



# RIDGE

TOWN & COUNTRY PLANNING ACT 1990 SECTION 78

SUMMARY PROOF OF EVIDENCE OF PAUL FONG MRTPI

APPEAL 1

APPEAL REFERENCE: APP/B1605/W/18/3200395

APPEAL 2

APPEAL REFERENCE: APP/B1605/W/18/3214761

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#### **PLANNING APPEAL AGAINST THE DECISION OF CHELTENHAM BOROUGH COUNCIL TO REFUSE:**

A hybrid application for FULL planning permission for 5,034m<sup>2</sup> of commercial office space (Use Class B1), 502 m<sup>2</sup> day nursery (Use Class D1), 1,742m<sup>2</sup> supermarket food retail unit (Class A1), a 204 m<sup>2</sup> coffee shop retail unit and drive-thru (Use Classes A1 and A3), with associated parking, landscaping and infrastructure works and outline planning permission for the erection of 8,034 m<sup>2</sup> of commercial office space (Use Class B1), together with associated car parking, landscaping and infrastructure works, with all matters reserved (except access).

And

#### **PLANNING APPEAL AGAINST THE DECISION OF CHELTENHAM BOROUGH COUNCIL TO REFUSE:**

A hybrid application for full planning permission for 5,914 m<sup>2</sup> of commercial office space (Use Class B1), 502 m<sup>2</sup> day nursery (Use Class D1), 1,742 m<sup>2</sup> food retail unit (Use Class A1), with associate parking, landscaping and infrastructure works and outline planning permission for the erection of 8,034 m<sup>2</sup> of commercial office space (Use Class B1), together with associated car parking, landscaping and infrastructure works, with all matters reserved - except access (resubmission).

#### **Prepared by**

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## **1.0 QUALIFICATIONS AND EXPERIENCE**

- 1.1. My full name is Paul Jonathan Fong and I am presenting this evidence on employment land supply on behalf of Hinton Properties, the Appellant for this development.
- 1.2. Within Gloucestershire, I am part of the Construction and Infrastructure Group of the GFirst LEP, providing advice and guidance on planning matters that influence the Gloucestershire economy. On a professional basis I deal with the development and expansion of employment sites across the country for a variety of industrial and commercial clients. I have recently been involved in the promotion of a new business park for Ecotricity in Stroud District. I am also currently responsible for the expansion and development of new R&D buildings for Renishaw PLC and Wootton-under-Edge.
- 1.3. The evidence I have prepared within this Proof of Evidence is true and has been prepared in accordance with the guidance of the Royal Town Planning Institute. I can confirm that the opinions expressed are my true and professional opinions.

## 2.0 INTRODUCTION

- 2.1 My proof of evidence will deal with the employment land supply within Cheltenham Borough and assess whether the appeal proposals will be detrimental or beneficial to the overall supply of employment land within the Borough.
- 2.2 In addition to my proof, there will be additional evidence on Viability and Employment Land provided by Phillip Pratt from Alder King as well as Economic evidence provided by Stuart Hardisty of Hardisty Jones.
- 2.3 My Proof of Evidence will therefore focus on addressing whether the appeal proposals will accord with the economic strategies for Cheltenham Borough and whether the alleged loss of employment land to other uses will actually offend the supply of new employment land within Cheltenham or any of the adopted planning policies relating to employment land provision.

### 3.0 PLANNING POLICY CONTEXT

- 3.1 The relevant Development Plan to the Appeal proposal comprises the Joint Core Strategy as well as the saved policies of the Cheltenham Borough Local Plan.
- 3.2 I am mindful that the Cheltenham Plan has recently been submitted for examination but is still subject to objection.

#### Cheltenham Borough Local Plan Second Review 2006

- 3.3 For the purposes of my proof of evidence, I will only be looking at the saved policies in the employment chapter of the Cheltenham Borough Local Plan (CBLP).
- 3.4 Given that this Plan expired in 2011, it is considered that the employment policies in the CBLP are significantly out-of-date and do not provide for the employment needs of the Borough.

