

REPRESENTATIONS 24G, 35A, 69C, 96J, 100B, 105B, 110D, 129W -
Paragraph 6.43, Policy C07

Background

6.86 The County Development Plan of 1968 left an area of 'white land' between Leckhampton and the inner boundary of the green belt. That plan said that this land, about 60 hectares of smallholdings, nurseries, market gardens and pasture, might later be allocated for development, or that it might be included in the green belt, if it appeared that it should remain open in the longer term. The deposit CELP proposed the latter course; however, the inspector recommended that the land should remain as 'white land'. Policy C07 perpetuates this state of affairs, whilst the reasoned justification says that: (i) the land is not required to meet housing needs in the plan period; (ii) some of the land is of good quality for horticulture; (iii) development would cause traffic problems on Bath Road and Church Road; (iii) development would overburden the drainage infrastructure; (iv) nothing in the plan should be taken to imply that the land will be released for development after 2001.

Gist of the representations

6.87 The land is not green belt, and therefore there should not be a presumption against development (24G, 96J, 100B, 110D). The policy should say that development will only be allowed when there is insufficient land elsewhere to meet strategic requirements (100B).

6.88 The inspector who considered the CELP concluded that it was not necessary to include the land in the green belt to prevent the coalescence of Cheltenham and Gloucester; or to prevent urban sprawl; or to protect the special character of Cheltenham. He described the townscape on this edge of the settlement as 'pleasant enough' but 'not particularly distinguished'. He acknowledged that the extension of the green belt would protect good agricultural land from development, but said that that was not one of the primary purposes of green belt policy. There has been no material change in circumstances since 1984 (100B).

6.89 The CELP inspector was not asked to consider the land at Swindon Farm (see representation 69B above). However, if the reasoning which he applied to Leckhampton is also applied to Swindon Farm, then it must be concluded that the latter is inappropriately included in the green belt, and should instead be covered by Policy C07 (69C).

6.90 The land at Leckhampton is virtually surrounded by existing residential development, some allowed recently. Before the end of the plan period, the land will be required for development, which should be planned on a comprehensive basis (110D).

6.91 The land is not of particularly good agricultural quality, being a mixture of Grades 2, 3a and 3b, and agriculture in the area is in decline. The capacity of Bath Road and Church Road could be increased by minor improvements, and traffic is likely to be drawn away from the town by new bypasses and road improvements to the south of Cheltenham. Recently completed sewerage works included capacity for significant residential development at Leckhampton. Surface water could be accommodated by existing watercourses and a balancing pond (105B, 110D).

6.92 The land at Leckhampton should be protected for its special historical, landscape and amenity value. It represents the last example of the gradual transition between the urban area and the countryside which characterised the Regency town. It should be considered anew for green belt or AONB status, for 'landscape conservation area' status, and as part of a Leckhampton Conservation Area (35A, 129W).

Gist of the council's response

6.93 The policy should be rephrased so that it does not contain a 'presumption against' development.

6.94 There is no need to allocate additional land to meet structure plan requirements. Swindon Farm is appropriately included in the green belt.

6.95 The land at Leckhampton continues to be farmed with no indication of decline. The structure plan says that development which leads to additional traffic on Bath Road will be resisted, as improvements would be damaging to the environment. The present sewerage system cannot accommodate even limited development on the Leckhampton land, and the Hatherley Brook is loaded to capacity.

6.96 It would be unreasonable to expect there to be no further need for development after 2001 in Cheltenham. The designation of 'unallocated land' is an effective tool for resisting growth in a period of restraint. It is not inevitable that any or all of the Leckhampton land will be developed, but the designation gives the council the option of a strategy which includes peripheral growth. The historical and amenity value of the land is acknowledged, and the plan should be changed accordingly. The boundaries of the AONB were reviewed by the Countryside Commission only a short time ago.

Conclusions

6.97 The land at Leckhampton was originally omitted from the green belt with the proviso that the green belt notation might be extended if it appeared at a later date that it should remain open in the long term. The CELP inspector concluded that the principles which guided the planners in 1968 applied equally in 1984, and that the land should not be green belt, but should remain open. I have had the benefit of new evidence concerning the character, appearance and historic interest of the land. I have walked over it and examined it from Leckhampton Hill, and reached my own conclusions on its merits. I have also examined Swindon Farm, which the CELP inspector was not asked to do. The GSPFA, with its strategy of restraint, in great contrast to the high level of development which occurred in the 1980s, was approved only recently (in 1992). In my opinion these are material changes, which have occurred since 1984, in the circumstances surrounding the question of longer term development in Cheltenham.

6.98 There is in my view an ambivalence in the council's approach. They argue in respect of representation 69B, above, that the strategy of restraint is likely to continue beyond 2001, and that if changes to the green belt are needed in the longer term they should be made only after a comprehensive study of the entire boundary (CBC54). At the same time, they wish to retain the option of a strategy which includes peripheral growth,

and put forward Leckhampton as their strategic reserve of land (B11 and CBC39)⁵. Logically, it should follow that only the lack of present need should, in principle, prevent the development of that land, as argued by Bovis Homes. However, the council also cite agricultural land quality, highway constraints, and drainage constraints, as reasons for opposing development. As the objectors say, once the principle of the strategic reserve is accepted, the question of land quality becomes irrelevant, and the other constraints merely await technical solutions.

