**CBC LOCAL PLAN 2011-20131 EXAMINATION**

**MATTER 4: GREEN BELT & GREEN INFRASTRUCTURE**

WRITTEN SUBMISSIONS ON BEHALF OF CHELTENHAM CRICKET CLUB

**1. INTRODUCTION**

1.1 Cheltenham Cricket Club (“CCC”) is the owner of the cricket grounds and associated club facilities at Victoria Cricket Grounds (“VCG”) Princes Street Cheltenham GL52 6BE. CCC made representations at the pre-submission consultation stage of the LP in February 2018. [ID083- rep 1146]

1.2 VCG is allocated in the emerging plan (“CP”) as Local Green Space (“LGS”) and falling within the general definition of Green Infrastructure (“GI”). LGS is protected by Policy GI1 and by national policy. The site is referred to in Table 8 (ref 9) in EB012/ EB015 as Site ID 74, and in EB021/EB022-Part2 as Site 2.

1.3 CCC maintains its objection to the designation of VCG as LGS and regards the Council’s response to the February 2018 submissions as inadequate and misplaced. It is regrettable that the Council has not seen fit to engage with the landowner.

**2 THE INSPECTOR’S GI QUESTIONS**

2.1 **Q1**. The CP seems to have adopted an “all or nothing” approach to GI through Policy GI1, casting its net widely and seeking formal designation of all GI sites as LGS (listed in Table 8). The sites are numbered 1-84 (site 3 is missing = 83 sites total). GI1 does not interpret JCS policy INF3; it is an entirely different policy. There are policy options open to CBC to deliver multifunctional, linked green corridors. LGS designation is not a necessary pre-requisite. Given the protection afforded by LGS its designation ought to be a “high hurdle” in the same way that national designations e.g. AONB and Green Belt, need to meet special criteria to warrant designation. NPPF paragraph 77 makes this clear. NPPG advises on GI:

 *Green infrastructure is a network of multifunctional green space, urban and rural, which is capable of delivering a wide range of environmental and quality of life benefits for local communities.*

 *Green infrastructure is not simply an alternative description for conventional open space. As a network it includes parks, open spaces, playing fields, woodlands, but also street trees, allotments and private gardens. It can also include streams, canals and other water bodies and features such as green roofs and walls.*

 CBC’s approach is not consistent with this guidance.

2.2NPPG (extracts) advice on LGS:

 *Local Green Space designation is a way to provide special protection against development for green areas of particular importance to local communities*. (My emphasis)

 *Designating any Local Green Space will need to be consistent with local planning for sustainable development in the area. In particular, plans must identify sufficient land in suitable locations to meet identified development needs and the Local Green Space designation should not be used in a way that undermines this aim of plan making*. (My emphasis)

*Local Green Spaces may be designated where those spaces are demonstrably special to the local community, whether in a village or in a neighbourhood in a town or city.* (My emphasis)

*Some areas that may be considered for designation as Local Green Space may already have largely unrestricted public access, though even in places like parks there may be some restrictions. However, other land could be considered for designation even if there is no public access (eg green areas which are valued because of their wildlife, historic significance and/or beauty).*

 *Designation does not in itself confer any rights of public access over what exists at present. Any additional access would be a matter for separate negotiation with land owners, whose legal rights must be respected.*

 *A Local Green Space does not need to be in public ownership. However, the local planning authority (in the case of local plan making) or the qualifying body (in the case of neighbourhood plan making) should contact landowners at an early stage about proposals to designate any part of their land as Local Green Space. Landowners will have opportunities to make representations in respect of proposals in a draft plan.* (My emphasis)

2.3 CBC has made no contact with CCC (the landowner) and had simply relied on (factually incorrect) untested information provided by Fairview Community Association (“FCA”)

2.4 **Q2.** It is not known how many landowners have not been consulted but it would appear that CBC has taken at face value information provided by other parties (e.g. Residents or Community Associations). It is a fact that CCC was not consulted by CBC.

2.5 **Q3.** CBC’s study Reports EB021 & EB022 (Part 1 & Part 2) need to be read in association, but also together with EB012 and EB015. The reports rely on older base data including that contained in Topic Paper NS007. It is not clear why NS007 is not a library document. The study reports should be read in conjunction with national planning policy, but should also have regard to other national policy e.g. Sport England Playing Fields Policy & Guidance March 2018. The Sport England policy has been carefully conceived to include relevant and important exceptions to playing fields use, or redevelopment, taking account of the interests of sport as an integral, and important, component in the planning balance.

