be placed on the need to support economic growth through the planning system.*

*20. To help achieve economic growth, local planning authorities should **plan proactively to meet the development needs of business and support an economy fit for the 21st century**.*

*21. Investment in business should not be over-burdened by the combined requirements of planning policy expectations. **Planning policies should recognise and seek to address potential barriers to investment**, including a poor environment or any lack of infrastructure, services or housing. In drawing up Local Plans, local planning authorities should:*

• **support existing business sectors, taking account of whether they are expanding or contracting and, where possible, identify and plan for new or emerging sectors likely to locate in their area.** Policies should be flexible enough to accommodate needs not anticipated in the plan and to **allow a rapid response to changes in economic circumstances**” (our emphasis).

5.26. **Paragraph 22** of the NPPF states that LPAs should avoid the long term protection of employment sites where there is no reasonable prospect of a site being used for that purpose. It is of note that the emerging JCS is consistent with that approach and it does not seek to allocate the application site for employment uses but does proposed it removal from the Green Belt.

RETAIL IMPACT

5.27. Paragraph 26 of the NPPF states that when assessing applications for retail, leisure and office development outside of town centres, which are not in accordance with an up-to-date Local Plan, local planning authorities should require an impact assessment.

5.28. Paragraph 27 states that where an application fails to satisfy the sequential test or is likely to have significant adverse impact on one or more of the above factors, it should be refused.

GREEN BELT

5.29. **Chapter 9** of the Framework is concerned with the protection of Green Belt land, its purpose and the type of development that is considered acceptable within these protected areas.

5.30. **Paragraph 79** states the fundamental aim of Green Belt policy as being to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts is their openness and their permanence. **Paragraph 80** of the same sets out five purposes served by Green Belts:

- to check the unrestricted sprawl of large built-up areas;
- to prevent neighbouring towns merging into one another;
- to assist in safeguarding the countryside from encroachment;
- to preserve the setting and special character of historic towns; and
- to assist in urban regeneration, by encouraging the recycling of derelict and other urban land

5.31. **Paragraph 87** states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

5.32. **Paragraph 88** highlights that ‘very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

5.33. **Paragraph 89** highlights that the construction of new buildings should be regarded as inappropriate development; in this respect, it is acknowledged that the proposed development represents inappropriate development.

HIGHWAYS AND ACCESSIBILITY

5.34. **Paragraph 34** highlights that developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised. **Paragraph 35** states that developments should be located and designed where practical to:

- accommodate the efficient delivery of goods and supplies;
- give priority to pedestrian and cycle movements, and have access to high quality public transport facilities;
- create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians, avoiding street clutter and where appropriate establishing home zones;
- incorporate facilities for charging plug-in and other ultra-low emission vehicles; and
- consider the needs of people with disabilities by all modes of transport.

DESIGN

5.35. **Chapter 7** considers what constitutes good design and requires developers to establish a strong sense of place, create and sustain an appropriate mix of uses, respond to local character and history, reflect the identity of local surroundings and materials, and achieve developments which are visually attractive as a result of good architecture and appropriate landscaping. The Framework simply looks for the design of new developments to add to the overall quality of the area.

FLOOD RISK

5.36. **Chapter 10** is concerned with meeting the challenge of flooding, and states in Paragraph 100 that inappropriate

development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere.

EMERGING PLANS

5.37. Paragraph 216 of Annex 1 to the Framework indicates that weight may be given to relevant policies in emerging plans. The degree of weight to be attached to an emerging policy depends on; (i) the stage of preparation; (ii) the extent to which there are unresolved objections to relevant policies and (iii) the degree of consistency of the relevant policies to the policies in the Framework.

PLANNING PRACTICE GUIDANCE (MARCH 2014)

5.38. The section regarding 'Housing and Economic Development Needs Assessments' is of particular relevance to the case. **Paragraph 030**, which refers to how the current situation in relation to economic and town centre uses should be assessed, states that:

In understanding the current market in relation to economic and main town centre uses, plan makers should liaise closely with the business community to understand their current and potential future requirements. Plan makers should also consider:

- *The recent pattern of employment land supply and loss to other uses (based on extant planning permissions and planning applications). This can be generated through a simple assessment of employment land by sub-areas and market segment, where there are distinct property market areas within authorities.*
- *Market intelligence (from local data and discussions with developers and property agents, recent surveys of business needs or engagement with business and economic forums).*
- *Market signals, such as levels and changes in rental values, and differentials between land values in different uses.*
- *Public information on employment land and premises required.*
- *Information held by other public sector bodies and utilities in relation to infrastructure constraints.*
- *The existing stock of employment land. This will indicate the demand for and supply of employment land and determine the likely business needs and future market requirements (though it is important*

to recognise that existing stock may not reflect the future needs of business). Recent statistics on take-up of sites should be consulted at this stage, along with other primary and secondary data sources to gain an understanding of the spatial implications of 'revealed demand' for employment land.

- *The locational and premises requirements of particular types of business.*
- *Identification of oversupply and evidence of market failure (e.g. physical or ownership constraints that prevent the employment site being used effectively, which could be evidenced by unfulfilled requirements from business, yet developers are not prepared to build premises at the prevailing market rents).*

5.39. In relation to analysing employment land, **Paragraph 031** states that *'when examining the recent take-up of employment land, it is important to consider projections (based on past trends) and forecasts (based on future scenarios) and identify occurrences where sites have been developed for specialist economic uses.'*

5.40. The Guidance also acknowledges the decline of manufacturing, rise of services and an increased focus on mixed-use development. It states that the increasing diversity of employment generating uses requires different policy responses and an appropriate variety of employment sites.

OTHER MATERIAL CONSIDERATIONS

EMERGING DEVELOPMENT PLAN: THE JOINT CORE STRATEGY SUBMISSION VERSION

5.41. The JCS was submitted for examination on 20 November 2014 and the Examination in Public (EiP) commenced on the 19th May 2015; the JCS is currently still under examination. Nevertheless, the emerging Core Strategy provides important context for the assessment of this proposal.

5.42. **Strategic Objective 1** is concerned with building a strong and competitive urban economy, and states that the potential of the JCS area for investment should be developed by providing the right conditions and sufficient land in appropriate locations to support existing businesses and attract new ones.

5.43. **Policy SP1** states that provision will be made for land to support 28,000 new jobs. This has been increased from 21,800 outlined in the Draft Joint Core Strategy (October 2013). The JCS aims to locate jobs near to the

economically active population, increasing sustainability, reducing out-commuting thereby reducing carbon emissions from unsustainable car use.

- 5.44. **Policy SP2** goes on to set out that over the plan period to 2031, land will be provided for about 64 hectares of employment land, to support about 28,000 new jobs. This represents a notable increase in jobs, whilst the employment land provision remains the same.
- 5.45. **Policy SD2** is concerned with employment and states that employment related development will be supported:
- i. *at Strategic Allocations, in line with policy SA1; or*
 - ii. *for development of new or existing buildings within Cheltenham, Gloucester and Tewkesbury town; or*
 - iii. *in rural service centres and service villages where proposals for small scale employment development will be supported if they are of an appropriate size and scale; or*
 - iv. *in the wider countryside when:*
 - *located within or adjacent to a settlement and of an appropriate scale and character;*
 - *Employment-generating farm diversification projects, which are of an appropriate scale and use, particularly where they involve the reuse of appropriate redundant, non-residential buildings.*

Notwithstanding the above, major office development will be directed to the town centres of Gloucester, Cheltenham and Tewkesbury and strategic allocations in the first instance.'

- 5.46. Policy SD6 relates to the Green Belt. As part of the JCS a review of the current Green Belt boundary is being undertaken, with a view to releasing land to help meet the long term development needs of the area.
- 5.47. Paragraph 4.6.8 goes on to state 'where green belt boundaries have been altered, the emphasis has been on identifying a firm boundary, such as a road, building line or watercourse in accordance with the NPPF. These boundaries have been clearly defined using physical features that are readily recognisable and likely to be permanent.'
- 5.48. As set out in further detail later in this Statement, the JCS intends to remove the application site from the Green Belt and to establish a new Green Belt boundary in this location. The Councils mapping update in September 2015 ; identifies the removal of the application site from the Green Belt entirely as a result of difficulties in demonstrating that the JCS could meet employment needs over the plan period.

- 5.49. Further to this, the Council has now released Main Modifications for consideration of the three Councils, which continues to include the removal of the application site from the Green Belt, and at the time of writing Cheltenham Borough Council and Gloucester City Council have agreed those modifications.
- 5.50. **Policy SD6** states that to ensure the green belt continues to serve its key functions it will be protected from harmful development. Within its boundaries, development will be restricted to those limited types of development which are deemed appropriate by the NPPF unless very special circumstances can be demonstrated.
- 5.51. **Policy SD7** considers the landscape and states that development will seek to protect landscape character for its own intrinsic beauty and for its benefit to the economic, environmental and social well-being by: having regard to the local distinctiveness of different landscapes, protecting and enhancing landscape character, reducing visual impact and consider the sensitivity of the landscape.
- 5.52. **Policy INF1** states that access to the Transport Network developers should aim to provide safe and accessible connections to the transport network to enable travel choice for residents and commuters. It goes on to state that developers will be required to assess the impact of proposals on the transport network to ensure that they will not detrimentally affect its safety or efficiency.

JCS MAIN MODIFICATIONS

- 5.53. Also of material consideration is the JCS Main Modifications. As set out earlier in this Statement, as part of the JCS process, the Councils mapping update in September 2015 (Exam 114) identifies the removal of the application site from the Green Belt entirely. The site has been suggested for removal from the Green Belt as a result of difficulties in demonstrating that the JCS could meet employment needs over the plan period.
- 5.54. Further to this, the Council has now released Main Modifications for consideration of the three Councils, which continues to include the removal of the application site from the Green Belt, and at the time of writing both Cheltenham Borough Council and Gloucester City Council have agreed those modifications. Whilst the JCS is still emerging it is at a reasonably advanced stage and therefore can be afforded some weight in the decision making process.

JCS EVIDENCE BASE DOCUMENTS - ASSESSMENT OF CHELTENHAM, GLOUCESTER AND TEWKESBURY EMPLOYMENT LAND REVIEWS (2011 AND 2015)

- 5.55. These documents were produced by Nathaniel Lichfield and Partners in 2011 with an updated in 2015, and forms part of the evidence base which informs the Draft Joint Core Strategy. The document looks at the economic profiles of the districts, as well as outlines the requirement for employment land over the plan period.
- 5.56. The reports identified a requirement for B1 floor space would increase by 14% in the 20 years between 2006 and 2026 and therefore would be one of the largest economic growth areas for the town (pg. 33 table 5.2). Local land agents questioned during the NLP work commented that these forecast requirements for B1 use in Cheltenham were reasonable. (paragraph 5.83) However the study also predicted that the growth of Non B class jobs would be almost as high at 12%. These reports are discussed further throughout this Statement where relevant.

EMERGING CHELTENHAM BOROUGH PLAN

- 5.57. Work has begun on a new plan for Cheltenham but it is at an early stage and therefore limited weight can be applied to it. The Cheltenham Plan will guide development in the local area and it will be used in combination with the Joint Core Strategy for Gloucester, Cheltenham and Tewkesbury.
- 5.58. The Cheltenham Plan is being delivered into two distinct parts; part one is being delivered ahead of part two which will consider, amongst other things, an economy strategy and policies.

CIRCULAR 04/2008

- 5.59. With regard to hybrid planning applications, it is recognised that they are not included in statute and therefore at the Local Planning Authority's discretion. However, they are recognised in circular 04/2008: Planning Related Fees (April 2008), where it states that:
- 5.60. *'A local planning authority may accept a 'hybrid' application; that is, one that seeks outline planning permission for one part and full planning permission for another part of the same site...Whether to accept a proposal in hybrid form is at the discretion of the local planning authority, not something on which an applicant may insist. One should bear in mind that a local planning authority is empowered to required*

details even when the application is in outline, if necessary in the interest of good planning. The term 'hybrid application' is not defined in statute.'

- 5.61. In light of the above and the nature of the proposed development, it is respectfully requested that the accompanying planning application is considered as a hybrid planning

6.0 PLANNING POLICY CONSIDERATIONS

- 6.1. This section considers all of the issues raised in the previous review of relevant planning policy in order to weigh up the planning balance.
- 6.2. As set out earlier in this Statement, the site benefits from an extant outline planning permission at the site for employment uses, specifically B1 office use which is an important material consideration in the determination of this application to which significant weight should be applied. It is a well-established matter of planning law that an Applicant's ability to implement a fall-back position is material in determining future planning applications.
- 6.3. As such, the consideration of this planning application, particularly in terms of the impacts of development, such as landscape, transport and ecological matters, must have regard to the Applicant's ability to develop the application site for the use previously granted planning permission.
- 6.4. Notwithstanding consideration of the extant permission at the site, the proposed development comprises a new hybrid planning application and as such it is important to assess the scheme against the up-to-date circumstances surrounding the application. In particular with regard to the sites current position within the Green Belt.
- 6.5. With regard to the above planning history it is considered that the principal planning considerations relate to:
 - Loss of Green Belt land;
 - Development of a retail establishment and coffee shop on an out-of-centre site and the need to retain the site for solely B1 use;
 - Impact on nearby residential properties;
 - Impact on the character and appearance of the area; and
 - Impact on the local highway network.
- 6.6. These issues are considered further below in order to establish the principle of development at the application site before more specific development management policies relating to the details of the

proposal are discussed. The development of retail uses on an out-of-centre site is considered more fully in the accompanying Retail Sequential and Impact Assessment.

PRINCIPLE OF DEVELOPMENT

- 6.7. As set out above, the proposed development should be assessed against relevant employment policies in both local and national policy documents.
- 6.8. Local Plan Policy CP6 states that mixed use development will only be permitted on suitable sites where the uses proposed are compatible with each other and adjoining land uses; and for schemes attracting a significant number of trips, only in the Core Commercial Area; or for other schemes, only in the Core Commercial Area, district or neighbourhood centres, or in locations which are highly accessible by a regular choice of means of transport, excluding the residential parts of the conservation areas.
- 6.9. LP Policy EM1 states amongst other things that *'The development or change of use of land for employment use (note 1) will be permitted where the development forms part of a mixed use development in accordance with policy CP 6; and accords with policies CP4, BE2, and HS7.'*
- 6.10. The criteria identified as part of the policies above are not considered in the NPPF, which offers a lesser test for the provision of employment land. However, there is still merit in analysing the proposed development against the criteria set out in the Local Plan policy for completeness.
- 6.11. With regard to the first criterion of policy CP6 and Policy EM1, the application proposals advance a mix of employment generating uses including B1 office space, D1 day nursery, A1 retail store and A1/A3 coffee shop and drive thru. These proposals are all contended to be compatible with the surrounding uses which currently consist of residential development to the south, and a range of retail, office and industrial uses to the south east of the site.

- 6.12. The site is bounded by the A40 which connects Gloucester in the west with Cheltenham in the east and is known locally as Gloucester Road. Junction 11 of the M5 motorway is located approximately two kilometres to the west of the site by road. The proposed employment generating uses are compatible with the sites position in highway terms.
- 6.13. The application proposals are also accompanied by Noise Assessment which sets out that there are already significant levels of traffic noise across the site from the A40 dual carriageway to the north and also from the M5 motorway to the west. It is concluded that the noise arising from activities at the development site will be below the existing ambient traffic noise levels, and it is therefore considered that the proposed development is unlikely to have any significant noise impact upon the dwellings located at North Road West and across Grovefield Way. The proposed uses would therefore not be incompatible from a noise pollution perspective and the additional criterion of Policy CP6 is therefore met.
- 6.14. With regard to the second part of Policy CP6, the accompanying Transport Assessment sets out that the application site will make efficient use of the site where there are sustainable travel options available as a viable alternative to private car use. The TS concludes that the proposed development will be accessible by foot, by cycle and by local bus services. It also concludes that the development can be accommodated without detriment to the future operation and safety of the local highway network, particularly in the context of the previous planning approvals on the site for B1 employment use and a BMW Mini car showroom. The report demonstrates that the forecast trip attraction for the current proposal will be less than that calculated for the previously approved business park proposals on the site. It also confirms that the traffic associated with the current proposal will be less than the previously consented uses on the site. The traffic associated with the proposed development is therefore not forecast to have a material impact on the operation and safety of the local highway network. As such, the proposals evidently comply with Policy CP6 and EM1 of the Local Plan.
- 6.15. Policy EM2 essentially seeks to retain land that is currently or was last in use for employment purposes (in the B classes) unless one of the listed exception tests are met. However, as set out earlier in this Statement, it is considered that this policy is of limited relevance to the determination of the application

proposals and can be afforded limited weight. Whilst outline planning permission has been granted for B class employment uses on this site since 2007, the site has not yet been developed for such uses. This was also a point acknowledged in the Officer's report to committee when considering the approved BMW scheme adjacent to the application site which stated at page 9: *"The lack of a current or previous history of B class use on the site serves to reduce the impact of policy EM2 on the application."*

- 6.16. The NPPF states that planning should operate to encourage and not act as an impediment to sustainable growth. It goes on to highlight that Local Planning Authorities should plan proactively to meet the development needs of business and support an economy fit for the 21st Century.
- 6.17. With regard to the above, it is therefore considered that the proposals fully comply with the relevant Local Plan Policies as well as the advice contained within the NPPF.

LOSS OF GREENBELT LAND

- 6.18. The application site falls within the Gloucester and Cheltenham Green Belt and the proposed development constitutes 'inappropriate development' in Green Belt terms.
- 6.19. Inappropriate development is harmful by definition and the NPPF requires that when considering any planning application, substantial weight is given to any harm to the Green Belt (paragraphs 87 and 88).
- 6.20. In line with the NPPF, it is therefore necessary to demonstrate that there are 'very special circumstances' which clearly outweigh the harm to the Green Belt by reason of inappropriateness and any other harm.

VERY SPECIAL CIRCUMSTANCES

- 6.21. It is the Applicant's contention that the development proposals at the site advance a number of beneficial factors, including contributing to addressing the employment land deficit and economic growth benefits which are collectively considered to constitute very special circumstances.
- 6.22. In allowing the appeal for a B1 uses at the site in 2007, the Inspector concluded that the 'serious' shortfall in local employment land provision up to 2011 at least, constituted the very special circumstance that justified

the use of the Green Belt site for B1 development at that time.

- 6.23. In the context of the current application proposals, the Applicant considers that this shortfall in the availability of employment land within the Borough is equally as acute. The Cheltenham, Tewkesbury & Gloucester Joint Core Strategy Employment Land Review (ELR) 2011 identified that, not only has the employment land deficit increased since the time of the 2007 appeal, but the Borough are now also reliant on the application site to meet that deficit. Officers re-affirmed at the time of determining the approved BMW car showroom application 13/01101/FUL that the situation remained as acute and the more recent NLP Employment Land Assessment update (October 2015) has further identified that the existing employment land supply is insufficient to meet future needs.
- 6.24. As set out in the accompanying Economic Impact Assessment (attached at Appendix 4 of this Statement), whilst the application is not for entirely 'traditional' B1 employment uses, the development proposal offers the opportunity for significant economic growth, which is a national objective and is an important material consideration set out in the Framework.
- 6.25. The Assessment identifies that the gross direct construction phase impacts of the £23.2 million investment are estimated at 143 person years of employment, supporting £4.2 million in wages.
- 6.26. The net additional effects at the Cheltenham level are estimated at 104 person years of employment and £3.1 million in wages. At the JCS area level these increase to 152 person years and £4.5 million in wages.
- 6.27. The operational phase analysis shows the scheme will deliver employment capacity for 1,018 FTE gross direct posts generating incomes in excess of £32 million per annum.
- 6.28. The net additional effects at the Cheltenham level are estimated at 498 FTEs supporting wages of almost £16 million per annum, increasing to 605 FTEs and almost £19 million in wages at the JCS area level.
- 6.29. Total locally retained business rates are estimated at up to £660,000 per annum, which will provide funding to safeguard and extend further local employment and services.

6.30. It is clear that the economic benefits of the proposals are significant and that substantial weight can therefore be applied to these benefits when determining the application proposal, particularly in the context of the NPPFs drive for the planning system to contribute to building a strong, responsive and competitive economy.

6.31. With regard to the above, there can be no doubt that the very special circumstances surrounding need for the site to come forward for employment purposes remain sufficient to justify development within the Green Belt. It is considered that the proposed development as with the extant scheme, will help meet the up to date employment needs identified within the Borough and will generate significant economic benefits for the Borough. The above 'very special circumstances' can therefore be considered applicable to this application and provides the justification for the proposed development within the Green Belt.

THE REMOVAL OF THE SITE FROM THE GREEN BELT WITHIN THE EMERGING JCS

6.32. However, whilst it is considered that 'very special circumstances' have been demonstrated which justify the grant of planning permission now, it is also necessary to highlight that the preparation of the Joint Core Strategy has also provided the opportunity to review the Green Belt boundaries in line with the advice contained in the Framework.

6.33. Importantly, as part of the JCS process, the Councils mapping update in September 2015; (Exam 114) identifies the removal of the application site from the Green Belt entirely as a result of difficulties in demonstrating that the JCS could meet employment needs over the plan period. Further to this, the Council has now released Main Modifications for consideration of the three Councils, which continues to include the removal of the application site from the Green Belt, and at the time of writing Cheltenham Borough Council and Gloucester City Council have agreed those modifications.

6.34. It is therefore evident that the need for the Grovefield Way site to deliver employment generating uses is important for the Borough to meet its employment needs over the new plan period and that the site will be removed from the Green Belt.

6.35. With regard to the above, the Inspector carrying out the JCS examination has also identified support for the alteration of the Green Belt boundary around the site. Examination document 146 (Inspector's Preliminary Findings on Green Belt Release, Spatial Strategy and Strategic Allocations) sets out that there is no purpose in retaining this land in the Green Belt and its removal is justified. Para 120 states:

*"The Councils proposed that another area be removed, which is currently not shown on the Policies Map. This is the BMW showroom at Grovefield Way, off the A40, west of Cheltenham, which has planning permission and is currently being built out. **There is no purpose in retaining this land in the GB and its removal is justified.** An amendment to Map 4 has been proposed to reflect this..." (our emphasis).*

6.36. Given the above, there is clear evidence the Councils are pursuing the removal of the site from the Green Belt as part of its emerging JCS. Given the advanced stage in the preparation of the JCS it is contended that the Councils intention to remove the site from the Green Belt should be attributed significant weight. Furthermore, the comments of the Examining Inspector in relation to the sites removal from the Green Belt should be afforded significant weight in the consideration of this proposal.