6.99 I have before me very convincing, but contrasting, evidence concerning Leckhampton and Swindon Farm. The former is a complex mosaic of uses and features, full of historic interest and highly visible from the important Cotswold scarp. It is possible to walk on rural public footpaths from virtually the edge of the CCA to the top of Leckhampton Hill, passing through some very attractive landscape, such as Lott Meadow. I do not believe that the development at Leckhampton Lanes, whilst undoubtedly intrusive from some viewpoints, so compromises the generally rural character of the unallocated land that further urbanisation should automatically follow. Swindon Farm is, on the evidence and to my eye, of far less intrinsic interest, although also of good agricultural quality, but it lies within the approved green belt. However, neither area of land, according to the evidence of Mr Beese, which follows a logic similar to that of the CELP inspector, is vital to the purposes of the green belt. Moreover, as I conclude in respect of the representations concerning the NWBP, below, there is evidence of an informal but consistent impulse towards development in the north west sector.

6.100 I believe that it would be very sad indeed if development were to proceed at Leckhampton, with its variety and interest, whilst Swindon Farm remained inviolate simply because of its present green belt status. I recognise that green belt boundaries should be altered only in exceptional circumstances; but if it is wrong for Leckhampton to be in the green belt, the same logic appears to apply to Swindon Farm, and vice-versa.

6.101 In my view this dilemma can only be properly resolved by a comprehensive review of the options when and if a requirement for peripheral land release emerges. I deal with the question of the need for development land below (see for example Chapter 10 for my conclusions on housing). It is sufficient to note here that given the clear structure plan strategy of restraint, the recent approval of the first alteration, and the lack of convincing evidence to suggest that the need for development land in Cheltenham has materially changed since that approval, I see no need to release the land at Leckhampton during the plan period, or to change the policy to allow for that possibility. Indeed, I do not believe it is right to nominate the land as a strategic reserve, without properly weighing the costs and benefits of developing it against those of other sites, such as Swindon Farm.

⁵ The council cite a Ministerial letter to the Boundary Commission in support of their contention that the Leckhampton land should not be included in the green belt. However, the quotation concerned refers to 'development which is expected to take place soon', and there is no evidence before me to suggest that this quotation could justifiably be applied to the unallocated land at Leckhampton.

6.102 I believe that the reasoned justification should be changed to make it clear that the Leckhampton land is not being protected as a strategic reserve, but because of its varied topography, landscape history, dense network of footpaths, and pedestrian access from several residential districts. I also believe that, if further peripheral growth is thought to be necessary, a rigorous comparative review of the possibilities should be undertaken, using consistent criteria throughout the borough. If the plan were so changed, I do not think it would be necessary to give the land additional protection in the short term by making it green belt, a landscape conservation area, or part of a new conservation area, although all these options should in my view be rigorously explored as part of the next review process. The proper boundary of the AONB is not a matter for me to consider, but no doubt the land can be looked at again when the next review is carried out.

6.103 The land at Leckhampton appears from the latest available classification (MAFF 1) to be a mixture of Grade 2, 3a and 3b. Although not of the highest quality, the land is in my opinion sufficiently valuable for this factor to be given some weight if it ever becomes necessary to consider whether the land ought to be released.

6.104 The structure plan supports the council's contention that Bath Road does not have the traffic capacity to support further development. There is insufficient evidence for me to draw conclusions about the drainage question: there is, at the least, serious uncertainty. Whether these constraints might be overcome in the longer term is not a matter which I need to address. However, they seem to me to be of such importance, and to have implications for such a wide area, that it is reasonable to conclude that the land at Leckhampton would need to be the subject of comprehensive development proposals if it were ever to be developed, as the council suggest. In the meantime, it should in my view continue to be protected from development.

6.105 PPG2 advises that land between the urban area and the green belt which may be required to meet long term needs should be 'safeguarded'. It is difficult to see how this could be achieved in practice without applying the same sort of rigorous control over development as is usual in the green belt itself; anything less would in my opinion be seen as an invitation for speculative development proposals. How this is set out in the policy is a matter for the council, although the policy should not contain a presumption against development.

Recommendations

I recommend that:

6.106 Policy C07 should be rephrased so that it does not contain a 'presumption against' development. It should continue to protect only the land at Leckhampton.

6.107 The reasoned justification should be strengthened to make it clear that the Leckhampton land is not being protected as a strategic reserve, but because of its varied topography, landscape history, dense network of footpaths and pedestrian access from several residential districts.

6.108 The plan should also say that if, in the future, further peripheral growth is thought to be necessary, a rigorous comparative review of possible sites should be undertaken, using consistent criteria throughout the borough.