2.6 EB021 (see pages 75 & 76) includes the promotion of VCG by FCA (ref 1.1 map 26). Much of the information contained in the toolkit is inaccurate and misleading and the community use, and value, has been exaggerated. The site does not meet the Hub, Key or local criteria. The evidence of community support provided was, and is, woefully inadequate. Had CCC been consulted it would have set out the shortcomings (see Appendix C) of the existing grounds/facilities and their unsuitability to meet the club’s (and the sports) current and future needs. There is no public access to the site. CCC has granted private rights to a number of adjoining residents which is renewable annually.

Recommendation H of EB015 includes the following:

 *“While maximising the use of existing pitches offers scope to address the quantitative deficiencies for most sports, new or additional cricket squares on public or private fields, as well as improving existing wickets is required to meet the levels of demand identified for cricket both now and in the future”*

2.7This recommendation should be read in association with Sport England Policy. It is CCC’s position that its existing ground, VCG is insufficient (both in quality and quantity) for its current, projected and planned sporting needs. Whilst Recommendation h does not appear to envisage relocation (and associated redevelopment) it is necessary to consider that option. To remove the option from consideration is not in the interests of sound planning, or promotion of sport. CCC is now actively seeking suitable land for quality grounds for crickets (and potentially other sports- see Appendix E support from CHC) 21st Century needs.

2.8 **Q4**. Yes. Table 8 (site 9). VCG does not meet the criteria in National Policy and advice (NPPG para 76-78 & NPPG policy on GI & LGS- inc. extracts reproduced above). It is suspected that there are many sites promoted in Table 8 that do not meet the national criteria. There is little evidence that sites (we refer especially to site 9) are “demonstrably special”. Failure to meet national policy Including NPPF paragraphs 76 & 77) has been considered in previous plans[[1]](#footnote-1). Failure to meet national policy, as found in the Examination of the Backwell NDP, is fatal to local policy. As the examiner concluded, *“...it is entirely reasonable to expect compelling evidence to demonstrate that any such allocation meets national policy requirements”* and *“...the fact that there may be other benefits arising from a Local Green Space designation does not mitigate against, or overcome a failure to meet, a policy requirement”.*

2.9 **Q5.** CBC’s inclusion of extensive tracts of land (as referred to by example in the Inspector’s posed question) reinforces our view that the Council has misinterpreted the policy setting aside the most important advice regarding “scale” and that designations *“...will not be appropriate for most green areas or open space”*. The Council has adopted the opposite position i.e. to seek to designate most sites contrary to policy.

2.10 **Q6**. It is important that LGS is not an extension of Green Belt by the back door. The proposed designation near Swindon Village is in conflict with national policy. The proposed allocation is a further example of the Council’s misinterpretation (or misapplication) of national policy.

2.11 **Q7**. Like Q 5 & 6 above this is not a matter directly related to CCC concerns, but is a further example of the Council’s misinterpretation (or misapplication) of national policy which results in national policy conflict.

2.12 **Q8**. As above.

**APPENDIX A:**

**Extract of submissions made to Tewkesbury Borough Plan (FIO)**

***6 CHAPTER 9 COMMUNITIES HEALTH & RECREATION***

*6.1* ***RCN 1****. Support in principle.*

*6.2* ***RCN2****. Support for new sports and recreational facilities are welcomed. The focus should however be on the quality of the facilities. The latest advice from Sport England and from sport Governing Bodies should be taken into account. Object to the wording that new building structures must be strictly ancillary. It is accepted that new building structures will need to be suitability justified. There will however be circumstances (e.g. in the provision of elite training facilities) where necessary/essential facilities will be more than ancillary. We would advocate greater encouragement (fewer obstacles) for the provision of high quality sports facilities fit for the 21st Century. Additional high quality facilities within Tewkesbury Borough (in and around the Cheltenham/Gloucester urban fringe) are likely to be required in the plan period in order to meet with the needs of the JCS area’s growing population.*

**APPENDIX B:**

 *JCS SLAA forms submitted as an attachment (for background information only)*

**APPENDIX C:**

 *CCC analysis of the Grounds weaknesses and threats impacting on continuing/improving cricket. Submitted as an attachment.*

**APPENDIX D:**

 *Letter from Gloucestershire Cricket Board (GCB). Submitted as an attachment.*

**APPENDIX E:**

*Letter from Cheltenham Hockey Club (CHC)*

1. Backwell NDP Examiner’s Report October 2014 [↑](#footnote-ref-1)