6.37. With regard to matters of prematurity, in determining a strategic application in Brockworth, Gloucestershire in March 2016 the Secretary of State had regard to both the emerging Joint Core Strategy and the Examination Inspector's preliminary findings. That decision identified that a plan-led approach to the release of development land in the Green Belt can be given weight in determining applications and, importantly, it is not essential for the plan-making process to be fully concluded to achieve planning permission in the Green Belt (ref: APP/G1630/V/14/2229497).

6.38. Furthermore, in consideration of the matter of 'other harm' it is important to have regard to the fact that the application proposals will not impact the Green Belt in any greater way than the existing permission which could be developed for B1 employment floor space across the site. Therefore the extant nature of the existing permission is a material consideration when considering potential harm to the Green Belt which would be caused by this application.

6.39. In this context, it is considered that the conclusions of the Inspector in relation to the previously approved employment proposals across the site are also of relevance. Paragraph 25 of that decision states:

"The relative lack of harm to the openness of the GB hereabouts arising from the proposal, including importantly in respect of coalescence between Cheltenham and Gloucester, is identified in paras 10.86 to 10.89 of the IIR. Having considered the matter afresh, I fully endorse these conclusions, including in relation to the limited effect on the visual amenity of the GB. The equal suitability of the potential alternative GB boundary, as referred to above, also serves to reinforce this judgement."

6.40. Furthermore, when considering the approved BMW car showroom adjacent to the application site in 2014, the Officer's report concluded that as the visual amenity factors such as green buffers and substantial landscaping were retained as part of the application proposals the Inspector's judgement continued to constitute a relevant material consideration in determining the proposals for the car showroom. It is contended that this consideration still applies to the current application proposals which continue to include substantial landscaping and green buffers.

THE NEED TO RETAIN THE SITE FOR (ONLY) B1 USE

6.41. It is acknowledged that the proposed development does not wholly fall within the B1 use class of development which benefits from extant planning permission at the site. As such, a key consideration in determining the acceptability of the proposed development is whether or not the proposed B1, D1, A1 and A3 uses sufficiently contributes to meeting the 'employment needs' of the Borough such that the above 'very special circumstances' can still be considered applicable to this application and therefore justify development within the Green Belt.

6.42. In this regard, the Applicant notes that there has generally been a marked policy shift in recent years in relation to what is considered to constitute 'employment' development. The Cheltenham Borough Council Employment Land Review (ELR) 2011 is an evidence base document which was prepared by Nathaniel Lichfield and Partners on behalf of Cheltenham Borough Council. The ELR notes, at paragraph 1.7, the shift in regional and national planning policy that sought not to restrict the consideration of employment uses to the B use classes

only.

6.43. The ELR notes that this shift “represents an important departure from previous strategic guidance which has tended to only consider B Class employment land. Accordingly, and recognising that job creation outside of the B Class sectors make a significant contribution towards employment and economic well-being, other non-B Class employment generating uses are considered as part of this study.”

6.44. Similarly, the NPPF indicates a further shift from traditional strategic guidance on what constitutes economic growth. The NPPF seeks to promote economic growth and does not distinguish between development that falls within the B use classes or otherwise. The Glossary to the Framework defines ‘Economic Development’ as **‘Development including those within the B use classes, public and community uses and main town centre uses, (but excluding housing development)’** (our emphasis.)

6.45. With regard to such employment uses, paragraph 7.27 of the ELR highlights that the current key non-B Class sectors within the Joint Core Strategy area can be identified as; retailing, health and social work and education. It goes on to note that, in the light of the anticipated changes in employment levels in the various non B Class sectors, the above sectors are likely to be the most dominant in the Borough by 2026. This is relevant to the application proposals which seek to provide a mixture of B1, D1, A1 and A3 uses all of which will deliver significant employment and economic benefits to the area.

6.46. Since the granting of permission in 2007 for B1 office development, no development in this use class has materialised on the site due to market issues. With this in mind, it is noted that the ELR highlights the importance of utilising a mix of employment uses on a site in order to encourage the provision for office-based businesses on a site. Paragraph 7.31 specifically states:

“Indeed, in order to ensure a healthy and joined up economy, the interaction between B and non-B employment should be actively promoted. For example, a hotel sited on a business park not only provides direct employment for its staff, but can make the area a more desirable location for office-based businesses, through the provision of a range of facilities that may include conferencing, restaurants / bars and fitness suites. Similarly, research and development facilities in a hospital

or education facilities will provide B Class jobs and can create spin off benefits including increased investment, better equipment and a raised profile.” (Our emphasis).”

6.47. The ELR goes on to conclude that in order to deliver the vision for increased economic well-being, it is important to recognise that the delivery of B Class land is not in itself sufficient. It directs that consideration must also be given to the ways in which the other pillars of prosperity might be supported.

6.48. Whilst the application site at Grovefield way represents an important source of supply of office space, to date there has not been any physical progress on the delivery of the original B1 office scheme on the site and this must be taken into account when considering the application proposals.

	Employment (FTEs)	Wages (£m Annual)
A1 – Aldi Foodstore	26	£0.47m
A3 – Costa	20	£0.35m
D1 – Happy Days Nursery	25	£0.37m
B1a – Full	365	£11.97m
Full Application	436	£13.15m
B1a – Outline	582	£19.10m
Outline Application	582	£19.10m
Total	1,018	£32.25m

Source: HJA Analysis

Table 1: Gross Direct Operational Phase Impacts

6.50. From the above, it is evident that there would be both short term and long term economic sustainability benefits in terms of employment generation. Importantly, there will be jobs created with this development which have so far not materialised at the application site.

6.51. As set out earlier, whilst the ELR recognises the need to retain land currently or previously in B class use, it also predicts that around 80% of the anticipated net increase in employment levels between 2006 and 2026 is expected to come forward in non-B class sectors (pg.146).

6.52. Furthermore, in determining the application for the approved BMW scheme the Officers report to Committee highlighted that the commitment to retain B class uses under policy EM2 and reinforced by the employment land reviews was not significantly harmed by the loss of part of the Grovefield Way site to a Sui Generis Use which has some B class characteristics and would generate jobs, given the need for growth in facilities and space for non B class employment. In that

case the LPA noted that the policy could be afforded very limited weight in the decision making process given the lack of a current or previous history of B class use on the site.

6.53. Furthermore, Officer's noted in that report that the appeal inspector in Appeal Ref: APP/B1605/A/06/2016866/NWF did not seek to limit the permission to use for office development only, but considered that the serious and acute shortfall in overall local employment land provision amounted to the very special circumstances that justified the granting of permission for B1 use (paragraph 24).

6.54. It is therefore contended that this policy approach equally applies to the application proposals for a mix of B1, D1, A1 and A3 employment generating uses at the site.

RETAIL IMPACT AND THE SEQUENTIAL TEST

6.55. It is acknowledged that as the proposed development is located out of centre in retail policy terms, it is therefore necessary to demonstrate that there are no suitable, available and viable sequentially preferable sites that could accommodate the proposed development in accordance with Paragraph 26 of the NPPF.

6.56. The application proposal is therefore supported by a Retail Impact Assessment and Sequential Test prepared by DPP Planning. That document identifies that by focusing on the "main town centre uses" element of the overall proposal, whilst allowing for a reasonable degree of flexibility and the requirement for a site to be available now, no sites have been identified for the proposed development that are sequentially superior and capable of accommodating the proposed development. The report identifies that the application site is demonstrably the most appropriate location for the proposed development.

6.57. Turning to retail impact, it is demonstrated in the accompanying Retail Impact Assessment that the proposal will result in a comparatively very small increase in trade diversion from the town centre over and above that associated with relevant "commitments". It is noted that this will have an imperceptible impact on the sustained vitality and viability of the town centre, which is strong, popular and attractive and, moreover, is continuing to improve.

6.58. Furthermore, it is identified that the proposal will not remotely adversely affect any other policy protected centre in Cheltenham. Put simply, the retail impact test contained in the NPPF is comfortably complied with and, given the wide-ranging consumer and employment benefits identified throughout this Statement, the "presumption in favour" should clearly apply.

CONCLUSION ON THE PRINCIPLE OF DEVELOPMENT

6.59. In conclusion, as set out earlier in this Statement, the NPPF seeks to promote 'economic growth'. As set out above, not only will the proposed development help meet the historically identified need for new employment space within the Borough but the proposal also responds to up to date evidence which forecasts around an 80% net increase in employment levels between 2006 and 2026 in non-B class sectors (pg.146).

6.60. The proposed development is considered to be compatible with the provisions of the relevant development plan and national policy and should be pro-actively supported and driven forwards to enable development to come forward on the site which will stimulate market interest particular for the proposed offices.

6.61. The development is considered to provide an opportunity for sustainable economic growth that will create 'jobs and prosperity' within an 'expanding business sector' which has managed to respond well to 'changes in economic circumstances'.

6.62. The proposal has also been identified as acceptable in retail impact terms in accordance with paragraph 26 of the NPPF.

6.63. It has been demonstrated that the proposal will deliver a number of important economic benefits at a committed commercial development site within the urban area and, as such, it clearly qualifies as a "sustainable economic development", for which there is a presumption in favour embodied in the NPPF, unless the adverse impacts would demonstrably outweigh the benefits.

6.64. Given the major benefits identified and the absence of any material harm, which is considered in further detail below, the proposal should be supported and planning permission granted accordingly.

OTHER MATERIAL CONSIDERATIONS RELEVANT TO THE PROPOSALS

6.65. This section of the planning statement now assesses other considerations relating to the acceptability of the proposals.

CHARACTER AND APPEARANCE

6.66. The impact of the scheme on the Green Belt and the character and appearance of the locality is an important consideration in determining the acceptability of the proposed development.

6.67. As set out in previous chapters of this statement the circumstances in relation to the character and appearance have not changed since the determination of the 2007 appeal and subsequent extant planning permission for B1 use across the current application site. Furthermore, the implementation of the approved BMW dealership at the north east corner of the wider Grovefield Way site has materially altered the landscape character and appearance of the site since the 2007 appeal.

6.68. Paragraph 79 of the NPPF notes that the Government attaches great importance to Green Belts and that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

6.69. Paragraph 80 of the NPPF sets out the five purposes that the Green Belt serves as being:

- to check the unrestricted sprawl of large built-up areas;
- to prevent neighbouring towns merging into one another;
- to assist in safeguarding the countryside from encroachment;
- to preserve the setting and special character of historic towns; and
- to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

6.70. Notwithstanding the purposes of the Green Belt, which were broadly the same as at the time of the 2007 appeal, the Inspector concluded that the development of the entire site at Grovefield Way would cause a relative lack of harm to the openness of the Green Belt including importantly in respect of the coalescence between Cheltenham and Gloucester

and a limited effect on the visual amenity of the area stating:

*“Although the site is largely open and rural in appearance, albeit fairly flat and relatively featureless, when viewed from the east along Grovefield Way, **its countryside character is limited by the strong visual presence and associated noise and activity of the elevated A40** on its well treed embankment along the north western boundary. As I saw on my visits, whilst new buildings on the site could be seen by motorists and passengers (there are very few pedestrians and not many cyclists on this busy dual carriageway) travelling in both directions along the A40, this would be in fleeting glimpses due to traffic speeds and at a reverse angle for those going towards Gloucester. **Towards Cheltenham the site is seen in gaps between the present planting but below the vegetated embankment and with a backdrop of the existing urban area, including the large recent B & Q store of a modern design as well as the housing areas to the east.**” (our emphasis)*

6.71. The Inspector goes on to state:

*“When seen from other directions and taking into account the P & R site to the north east, the residential estate to the east and the less dense housing along part of North Road West to the south, it seems to me that the urbanising influence of the A40 corridor adds to these factors **to the extent that the site does not appear only as part of the countryside outside the built up area, as suggested by the Council, but rather more as an area of urban fringe.** Accordingly, I am satisfied that, subject to detailed design and layout and providing that a suitable landscaping scheme, especially along the southern boundary, is included with any detailed proposals, new B1 buildings here need not be unnecessarily intrusive in the local landscape.”*

6.72. When the above considerations are taken as a whole it is reasonable to conclude that the contribution of the application site to both the purposes of the Green Belt, and the landscape and visual quality of the locality is relatively limited. In addition, the new BMW showroom is currently under construction and once completed the proposed developed would be read in context with this. The current BMW development has also served to further open up the northern boundary of the ‘Grovefield Way’ site and allow views from the A40 through to the proposed flagship showroom; thus reducing further the already limited contribution the site currently makes to either the Green Belt or the rural character and appearance of the locality.

6.73. The proposed development will further offer the opportunity to open up views to the site to enhance the prominence of the proposed B1 site and take full advantage of its gateway location to Cheltenham to provide views to a modern and high quality business park with a mix of high quality employment generating development. Whilst the proposed development will be in a visible location the development affords the opportunity to enhance the approach to Cheltenham along the A40; in conjunction with the new BMW flagship building and will further stimulate market interest for the proposed office development.

HIGHWAYS AND ACCESSIBILITY

6.74. As set out in the accompanying Transport Assessment (TA) the site is located within easy walking distance of neighbouring residential areas and close to a public transport bus route. It therefore provides the opportunity for future employees and visitors to walk cycle or use public transport facilities to access the site as a genuine alternative to the car and it therefore complies with the broad objectives of transportation policy.

6.75. The site access road and its junction with Grovefield Way have been agreed in principle with the local highway authority as part of the permitted B1 use on the wider site. The site access junction on Grovefield Way and an approximate 160 metre section of the access road has been constructed as part of the approved BMW Mini car showroom development up to the boundary of the BMW site. This access road will be extended into the application site to serve the proposed development.

6.76. Notwithstanding the above, the Transport Assessment accompanying this application provides an assessment of the site and surrounding highway network and its safety and demonstrates that the surrounding highway network is capable of accommodating the proposed development without causing harm to the safety or operation of the highway.

6.77. As set out in full within the accompanying Transport Assessment, the application proposals will not result in a material increase in vehicular trips associated with the proposed development, in comparison to the extant consent. It is therefore considered that the site access is suitable to serve the proposed development.

6.78. The TA shows that the proposed development could result in up to 44 additional vehicle trips during the weekday AM peak period and 37 additional vehicle trips during the weekday PM peak period compared to the most recently consented scheme on the site. This equates to less than one additional vehicle per minute during the peak periods.

6.79. However, in comparison to the 2009 consented scheme, the proposed development could result in up to 123 fewer vehicle trips during the weekday AM peak period and 58 fewer vehicle trips during the weekday PM peak period.

6.80. As such, it is considered that the proposed development will not have a material impact on the operation or safety of the local highway network during the weekday peak periods and capacity assessments are not necessary.

6.81. With regards to the Saturday peak period, it is forecast that there could be up to 306 additional vehicle trips associated with the proposed scheme in comparison to the extant consents, and an assessment has therefore been carried out to determine the likely impact of the proposals at the Arle Court and Park and Ride roundabouts.

6.82. The TA confirms that the proposed development in addition to the baseline traffic flows during the Saturday peak period will result in fewer vehicle movements compared to those previously agreed as acceptable for both the weekday AM and PM peak periods. It is therefore considered that the existing junctions are suitable to accommodate the proposals during the Saturday peak period and capacity assessments are not necessary. The proposed development thereby conforms to paragraph 32 of the NPPF which states that development should only be refused on transport grounds if the residual cumulative impacts of the development are severe.

6.83. Paragraph 36 of the NPPF states that all developments which generate significant amounts of movement should be required to provide a Travel Plan to exploit the use of sustainable modes of transport for the movement of goods and people. The planning application submission package is duly accompanied by a Transport Assessment and associated Travel Plan which therefore satisfies this requirement of the NPPF.

6.84. In relation to car parking provision the proposed development will provide suitable car parking spaces for staff parking within the site as detailed in full within the accompanying Transport Assessment and Travel Plan.

FLOOD RISK AND DRAINAGE

- 6.85. The proposed development site is a low risk (Zone 1) for fluvial or pluvial flooding; as shown on the EA's Risk of flood mapping. The accompanying Flood Risk Assessment confirms that the proposed development will not increase the risk of flooding in the wider catchment as the surface water generated from the site will be contained within the site, and released on an attenuated basis.
- 6.86. Whilst it is acknowledged that the impermeable area will increase as a result of development, the adoption of SUDS and the provision of on-site storage capacity will not increase the risk of flooding in the wider catchment; indeed it may produce a long-term benefit to the receiving downstream catchment.
- 6.87. The drainage strategy proposed will provide extensive mitigation against the potential for off-site flooding relating to overland flows, resulting in a benefit to the wider catchment.
- 6.88. Foul Water from the site will be discharged into public foul water sewers off site under agreement with the adopting water authority, Severn Trent Water
- 6.89. The proposals are therefore considered to accord with local and national planning policy with regard to flood risk and drainage.

BIODIVERSITY

- 6.90. An Ecological Appraisal of the site was conducted by Ecology Solutions Ltd. The application site was originally surveyed in June 2006 and updated walkover surveys have been carried out in September 2011, May 2013 and September 2016. In addition, specific surveys were undertaken within the application site in respect of bats and badgers. The proposed design has been guided by the recommendations and enhancement measures provided by the Appraisal. As a result, the design will include the provision of bird and bat boxes as well as native planting and landscaping throughout.

DESIGN

- 6.91. The application is supported by a DAS that sets out full details of the proposals. That document demonstrates that the proposed scheme is the result of a sound design process that has carefully considered the opportunities and constraints of the site and the character and appearance of the surrounding area.

- 6.92. The proposal will result in a well-considered suite of buildings on the site which have been developed in accordance with the requirements of end users and has been sympathetically designed taking into account key features of the site and the emerging BMW showroom.
- 6.93. The layout ensures the provision of adequate parking and turning areas for each unit. Secure cycle parking has also been proposed across the site, to encourage the use of sustainable transport measures.
- 6.94. The masterplan has taken care to ensure the site links well with the surrounding built fabric and landscape and takes advantage of the site's prominent location at this key junction.
- 6.95. Furthermore, a high standard of sustainable construction has been proposed for the new buildings, as set out in the Design and Access Statement, which will help to minimise levels of carbon production in the construction and operation of the new buildings.
- 6.96. A noise assessment has been undertaken to evaluate the potential noise impact of the proposed plant and delivery programme at the closest existing residential receptors on North Road West and across Grovefield Way. It is considered that noise does not pose a material constraint to the operation of fixed plant items or deliveries taking place and predicted noise levels will be below existing ambient traffic noise levels. The scheme design has been carefully developed with nearby residential properties in mind.

SUSTAINABILITY

- 6.97. Achieving sustainable patterns of development lies at the heart of all Government policy, and is therefore an overarching objective for planning policy.

In respect of this application, the proposal is considered to achieve the principles of sustainable development entirely for the following reasons:

Economic role – The proposed development will support the Borough in meeting its employment needs over the new plan period. It provides a mix of employment uses which will contribute towards sustainable economic growth of the District as a whole, and the locality more specifically. The development seeks to encourage market interest for the provision of office space in this location.

The operational phase analysis in the accompanying Economic Report prepared by Hardisty Jones

Associates shows the scheme will deliver employment capacity for 1,018 FTE gross direct posts generating incomes in excess of £32 million per annum.

The net additional effects at the Cheltenham level are estimated at 498 FTEs supporting wages of almost £16 million per annum, increasing to 605 FTEs and almost £19 million in wages at the JCS area level. Total locally retained business rates are estimated at up to £660,000 per annum, which will provide funding to safeguard and extend further local employment and services.

Social role – The additional employees which will be generated by the development will contribute towards the local economy and support local facilities and services. In addition, a significant level of jobs will be created for local people as set out above.

Environmental role – The proposed scheme delivers landscaping proposals which will offer a range of ecological benefits and mitigation. This is highlighted in further detail in the accompanying Ecological Appraisal and Landscape Statement.

6.98. With regard to the above considerations, and in line with paragraph 14 of the NPPF, there are no adverse impacts which would significantly and demonstrably outweigh the considerable number of benefits that would result from the proposed development.

7.0 CONCLUSIONS

- 7.1. This statement accompanies a hybrid planning application comprising a full application for the erection of 5034sqm of B1 employment space, 502sqm Day Nursery (Use Class D1), 204 sqm Costa Coffee with Drive Thru facility (Use Class A1/A3) and 1,740sqm (A1 Foodstore) and an outline application comprising 8,034 sqm B1 offices as well as the creation of an access from Grovefield Way.
- 7.2. The development is proposed following the grant of outline planning permission in 2007 for the erection of B1 office space across the site.
- 7.3. However, to date, no development in this use class has materialised on the site due to market issues. The proposed development seeks to maintain many of the principles already established as part of the approved B1 scheme and continues to seek to contribute to meeting the identified need for employment space within the Borough as established at the time of granting the extant B1 scheme and the BMW showroom currently under construction adjacent to the site. A range of different employment generating uses have therefore now been proposed at the site in order to encourage vitality and the stimulate market interest, particularly for the proposed offices.
- 7.4. Having regard to the relevant paragraphs in the NPPF regarding retail impact and the conclusions reached in the accompanying Retail Impact Statement, the proposal is considered acceptable in respect of the location and retail impact on existing centres. In addition, it has been demonstrated that there are no sequentially preferable sites for the proposed development.
- 7.5. Furthermore, the impact on nearby residential properties is considered acceptable given the siting and design of the development. Technical considerations such as noise/ odour are explored in further detail in the supporting technical reports.
- 7.6. It has also been noted that the Local Plan was adopted in March 2006 under the 1990 Act and therefore, policies should only be considered according to their degree of consistency with the NPPF.
- 7.7. Paragraph 14 of the NPPF sets out the presumption in favour of Sustainable Development, and states that where Development Plan policies are out of date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole or where specific policies in the Framework indicate development should be restricted. As established above, the site is covered by the Green Belt, but very special circumstances have been proven to exist to allow for development in this case.
- 7.8. The above assessment has demonstrated that there are considerable benefits that arise from the proposed development. The provision of employment land when there is an identified need must be given great weight in the determination of the application. The positive economic impact of the investment and jobs meets the overarching aim of Government policy to encourage sustainable economic growth.⁶
- 7.9. This statement has also demonstrated that the proposed development demonstrates very special circumstances and provides for sustainable economic growth that justifies development within the Green Belt. Furthermore, it is evident that the JCS authorities are seeking to remove the site from the Green Belt as part of its emerging Core Strategy, and its removal has been endorsed by the Inspector in Exam 114.
- 7.10. The proposed development has been shown to have an acceptable impact on the landscape and also the local highways. It has also been highlighted that the implementation of the proposed scheme alongside the approved BMW scheme that is currently under construction will have no more of an impact than what could be achieved through implementation of the extant permission for B1 Employment Uses at the site.
- 7.11. In conclusion, this Statement has demonstrated that the proposed development is compatible with the requirements of the S.38(6) of the Planning and Compulsory Purchase Act 2004 and as such it is respectfully requested that planning permission be granted.