#### JOINT CORE STRATEGY, DECEMBER 2017

- 3.5 The Joint Core Strategy was adopted in December 2017, after considerable gestation and making a marked change in the employment supply from 64ha up to 192ha across the three authorities.
- 3.6 Policy SP2 sets out that the JCS will make provision for a minimum of 192ha of new B Class employment land. Strategic allocations WILL make up 84ha of the minimum requirement of 192ha. The remaining allocation of **108ha** is to be provided through the District Plans.
- 3.7 The Economic Update Note anticipated that the proposed SALA sites would deliver 48ha of new employment land during the plan period. The remaining capacity was anticipated to come through the residual land available on existing allocations. After a detailed scrutiny of these sites, it is apparent that they will only deliver 10.4ha of employment land. With regard to extant consents the supply position was purported as being 32.291ha. The actual supply available from this source is 10.2ha.
- 3.8 The current Employment Land Supply from the JCS Authorities can therefore be summarised as follows:

• Strategic Allocations:	84ha
• Existing undeveloped capacity (based on previous allocations and extant planning permissions):	20.6ha
• Allocations coming forward (Tewkesbury Borough Council):	45ha
<b>Total:</b>	<b>149.6ha</b>

- 3.9 There remains 42.4ha of additional employment land to be found within the JCS area in order for the minimum requirement of employment land to be met. It is expected that the Local Plans will provide sufficient flexibility to provide a 'pipeline' of new sites in order to accommodate for every business need and ensure the growth of the economy.

## Cheltenham Plan Pre-Submission Version (Regulation 19) February 2018

- 3.10 The Cheltenham Plan, when adopted together with the JCS, will comprise the statutory development plan for Cheltenham up to 2031. Given the subdivision of the employment land supply in the JCS, it is apparent that both plans are inter-dependent on the provision of new employment land to deliver a robust and deliverable employment strategy for Cheltenham and a comprehensive and up-to-date development plan for the area.
- 3.11 At the present time there remains a substantial unresolved objection to the economic strategy of the Local Plan. In summary, these involve the Plan not providing sufficient employment land or addressing the structural gap in the employment land provision as well as not supporting the right environment for employment development. Therefore, until this objection has been resolved, it is clear that only limited weight can be given to the emerging policies of the Cheltenham Plan including EM3.

### *Cheltenham Economic Strategy: Athey Consulting*

- 3.12 The Athey report found ***there are no quality sites or premises for business expansion, relocation or inward investment either within the town centre, edge of centre or greenfield sites***. Coupled with this, it is also apparent that there is a lack of high-quality office accommodation and choice of Business Park opportunities in the town which provides *the* structural gap in the employment land provision for Cheltenham.
- 3.13 Overall therefore, the Athey report concludes that, **if the Borough is to improve its productivity to meet its economic ambitions, and importantly retain higher value businesses, the development of more employment land is necessary to provide a choice and variety of high-quality employment sites**.
- 3.14 The Council's approach in trying to safeguard all employment sites for only B Class use does not respond to market signals and in the long term may be counterproductive simply because it will not create the right business environment.
- 3.15 In order to make sites attractive, business parks should be in accessible locations and accommodate some ancillary uses (up to 20% - as specified in the LEP letter) on site to make them more attractive to end users.

- 3.16 Given the significant dearth of attractive employment sites in Cheltenham and its role as a business centre, it would therefore be anticipated that there would be a pipeline of new business park sites emerging through their local plan in order to address the current shortfall in employment land and tackle their economic problems. Conversely, the emerging Cheltenham Plan has adopted a more conservative approach, seeking simply to recycle existing employment sites and without identifying any new employment land within their plan.
- 3.17 The JCS was adopted against the backdrop of an acute need for new employment land which was partly resolved through the strategic allocations. The additional land to support the JCS was intended to emerge through the Local Plans and the JCS was designed intentionally to be complimented by these allocations.
- 3.18 Without the additional employment land supply, the JCS is incomplete and unable to provide for the economic needs of its area contrary to the requirements of Paragraph 11 of the NPPF.
- 3.19 Therefore, until such time as the employment needs of the area are able to be met, the development plan policies contained in the JCS and the Cheltenham Borough Local Plan are out of date and accordingly these planning appeals should be approved as it is apparent that both proposals would provide much needed employment land for the Borough and would respond to market signals on the delivery of quality employment land that have not been recognised by the Council as well as help address the structural gap in the employment strategy of the Borough.



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