

Cheltenham Plan Examination

Matter 3: Housing and mixed use development

Written statement by Cheltenham Borough Council

23rd January 2019

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Main Issue: Do the proposals for residential and mixed use development in CP Policies H1 and H2 deliver the requirements for residential development in the JCS set out in Policy SP2 and Table SP2a?

1. Table SP2a identifies a supply of 1,011 dwellings to be identified through the Cheltenham Plan. Does the CP identify sufficient land to meet this requirement?

The Council considers that the Plan does identify sufficient land to meet the requirement as set out in the Joint Core Strategy (JCS). The Council recognise that the number of dwellings being delivered through the Cheltenham Plan allocation policies does not provide a substantial safety net compared to the required figure. However, the way in which the overall housing requirement was calculated with a number of uplifts, it is felt that this means the safety net is already built into the requirement figure, especially considering the final 5% uplift the JCS Inspector felt necessary to boost the supply of affordable housing. Therefore it is felt that because the Cheltenham Plan is meeting the figure set out in the JCS, it does not need to be higher.

The Spatial Strategy of the JCS has always looked at the urban capacity of each of the local authorities first, and then used the strategic allocations to provide the unmet need. Since the beginning of the plan making process for the JCS, the list of sites used to inform the urban capacity of Cheltenham has not significantly changed, except for those sites already being developed having been discounted, and some additional sites being added.

Finally, due to the highly constrained nature of Cheltenham Borough, sites which are considered to be suitable, available and achievable (at the time of writing the Plan) are in short supply within the Principal Urban Area. The sites which have been allocated are sites which are suitable, available and achievable, which further evidence and public consultation responses have not raised significant concerns over.

The Cheltenham Plan will utilise monitoring, as reported through the Authority Monitoring Report annually to ensure that should any shortfall in delivery occur, an assessment can be undertaken to understand the reason for this and remedial action can be implemented, this could lead to a plan review where this is considered necessary.

2. Does the allocation of any of the sites under Policy H1 or H2 affect the soundness of the CP?

All of the sites allocated under policies H1 and H2 have been thoroughly assessed through the evidence base work, starting with the Strategic Assessment of Land Availability (SALA). Only sites which were assessed as being suitable, available and achievable were considered for allocation in the Plan, the methodology by which the sites were assessed in the SALA, can be seen in document reference EB020 of the Examination Library.

Another key piece of the evidence base which assessed the sites in further detail is the Sustainability Appraisal (document reference SD017). All of the sites allocated in the Plan have been assessed by the Sustainability Appraisal, where negative impacts were found to be likely due to the proposed development; it was felt that sufficient mitigation measures could be put in place, so that development could go ahead without overall adverse impact.

Furthermore, the evidence base as submitted has covered a range of subjects in detail, which has informed the sites included for allocation in the Plan based on the results of the evidence gathering. Any minor constraints and mitigation measures can be assessed and dealt with at application stage.

It is for the reasons stated above that the Cheltenham Borough Council consider the plan to be sound with regards to Policy H1 and H2.

3. To what extent has the trajectory at Table 10 of the CP been agreed with the relevant landowners, developers and agents? Are the sites identified in Policies H1 and H2 likely to deliver 1,011 dwellings by 2031 in accordance with the requirements of the NPPF para 47?

The trajectory shown in the Plan as submitted was the same that was included in the Pre-Submission Regulation 19 consultation. All landowners or agents acting on their behalf were invited to make representations to the consultation, of which there were no objections from the site owners as to the development trajectory proposed in the Plan.

The Strategic Assessment of Land Availability (SALA) assesses a site for deliverability, and gives an estimated timescale for delivery which is informed by the site submission form from the site promoter. A site would not have been proposed for allocation if it was not felt to be deliverable in the SALA within the Plan period. The most recent SALA is part of the evidence base, document reference EB020.

4. Has sufficient regard been given to the impact of development on historic assets and their settings at the following housing allocations: HD2, HD3, HD4, HD7, HD8?

HD2: The Local Authority acknowledges that the LP Housing Site Allocation Historic Environment Appraisal (ECUS: December 2017 – EB019) does not provide a conclusion on the likely impact of development on the St. Mark's Conservation Area; however it is contended that the appraisal does sufficiently engage with the conservation area by recognising the heritage asset and proposing

appropriate measures to aid the consideration of any impact on the asset by development in its setting. The policy (HD2) does recognise the value of the conservation area by providing site specific requirements which include “A layout and form of development that respects the character and significance of the St. Mark’s Conservation Area.”

Neither the Poets Conservation Area Character Appraisal and Management Plan (June 2009) nor the draft replacement appraisal mention this allocation site. Whilst the site is adjacent to the conservation area it does not appear to form part of the historic setting. Neither does it contribute to any key views. It is therefore considered that the principle of development on the allocation site is acceptable.

HD3: Whilst the policy does not provide a site specific requirement relating to the significance of heritage assets, Cheltenham Borough Council as the Local Planning Authority would be obliged to consider the impact of proposed development on those assets in line with the provisions of the relevant legislation and national, and local policy.

The allocation site forms part of a former industrial complex. Most of the site was granted outline planning permission in 2017 for 58 dwellings (17/00929/OUT). The permitted site wraps around the allocation site and is much larger in scale. The heritage statement which accompanied the application is included as an appendix. The approved scheme is solid evidence that development on the allocation site can be made to be acceptable in heritage terms.

HD4: The ECUS report (EB019) contends that “A residential scheme here [the western area of the site] should not harm the settings of adjacent heritage assets”.

The site is allocated for approximately 25 dwellings within a well screened part of the site.