APPENDIX 1

Exam 114 JCS

Joint Core Strategy

Note for the Inspector

Subject: JCS Councils Mapping Updates

Dated: Tuesday 8 September 2015

Introduction

The following mapping updates have been incorporated:

Changes:

Proposals map:

- Special Area of Conservation data added;
- Tewkesbury - Battlefield Register Boundary data added;
- Removal of Grovefield Way Site from the Green Belt;
- Returned areas proposed for removal from the green belt at Shurdington back into the green belt;
- Returned area hatched yellow, adjacent to strategic allocation A4 Brockworth.

Map 2

- Returned area hatched yellow, adjacent to strategic allocation A4 Brockworth.

Map 3

- Returned areas proposed for removal from the green belt at Shurdington back into the green belt.
- Colours amended for better clarity.

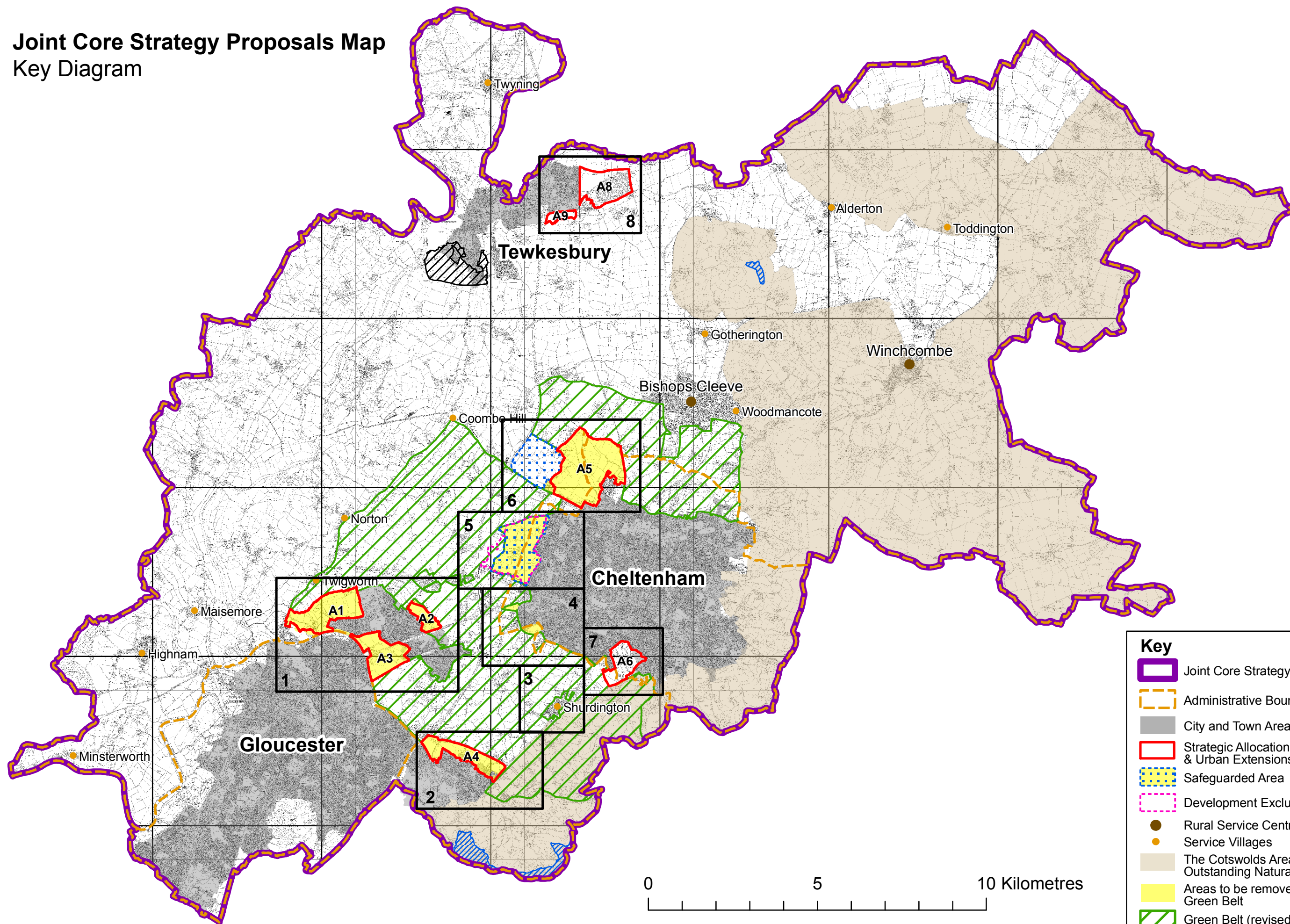
Map 4

- Removal of Grovefield Way Site from the Green Belt.



Joint Core Strategy Proposals Map

Key Diagram

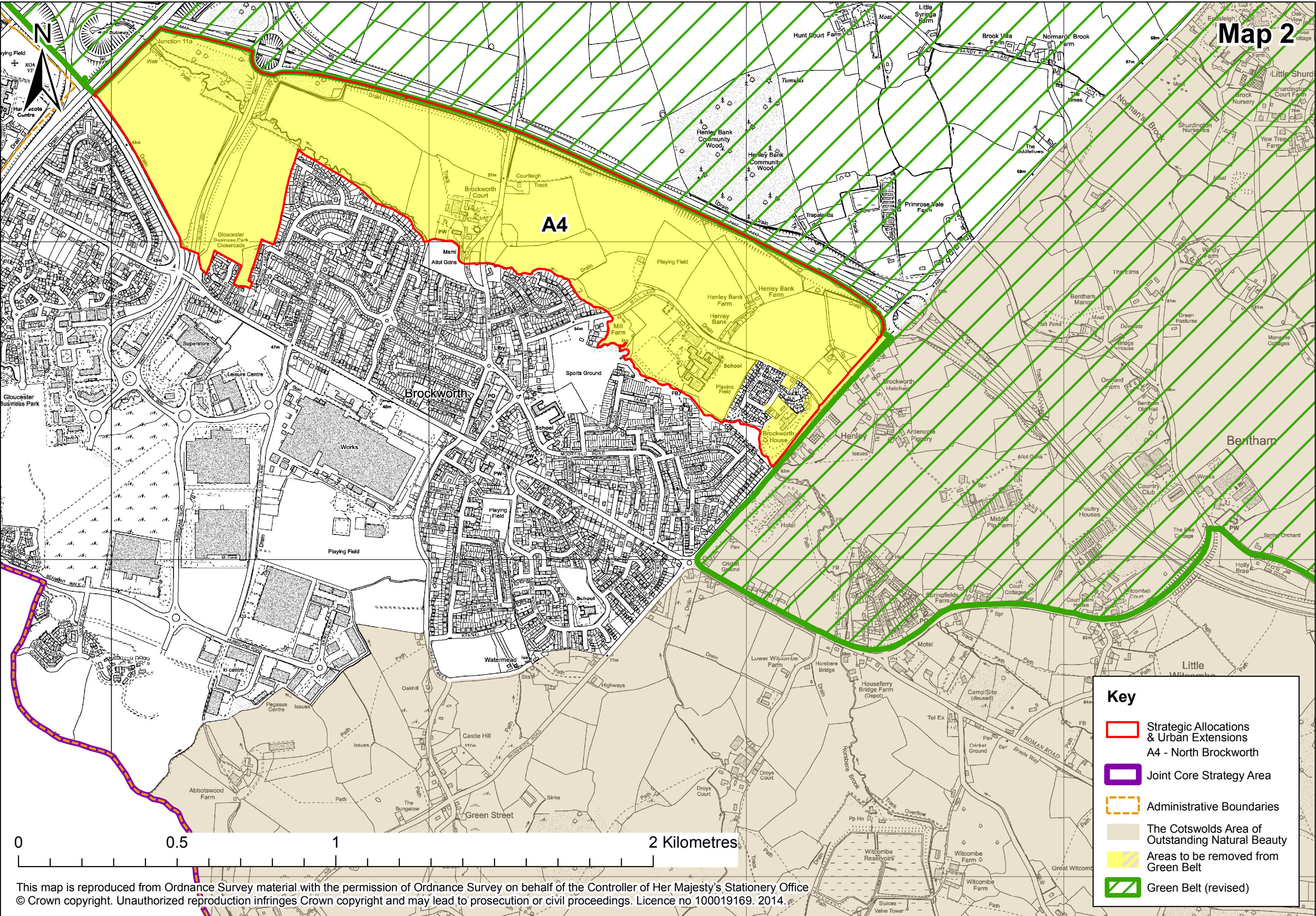


Key

- Joint Core Strategy Area
- Administrative Boundaries
- City and Town Areas
- Strategic Allocations & Urban Extensions
- Safeguarded Area
- Development Exclusion Zone
- Rural Service Centres
- Service Villages
- The Cotswolds Area of Outstanding Natural Beauty
- Areas to be removed from Green Belt
- Green Belt (revised)
- Special Area of Conservation
- Battlefield Register Boundary



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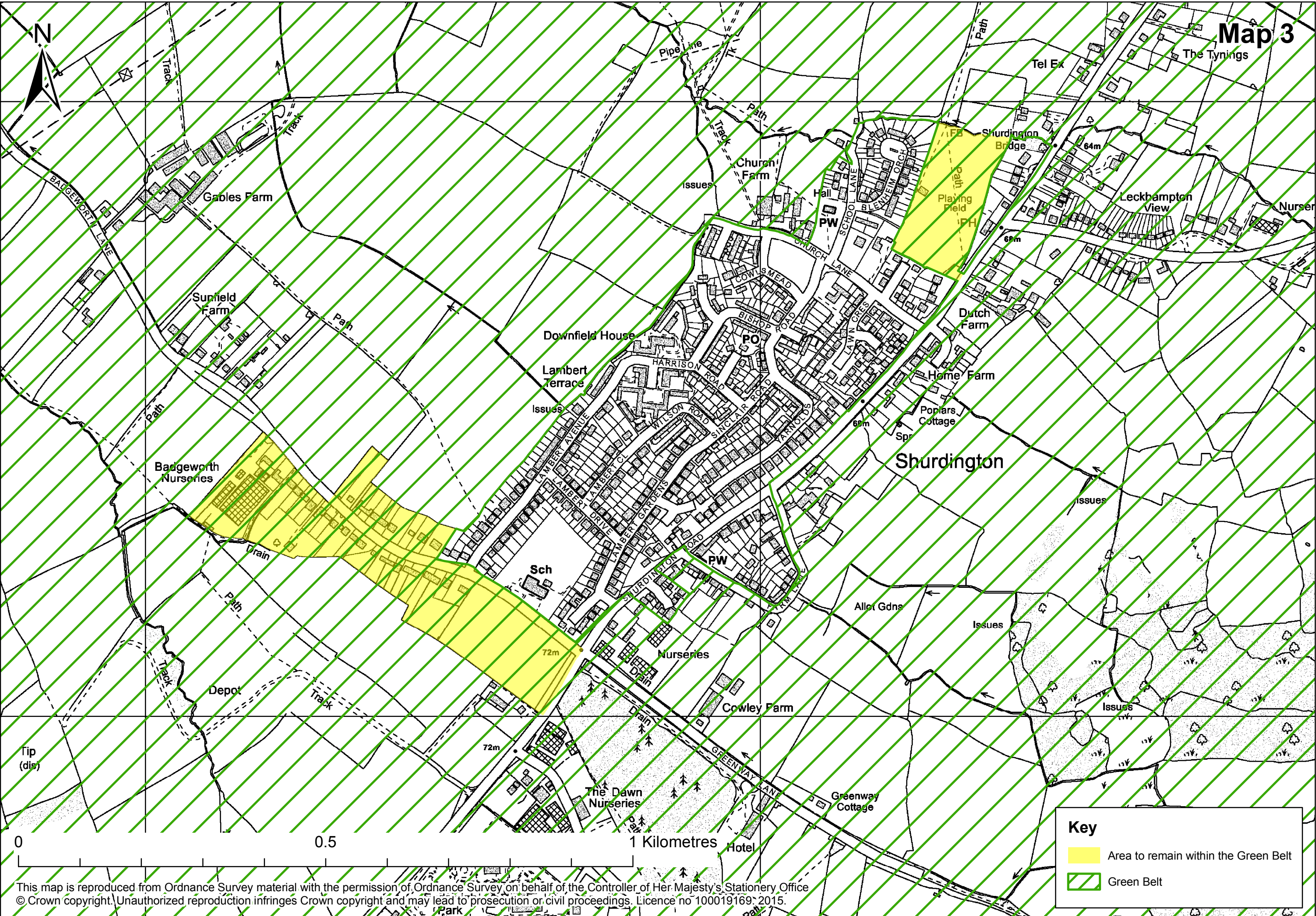


Key

- Strategic Allocations & Urban Extensions
A4 - North Brockworth
- Joint Core Strategy Area
- Administrative Boundaries
- The Cotswolds Area of Outstanding Natural Beauty
- Areas to be removed from Green Belt
- Green Belt (revised)

0 0.5 1 2 Kilometres

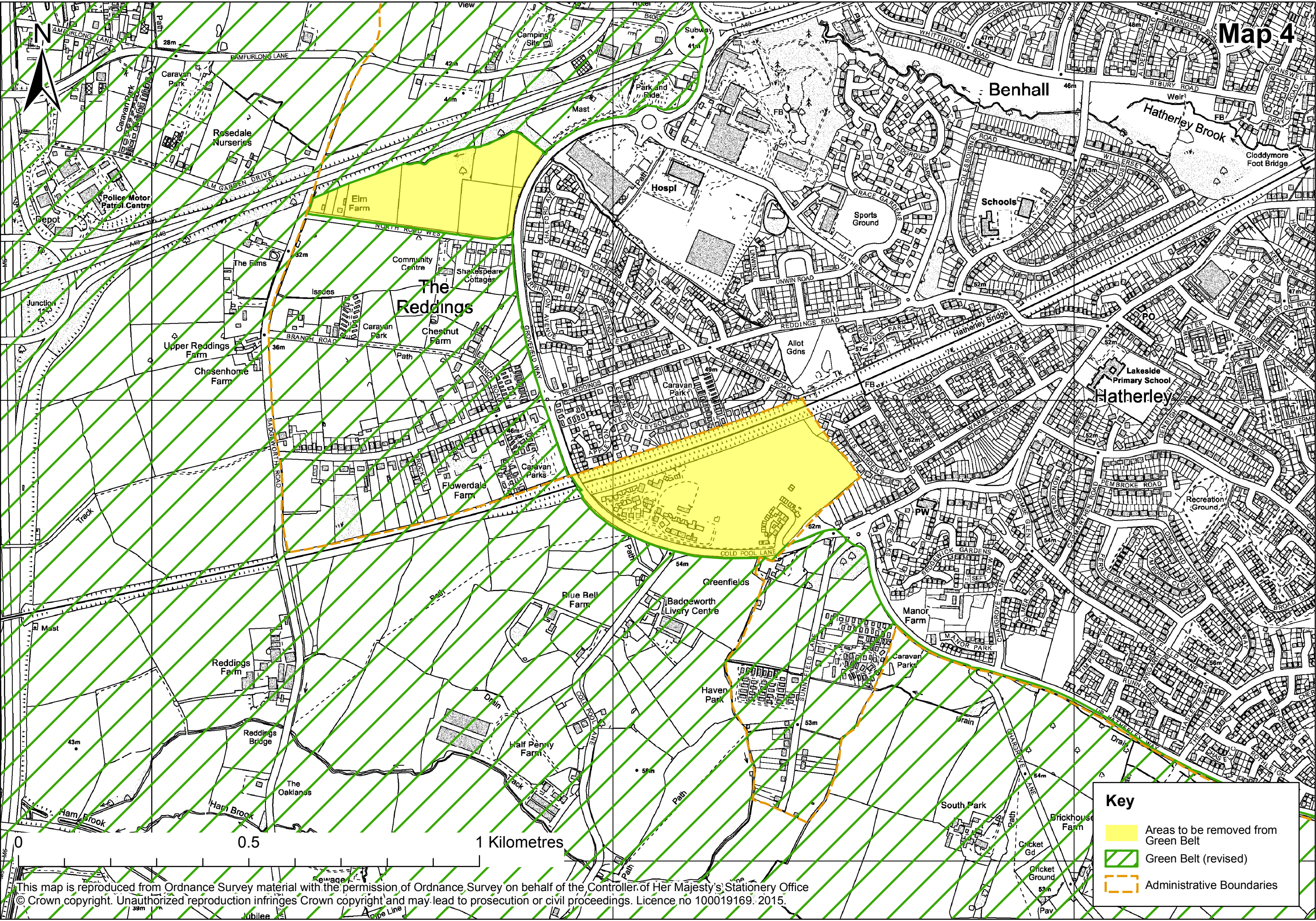
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Key

- Area to remain within the Green Belt
- Green Belt

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Key

- Areas to be removed from Green Belt
- Green Belt (revised)
- Administrative Boundaries

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APPENDIX 2

Inspectors Decision Letter (2007) [APP/B1605/A/06/2015866/NWF]
granting outline planning permission [LPA Ref: 05/00799/OUT]



Appeal Decision

Inquiry opened on 27 March 2007

Site visit made on 30 March 2007

by **Nigel Payne** BSc(Hons) DipTP MRTPI MCMI

an Inspector appointed by the Secretary of State for
Communities and Local Government

The Planning Inspectorate
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Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN
☎ 0117 372 6372
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Date: 1 May 2007

Appeal Ref: APP/B1605/A/06/2015866/NWF

Land at North Road West/Grovesfield Way, Cheltenham, Glos. GL51 6RF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
- The appeal is made by Industrial Sales Ltd against the decision of Cheltenham Borough Council.
- The application ref. 05/00799/OUT, dated 10 January 2006, was refused by notice dated 23 March 2006.
- The development proposed is B1 industrial uses and the extension of the Arle Court Park and Ride facility.
- The inquiry sat for 3 days on 27 – 29 March 2007.

Summary of Decision: The appeal is allowed and outline planning permission granted subject to conditions set out below in the Formal Decision.

Procedural Matters

1. This is an outline application with all matters of detail, except means of access, reserved for subsequent approval. Although the application was originally described as for B1 industrial uses it was made clear at the inquiry that there was no intention to limit the development to any particular types within the B1 use class. I shall determine the appeal on this basis.
2. A unilateral undertaking under Section 106 of the Town and Country Planning Act 1990 (Doc. 6), discussed in detail at the inquiry and finalised in a signed form shortly thereafter, provides a framework travel plan and for various financial contributions to transport improvements to be made if the scheme is implemented. These include £384,000 for a 100 space extension and £119,500 for new parking control measures at the Arle Court Park & Ride (P & R) site, £110,000 for CCTV cameras and lighting for the subway and £34,000 for real time information provision at the no. 94 service bus stops on the A40, £50,000 for the installation of an improved control system for the traffic lights at the Arle Court roundabout, £45,000 for traffic calming measures on North Road West and The Reddings, £20,000 for a signal controlled puffin crossing on Grovesfield Way and £20,000 for Traffic Regulation Orders (if needed) to restrict parking within 800 metres of the site. It also includes an option for the County Council to acquire the part of the site necessary to increase the size of the P & R facility up to 1,000 spaces in total within the next five years. I have taken the unilateral undertaking into account as a relevant material consideration.

Site and Surroundings

3. The site of about 6.4 ha lies on the western edge of the built up area of the town within the Gloucester/Cheltenham Green Belt (GB), with a mix of residential, commercial and employment uses nearby. It comprises four essentially open fields divided by hedges with a very gentle slope down to the north west, where it is bounded by the main A40 dual

carriageway (Golden Valley by-pass) on a substantial, well treed, embankment. To the north east beyond a small stream forming the boundary is the Arle Court P & R site. Vehicular access is proposed only from Grovefield Way to the east, a curving single carriageway road built to modern design standards.

Planning Policy

4. The development plan for the area essentially comprises the regional planning guidance for the South West (RPG 10), dated September 2001, the Gloucestershire Structure Plan Second Review, adopted in November 1999, (GSPSR) and the Cheltenham Borough Local Plan, adopted in June 2006 (CBLP). However, the latter is the subject of an as yet unresolved High Court challenge in relation to the lack of new employment land provision.
5. Two of the key objectives of RPG 10 (c & d) include references to fostering the development of businesses and skills and promoting economic development in locations where it can best contribute to meeting local, regional and national needs. Policy VIS 2 adds that local authorities should make adequate provision for all land uses in their development plans, amongst other things.
6. In the northern sub region, of which Cheltenham forms part, one of the objectives is to make adequate provision for future development requirements at Principal Urban Areas (PUAs), including the identification of major strategic employment sites. Under policy SS5, Cheltenham is one such centre where it is important to ensure that future growth is based on a balance between housing and employment. In accord with policy EC1, para 3.18 confirms that fostering economic growth is an essential part of the strategy for the northern sub region, where development plans will need to identify strategic employment sites at sustainable locations within and as urban extensions to the PUAs. Policy EC3 adds that local authorities should aim to provide a range and choice of employment sites to meet the needs of local businesses and new investment, including locally significant as well as major strategic sites, well integrated with the existing settlement pattern and accessible to sources of labour and business services, in addition to being well served by public transport.
7. Regarding GB's, policy SS4 confirms that they should continue to fulfil the purposes set out in PPG 2 but should be critically reviewed in preparing development plans to allow for long term sustainable development needs and that land should be removed from the GB for development if that would provide the most sustainable solution. Policy EN1 seeks the protection of nationally important landscape areas and nature conservation sites with the enhancement of landscape and biodiversity planned into new developments.
8. Policy E1 of the GSPSR directs the bulk of new employment provision in the county to the Central Severn Vale, including Cheltenham, in the interests of sustainable development and requires that a further 12 ha approximately of new employment land should be allocated within the Borough's boundaries. Policies T1 – T5 inclusive promote the use of sustainable means of travel, including improvements to bus services and the development of P & R facilities adjacent to main road corridors, such as the A40. According to policy GB1, the GB between Gloucester and Cheltenham will be maintained with only appropriate development permitted within.
9. Policy CP1 of the CBLP requires that schemes take account of the principles of sustainable development, including priority to the use of previously developed sites and the most efficient and effective use of land. A sequential approach to the location of key uses, such

as offices, is sought under policy CP2, with the Core Commercial Area first, followed by district and neighbourhood centres and then out of centre sites accessible by a regular choice of means of transport. Policy CP3 provides that development will only be permitted where it would not harm landscape character or the setting of the town, whilst CP5 seeks to minimise the need to travel, promote public transport use and provide levels of parking that discourage car trips.

10. In addition, policy CP8 expects that adequate provision for infrastructure, services and facilities will be made in connection with new developments. Policy CO49 confirms the presumption against the construction of new buildings in the GB, other than in accord with para 34 of PPG 2. It is important to record that on 25 February 2004 the County Council issued a statement of non-conformity with the GSPSR in respect of the CBLP, due to the absence of new employment land allocations in the Borough, that has not been rescinded.

Main Issues

11. From the above, the written representations, the debate at the inquiry and my inspection of the site and surroundings, I consider that there are three main issues in this case. The first is whether there are any very special circumstances, including the agreed current shortfall of new employment provision in the Borough, that clearly outweigh the presumption against inappropriate development in the Green Belt. The second is the impact of the scheme on the character and appearance of the locality, having regard to the relevant adopted regional, strategic and local planning policies. The third is the effect of the proposals on the local transport network, including in terms of a) safety and congestion on nearby highways and junctions, such as the Arle Court roundabout, b) car parking provision, c) P & R facilities and d) the need to encourage the use of sustainable means of travel.

Green Belt

12. There is no dispute that the proposal constitutes inappropriate development in the GB. However, the emerging Regional Spatial Strategy (RSS) recognises the need for a strategic review of the GB around Gloucester and Cheltenham, with policy SR10 thereof advising that boundary revisions will be required. Policy SR11 adds that the inner boundary will have to be amended to allow the urban extensions required to meet long term development needs. Paras 4.2.40 and 4.2.42 confirm that one of the key issues for Cheltenham is accommodating economic activity, with the result that release of GB land is required. Policy SR13 makes provision for about 10,750 new jobs in the Cheltenham Travel to Work area over the plan period (as well as about 625 new dwellings per annum). However, the major urban extension envisaged to the north/north west of the town is not expected to commence until after the end of the CBLP period in 2011.
13. Following the County Council's decision not to adopt the proposed Third Alteration to the GSP for the period to 2016, in the light of the Secretary of State's direction to make changes to policy wordings, including to delete "post 2016" from policy SD9 regarding the GB, it seems to me that limited weight can be attached to its contents in the context of this decision. In contrast, the CBLP Inquiry Inspector's report (IIR) of May 2005 directly addressed the issues surrounding the lack of new employment land provision in the Borough to meet the requirements of the still extant GSPSR.
14. It is common ground that the significant shortfall identified at that time has increased in scale, due to the continuing loss of employment land and buildings of around 2ha per

- annum in the Borough to other uses, rather than sustainably preferable or indeed any, alternatives having been brought forward in the meantime. In the absence as yet of a comprehensive Employment Land Review of the Borough, in accordance with national guidance (ODPM December 2004), the DTZ study (January 2007) of employment space supply and demand in the South West, the Council's own Annual Monitoring Report for 2006 and the appellants' inquiry evidence all confirm that potentially available new employment space in the Borough at present is limited to parts of mixed use redevelopment schemes.
15. Whilst the town's Civic Pride initiative is commendable and positive, most of the sites are small and complex ones in sensitive and historic central locations, with strong market competition for more valuable uses such as residential and retail in some instances. Consequently, it will inevitably take some time to produce new employment opportunities in practice and they will be only small scale in relation to the overall needs of the Borough.
 16. The redevelopment of the gas works site still seems to be some way off, due to the costs and complications associated with contamination and possible retained uses on part. The Woodward premises, inspected on the site visit, which are no closer to the town centre than the appeal site and for which no planning application has yet been made, would effectively represent the replacement of existing employment buildings, if redeveloped, with limited net gain in overall floorspace or job numbers to be expected. Similar conclusions apply in respect of land at Swindon Road. Nor is there any evidence of current developer or occupier interest in the development of about 3ha of land adjacent to the town's railway station for new employment use.
 17. In such circumstances I have no doubt that the shortfall in employment land provision in the Borough that principally led to the recommendation in the IIR (paras 12.19 to 12.42) to allocate the appeal site for development (and delete it from the GB) remains significant and that it has in fact become materially more rather than any less serious in the intervening two years or so.
 18. The fact that vacant office space is available in town centre premises is not an answer to the need, clearly identified by the Government Office for the South West, the South West England Regional Development Agency and the County Council, amongst others, for the release of more land for employment development in the Borough. It is mostly in older buildings of small size that is generally less well suited to modern business space requirements in terms of scale and quality. Moreover, as government guidance in para 6 of PPG 4 confirms, a range of size and type of employment sites and buildings is required to facilitate local economic growth, which cannot rely just on the retail, leisure and tourism sectors if it is to remain buoyant, and to replace those lost to other uses in Cheltenham.
 19. At the inquiry the Council acknowledged that no areas of undeveloped "white" land within the Borough, i.e. not covered by the GB, were likely to be found suitable for new B1 development on any significant scale. It was also confirmed that land at Swindon Farm (3.75 ha), also recommended for employment allocation in the IIR, was now being pursued principally for housing. In these circumstances, I see no realistic alternative to the use of land currently in the GB if any strategic or locally significant provision of new employment land before 2011 is to be made in the Borough. The fact that this site does not constitute a mixed use urban extension does not alter its ability to help meet this urgent need, with a

- scheme capable of providing good quality business space now, in contrast with other potential longer term opportunities.
20. Council attempts to delay positive action and the difficult decisions necessary by the production of various studies, reviews and reports have failed to demonstrate robust and credible evidence that the employment needs of the Borough can be met by redevelopment schemes alone. As stated in para 12.32 of the IIR, nor can the requirement reasonably wait to be delivered until a comprehensive GB review has been finalised and the Core Strategy of the new LDF process adopted. It seems to me that even if this were to be achieved in 2009 it would be 2011 at the earliest before jobs were created on new sites, particularly in the light of the Council's less than encouraging recent track record of delivery and the delays to the completion of the Employment Land Audit.
 21. To my mind, this proposal satisfies the sequential test in PPS 6 in respect of new office provision in that there are no suitable alternative sites readily available of the type necessary to meet modern business requirements in the town centre or in more sustainable locations than the appeal site in the remainder of the built up area at present. Accordingly, I consider that the scale and urgency of the need in this case outweighs the general desirability of awaiting the completion of the LDF Core Strategy in accord with the plan led system before additional land is released for new employment development in the Borough. In my judgement, it also overrides the conflict with the CBLP, which makes no provision for additional employment land allocations, and policy GB1 of the GSPSR.
 22. I acknowledge the concern of the Council and local residents that this scheme could set some form of precedent for further loss of GB land to development, at least until the new LDF process has been completed. However, the Council's own evidence confirms that, with the possible exception of Swindon Farm referred to above, there are no other comparable locations around the town where similar circumstances could apply currently and the issues in relation to new housing are clearly different.
 23. In relation to GB boundaries, the present one along Grovefield Way is clear and consistent, albeit including a sizeable area of housing to the west (to the south of North Road West and along The Reddings). Nevertheless, in my opinion, the site itself has strong edges in both physical and visual terms. Therefore, a potential revised GB boundary running along North Road West and the A40, excluding the site and the P & R to the north east, as suggested in para 10.95 of the IIR, would be equally strong, logical and readily identifiable on the ground, in accord with para 2.9 of PPG 2. In my view, this would be so irrespective of judgements taken about the release or otherwise of land to the south of North Road West or north of the A40 in the longer term. Accordingly, I do not consider that any form of precedent for further development in the GB, including in respect of nearby land, would be set by the granting of planning permission in this case.
 24. The only material changes in circumstances since the May 2005 IIR recommended that this site be allocated for employment development add weight in favour of, rather than against, the proposal in that the already large shortfall in employment land provision in the Borough has significantly increased and the P & R bus service is now available for use by employees on the site, thereby improving its accessibility by public transport. Nor has there been any relevant change in the national and regional guidance or the applicable adopted strategic policies that might lead to a different conclusion. Consequently, I conclude that the serious

shortfall in local employment land provision, up to 2011 at least, is a very special circumstance that justifies the use of this site for B1 development now.

25. The relative lack of harm to the openness of the GB hereabouts arising from the proposal, including importantly in respect of coalescence between Cheltenham and Gloucester, is identified in paras 10.86 to 10.89 of the IIR. Having considered the matter afresh, I fully endorse these conclusions, including in relation to the limited effect on the visual amenity of the GB. The equal suitability of the potential alternative GB boundary, as referred to above, also serves to reinforce this judgement. The provision of additional P & R spaces in connection with this development, thereby assisting implementation of the local transport strategy, also counts as a very special circumstance in favour of the scheme, particularly as it is not likely to be feasible on other adjoining land. I am also satisfied that the scale of this proposal is not so large as to prejudice the comprehensive review of GB boundaries that the Council agrees is necessary. I therefore conclude on the first issue that, taken together, very special circumstances exist in this case that clearly outweigh the presumption against inappropriate development in the GB and the limited harm arising to the purposes of including land within it, justifying the grant of permission for B1 uses in principle.

Character and Appearance

26. Although the site is largely open and rural in appearance, albeit fairly flat and relatively featureless, when viewed from the east along Grovefield Way, its countryside character is limited by the strong visual presence and associated noise and activity of the elevated A40 on its well treed embankment along the north western boundary. As I saw on my visits, whilst new buildings on the site could be seen by motorists and passengers (there are very few pedestrians and not many cyclists on this busy dual carriageway) travelling in both directions along the A40, this would be in fleeting glimpses due to traffic speeds and at a reverse angle for those going towards Gloucester. Towards Cheltenham the site is seen in gaps between the present planting but below the vegetated embankment and with a backdrop of the existing urban area, including the large recent B & Q store of a modern design as well as the housing areas to the east.
27. When seen from other directions and taking into account the P & R site to the north east, the residential estate to the east and the less dense housing along part of North Road West to the south, it seems to me that the urbanising influence of the A40 corridor adds to these factors to the extent that the site does not appear only as part of the countryside outside the built up area, as suggested by the Council, but rather more as an area of urban fringe. Accordingly, I am satisfied that, subject to detailed design and layout and providing that a suitable landscaping scheme, especially along the southern boundary, is included with any detailed proposals, new B1 buildings here need not be unnecessarily intrusive in the local landscape.
28. Whilst the introduction of single yellow lines on the surrounding roads for parking control reasons would be less than welcome in terms of visual amenity on the edge of the built up area, I am satisfied that this would be preferable to the potential effect on the appearance of the locality arising from lines of parked cars. In the circumstances and bearing in mind the sustainable transport benefits arising, I consider that, on balance, this element of the scheme would not be objectionable in principle or constitute a reason to withhold outline planning permission. I therefore conclude on the second issue that, overall, and in accord with policy CP3 of the CBLP, the scheme would not have a materially harmful impact on the character or appearance of the area or the landscape setting of the town.

Transport

29. It is common ground that the proposed single vehicular access to serve the development off Grovefield Way is satisfactory in highway design terms and that the new puffin crossing would also be appropriate to assist walkers and cyclists in reaching the site. However, despite extensive negotiations and a measure of agreement on many aspects, no consensus has been reached over the impact of the additional traffic likely to be generated on the local road network and particularly the implications for congestion at the Arle Court roundabout.
30. Whilst the Highways Agency is content that there would be no significant effect on Junction 11 of the M5 motorway to the west, the County Council as highway authority remains concerned that extra traffic and especially turning movements off the A40 towards the south will exacerbate congestion at the roundabout during peak hours. In my opinion, the further concern about potential “rat running” through adjoining residential areas would be adequately addressed by the contribution to traffic calming measures on North Road West and The Reddings contained in the unilateral undertaking.
31. Despite the “restrained” level of on site car parking proposed, in accord with policy CP5 of the CBLP, the highway authority does not accept that the effect of the various Travel Plan elements will be sufficient to achieve a significant shift to non car travel modes for future employees once the site is developed. In such circumstances, it is said that the result would be increased peak hour congestion and queuing at the already very busy and strategically important Arle Court roundabout. However, doubts about the efficiency and enforceability of the Travel Plan in achieving the necessary modal shift in travel patterns can be addressed through its detailed formulation. This should include effective methods of monitoring and implementation, as well as provisions for penalties to be imposed in the event of its failure to reach the required targets over time. Bearing in mind the totality of measures that would be put in place to encourage walking, cycling, car sharing and the use of buses, rather than private cars, I am satisfied that there is a realistic prospect of the trip generation from the development being successfully restrained as intended.
32. Moreover, based on various runs of the County Council’s own 2011 SATURN model, albeit at a strategic rather than localised level, neither the restrained (in proportion to the number of on site car parking spaces to be provided) nor the unrestrained trip rates generated by the scheme would result in any of the local junctions, including Arle Court roundabout, operating beyond their practical reserve capacity in the design year of 2011. With the benefit of hindsight, I recognise that it might have been preferable if the “sensitivity” of the operation of all arms of the roundabout to further increases in traffic flows had also been tested via one of the generally recognised models, such as TRANSYT.
33. Nevertheless, the evidence that is available is sufficient to conclude that, subject to all the improvements in the unilateral undertaking, especially the introduction of an improved traffic light control system and the full implementation of the Travel Plan, the likely increase in traffic movements through Arle Court roundabout as a direct result of this scheme need not have a materially harmful impact on its operation. In particular, experience elsewhere of the new computer control system proposed for the operation of the traffic controls suggests that it may well be capable of improving practical capacity, including to a degree in peak hours and to a greater extent overall than required to cope with the additional movements arising from this proposal alone.

34. It is also common ground that the proposed on site car parking provision of 524 spaces, plus 133 for cycles, meets the requirements of policy CP5 of the CBLP, which is in turn consistent with the advice in PPG 13, the relevant GSPSR policies and the need to reduce reliance on car trips for travel to work. Given the anticipated creation of about 1,100 new jobs on the site, I too am satisfied that the level of car parking proposed is appropriate for new B1 uses.
35. The concern of both County and Borough Councils that this level of parking, drawn up principally for town centre locations, would result in overspill pressures on surrounding streets if travel plan initiatives are not successful can be addressed by the introduction of Traffic Regulation Orders (TROs) in the event that they are needed. I note that the unilateral undertaking includes a sum of money to implement such TROs, if necessary. On this basis, I am content that the level of car parking proposed is adequate and that the possible off site implications thereof have been properly taken into account in accord with national, regional, strategic and local guidance and policies.
36. The unilateral undertaking offers a sum of £384,000 to provide a 100 space extension to the existing Arle Court P & R facility, taking the total to 634 spaces, on the north eastern side of the site, in accordance with the recommendation in the IIR of May 2005. Following discussions at the inquiry, it also now includes a provision whereby a further area of land would remain undeveloped for B1 purposes for 5 years from the date of the undertaking so as to allow the County Council to acquire it at any time during that period to enable a total of 1,000 car parking spaces to be provided.
37. The Councils argue that an increase to 1,000 spaces is essential if the facility at the county's presently most popular site is to operate without public subsidy (currently around £70,000 per annum) and that such a longer term aim now forms an integral part of their overall transport strategy for Cheltenham. This is now reflected in the approved Gloucestershire Local Transport Plan 2006 – 2011 of March 2006. However, there is no policy or provision in the GSPSR or the CBLP that refers to or allocates additional land at Arle Court for an extension of the P & R site, nor any detailed business plan related to further expansion available at present. Nevertheless, it is also said that neither Council would be able to buy the additional land at an employment use value if it received outline planning permission for such development.
38. Whilst not a qualified valuer, it seems to me to be common sense that, by virtue of the IIR recommendation to delete the site from the GB and allocate it for employment development, the land would have to be ascribed some element of future "hope value" at least. Therefore, it would probably not be available to purchase at agricultural use value only, as the Councils suggest, in any event. In such circumstances, if the County Council is correct in the assumption that achieving a total of 1,000 spaces would make the P & R site self financing, then the costs of otherwise continuing to incur annual subsidies would also need to be taken into account when considering whether or not to purchase the additional land at an employment use valuation.
39. Moreover, based on the inquiry evidence and my site visits, I take the view that the 100 space expansion and other improvements directly associated with this scheme, together with the opportunity for employees on the site to use the no.511 P & R service to and from Cheltenham town centre, particularly for trips when the vehicles would otherwise be lightly loaded, would materially enhance the financial viability of the existing services, thus

- reducing the need for annual subsidies. Accordingly, I conclude that the unilateral undertaking represents an appropriate way forward that enables the majority of the site to be made available now for much needed new employment land provision in the borough, whilst retaining the opportunity for the P & R site to be further extended should the demand exist and the financial considerations add up for the County and Borough Councils.
40. The Councils accept, and I agree, that the combination of existing and proposed facilities for pedestrians and cyclists, including the new crossing of Grovefield Way, would be sufficient to create good access to the site by these means. This should facilitate opportunities for walking and cycling for future employees from the large residential area that adjoins the site to the east, as well as for bus passengers.
41. In relation to public transport, the A40 is an important bus corridor providing regular services (no.94) at a daytime frequency of about 10 minutes (and therefore a “turn up and go” type facility) between Gloucester and Cheltenham (via Churchdown). Another service (97/98) also runs every 30 minutes during the day from stops south of the site. In addition, it is now possible for foot and cycle passengers to use the P & R buses (no.511) from alongside the site to the town centre at a frequency of 5 per hour from 0700 – 1900 on Mondays to Fridays and 0800 – 1800 on Saturdays, including the purchase of return, multi-journey and monthly tickets. To my mind, this represents a good level of public transport accessibility and one that has significantly improved, due to the wider availability of the P & R service, since the future development of the site was considered at the CBLP inquiry.
42. The fact that the stops are presently a little further away than recommended in national and regional guidance does not alter this overall conclusion, bearing in mind that a direct pedestrian access would be created to the P & R site and the significant improvements proposed at the A40 stops, including better safety and security, as well as for crossing Grovefield Way, forming part of the unilateral undertaking. I was also advised that the existing bus stops along The Reddings may well be moved closer to the Grovefield Way junction in the near future in connection with another local development proposal.
43. In the light of all of the above, I consider that the development would take place in a generally sustainable location in transport terms where it would be realistic to expect a significant percentage use of non car modes of travel by occupants of the site in accord with PPG 13, para 10 of PPG 4 and policies T1 to T4 of the GSPSR, as well as CP1 and CP5 of the CBLP. I therefore conclude on the third issue that the appropriate requirements of the relevant national guidance and regional, strategic and local policies on transport would be met and that the proposal would not have a detrimental effect on the local highway network.

Conclusions

44. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be allowed.

Conditions

45. As this is an outline application, conditions are required for the approval of reserved matters and the timing of implementation (1-3). More detailed conditions in relation to landscaping are also necessary, in my view, given the site’s relationship to residential areas and the importance of securing appropriate boundary treatment on the long frontage to North Road West in particular (4-8). For similar reasons, a condition regarding external lighting is also

- essential (9). However, separate additional conditions, as put forward by the Council, relating specifically to earthworks, open space management/maintenance and full details of all tree planting would represent unnecessary duplication and are not needed.
46. In order to meet Environment Agency objectives and provide a suitable sustainable drainage system across the site I am also satisfied that conditions are essential in respect of maintenance access to the stream and surface water drainage works (10-11). In the interests of sustainability, a waste management strategy and the provision of at least 10% renewable energy on site are also both required, in my judgement (12-13).
47. Regarding access, highways and transport generally, I agree with the Council that conditions relating to car parking levels and the timing of provision, cycle parking and pedestrian links to Grovefield Way and the P & R site only would be appropriate to assist the implementation of the travel plan for the whole site (14-16). Notwithstanding, I see no need for additional conditions regarding approval of details of internal arrangements or an access construction programme beyond that which would need to be provided under the reserved matters and other conditions in any event.
48. In relation to building heights, I note the Council's arguments that the location of the site is such that all new development should be restricted to no more than two storeys in height (7m). However, I am not persuaded that this is essential over the whole site if only because, subject to detailed design and layout, there would appear to be scope for higher buildings alongside the A40 embankment that need not have a significant or detrimental impact in the wider landscape of the locality. Consequently, I am content that this matter would be better addressed in the context of fully detailed proposals for specific buildings when all relevant issues, including roof forms and external materials, can be taken into account.

Formal Decision

49. I allow the appeal and grant outline planning permission for B1 uses and the extension of the Arle Court Park and Ride facility on land at North Road West/Grovefield Way, Cheltenham, in accordance with the terms of the application, ref. 05/00799/OUT, dated 10 January 2006, and the plans submitted with it, subject to the following conditions:
- 1) Details of the siting, design, external appearance of the buildings and the landscaping of the site (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.
 - 2) Application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission.
 - 3) The development hereby permitted shall begin either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
 - 4) No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing

materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc); proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc. indicating lines, manholes, supports etc.); retained landscape features and proposals for restoration, where relevant.