Following discussions between the council and Historic England a more detailed historic appraisal was commissioned to assess the impact of the potential development on the setting of nearby heritage assets (Appendix C). The assessment was undertaken in accordance with Historic England’s guidance of ‘The Setting of Heritage Assets. GPA3’ (2nd edition, Dec 2017) and ‘The Historic Environment and Site Allocations in Local Plans’ (Historic England Advice Note 3, Oct 2015).

The appraisal found that

“the western area of the site as visually and spatially separate from the rest of the site. As such it is suggested the retention of the mature boundary with dense bushes and mature trees would screen the western part of the site from the nearby heritage assets. A residential scheme here should not harm the settings of adjacent heritage assets.”

Following conversations with Historic England in light of the new assessment it is agreed that development on this site should be contained in west, behind the existing tree belt, with access from Oakhurst Rise. This is in recognition of the contribution that the rest of the site makes to the significance of historic assets. It was also agreed that any development on the site should secure improvements to the Ice House.

The Council and Historic England are making progress to resolve outstanding issues. It is anticipated that a Statement of Common Ground will be finalised within the next two weeks. This will make recommendation of minor amendments to Policy HD4 to clarify the issues mentioned above.

HD7: Though the policy does not provide site specific requirements relating to potential archaeology or a setting assessment, Cheltenham Borough Council as the Local Planning Authority would be obliged to consider the impact of proposed development on those assets in line with the provisions of the relevant legislation and national and local policy.

A heritage assessment was carried out for a planning application to the west of the cemetery in 2017 (17/00929/OUT). This concluded that the

“The cemetery’s park-like character provides the immediate setting for the buildings and funerary monuments within it, and makes a substantial contribution to their significance, but the cemetery’s wider setting is not considered to contribute in any major way to the RPG’s significance, apart from to the east which affords views of open countryside.”

The cemetery is also well screened from the allocation site by a mature hedgerow and trees. It is therefore considered that a development scheme on the allocation site could be made acceptable in heritage terms. Any application will be subject a detailed assessment of the proposed scheme as mentioned above.

HD8: The site allocation is ‘sizeable’ in area but a relatively low density assumption has been applied to allow for flexibility in layout. The Housing Site Allocations Historic Environment Appraisal, ECUS December 2017 found that:

- The western area of the site has been the subject of a desk-based assessment, a geophysical survey and an archaeological evaluation. The evaluation revealed that the site had very little archaeological potential;
- The desk-based assessment considered that the development proposals would not harm the setting of the Moat House Scheduled Monument and Listed Building within the monument.

The Council remain confident that an acceptable scheme can be accommodated on the site which would not cause unacceptable harm to the setting of the nearby heritage assets.

A scheme for 90 units in the south west of the site was granted outline planning permission in December 2017 (17/01411/OUT). This demonstrates that the approximately 175 dwellings allocated on this site in the Plan could be accommodated whilst leaving a substantial buffer area.

Following discussions between the council and Historic England a more detailed historic appraisal was commissioned to assess the impact of the potential development on the setting of nearby heritage assets (Appendix D). The assessment was undertaken in accordance with Historic England’s guidance of ‘The Setting of Heritage Assets. GPA3’ (2nd edition, Dec 2017) and ‘The Historic Environment and Site Allocations in Local Plans’ (Historic England Advice Note 3, Oct 2015).

The appraisal found that the “site is considered to make a low contribution to setting of the Moated House Moated Site (NHLE: 1016835) and the Grade II listed buildings (NHLE: 1091874, 1340069 & 1154528) within its scheduled area.” Nevertheless the appraisal recommends “to reduce impacts

upon the setting of the nearby designated heritage assets, the scheme on the western area of the site should provide a green buffer to the south of the River Chelt thereby providing a degree of separation from the scheduled moat to the north.”

Following conversations with Historic England in light of the new assessment it is agreed that development on this site should be set back from the River Chelt. This would help retain pastoral experience of the moated site and association with shallow river valley. Development on the site also provides the opportunity to reinstate the public footpath that runs alongside the River Chelt and to contribute to the design of a green space to the north of the site.

The Council and Historic England are making progress to resolve outstanding issues. It is anticipated that a Statement of Common Ground will be finalised within the next two weeks. This will make recommendation of minor amendments to Policy HD8 to clarify the issues mentioned above.

5. Would it be appropriate to allocate additional housings sites in the CP in order to provide more choice and help to ensure that the target figure of 1,011 dwellings is met? (NB: this does not seek the identification of sites currently omitted from the CP)

See answer to question one of Matter 3.

6. Is there adequate justification for the siting of a school within the Leckhampton allocation (MD5)?

A Statement of Common Ground between the Council and the education authority demonstrates that both agree there is a need for a secondary school in the south of Cheltenham. GCC published a report (see Appendix B) which sets out the data which demonstrates by 2019/20 all Cheltenham secondary schools will be full in year 7, with a permanent shortfall of year 7 places of at least 4 forms of entry (120 places) arising from basic need and planned strategic and nonstrategic local housing. Additional to the capacity required in 2019, by 2021 a further 2FE (60 places) at Year 7 will be required to ensure adequate secondary provision. This equates to a total of six additional forms of entry being required by 2021 to ensure there are sufficient secondary school places in Cheltenham for local children.

GCC came forward with this information shortly before the Pre-Submission Cheltenham Plan was due to be considered by Council for consultation. They presented the report mentioned above and a document (Appendix A) which provides a review of potential sites for the school. The conclusion of the document is that the site within the allocation boundary is sequentially preferable. This view was supported by GCC during the Pre-Submission (Regulation 19) consultation.

Siting the school within the Leckhampton allocation will ensure that development is kept away from more sensitive landscape areas to the south and maintain the integrity of the proposed Local Green Space.