- 5) All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme approved in writing by the local planning authority.
- 6) No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the buildings are occupied. Development shall be carried out in accordance with the approved details.
- 7) A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas shall be submitted to and approved by the local planning authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out as approved.
- 8) No development shall take place until a schedule of landscape maintenance for a minimum period of 5 years has been submitted to and approved in writing by the local planning authority. The schedule shall include details of the arrangements for its implementation. Development shall be carried out in accordance with the approved schedule.
- 9) Details of any external lighting shall be submitted to and approved in writing by the local planning authority before the buildings are occupied. Development shall be carried out in accordance with the approved details.
- 10) No new buildings or structures shall be erected or raised ground levels created within 6 metres of the top of any bank of any watercourse or culverted watercourse inside or along the boundary of the site unless otherwise agreed in writing by the local planning authority.
- 11) No building shall be occupied until surface water drainage works, incorporating sustainable drainage systems, have been carried out in accordance with details to be submitted to and approved in writing by the local planning authority.
- 12) No development shall take place until a detailed waste management strategy for the treatment, recycling, and re-use of waste arising from the construction of the development has been submitted to and approved in writing by the local planning authority.
- 13) No development shall take place until a renewable energy plan to provide sufficient on site renewable energy to reduce carbon dioxide emissions by at least 10% has been submitted to and approved in writing by the local planning authority. The development shall be carried out and maintained in accordance with the approved plan unless otherwise agreed in writing by the local planning authority.

- 14) Pedestrian access into the site shall be restricted to the Grovefield Way and Arle Court Park and Ride site frontages only.
- 15) Car parking levels on the site overall and for each completed building individually shall be no greater than the maximum standards set out in policy TP 130 and Table 17 of the Cheltenham Borough Local Plan (2006). No car parking shall be permitted on the site except in the approved car parking spaces.
- 16) No building shall be occupied until secure covered cycle parking to serve that building has been provided in accordance with a scheme submitted to and approved in writing by the local planning authority and shall be maintained as such thereafter.

Nigel Payne

Inspector

APPEARANCES

FOR THE LOCAL PLANNING AUTHORITY:

Mrs H Townsend Counsel, instructed by the Solicitor, Cheltenham BC.

She called:

Mrs T Crews BSc, MRTPI Strategic Land Use Manager, Cheltenham BC.

Mr D J Latham RIBA, MRTPI, Principal, Lathams, St. Michael's, Queen Street, Derby, MIHBC, MIEMA DE1 3SU.

Mr T Randles BSc, MIHT Area Highways and Transport Manager, Gloucestershire County Council.

FOR THE APPELLANT:

Mr J Cahill QC Queen's Counsel, instructed by Hunter Page Planning.

He called:

Mr N Evers Dip LA, MLI Director, Cooper Partnership, 127 Hampton Road, Redland, Bristol, BS6 6JE.

Mr T F H Heal FRICS Partner, Alder King, Brunswick House, Gloucester Business Park, Gloucester GL3 4AA.

Mr D Tighe CEng, BSc, MICE, Director, Pinnacle Transportation Ltd, 21 Berkeley Dip T.Eng. Square, Clifton, Bristol, BS8 1HP.

Mr C J Lewis Dip T & CP, Associate, Hunter Page Planning, Thornbury House, 18 MRTPI. High Street, Cheltenham, Glos. GL50 1DZ.

DOCUMENTS (Other than Core Documents)

- 1 Lists of persons present at the inquiry.
- 2 Letter of notification and list of persons notified.
- 3 Letters in response to the above.
- 4 Statement of Common Ground.
- 5 Statement of Common Ground re: Transport.
- 6 Unilateral Undertaking – 12 April 2007.
- 7 Cheltenham GB Review – Final Report – March 2007.
- 8 Cheltenham GB Review – Briefing Note – March 2007.
- 9 Cheltenham Employment Land Review – Briefing Note – March 2007.

- 10 Plan of Parking Restrictions – March 2007.
- 11 CBLP – Proposals Map – 23 February 2007.
- 12 Pages 177 to 180 – Enhancing Economic Prosperity and Quality of Employment Opportunities.
- 13 GSP – Third Alts. (unadopted) – Proposed Second Mods. – September 2005.
- 14 Plan of Footpath no.16 to Middle Reddings Farm – March 2007.
- 15 Document references for Mrs Crews’s proof – March 2007.
- 16 CBLP – List of Civic Pride mixed use allocations – March 2007.
- 17 Copy e-mails re: SATURN model – November 2004.
- 18 Location of bus stops – March 2007.
- 19 Additional information from Mrs Crews’s x – examination – March 2007.
- 20 Plan of Employment sites in Cheltenham – March 2007.
- 21 Details of Woodward site – March 2007.
- 22 Details of Civic Pride sites from Council website – March 2007.
- 23 Plan of Employment sites – Hunter Page – March 2007.
- 24 Pages 13 to 19 – GLTP 2006 – 2011 – March 2006.
- 25 Copy of Committee report – 05/00799/OUT – March 2006.
- 26 Extract from JPEL – 2-3137 to 2-3140 & 2-3290/5 to 2-3290/8.
- 27 Mr Randles’s Tables 6.5 & 6.6 - as for restrained trips – March 2007.
- 28 Suggested Condition re: renewable energy – March 2007.

PLANS

- A Site plan – 2101 – 1:2500 scale – 12/10/04.
- B Site plan (illustrative only) – 1988 – P – 01 – 1:1250 scale – 05/08/05.

APPENDIX 3

Inspector's Preliminary Findings (Exam 146)

Inspector's Preliminary Findings on Green Belt Release, Spatial Strategy and Strategic Allocations

- 1. Following the receipt of the Joint Core Strategy (JCS) Councils' "homework" I am now in a position to make some preliminary findings, as set out below. These findings are subject to determination of the objectively assessed need (OAN) and any relevant evidence submitted for the Stage 3 hearings. The OAN will be discussed further at the forthcoming hearings in January 2016 and, if appropriate, I will produce preliminary written findings on this thereafter.**
- 2. I will hold a session on Green Belt (GB) Release, Spatial Strategy and Strategic Allocations at the forthcoming hearings and I will specifically cover safeguarded land. Initial written comments are invited ahead of the hearings from the JCS authorities only, on the matters emboldened in the text, and should be submitted to Ian Kemp before 17:00 on Thursday 21 January 2016. Others will have some opportunity to comment at the hearings, limited to those matters on which I have invited a wider response. Any Main Modifications arising out of this will be fully consulted upon in due course.**

Introduction and Summary of Findings

- 3. This paper sets out my preliminary findings on the proposed release of land from the Gloucester/Cheltenham GB and the soundness of the JCS Spatial Strategy and strategic allocations. It is intended to provide some certainty to the JCS Councils, developers and other participants going forward with future strategic development. It will also form the basis of further discussion at the forthcoming hearings.**
- 4. In summary, my findings are that the thrust of the Spatial Strategy is sound although, in order to reflect the JCS's aim of meeting need where it arises, consideration should be given to some rebalancing of development towards Gloucester and Tewkesbury. This is on the basis that a significant part of Gloucester's OAN is proposed to be met through urban extensions to Cheltenham and might more justifiably be located closer to Gloucester's urban edge. Furthermore, additional development around the wider Tewkesbury urban area might be considered appropriate, particularly once the policy-on position has been determined.**

5. With respect to the distribution of sites between the JCS and Stage 2 local plans, I have concerns about the high threshold of 500 dwellings that has been set for strategic allocations. This could impact on the five year supply and also undermine the demonstration of exceptional circumstances for the release of GB strategic sites.
6. Nonetheless, my preliminary findings are that in principle, exceptional circumstances have been demonstrated for some GB release. However, weighing the harms and benefits of the proposals, I have concerns about the North Churchdown allocation in its entirety, part of North West Cheltenham and parts of the proposed safeguarded land. All other GB sites I find to be sound.
7. Turning to none-GB allocations, I have reservations about parts of the Leckhampton site. The two allocations at Ashchurch, I find to be sound.
8. In terms of the designation of Local Green Space (LGS), I find that this is justified in principle at both the Leckhampton site and the North West Cheltenham site.

Green Belt

9. The Gloucester/Cheltenham GB is one of the smallest in England and, therefore, the large areas proposed to be removed represent a significant proportion of its entire area. In considering its review, particular consideration must be given to the purposes for which it was designated, in an attempt to minimise harm caused by its reduction.
10. The GB between Cheltenham and Gloucester was designated in 1968 by incorporation into the County of Gloucestershire Development Plan. Its purposes were to prevent urban sprawl, the merging of Gloucester and Cheltenham, and to preserve the open character of the adjacent land¹.
11. Later Structure Plans emphasised the purpose of designation as preventing the merging of the two towns². In 1981 the Gloucestershire Structure Plan extended the GB to the north of Cheltenham with the purpose of preventing the coalescence of Cheltenham with Bishop's Cleeve³. Together, these purposes provide the main reasoning for designating the Gloucester/Cheltenham GB, and should be upheld as far as possible when considering land for release from the GB.

Objectively Assessed Need and Supply

¹ As reflected in Exam 85 A, B, C, & D – Gloucestershire Structure Plan extracts 1979,

² Ibid

³ Ibid

12. Whilst the OAN for housing in the JCS area has not yet been finalized, the latest Update Report indicates that the policy off figure is about 31,830 dwellings⁴. This breaks down as 9,900 for Cheltenham, 13,290 for Gloucester and 8,640 for Tewkesbury. The policy on figure is likely to be higher, due mainly to a minimum of 39,500 (up from 28,000) new jobs being proposed in the JCS area over the plan period⁵. The JCS authorities, in accordance with National Planning Policy Framework (NPPF)⁶ seek to ensure that the JCS meets the full OAN for housing.
13. The land take for employment is assessed in the latest Update Report as a minimum of 192 hectares for Class B uses alone⁷. Other employment uses and retail requirements are to be added to this. In accordance with the NPPF⁸, the JCS authorities seek to meet these requirements in full.
14. The authorities have undertaken annual assessments in the form of Strategic Housing Land Availability Assessments (SHLAAs), Strategic Employment Land Availability Assessments (SELAAs) and Strategic Assessments of Land Availability (SALAs) to ascertain the extent of deliverable/developable greenfield and brownfield sites within the JCS area.
15. From these assessments the Councils have derived figures for the numbers of dwellings and the quantity of employment land they believe can be supplied over the plan period. For each JCS area, a district capacity figure for housing has been calculated for the plan period from sources of supply consisting of completions, commitments, existing allocations, windfalls and local plan potential. These workings are set out in the *Housing Background Paper*⁹ and the *Brownfield Paper*¹⁰.
16. For Gloucester, the City capacity is said to be in the order of 7,500 to 7,670. If the OAN were taken to be 13,290, this would produce an unmet need figure of around 5,620 to 5,790 dwellings.
17. For Cheltenham, the Borough capacity is said to be in the region of 4,750. If the OAN were taken to be 9,900, this would produce an unmet need figure of about 5,150.

⁴ Exam 119-OAN Update Report, Neil McDonald, September 2015 Table 9, page 36

⁵ Exam 138-NLP Employment Land Assessment Update, October 2015, paragraph 4.35

⁶ NPPF, paragraph 47

⁷ Exam 138-NLP Employment Land Assessment Update, October 2015, paragraphs 5.4 and 5.5

⁸ NPPF, paragraph 20

⁹ ETOP 101a6, November 2014, page 19

¹⁰ Exam 77, July 2015

18. For Tewksbury, I understand that the Borough is able to supply its own needs. If the OAN were taken to be 8,640 and the *Housing Background Paper* figure of about 6,340 were provided by Borough capacity, this would leave about 2,300 to find through strategic allocations within Tewkesbury.
19. With respect to employment, figures have been derived for each authority based on existing undeveloped capacity (existing allocations and extant planning permissions) and other available and suitable sites (other than JCS allocations)¹¹. For Gloucester, this amounts to 31 hectares, for Cheltenham, 15 hectares, and for Tewkesbury, 65 hectares. If the OAN is taken to be 192 hectares for Class B employment uses, and all of the calculated capacity were to be used for Class B employment purposes, then this would leave 81 hectares (192-111) of Class B land to be found through strategic allocations. Other employment uses and retail space would need to be found in addition.
20. The Council's *Brownfield Paper*¹² explains how the urban capacity of Cheltenham, Gloucester and Tewksbury is being used and is already maximised.
21. The NLP Update notes that the current lack of employment land within the JCS area threatens the economy by undermining the ability of existing companies to expand and new firms to invest in the area¹³.

Spatial Strategy

22. It is clear from the above that a substantial quantity of land is required to satisfy unmet need. The JCS authorities intend to follow a two tier approach with strategic allocations being made in the JCS and non-strategic allocations being left to forthcoming district plans.
23. A number of spatial options for allocating development land in the JCS were considered in the *Spatial Options Topic Paper*¹⁴ and were subjected to Sustainability Appraisal (SA)¹⁵. The most sustainable option was found to be the creation of urban extensions to Cheltenham and Gloucester.
24. Therefore, the Spatial Strategy focuses new growth mainly on Cheltenham and Gloucester with the aim of retaining their economic and social

¹¹ Exam 139, paragraph 2.6

¹² Exam 77

¹³ Exam 138-NLP Employment Land Assessment Update, October 2015, page 34, paragraph 5.3

¹⁴ ETOP 114-Spatial Options Topic Paper, October 2013

¹⁵ See for example SAPR 100, Chapter 6 and pages 66-68; SAPRE 106 Appendix vii; SASUB 100, Chapter 6 pages 45-46 & 66-68; Appendices to ETOP 114,

positions as strategically significant settlements in the sub-region and taking advantage of their existing infrastructure capacity¹⁶. Whilst this strategy is justified in principle on sustainability grounds, it seems to me that there may be some scope to broaden the role of Tewkesbury.

25. The Spatial Strategy focuses Tewkesbury's development on a hierarchy of rural service centres and service villages¹⁷, and two strategic allocations at Ashchurch on the eastern edge of Tewkesbury's wider urban boundary. Tewkesbury Town itself is constrained by the high risk of flooding¹⁸ from the rivers Severn and Avon, and urban extensions to the Town are not proposed.

26. Nonetheless, significant areas of employment land are proposed near Tewkesbury, with the Ashchurch allocations accounting for about 35 hectares alone. These employment areas are likely to generate a need for housing. Whilst housing is proposed at the MOD Ashchurch allocation (A8), the proposed increase in job creation in the JCS area from 28,000 to 39,500 is likely to result in an increase in the overall housing OAN, some of which might fall to Tewkesbury.

27. Additional employment land may also be needed¹⁹, and I note that the landowner of the smaller Ashchurch site (A9) is promoting it for retail rather than B class employment which, if found sound, could result in more employment land having to be allocated. Therefore, whilst Tewkesbury's demographic, policy off, housing needs may already be capable of being met, the implications of further economic development being required should be considered.

28. Whilst flooding is a consideration around Tewkesbury, the evidence suggests that there may be sustainable omission sites close to Tewkesbury's wider urban boundary, which are not at significant risk of flooding, are outside the GB, and are not within highly sensitive landscape areas. **I invite comment from the JCS authorities only on the potential for allocating omission sites/other alternatives close to the urban edge of the wider Tewkesbury area, whether within the JCS administrative area or not.**

29. Cheltenham and Gloucester are unable to meet their needs within their own administrative boundaries. Consequently, the JCS's Spatial Strategy

¹⁶ ETOP 114-Spatial Options Topic Paper, October 2013, page 57, paragraphs 21.3-21.5

¹⁷ See EHO109-Settlement Audit, September 2014 for evidence base; EXAM 80A&B 2015 Settlement audit refresh

¹⁸ EXAM 130 indicates that only 220 dwellings are to be accommodated in the town

¹⁹ See EXAM 138-Employment Land Assessment, October 2015 and EXAM 139-JCS Economic Update, November 2015

is generally to meet this need by way of urban extensions to Cheltenham and Gloucester mainly on land within the Tewkesbury GB provided under the duty to co-operate.

30. *The Broad Locations Report*²⁰ assessed at high level broad locations for development around the periphery of Cheltenham, Gloucester and Tewkesbury. This was followed by the *Strategic Allocations Report*²¹, which assessed site options within these locations, thereby informing proposals for strategic allocations. The various options were subjected to SA²².

31. From this evidence it is clear that development opportunities are constrained in large parts of the JCS area by significant flood risks and potential impacts on The Cotswolds Area of Outstanding Natural Beauty (AONB), amongst other things. However, the Housing Market Area is wider than the JCS and, when considering releases of GB, alternatives in this broader area should not be ruled out. Nonetheless, on the basis of the submitted evidence, if the OAN of the JCS area is to be met, some release of GB land is inevitable.

32. It is not just the GB land-take for the plan period that needs to be considered, but also whether additional GB land might be required in the future. The NPPF seeks the endurance of reviewed GB boundaries beyond the plan period²³ and, where necessary encourages local planning authorities to identify safeguarded land to meet future development needs²⁴. Accordingly, the JCS also proposes the designation of safeguarded land for future development, which is in the GB.

33. When examining the justification for potential GB releases, a sequential approach should be followed in considering sustainable sites in the right location that fit with the Spatial Strategy. Taking account of development constraints, consideration should first be given to deliverable/developable, non-GB land, followed by land that makes a lesser GB contribution, before considering land of greater GB contribution.

34. Need should, if possible, be met where it arises, as promoted by the JCS Spatial Strategy. Therefore, as far as is reasonably feasible sufficient land should be allocated as close as possible to each of Cheltenham's and

²⁰ EBLO 100, October 2011, and Appendices EBLO103-109

²¹ EBLO 102, October 2013

²² See SAPR100, pages 46-55, 68-85 & 100-101; SASUB100, pages 47-56, 68-85 & 100-101

²³ NPPF, paragraph 83

²⁴ NPPF, paragraph 85, 3rd bullet

Gloucester's respective urban boundaries to meet each of these authorities' separate needs.

35. I am told that the proposed urban extensions to Gloucester total 4,150 dwellings and those for Cheltenham total 2,585 dwellings²⁵. However, the numbers proposed for extensions located on the urban edge of Gloucester only seem to amount to 2,650, whilst those for Cheltenham amount to 5,910 dwellings. Furthermore, the totality of proposed safeguarded land lies adjacent to the Cheltenham urban boundary.
36. It seems to me that there is a need for further allocations around the urban edge of Gloucester. From the submitted evidence, there appears to be potential on Gloucester's urban edge for sustainable sites outside flood areas, outside highly sensitive landscape areas, and which either lie outside the GB or make a limited contribution to the GB. **Comment is invited from the JCS authorities only on the potential for allocating omission sites/other alternatives around the urban edge of Gloucester, whether within the JCS administrative area or not.**
37. Summing up, in principle, the urban extensions Spatial Strategy appears to me to be generally sound, although there may be a need for some amendment to the scale of development and its location in part.

Assignment of dwellings

38. As an aside, there is an issue over how development within these urban extensions is to be shared between the JCS authorities. The authorities propose to assess their rolling five year housing supply separately, and a proportion of housing completions within the Cheltenham and Gloucester urban extensions is intended to contribute to Cheltenham's and Gloucester's supply²⁶.
39. However, in order to retain flexibility, no specific sites or dwellings are being assigned to any particular authority. This begs the question as to how, at any point in time, the actual numbers of completed dwellings will in practice be apportioned between the authorities, and the impact this might have on their five year supply. **The JCS Councils are invited to provide details of the mechanisms they envisage putting in place to deal with apportionment and how this will provide certainty to applicants/decision makers/others needing to know the five year supply position going forward.**

Strategic Allocations

²⁵ Exam 109 JCS Note – Apportionment of Strategic Allocations

²⁶ Exam 109-JCS note on strategic allocation apportionment

40. The *Strategic Allocations Report*²⁷ assessed a range of matters, including infrastructure, landscape, flooding and GB²⁸, for those broad locations, which were considered to have potential for site allocation. I have considered this Report, amongst others²⁹, in seeking to ensure that the JCS plans for sustainable development³⁰.

41. Overall, whilst it is clear that some harm will be caused to landscape, visual amenity and GB, amongst other things, this must be balanced against the significant need for housing and employment development in the JCS area.

Non-GB Allocations

42. Three non-GB strategic allocations have been identified, two being in Tewkesbury and one being partly in Tewkesbury and partly in Cheltenham.

MOD Ashchurch (A8)

43. Tewkesbury's main brownfield site contributes to the strategic allocation at MOD Ashchurch, which also comprises a greenfield area. It is proposed to supply 2,225 dwellings³¹ and 20 hectares of employment land³². It is located in a sustainable location close to Tewkesbury Town, Ashchurch station and junction 9 of the M5 motorway, although the latter could encourage commuter-led housing development.

44. The Strategic Allocations Report³³ and Landscape Report³⁴ indicate that overall landscape sensitivity is low, and that the site lies entirely within flood-zone 1. Whilst there are land contamination constraints, I understand that they can be resolved. The site also has the potential to enhance the setting of heritage assets³⁵. In view of its substantial benefits³⁶, I am minded to find that its allocation is sound.

Ashchurch (A9)

²⁷ EBLO 102, October 2013

²⁸ See ENAT 100, AMEC GB Assessment, September 2011

²⁹ Including EBLO106-Landscape & Visual Sensitivity and Urban Design Report; and ENAT 107-Historic Environment Assessment

³⁰ Section 39 of the Planning and Compulsory Purchase Act 2004

³¹ 2,125 to be delivered during plan period

³² EXAM 130, page 45

³³ EBLO 102, October 2013, pages 86-89

³⁴ EBLO 106, October 2012, pages 30-31

³⁵ ENAT 107-Historic Environment Assessment, March 2014, page 89

³⁶ See EXAM 87 for summary

45. The other Tewkesbury allocation at Ashchurch is a greenfield site proposed for 14.3 hectares of economic development³⁷. The Strategic Allocations Report³⁸ and Landscape Report³⁹ indicate that its overall landscape sensitivity is low, and that the site lies generally within flood-zone 1. There is, however, a relatively small stretch of land around Tirlle Brook that lies within flood-zone 3, and development on this area should be avoided.

46. Nonetheless, this site is in a sustainable location close to Tewkesbury Town and Ashchurch station, and lies adjacent to the A46 and junction 9 of the M5 motorway. Consequently, bearing in mind its benefits⁴⁰, I am minded to find that its allocation is sound.

Leckhampton (A6)

47. The third non-GB allocation is at Leckhampton on the south western edge of Cheltenham, located partly in Cheltenham and partly in Tewksbury. It is proposed as an urban extension to Cheltenham, contributing 1,124 dwellings towards Cheltenham's housing supply⁴¹. The site lies reasonably close to Cheltenham town centre and is partly enclosed by existing development.

48. Although that part of the site which lies to the south-west of Farm Lane (within Tewkesbury Borough) was considered by the AMEC GB Assessment to have potential to be added to the GB⁴², the report stopped short of recommending its inclusion. The AERC GB Review of Cheltenham⁴³ found that the Cheltenham part of the site did not score highly against defined GB purposes.

49. The Strategic Allocations Report⁴⁴ and Landscape Report⁴⁵ indicate that its overall landscape sensitivity is high to medium, and that whilst the site lies generally within flood-zone 1, there are small areas which fall within flood-zone 2.

50. A section of the site's southern boundary lies adjacent to the AONB and some areas of the site are very sensitive to development. In the SA it

³⁷ EXAM130, page 45

³⁸ EBLO 102, October 2013, pages 91-94

³⁹ EBLO 106, October 2012, pages 58-59

⁴⁰ See Exam 87 for summary

⁴¹ EXAM 130, page 45

⁴² ENAT 100-AMEC Green Belt Assessment, September 2011, page 55, paragraph 7.3.8

⁴³ EXAM 81, see Fig C: Ranked Scoring of Areas Against Green Belt Purposes

⁴⁴ EBLO 102, October 2013, pages 72-74

⁴⁵ EBLO 106, October 2012, pages 14-15

scored major negative against the landscape sustainability objective, meaning that it is assessed as having a problematical sustainability effect, with mitigation likely to be difficult and/or expensive⁴⁶. It is the only strategic allocation to have scored a negative effect above minor against any objective.

51.The Landscape Report indicates that a large part of the allocation, (including land to the south west of Farm Lane) falls within the highest category of landscape and visual sensitivity. One of the key considerations in the Report is that the site has a *"very prominent landform and field pattern to the south adjacent to the AONB which is vulnerable to change and is considered a valuable landscape resource"*⁴⁷.

52.I have reservations about the soundness of developing that part of the proposed allocation which is highly sensitive and which, from my site visit, I noted to be in clear view from within the AONB and other public recreational areas.

53.A number of heritage assets also require careful consideration, including the moated site at Church Farm, the Rectory, Leckhampton Farmhouse and Barn, the Olde England Cottage, the Moat Cottage and Church Farm⁴⁸. The Historic Environment Assessment states that *"there are major heritage concerns to development"* due to the high contribution the area makes to the setting of designated buildings and the high potential for archaeological remains of medium regional significance⁴⁹. Development should be avoided that could have a significant impact on these assets unless appropriate mitigation were demonstrated.

54.The section south west of Farm Lane, within Tewkesbury's boundaries, is an existing allocation within the Tewkesbury Borough Plan. However, the Inspector examining the Tewkesbury Borough Plan had reservations about developing this area and recommended its deletion as an allocation⁵⁰. This recommendation was not taken forward by the Council.

55.Tewkesbury Borough Council has recently resolved to grant planning permission for 377 dwellings on the Farm Lane site⁵¹, despite objections from Cheltenham Borough Council⁵² and seemingly without integrated master-planning for the whole site.

⁴⁶ SAPR 100, page 100; SASUB 100, page 101

⁴⁷ EBLO 106, October 2012, page 15

⁴⁸ ENAT 107-Historic Environment Assessment, March 2014, page 75

⁴⁹ ENAT 107, page 76, paragraphs 10.4.2 and 10.4.3

⁵⁰ EXAM 144C, see particularly paragraphs 2.25.15 and 2.25.17

⁵¹ EXAM 127-Farm Lane Application; EXAM 144A Tewkesbury Borough Council planning committee minutes

⁵² EXAM 121A, Annex C

56. Whilst these dwellings are intended to contribute to Cheltenham's housing supply, it is unclear how this will work in practice, as there is no mechanism in place to achieve this at present and, as the main reason for the resolution seems to be Tewkesbury's lack of a five year housing supply. **The JCS authorities are invited to provide further explanation.**

57. I have reservations about developing this area of high landscape and visual sensitivity, adjacent to the AONB and GB. I understand that the application is now with the National Planning Unit following a request for a call in⁵³.

58. The Cheltenham part of the allocation is proposed for 764 dwellings with no employment land⁵⁴. An outline planning application for residential development of up to 650 dwellings and a mixed use local centre is currently the subject of an appeal and a decision from the Secretary of State is pending. However, it is not known how this will be decided and my preliminary findings have not been influenced by this appeal. I understand that another application for additional development is expected⁵⁵.

59. In summary, balancing the harms and benefits of this site⁵⁶, in my judgement some residential development is justified on the Cheltenham part of the site. Nonetheless, this should not be on those areas that have high landscape and visual sensitivity. With this proviso, I am minded to find that the Cheltenham part of the allocation is sound. **Submissions are invited from the JCS authorities only on what capacity is justified on this site in view of my comments.**

60. On the other hand, for reasons of landscape sensitivity, I am not minded to find the Tewkesbury part of the allocation sound. However, this finding may be overtaken by events, depending on the results of the call in request.

61. Leckhampton with Warden Hill Parish Council has proposed the designation of LGS within the strategic allocation. Both the Parish Council and the JCS authorities have requested that I make a finding on the soundness of such a designation.

⁵³ EXAM 144B

⁵⁴ Councils' Matter 8 written statement, answer to question 137

⁵⁵ JCS Statement Matter 8: Strategic Allocations, answer to question 148, page 30

⁵⁶ See summary of benefits in EXAM 87

62. The NPPF states that local communities should be able to identify green areas of particular importance to them for designation through local or neighbourhood plans, which is consistent with the planning of sustainable development⁵⁷. Therefore, LGS designation should only be made on areas of this site which are inappropriate for development.
63. The criteria for designation, as set out in the NPPF⁵⁸, are that the green space is in reasonably close proximity to the community it serves, it should be demonstrably special to the community and hold particular local significance, and it should be local in character and not be an extensive tract of land.
64. What is an extensive tract of land is largely a matter of judgement and will depend on the circumstances of each designation. However, I consider the original area put forward by the Parish Council, as referred to in the *Local Green Space Study Report*⁵⁹, to be too large (54 hectares) and to conflict in part with areas that are justified for development. Nonetheless, there is scope for designation within the allocation.
65. Turning to the merits of designation, the proposed LGS lies close to the local community, and is well supported by local people⁶⁰. Following public consultation, a range of reasons was submitted in support of the designation. Amongst other things, these relate to the beauty and interest of views, the importance of the network of footpaths for dog walkers and others, opportunities for all year round exercise such as jogging, enjoyment of the historic buildings, hedgerows and trees, and the area's overall tranquillity⁶¹.
66. In my judgement, the evidence suggests that the NPPF criteria are met and LGS designation is justified. **The JSC authorities are requested to consider indicative areas for LGS designation based on two scenarios: 1) development not proceeding on the Farm Lane site; 2) development proceeding on the Farm Lane site. Further input from relevant developers and Leckhampton with Warden Hill Parish Council, limited to indicative areas, is invited at the forthcoming hearings.** Detailed boundaries are best left for either the Cheltenham Borough Plan or the forthcoming Neighbourhood Plan.

GB Strategic Allocations

⁵⁷ NPPF, paragraph 76

⁵⁸ NPPF, paragraph 77

⁵⁹ EXAM 17

⁶⁰ See for example EXAM 121, 121A & 121B

⁶¹ Summarise at EXAM 121A, page 5 spread sheet

67. The NPPF states that, when reviewing GB boundaries, local planning authorities should take account of the need to promote sustainable patterns of development⁶² and ensure consistency with the Local Plan strategy for meeting identified requirements for sustainable development⁶³. Accordingly, the need for sustainable development is a consideration when assessing exceptional circumstances. There are five proposed strategic allocations which lie within the GB and would contribute to both housing and employment requirements⁶⁴.
68. Four of these proposed allocations are urban extensions close to Gloucester, namely, A1- Innsworth (1,250 dwellings; 9.1 hectares of employment), A2- North Churchdown (532 dwellings; no employment), A3 - South Churchdown (868 dwellings; no employment), and A4 - Brockworth (1,500 dwellings; no employment). The fifth is a proposed urban extension on the edge of Cheltenham, namely, A5 - North West Cheltenham (4,785 dwellings; 23.4 hectares of employment). There are also two proposed areas of safeguarded land in the GB, namely, West Cheltenham and North West Cheltenham.
69. The AMEC GB Assessment of September 2011⁶⁵ considers all the Cheltenham and Gloucester GB land at a high level against the five purposes of including land in the GB⁶⁶. It does not consider sustainability or landscape issues, but is purely an assessment against the purposes and function of GBs. I am satisfied that the methodology used is appropriate and that the report is robust. Another assessment, the AERC Report, considers smaller segments of GB within the Cheltenham administrative area⁶⁷.
70. The AMEC report ranks strategic segments according to a traffic light system of green (limited contribution), amber (a contribution) and red (significant contribution). Those segments scoring red against all five purposes⁶⁸ were not considered further. For the rest, segments were grouped into clusters and recommendations made for each cluster.

⁶² NPPF, paragraph 84

⁶³ NPPF, paragraph 85, first bullet

⁶⁴ Numbers taken from JCS authorities' Matter 8 statement, answer to question 137; also EXAM 130, page 45

⁶⁵ ENAT 100

⁶⁶ As then set out in Planning Policy Guidance 2: *Green Belts*; now found in the NPPF, paragraph 80

⁶⁷ EXAM 81-Applied Environmental Research Centre Ltd, March 2007

⁶⁸ Four purposes were actually assessed as the fifth purpose (assisting urban regeneration) was screened out as it applied to all sites

71. Three clusters were identified as green, making a limited contribution to GB purposes⁶⁹. The recommendation for these areas is that they may be considered further for release for development⁷⁰. These clusters are: land to the north, east and west of Brockworth (SE9, SE8, SE7, SE1); land to the west of Innsworth, north of Longford and around Twigworth (NW5, NW6, NW9); and land to the west of Kingsditch and Swindon (NE8, NE13).
72. One cluster, land north-west of Cheltenham (segments NE9, NE10, NE11, NE12), is identified as amber, making a contribution to the GB⁷¹. The indication set out at Table ES.2 for this land is that overall, whilst it provides the wider setting for Cheltenham and Bishop's Cleeve, it plays a more limited role in separating these settlements and is not critical to the GB.
73. Seven clusters were given red traffic lights and identified as making a significant contribution towards GB purposes⁷². The recommendation for these areas is that they should not be considered further for release from the GB unless there is a very strong case emerging from other evidence base studies⁷³.

Strategic Allocations for Gloucester

A1-Innsworth

74. Site A1-Innsworth equates broadly to green traffic light segments NW5 and NW6 and, therefore, accepting the findings of the AMEC report, may be considered for release from the GB. Specifically, the report refers to these segments⁷⁴ as not playing a role in preventing the merger of Gloucester and Cheltenham.
75. The Strategic Allocations Report⁷⁵ and Landscape Report⁷⁶ indicate that overall landscape sensitivity is low, but show that whilst part of the site is in flood zone 1, other parts lie within the functional flood plain (flood-zone 3). Development on this site will need to avoid high flood risk areas. Innsworth Meadows Site of Special Scientific Interest, designated for its lowland grassland, should also be protected. Nonetheless, the site is well

⁶⁹ ENAT 100, Fig 5.2 *Summary Results of Assessment Against Green Belt Purposes*

⁷⁰ See *Summary of Assessment Results* p.viii & section 5.6-*Summary*

⁷¹ ENAT 100, Fig 5.2 *Summary Results of Assessment Against Green Belt Purposes*

⁷² ENAT 100, Fig 5.2 *Summary Results of Assessment Against Green Belt Purposes*

⁷³ ENAT 100, *Summary of Assessment Results* page vi & section 5.6 - *Summary*

⁷⁴ ENAT 100, Appendix D-*Assessment of Segments against Five Purposes of Green Belts*, page D6

⁷⁵ EBLO 102, October 2013, pages 20-21

⁷⁶ EBLO 106, October 2012, pages 18-19

related to the built up area of Innsworth, reasonably close to Gloucester City Centre, and benefits from good transport routes.

76. Notwithstanding potential flooding issues on part of the site, as long as development avoids these areas, then in view of the site's benefits⁷⁷ I am minded to find that exceptional circumstances exist for its release from the GB, and that its allocation is sound.

77. There is a small difference between the boundaries of site A1 and the slightly larger area proposed to be removed from the GB at Longford. However, I am told that this small additional GB area consists of development land which already has planning permission⁷⁸. There would be no purpose in keeping this development land within the GB and, therefore, I am minded to find that the proposed larger area is the appropriate area to be removed.

A2-North Churchdown

78. North Churchdown corresponds roughly with red traffic light segment NW3⁷⁹, thereby making a significant contribution to the GB. The AMEC report states that this segment is critical to preventing the closing of the gap between Cheltenham and Churchdown, which is already heavily intruded towards its southern extent by the airport⁸⁰.

79. As Churchdown is a suburb of Gloucester, removing this segment from the GB would also significantly impact on the separation of Cheltenham and Gloucester, thereby impacting on the main purpose for which this GB was designated. Referring specifically to segment NW3, the report states that "*The contribution of this segment to maintaining the openness as a whole is critical at this narrow point.*"⁸¹ Consequently, the bar for demonstrating exceptional circumstances for the release of NW3 from GB should be set very high.

80. The Strategic Allocations Report⁸² and Landscape Report⁸³ indicate that overall landscape sensitivity is medium to low and the site is mainly in flood zone 1, although there is a stretch along Norman's Brook in flood-

⁷⁷ See summary in Exam 87 of exceptional circumstances and strategic allocation benefits

⁷⁸ See Exam 111-Longford Green Belt Boundary

⁷⁹ The allocation is slightly smaller than the segment and the area proposed for GB removal.

⁸⁰ ENAT 100, Table ES.1 *Recommendations for Clusters that make a Significant Contribution towards Green Belt Purposes*

⁸¹ ENAT 100, appendix D, page D5

⁸² EBLO 102, October 2013, pages 25-27

⁸³ EBLO 106, October 2012, pages 44-45

zone 3. It is located centrally between Gloucester and Cheltenham on the edge of Churchdown, has good transport links and is close to junction 11 of the M5 motorway. However, it lies adjacent to Gloucestershire Airport and I have reservations about the potential for noise sensitive development to impact on the operation of the airport.

81. I have considered the benefits of this site⁸⁴ and its reasonably sustainable location. I also note the Councils' submissions that the site has defensible boundaries that would reduce the likelihood of further encroachment into the GB⁸⁵. However, given that this site is critical to the openness of the Cheltenham and Gloucester gap, I am not persuaded that exceptional circumstances exist for its removal from the GB. Therefore, I am minded to find that its allocation is not sound.

A3-South Churchdown

82. South Churchdown consists of red traffic light segments NW4 & SW5 and makes a significant contribution to the GB. The AMEC report indicates that NW4 and SW5 make a significant contribution to the separation of Gloucester and Churchdown (and thus Cheltenham). Nonetheless, it goes on to indicate that the segments are enclosed by urban development, the substantial barrier of the A40, and the main line railway, thereby isolating them from the more substantial tract of GB to the South East⁸⁶.

83. The South Churchdown allocation is sandwiched between the eastern edge of Gloucester and the south-western edge of Churchdown, with Cheltenham lying beyond an open gap to the east. The eastern edge of Churchdown forms the nearest settlement boundary to Cheltenham and development of this site would not bring the urban settlement boundary any closer to Cheltenham. Whilst its allocation would cause the merging of Churchdown and Gloucester, the gap between Churchdown and Cheltenham would be preserved.

84. The Strategic Allocations Report⁸⁷ and Landscape Report⁸⁸ indicate that overall landscape sensitivity is medium and it is mainly in flood-zone 1. The site is in a sustainable location, reasonably close to Gloucester City Centre, junction 11 of the M5 motorway and the highway network. However, development must be designed to mitigate the impact on Churchdown Hill and Pirton Court, the latter of which is an important

⁸⁴ As summarised in EXAM 87

⁸⁵ Answers to Inspector's Matter 7:GB questions

⁸⁶ ENAT 100, Appendix D, pages D5 & D6

⁸⁷ EBLO 102, October 2013, pages 29-33

⁸⁸ EBLO 106, October 2012, pages 26-27 & 54-55

heritage asset⁸⁹. Noise impact from the A40 and main railway line would need to be carefully managed.

85. Nonetheless, whilst there would be some harmful impacts from development, on the evidence before me, and in view of the site's benefits⁹⁰, I am minded to find that exceptional circumstances exist for its release from the GB, and that its allocation is sound.

A4-Brockworth

86. The site at Brockworth corresponds with green traffic light segments SE7, SE8 and SE9 and similarly may be considered for release from the GB. The AMEC report⁹¹ indicates that the GB function of this land is compromised by the A417, which severs it from the more expansive GB area beyond.

87. The Strategic Allocations Report⁹² and Landscape Report⁹³ indicate that overall landscape sensitivity is medium and it is in flood zone 1, apart from a small area around Horsebere Brook. It is in a sustainable location, well related to the village of Brockworth, reasonably close to Gloucester City Centre, and benefits from good transport routes. However, development should be designed to mitigate the impact on the AONB, which lies close by beyond the A46, and careful management of the noise impact from the main traffic routes nearby will be required.

88. There are also significant heritage assets within the site, including St George's Church and a complex of listed buildings at Brockworth Court⁹⁴. The Historic Environment Assessment states that "*there are major heritage concerns to development*" due to the high contribution the area makes to the setting of designated buildings and the high potential for archaeological remains of medium regional significance⁹⁵. Development should be avoided that could have a significant impact on these assets unless appropriate mitigation could be demonstrated.

89. In terms of delivery, a planning appeal for a housing development is awaiting a decision from the Secretary of State and, if granted, development could commence within a relatively short time period.

⁸⁹ ENAT 107-Historic Environment Assessment, March 2014, page 47

⁹⁰ As summarised in EXAM 87

⁹¹ ENAT 100 Appendix D, page D4

⁹² EBLO 102, October 2013, pages 41-43

⁹³ EBLO 106, October 2012, pages 22-23

⁹⁴ ENAT 107, historic Environment Assessment, March 2014, page 55

⁹⁵ ENAT 107, page 56, paragraphs 8.4.2 and 8.4.3

90. Whilst there would inevitably be some damaging impacts from developing this site, on the evidence before me, and considering this site's benefits⁹⁶, I am minded to find that exceptional circumstances exist for its release from the GB, and that its allocation is sound.

*Strategic Allocation for Cheltenham
A5-North West Cheltenham*

91. Site A5-North West Cheltenham largely corresponds to green traffic light segments NE13 and NE8, amber traffic light segment NE12, red traffic light segment NE15 and part of NE14.

92. In accordance with the AMEC Report, green segments NE13 and NE8 may be considered for release from the GB. The report indicates that these segments do not perform a separation function between Cheltenham and Bishop's Cleeve or between Cheltenham and Gloucester⁹⁷. Whilst it should be born in mind that amber segment NE12 makes a contribution to GB purposes, it nonetheless does not play a role in the separation of the settlements⁹⁸.

93. According to the AMEC Report, red traffic light segments NE14 and NE15 make a significant contribution at a narrow point to separating Cheltenham and Bishop's Cleeve⁹⁹. However, within the AERC report the area falls largely into parcels G1 and G2 which are assessed as making an average contribution to the GB¹⁰⁰. On this evidence and considering its geographical location, I am of the view that this land could be released from the GB.

94. The Strategic Allocations Report¹⁰¹ and Landscape Report¹⁰² indicate that overall landscape sensitivity for this site is high to medium. A key visual receptor is Cleeve Common within the AONB. Development proposals should seek to avoid the areas of highest landscape and visual quality. Whilst it is mainly in flood-zone 1, the site contains two water courses and associated land within the functional floodplain, together with a small area in flood-zone 2, all of which will restrict development.

95. The impact on heritage assets including Uckington Farmhouse, Swindon village conservation area, and particularly the Church of St Mary

⁹⁶ Summarised in EXAM 87

⁹⁷ ENAT 100 Appendix D, page D8

⁹⁸ ENAT 100 Table ES.2 and Appendix D, page D8

⁹⁹ ENAT 100, Appendix D, page D9

¹⁰⁰ EXAM 81, Figure C

¹⁰¹ EBLO 102, October 2013, pages 61-65

¹⁰² EBLO 106, October 2012, pages 10-11

Magdelene¹⁰³, will require careful mitigation. There is also a residual waste facility at Wingmoor Farm to the north east of the allocation and its impact on development will need consideration.

96. Nonetheless, the site is in a generally sustainable location, well related to the urban edge of Cheltenham, close to junction 10 of the M5 motorway¹⁰⁴ and existing services and facilities. Although it is of a substantial scale, which will completely transform this large area of open countryside, it has the greatest potential to accommodate much of Cheltenham's remaining development needs¹⁰⁵.

97. The North West Cheltenham allocation provides the single largest employment allocation (23.4 hectares) within the JCS. Despite its generally sustainable location, there are accessibility issues for development on this scale, relating to junction 10 of the motorway which has restricted access at present. The Local Enterprise Partnership is of the view that the employment element of this allocation be removed from the urban extension and moved to the west into safeguarded land¹⁰⁶.

98. I have reservations about the quantum of development on this site, and its allocation for employment. Nonetheless, acknowledging that some harm is inevitable, and considering the site's benefits¹⁰⁷, I am minded to find that exceptional circumstances exist for the release of GB land in this area. **However, I invite comment from the JCS authorities on whether the site's boundaries are sound or whether they should be reconsidered to avoid the most sensitive landscape areas. Bearing in mind the landscape constraints, I also invite comment from the JCS authorities on whether the proposed capacity of the site (4,785 dwellings and 23.4 hectares of employment land) is justified. Alternatively, views are sought from the JCS authorities on whether the forthcoming site policy for A5 might satisfactorily address these issues without amending the site boundary.**

99. Swindon Parish Council has put forward a proposal for LGS to be designated on this site¹⁰⁸. Both the Parish Council and the JCS authorities have requested that I make a finding on the soundness of such a designation. As with the Leckhampton LGS considered above, I have assessed the merits of this proposal against the NPPF.

¹⁰³ ENAT 107, Historic Environment Assessment, March 2014, page 65

¹⁰⁴ Restricted access to junction 10 but upgrades expected in the future

¹⁰⁵ EBLO 102, page 62, paragraph 3.35

¹⁰⁶ EXAM 138–Employment Land Assessment Update, Appendix 5, page 10

¹⁰⁷ Summarised in EXAM 87

¹⁰⁸ EXAM 97

100. I consider the original area put forward by the Parish Council, as referred to in the *Local Green Space Study Report*¹⁰⁹, to be too large (about 47 hectares) and to conflict in part with areas that are justified for development. Nonetheless, it is close to the local community and its designation is well supported by local people. There is scope for some LGS within the allocation that would be consistent with sustainable development, including areas of high landscape sensitivity close to the village and areas that form the setting of the Swindon Village Conservation Area.

101. In terms of merit, there are important views, including those that are significant to the character of the Conservation Area, and I understand that the land is used for recreation such as dog walking, ball games, and biking, amongst other things. Well used public footpaths and bridleways cross the area and its wildlife and tranquillity is important to the community¹¹⁰.

102. Swindon sports ground and the allotments are included in the land proposed to be taken out of the GB. Whilst development is not intended on these areas at present, and the Parish Council has not put forward the allotments as LGS, to protect both these areas from any future development, they could justifiably be designated as LGS.

103. In my judgement, the evidence suggests that the NPPF criteria are met and some LGS designation is justified. **The JSC authorities are requested to consider indicative areas for LGS designation.** Detailed boundaries are best left for the Cheltenham Borough Plan or to any Neighbourhood Plan that might come forward. **This will be discussed further at the forthcoming hearings when I will invite input from relevant developers and Swindon Parish Council, limited to indicative areas for designation.**

Safeguarded Land

North-West Cheltenham

104. The proposed safeguarded land at North-West Cheltenham lies within the Tewkesbury GB and broadly corresponds to amber segment NE9 in the AMEC Report, and is thereby assessed as making a contribution to the GB¹¹¹. However, the Report indicates that it does not play a role in

¹⁰⁹ EXAM 17

¹¹⁰ For details of the merits see EXAM 17 and EXAM 97

¹¹¹ ENAT 100, Fig 5.2 *Summary Results of Assessment Against Green Belt Purposes*

separating Cheltenham and Bishop's Cleeve or Cheltenham and Gloucester¹¹².

105. The Strategic Allocations Report¹¹³ and Landscape Report¹¹⁴ indicate that overall landscape sensitivity is medium although the land lies adjacent to a highly sensitive area. The land is in flood-zone 1, close to junction 10 of the M5 motorway¹¹⁵ with its north-western boundary lying adjacent to the motorway. It is separated from the urban edge of Cheltenham by allocation A5 (North West Cheltenham).

106. This is another large area of land in the GB, lying immediately adjacent to the very large North West Cheltenham allocation. Together, these areas engulf the village of Elmstone Hardwicke and parts of Uckington, and remove huge swathes of open countryside. This begs the question as to whether so much development land is likely to be needed on the edge of Cheltenham.

107. However, the landscape sensitivity and flood risk in this safeguarded area are less than parts of the North West Cheltenham urban extension. **Comment is invited from the JCS authorities and other participants on whether the boundaries of the North West Cheltenham extension could be re-shaped and justifiably extended into this safeguarded area.**

108. **I also invite comment from the JCS authorities and other participants on whether the totality of land covered by the North West Cheltenham urban extension and this safeguarded land should be removed from the GB.** Currently, on the evidence before me I am not persuaded that exceptional circumstances exist for the release of such a huge area of open countryside from the GB in this location.

Safeguarded Land West of Cheltenham.

109. The proposed land lies adjacent to the western edge of Cheltenham partly within the administrative area of Cheltenham and partly within that of Tewkesbury, and is wholly within the GB. It corresponds to segment NE4 of the AMEC Report¹¹⁶, which forms part of a larger cluster that makes a significant contribution to the GB (NE1, NE2, NE3, NE4, NE5, NE6 and NE7).

¹¹² ENAT 100 appendix D, page D8

¹¹³ EBLO 102, October 2013, pages 61-65

¹¹⁴ EBLO 106, October 2012, pages 10-11

¹¹⁵ Restricted access to junction 10 but upgrades expected in the future

¹¹⁶ ENAT 100, Fig 5.2 *Summary Results of Assessment Against Green Belt Purposes*

110. According to the AMEC report, this cluster is critical to preventing the sprawl of Cheltenham and, towards the south, the merger of Cheltenham and Gloucester¹¹⁷. The segments to the south are NE1 and NE2. NE4 is further north. Nonetheless, the report specifically says that this segment makes a significant contribution to the land separating Cheltenham and Innsworth¹¹⁸, thereby playing an important role in the separation of Cheltenham and Gloucester. However, the AERC Report shows that the land within the Cheltenham administrative boundary mainly makes a low contribution to the GB¹¹⁹.

111. The Strategic Allocations Report¹²⁰ and Landscape Report¹²¹ indicate that overall landscape sensitivity is medium to low and the land is within flood-zone 1. It is in a sustainable location, well related to the urban edge of Cheltenham, and close to the highway network and junction 11 of the M5 motorway.

112. I understand that this area was not proposed as a Strategic Allocation due mainly to potential odour impacts from the Haydon sewage treatment works. However, Severn Trent Water's recent improvements to odour emissions from the works, and the potential reduction in the plant's cordon sanitaire¹²², suggest that odour may no longer be a development constraint at least for part of this land.

113. Taking account of housing and employment needs overall, including GCHQ's requirements¹²³, and my reservations on certain other potential strategic allocations, it seems to me that the Cheltenham part of this proposed safeguarded area might be suitable for allocation. **Views are sought from the JCS and other participants on the potential for allocating land in this area.**

114. Nonetheless, care must be taken not to develop too far to the west towards Gloucester, in order to retain the GB gap between Cheltenham and Gloucester. I am, therefore, not convinced that removal of land from the GB should extend much into the Tewkesbury part of this proposed safeguarded area. **I welcome views from the JCS authorities and other participants on where the GB boundary should be drawn.**

Other areas of land proposed for removal from the GB

¹¹⁷ ENAT 100, Table ES.1

¹¹⁸ ENAT 100, Appendix D, page D7

¹¹⁹ EXAM 81, Figure C

¹²⁰ EBLO 102, October 2013, pages 68-70

¹²¹ EBLO 106, October 2012, pages 37-38

¹²² EXAM 125A&B

¹²³ EXAM 100-GCHQ representations

115. The submission version of the JCS Policies Map¹²⁴ shows other areas of land proposed for removal from the GB.
116. Map 1 shows a sliver of land being removed from the GB between strategic allocations A1 and A3, wedged between the urban edge of Gloucester and the A40. If retained, this GB land would be isolated by development from other stretches of GB, and would serve no purpose. Consequently, its removal is justified.
117. Map 2 proposes an area south east of the Brockworth site, within the AONB. However, this area is not proposed for development, it continues to serve GB purposes, and there appears to be no justification for its removal. At the hearing sessions the Councils accepted that its removal was not justified and that it should be retained as GB. Whilst a proposed modification has been suggested to the Policies map¹²⁵, accompanying wording to the JSC will also be required, and I invite the JCS Councils to put forward their suggestions.
118. Map 3 shows two small areas proposed for removal on the edge of Shurdington village, one being a playing field and the other a site for potentially 50 dwellings. It is unclear as to why the playing field has been included, and the other site is not proposed as a strategic allocation for development. Therefore, the removal of these sites is not justified and, as agreed at the hearing sessions, there should be a main modification to retain these areas in the GB. Again, as above, whilst a modification has been proposed to the Policies map¹²⁶, accompanying wording to the JSC will also be required, and I invite the JCS Councils to put forward their suggestions.
119. Map 4 shows another area proposed to be removed from the GB, at the former M&G Sports Ground off Cold Pool Lane, Cheltenham, which was granted planning permission on appeal for residential development and has been built out. Under these circumstances there is no purpose in retaining this land within the GB and its removal is justified.
120. The Councils proposed that another area be removed, which is currently not shown on the Policies Map. This is the BMW showroom at Grovefield Way, off the A40, west of Cheltenham, which has planning permission and is currently being built out. There is no purpose in retaining this land in the GB and its removal is justified. An amendment to Map 4 has been

¹²⁴ SUB 103 b)

¹²⁵ Exam 114-Mapping Amendments

¹²⁶ Ibid

proposed to reflect this¹²⁷, although once again, accompanying wording is also required to the JCS.

Alternatives and Omission Sites

121. The extent to which omission sites may need to come forward will be influenced by any loss of development potential from allocations that are found to be unsound or where development potential is reduced, and what is finally found to be the OAN for the JCS area. A number of omission sites have been put forward for consideration both within the JCS administrative area and just beyond. From the submitted evidence, including the Broad Locations Report¹²⁸, it seems there may be potential for additional/alternative strategic development which follows the Spatial Strategy.

122. The JCS authorities intend to make non-strategic allocations for development in their forthcoming local plans and some of the candidate sites lie within the GB, potentially necessitating further GB reviews. The NPPF states that "*When defining boundaries, local planning authorities should satisfy themselves that GB boundaries will not need to be altered at the end of the development plan period.*"¹²⁹ Therefore, national policy does not support additional reviews within the timeframe of the JCS.

123. However, the issue of split GB reviews was considered by Mr Justice Jay in the High Court in *Calverton Parish Council v Nottingham City Council & Ors*¹³⁰. In that case the Aligned Core Strategies of Nottingham, Broxtowe and Gedling envisaged a two-staged approach to altering GB boundaries, with the precise boundaries for individual sites to be released from the GB being established in the Part 2 Local Plans¹³¹. Subject to a main modification ensuring a sequential approach with none-GB sites having first preference, the Inspector accepted this approach¹³².

124. The Judge accepted the Inspector's findings and noted that a two staged approach is not impermissible in principle, although it is not expressly authorised by the NPPF. He noted weaknesses in the approach but emphasised that the key point was that the Inspector was able to reach an evidence based conclusion as to the presence of exceptional

¹²⁷ Ibid

¹²⁸ EBLO 100

¹²⁹ NPPF, paragraph 85

¹³⁰ [2015] EWHC 1078 (Admin) (21 April 2015) – see EXAM 35D

¹³¹ EXAM 35D quote from Inspector's report, paragraph 114

¹³² EXAM 35D quote from Inspector's report, paragraph 118

circumstances at the first stage, and that she was not in some way adjourning the matter over for substantive consideration at Stage 2¹³³.

125. The JCS does not currently have a sound framework for directing Stage 2 allocations within the forthcoming local plans, although I accept that further direction could be added through main modifications. However, the *Calverton* case referred only to Stage 2 dealing with "*precise boundaries for individual sites*". In the case of the JCS and subsequent district local plans, there are completely new GB sites under consideration at Stage 2, some of which are proposed for hundreds of houses¹³⁴.

126. The evidence suggests that there might be a number of Cheltenham GB omission sites/officer found sites which, apart from size, appear to meet with the Spatial Strategy, are in sustainable locations, and make a low or average contribution to the GB¹³⁵. It is not clear whether any of these sites are intended to make a contribution to the five year housing supply. If they are, excluding them from the JCS is likely to prevent them coming forward for some time, as the Cheltenham Plan is yet to be examined and, in the meantime, the high bar of demonstrating very special circumstances on application will need to be overcome.

127. Allocating these sites now could potentially deliver a significant number of dwellings at a faster rate than larger strategic allocations, thereby contributing to the five year housing supply and beyond. This would not impact on the overall scale of Cheltenham's development, as it would simply involve the bringing forward of sites from the Stage 2 Plan to the JCS. Their allocation in the JCS would provide greater flexibility now by establishing a larger pool of sites from which development of homes and businesses could come forward.

128. The Cheltenham Plan has undergone consultation on its Issues and Options and the Pre-Submission Draft Plan is in preparation¹³⁶. Therefore, some assessment of sites should already have taken place. Consequently, it should be possible to consider potential larger GB allocations now for inclusion in the JCS.

129. I understand that one of the reasons given for not allocating these sites in the JCS is because they would produce an insufficient number of dwellings to be classed as strategic according to the Council's chosen minimum of around 500.

¹³³ EXAM 35D, paragraphs 58 and 59

¹³⁴ See for example EXAM 142-GB paper Appendix 4

¹³⁵ See for example EXAM 142, Appendices 4 and 6; EXAM 81, Fig G; EXAM 16

¹³⁶ EXAM 16

130. However, this minimum is based on the threshold above which The Advisory Team for Large Applications (ATLAS) generally becomes involved in planning applications, and to which quite different considerations apply¹³⁷. Consequently, I am not convinced that this is the most appropriate benchmark. **Comments are invited from the JCS authorities on what alternative minimum limits should be set for strategic allocations.**

131. Whilst taking account of the JCS authorities' position on GB¹³⁸, it seems to me that exceptional circumstances for GB release might more readily be demonstrated for some of the larger Stage 2 sites than for the North West Cheltenham strategic allocation (the only Cheltenham GB site in the JCS). In comparing and balancing the harms and benefits of the North West Cheltenham site with these other sites, and in seeking to avoid undermining the demonstration of exceptional circumstances for North West Cheltenham, further consideration should be given to the allocation of smaller sites.

132. I understand that Cheltenham would wish to keep these Stage 2 sites for its own supply rather than sharing them with the other JCS authorities, which is the intention for the strategic urban extensions. However, this could be resolved by allocating Cheltenham's extensions and allocations to Cheltenham, Gloucester's to Gloucester, and Tewkesbury's to Tewkesbury. This would satisfy the principle of meeting demand where it arises and would also resolve any confusion over how the five year supply is to be calculated.

133. I understand that Gloucester does not have any GB sites that are being considered for release in the Gloucester City Plan, although GB release is being contemplated for some settlements in the Tewkesbury Borough Plan. **The JCS authorities are asked to confirm the GB position for Gloucester and Tewkesbury, including the scale of any potential Stage 2 GB release and its location.**

134. **Overall, comment is invited from the JCS authorities on the scale of development and criteria for GB release that would be justified for the Stage 2 plans. Also proposals are invited from the JCS authorities for an appropriate JCS framework to guide GB reviews in the Stage 2 plans, (I understand the JCS authorities are working on this).**

135. **The JCS authorities are asked to confirm whether there are any Stage 2 GB sites in the JCS area that are likely to be relied on to**

¹³⁷ See EXAM 123 and 123A for further discussion

¹³⁸ EXAM 142-Green Belt Paper

contribute to the five year supply. If so, details are requested on what they are and the scale of development proposed for each of them.

136. Larger Stage 2, non-GB sites which, apart from size, meet with the JCS spatial strategy, may also merit consideration for inclusion in the JCS. Omitting them from the JCS could undermine the demonstration of exceptional circumstances for GB strategic allocations. **The JCS authorities are asked to confirm whether any such sites are likely to be relied upon to contribute to the five year housing supply. If so, details are requested on what they are and the scale of development proposed for each of them. Comment is also invited from the JCS authorities on what criteria could be justifiably set for inclusion of larger Stage 2 sites in the JCS.**

Elizabeth C Ord

Inspector

16 December 2015

APPENDIX 4

Economic Impact Assessment

Proposed Development at Grovesfield Way, Cheltenham Economic Impact Assessment

Final Report

Prepared on behalf of Hunter Page Planning Ltd

October 2016

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Executive Summary

HJA was instructed by Hunter Page Planning Ltd to assess the likely economic impacts arising from proposed mixed-use employment generating development at Grovefield Way, Cheltenham. The hybrid application comprises an Aldi Foodstore, Costa Drive Thru, Happy Days Nursery childcare facility and 5,034 sq m of B1a office floorspace in full plus a further 8,034 sq m of B1a office floorspace in outline.

The site is located within west Cheltenham, to the south of the A40 Gloucester Road. The application site lies immediately adjacent to a new BMW showroom (under construction) and in close proximity to a mixed use employment area including retail, health and technology employers. Employment in the vicinity of the site declined 2010-11 and has not yet recovered to its 2010 level, whereas the employment falls in Cheltenham and the wider JCS area have more than been recovered. The proposed development will contribute to boosting employment in this part of west Cheltenham. It will also provide opportunities for those currently unemployed in the area.

The **construction phase** for the full application scheme is anticipated to extend to 15 months, with the peak effort falling within the first six months following the granting of planning permission. The timing for the outline elements of the scheme is as yet unspecified and will be reliant upon market interest.

The gross direct construction phase impacts of the £23.2 million investment are estimated at 143 person years of employment, supporting £4.2 million in wages.

The net additional effects at the Cheltenham level are estimated at 104 person years of employment and £3.1 million in wages. At the JCS area level these increase to 152 person years and £4.5 million in wages.

The **operational phase** analysis shows the scheme will deliver employment capacity for 1,018 FTE gross direct posts generating incomes in excess of £32 million per annum.

The net additional effects at the Cheltenham level are estimated at 498 FTEs supporting wages of almost £16 million per annum, increasing to 605 FTEs and almost £19 million in wages at the JCS area level.

Total locally retained business rates are estimated at up to £660,000 per annum, which will provide funding to safeguard and extend further local employment and services.

1 Introduction

1.1 Purpose

Hardisty Jones Associates Ltd (HJA) has been appointed by Hunter Page Planning Ltd to assess the likely economic impacts of mixed-use employment generating development proposals at Grovefield Way, Cheltenham. This report sets out the method and results of the assessment and is intended to accompany a planning application.

1.2 The Proposed Development

The application site lies between Grovefield Way and the A40 on the western edge of Cheltenham. The A40 provides direct access to the city of Gloucester and the M5 via Junction 11.

The hybrid application comprises the following:

Full Application

- 1,740 sq m (GIA) A1 Aldi Foodstore
- 204 sq m (GIA) A1/A3/A5 Costa Drive Thru and Café
- 502 sq m (GIA) D1 Happy Days Nursery Childcare Facility
- 5,034 sq m (GIA) B1a Offices in two buildings

Outline Application

- 8,034 sq m (GIA) B1a Offices in two buildings

The application site is currently vacant agricultural land. Previous outline consent was granted for 16,800 sq m of B1 employment uses (14/01323/OUT) but has not been implemented. A plot immediately adjacent the application site has secured full consent for a flagship BMW/Mini car showroom which is presently under construction (13/01101/FUL). The area surrounding the application site comprises a mix of uses including residential, retail, health and employment.

1.3 Approach

The method employed for this assessment aligns with the principles set out in HM Treasury Green Book and draws on other best practice guidance, most notably the Homes & Communities Agency *Additionality Guide (Fourth Edition 2014)*.

The analysis considers the construction and operational phases separately. This acknowledges the temporary nature of construction activity, particularly for a scheme of this size, whereas the operational phase impacts will continue year on year.

Given the hybrid nature of the application, the full and outline elements are also considered separately.

For both the construction and operational phases impacts are set out in terms of gross direct effects and net additional effects. The former captures the first round impacts through employment and

expenditure. The latter make adjustment for a range of 'additionality' factors (leakage, deadweight, displacement and multipliers).

Wherever possible primary data has informed the assessment. This includes employment data provided by prospective occupiers and construction cost information supplied by the developer. Where assumptions and modelling adjustments have been made these are referenced in full and accord with best practice guidance.

Headline fiscal impact is based on an assessment of likely business rates income using local comparators.

1.4 Report Structure

Chapter 2 of this report sets out a brief analysis of the baseline situation.

Chapter 3 sets out the assessment of construction phase impacts.

Chapter 4 sets out the assessment of operational phase impacts.

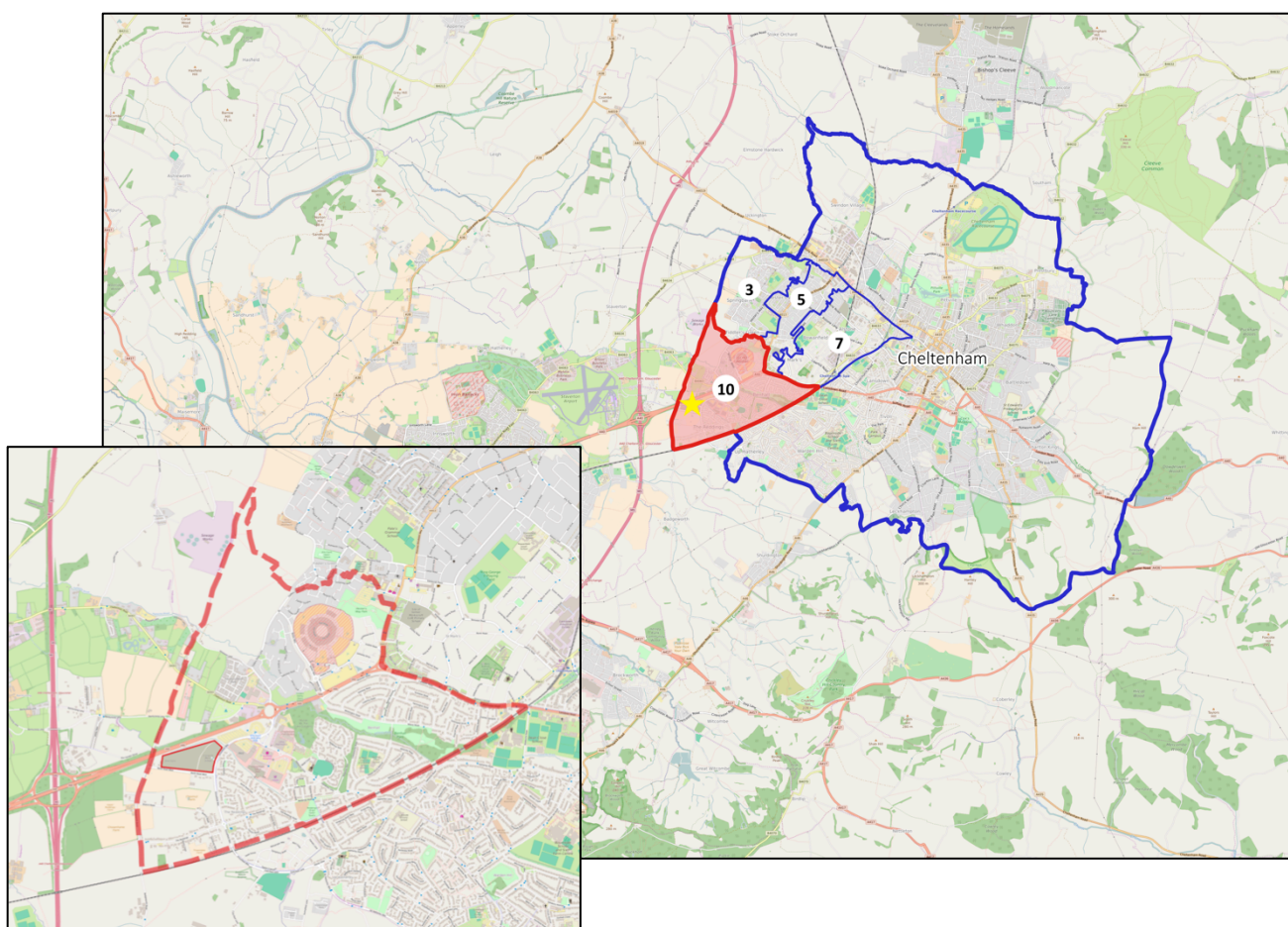
2 Context and Baseline

This chapter provides brief contextual analysis to the economic impact assessment that follows. It considers the economic situation at the present time, and how it has changed in recent years.

2.1 Geographic Focus

This analysis considers the immediate vicinity of the site within the Cheltenham 010 MSOA, the Cheltenham Borough as a whole and provides benchmarking against the Joint Core Strategy (JCS) area and Great Britain. Figure 2.1 illustrates these geographic designations.

Figure 2.1 – Geographic Analysis Areas



Prepared by HJA using QGIS. Contains OS data © Crown Copyright.

2.2 Employment

There are approximately 7,900 persons employed within the immediate vicinity of the site (ONS BRES 2014). This represents around 11% of total employment in Cheltenham as measured by BRES.

The primary employment locations include GCHQ, more than 70% of employment within the immediate vicinity of the site is within the public administration and defence; compulsory social security sector, and the retail/employment park south of the A40 to the east of the application site

which includes the Nuffield Cheltenham Hospital, 600 jobs are recorded within the wholesale and retail trade and 300 jobs within the health sector.

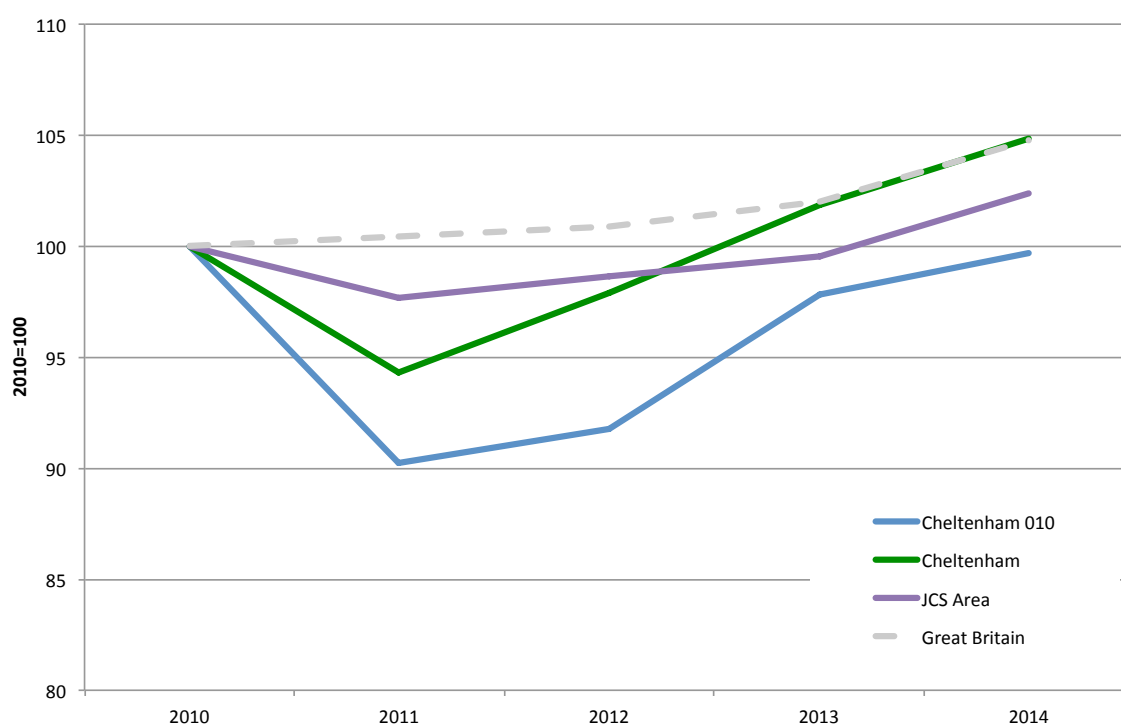
Employment within the immediate vicinity of the site declined between 2010 and 2011. There has been year on year recovery, but at 2014 employment had not returned to its 2010 level. A drop in employment was also experienced at the Cheltenham and JCS area levels between 2010 and 2011 but both have recovered and experienced growth beyond the 2010 level. These figures are set out in Table 2.1 and Figure 2.2 below.

Table 2.1 – Total employment in study area (2010-2014)

	2010	2011	2012	2013	2014
Cheltenham 10	8,000	7,200	7,300	7,800	7,900
Cheltenham	65,500	61,800	64,100	66,700	68,700
JCS Area	169,500	165,500	167,200	168,700	173,500
Great Britain	27,671,600	27,796,500	27,905,500	28,217,500	28,989,400

Source: Business Register and Employment Survey (ONS)

Figure 2.2 – Index of growth in total employment in study area (2010-2014)



2.3 Unemployment

The claimant count measure of unemployment which is available for localised areas shows low unemployment within the immediate vicinity of the site. At July 2016 just 35 claimants were recorded within Cheltenham 010. This increased to 830 across the entire Cheltenham Borough.

Claimant count can be an underestimate of total unemployment given the eligibility criteria for claiming job seekers allowance.

Table 2.2 – Total claimant count (July 2016)

	Age 16+	Aged 16-24
Cheltenham 10	35	10
Cheltenham	830	180
JCS Area	2,705	595
Great Britain	720,635	156,560

Source: Claimant Count (ONS)

Claimant unemployment is higher in other parts of Cheltenham including neighbouring MSOAs. Cheltenham 003 (65 persons) Cheltenham 005 (135 persons) and Cheltenham 007 (80 persons) lie immediately to the north east of Cheltenham 010 and straddle Princess Elizabeth Way including the Springbank, Hester's Way, Arle, Rowanfield, St Marks and Alstone areas. Almost 40% of Cheltenham claimant unemployment falls within these four MSOAs.

3 Construction Phase Impacts

This chapter assesses the likely economic impacts arising during the construction phase. This is separated from the operational phase given the temporary nature of construction impacts over a finite construction period.

For this assessment the full and outline elements of the accompanying planning application are considered separately, with an aggregate impact presented for completeness. Data on the construction period and estimated construction costs has been provided to HJA by the Hinton Group Ltd.

3.1 Gross Direct Impacts

The A1, A3 and D1 elements of the proposed development are expected to be constructed within 6 months of receipt of planning. The two office blocks within the full application are anticipated to be constructed over a 15 month period from receipt of planning. The timetable for constructing the remaining office element which is subject to outline application is not yet confirmed and will depend on market interest.

Total construction costs are estimated at £23.2 million. This includes £11.2 million of costs related to the full application and £12.1 million relating to the outline application.

Employment impacts are expressed as ‘person years’ of employment. This measure is used to represent one full time equivalent post for a single year. This approach captures the contract nature of much construction work, encompassing a range of trades on varying contract lengths. An estimate of person years is generated on the basis of average turnover per worker in the construction sector taken from the ONS Annual Business Survey (released June 2016). This indicates turnover per worker of £161,766 in the UK. Wage impacts are estimated using the ONS Annual Survey of Hours and Earnings (released November 2015).

Table 3.1 sets out the gross direct employment and wage impacts. It does not capture knock on indirect and induced effects. This shows that in aggregate the application will support 144 person years of employment generating wages of £4.2 million. This is split broadly in two halves between the full and outline elements of the application.

Table 3.1 Gross Direct Construction Phase Impacts

	Construction Spend (£m)	Employment (Person Years)	Wages (£m)
Full Application	£11.2m	69	£2.0m
Outline Application	£12.1m	75	£2.2m
Total	£23.2m	144	£4.2m

Source: Hinton Group Ltd and HJA Analysis. Figures may not sum due to rounding.

For illustration, assuming a linear split of requirements across the relevant construction periods the peak workforce will be within the first six months after granting of planning permission with approximately 40 person years of employment across the six month period.

The ONS BRES employment data indicates 2,400 persons employed in the construction sector in Cheltenham Borough. At its peak across the first six months the proposed development would therefore support the equivalent of 3.3% of Cheltenham construction sector employment.

3.2 Net Additional Impacts

The above analysis presents a measure of the direct effects at the application site. The following considers the net additional impacts at the Cheltenham Borough and Joint Core Strategy (JCS) area levels. This takes account of leakage, deadweight, displacement and multiplier effects. Full discussion of the approach taken is set out in Appendix 1 to this report.

In adjusting to net additional impacts, rather than reporting on a workplace basis, the impacts are reported on a resident basis. That is, the scale of employment and wage impacts on residents of Cheltenham Borough and the JCS area.

Table 3.2 sets out the results of the analysis. It is estimated that 104 person years of employment will be secured by Cheltenham Borough residents, supporting wages of £3.1 million across the construction period. When considering the wider JCS area the local benefits increase to 152 person years of employment and £4.5 million in wages.

Table 3.2 Net Additional Construction Phase Impacts

	Cheltenham Borough		JCS Area	
	Employment (FTEs)	Wages (£m)	Employment (FTEs)	Wages (£m)
Full Application	50	£1.5m	73	£2.2m
Outline Application	54	£1.6m	79	£2.3m
Total	104	£3.1m	152	£4.5m

Source: HJA Analysis

4 Operational Phase Impacts

This chapter assesses the likely economic impacts arising during the operational phase of the proposed development. Impacts are shown in terms of gross direct and net additional.

4.1 Gross Direct Impacts

The proposed development includes a range of employment accommodating uses. The following analysis assesses the likely employment and wage impacts at full occupancy. For the A1, A3 and D1 uses this is based on primary employment data provided by the anticipated occupiers. For B1a elements employment has been assumed using best practice employment density assumptions¹. Wage effects are assessed based on the latest ONS Annual Survey of Hours and Earnings (data for 2015, released November 2015) for full time median earnings for the appropriate sectors². All employment and wage data is based on full time equivalents (FTE).

Table 4.1 sets out the estimated gross direct employment and wage impacts by element. The full scheme has the capacity to accommodate almost 1,020 FTE jobs generating annual wages in excess of £32 million year on year. The elements of the scheme subject to the full application have the capacity to support employment of 436 FTEs supporting wages in excess of £13m per annum.

Table 4.1 Gross Direct Operational Phase Impacts

	Employment (FTEs)	Wages (£m Annual)
A1 – Aldi Foodstore	26	£0.47m
A3 – Costa	20	£0.35m
D1 – Happy Days Nursery	25	£0.37m
B1a – Full	365	£11.97m
Full Application	436	£13.15m
B1a – Outline	582	£19.10m
Outline Application	582	£19.10m
Total	1,018	£32.25m

Source: HJA Analysis

4.2 Net Additional Impacts

The above analysis presents a measure of the direct effects at the application site. The following considers the net additional impacts at the Cheltenham Borough and Joint Core Strategy (JCS) area levels. This takes account of leakage, deadweight, displacement and multiplier effects. Full discussion of the approach taken is set out in Appendix 1 to this report.

In adjusting to net additional impacts, rather than reporting on a workplace basis, the impacts are reported on a resident basis. That is, the scale of employment and wage impacts on residents of Cheltenham Borough and the JCS area.

¹ Homes & Communities Agency, *Employment Densities Guide, 2015*

² A1 - SIC 4711, A3 – SIC 56, D1 – SIC 8891, B1a – Hybrid based on relevant SICs.

Table 4.2 sets out the results of the analysis. The total scheme has the capacity to deliver almost 500 FTE net additional jobs supporting almost £16 million in wages per annum at the Cheltenham Borough level. This increases to 605 FTEs and almost £19 million in wages at the JCS area level.

Table 4.2 Net Additional Operational Phase Impacts

	Cheltenham Borough		JCS Area	
	Employment (FTEs)	Wages (£m Annual)	Employment (FTEs)	Wages (£m Annual)
A1 – Aldi Foodstore	16	£0.30m	21	£0.37m
A3 – Costa	13	£0.22m	16	£0.28m
D1 – Happy Days Nursery	16	£0.23m	20	£0.29m
B1a – Full	175	£5.73m	211	£6.93m
Full Application	220	£6.48m	268	£7.87m
B1a – Outline	279	£9.15m	337	£11.06m
Outline Application	279	£9.15m	337	£11.06m
Total	498	£15.63m	605	£18.92m

Source: HJA Analysis

4.3 Headline Local Fiscal Impact

The proposed development has the potential to deliver substantial local fiscal benefit through business rates. This will generate increased revenues to local government and will enable the safeguarding and creation of new jobs and the protection and enhancement of services to local residents.

The following analysis is intended as indicative and the final revenue position will be based on formal assessment once constructed. It is acknowledged that there is a complex system for determining locally retained business rates and consultation has recently been completed relating to a revised system of local retention to be brought in by the end of this Parliamentary session (2020). Cheltenham Borough Council participates in the Gloucestershire Business Rates Pool, which has itself revised its arrangements since the end of March 2016. The exact value of the element retained by Cheltenham Borough Council is therefore not stated. The purpose of the analysis below is to provide an indication of the scale of business rates to be generated from the Proposed Development assuming no reliefs. However, what is clear from the direction of policy is that the move to greater reliance on business rates income to fund local government brings the incentive for growth into even sharper focus.

Based on the headline assessment of potential business rates generated by the proposed development the gross rateable value is estimated at approximately £2.7 million. Based on the 2016/17 multiplier the rates payable are estimated at more than £1.3 million. Based on a maximum rate of 50% locally retained the Proposed Development has the potential to deliver additional local revenues in excess of £660,000 once fully implemented. A detailed breakdown is provided in Table 4.3.

Table 4.3 Estimating Business Rates Revenues

	Estimated Rateable Value³	Total Rates Payable⁴	Maximum Local Retention⁵
A1 – Aldi Foodstore	£287,300	£142,800	
A3 – Costa	£40,800	£20,300	
D1 – Happy Days Nursery	£45,200	£22,500	
B1a – Full	£881,000	£437,800	
Full Application	£1,254,200	£623,300	£311,700
B1a – Outline	£1,406,100	£698,800	
Outline Application	£1,406,000	£698,800	£349,400
Total	£2,660,100	£1,322,100	£661,100

³ Estimated based on local comparables. Based on 2017 revaluation estimates.

⁴ Based on 2016/17 multiplier for large businesses of 49.7 pence in the pound.

⁵ Based on current rules with maximum 50% locally retained.

Appendix 1: Assessing Net Additional Impacts

This appendix sets out details of the approach to assessing additionality. This is based on the approach outlined in the Homes & Communities Agency *Additionality Guide, Fourth Edition 2014*. Assumptions vary between the construction and operational phases which are each considered in turn.

4.4 Construction Phase

4.4.1 Leakage

Leakage captures those impacts which 'leak' outside the impact area. For this analysis the primary impact area is identified as Cheltenham Borough with analysis also presented for the Joint Core Strategy (JCS) area. Commuting data is used as the source of data to assess leakage of employment. Data from both the 2001 and 2011 Censuses of Population has been analysed. This shows that the majority of employment impacts are retained within Cheltenham Borough. Where benefits do leak to those that in-commute to the area, the majority are retained within the wider JCS area.

2001 Census data suggests slightly lower than average leakage for construction sector. This records 28% of construction sector employees in-commuting to Cheltenham from outside the Borough. This falls to 13% from outside the JCS area. For comparison, for the whole economy the figures are 30% and 13% respectively.

The 2011 Census does not allow sectoral analysis of this data. Data for the whole economy, calculated on the same basis as the 2001 Census reporting shows in commuting at 38% from outside the Borough and 17% from outside the JCS area. It is uncertain whether the effect of increased in commuting has been felt equally across sectors, but for the purposes of this analysis we adopt the 2011 Census figure.

It should be noted that these figures are slightly different to the whole economy averages listed for the operational phase. The reason for this is the way in which those working at or from home, and those with no fixed place of work are treated. Within the construction sector there will be a high proportion of itinerant workers that need to be incorporated in the analysis. In the operational phase analysis, the focus is on workers with a fixed workplace outside the home. As a result the leakage analysis differs.

4.4.2 Deadweight

Deadweight is a measure of impacts that would be expected to accrue without the proposed development. It is often referred to as a reference case or do nothing option.

Deadweight at the site level is anticipated to be very low. An extant outline planning permission for office development is in place but has not been implemented. Large parts of the current development proposals are similar in nature and therefore it would be inappropriate to consider the extant scheme as deadweight.

4.4.3 Displacement and Substitution

Displacement is a measure of impacts that are offset by reduced activities elsewhere in the target area. Substitution is a form of internal displacement. This could be where a construction contractor secures work on the proposed development and declines work elsewhere in the area. Typically displacement and substitution effects have been considered together.

Gross Direct impacts are shown to peak at approximately 3% of current Cheltenham construction employment and not at a scale that is likely to have substantial displacement impacts. Displacement and substitution effects are therefore deemed to be low in this instance, a figure of 10% at the Cheltenham level and 15% at the JCS level is assumed.

4.4.4 Multipliers

Multipliers capture the effects of further rounds of indirect and induced economic activity. This includes the expenditure through the supply chain of core occupiers and the effects as employees spend their wages in the local economy.

The construction sector has particularly high multipliers, with high levels of locally retained expenditure. This reflects the local sourcing of labour and the expenditure of earned incomes in the local area, as well as the often localised purchase of building materials, particularly non specialised materials. The analysis above has specifically separated out those major areas of expenditure that will flow outside the UK. Multipliers of 1.3 at the Cheltenham level and 1.5 at the JCS area are applied.

4.5 Operational Phase

4.5.1 Leakage

Leakage captures those impacts which 'leak' outside the impact area. For this analysis the primary impact area is identified as Cheltenham Borough with analysis also presented for the Joint Core Strategy (JCS) area. Commuting data is used as the source of data to assess leakage of employment. Data from both the 2001 and 2011 Censuses of Population has been analysed. This shows that the majority of employment impacts are retained within Cheltenham Borough. Where benefits do leak to those that in-commute to the area, the majority are retained within the wider JCS area.

2011 Census of Population data indicates that for jobs within a fixed workplace in Cheltenham 55% are filled by Cheltenham residents. Of the remainder 25% are filled by in-commuters from the JCS area and the remaining 20% from those outside the JCS area.

2001 Census of Population data on commuting patterns suggests much lower levels of in commuting to Cheltenham for service sectors including wholesale, retail and trade and hotels and restaurants which one would expect for what are typically lower wage activities. The 2011 Census does not allow such fine-grained analysis. To reflect the available evidence the level of in commuting is reduced by 10% points at the Cheltenham level and 5% at the JCS area level.

A proxy for office based work, using financial intermediation, real estate and public administration sectors shows a level of in commuting broadly in line with the whole economy average, perhaps

fractionally higher, which one would expect for higher wage activities. No adjustment is made to the headline level.

4.5.2 Deadweight

Deadweight is a measure of impacts that would be expected to accrue without the proposed development. It is often referred to as a reference case or do nothing option.

Deadweight at the site level is anticipated to be very low. There are no substantive employment generating activities on the site at present, with the land supporting negligible agricultural employment. There is therefore no loss of existing employment at the site which needs to be offset. An extant outline planning permission for office development is in place but has not been implemented. Large parts of the current development proposals are similar in nature and therefore it would be inappropriate to consider the extant scheme as deadweight.

In the absence of the development some jobs might be accommodated elsewhere within Cheltenham or the JCS area. However, the need for employment capacity is well known locally, with examples cited of businesses either failing to locate within the JCS area, or relocating outside the JCS area as a result of constrained supply. On this basis it is appropriate to set deadweight at a minimum level of 10% within Cheltenham and 20% across the JCS area.

4.5.3 Displacement

Displacement is a measure of impacts that are offset by reduced activities elsewhere in the target area. This could be where a new business within the proposed development captures market share from an existing business in Cheltenham.

This is anticipated to be very low for the A1, A3 and D1 uses (10%) and low (25%) for office elements. The Cheltenham population and economy are forecast to grow over the coming years and to facilitate this there is a need for additional employment space and appropriate service infrastructure. However, within the office element there is the potential that some take up will be from existing occupiers within the borough with existing office premises lost to other activities. This would be true of any new office development.

4.5.4 Multipliers

Multipliers capture the effects of further rounds of indirect and induced economic activity. This includes the expenditure through the supply chain of core occupiers and the effects as employees spend their wages in the local economy.

Multiplier effects are assessed as medium. For A1, A3 and D1 uses these are set as 1.2 at the Cheltenham level and 1.3 for the JCS area. For office uses these are set as 1.29 at the Cheltenham level and 1.35 at the JCS area. All assumptions based on the HCA *Additionality Guide, Fourth Edition 2014*.