

Cheltenham Plan Examination

Matter 4: Green Belt and Green Infrastructure

Written statement by Cheltenham Borough Council

23rd January 2019

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Main Issue: Green Belt

1. Does the CP accord with Policy SD5 of the JCS in relation to the Green Belt?

Policy SD5 of the JCS protects the Green Belt from inappropriate development. Policy GB1 of the Cheltenham Plan specifically references the JCS and that any development within the Green Belt should accord with it. The second paragraph of Policy GB1 provides local context for two specific parts of the borough but does not conflict with Policy SD5.

Policy GB2 also adds local context to Policy SD5 by specifically referring to rebuilding and replacement of dwellings within the Green Belt. The criteria within the policy which need to be met are consistent with SD5 in that they seek to prevent harm to the Green Belt from inappropriate development.

2. Are there any exceptional circumstances which would justify a limited review of Green Belt boundaries through the CP?

JCS Policy SD5 allows for the subsidiary local plans to include a limited review of Green Belt boundaries. The Green Belt within Cheltenham performs a strategic function and is related to settlements which are in Tewkesbury Borough. It would therefore be more appropriate for the Cheltenham Green Belt to be reviewed only as part of a comprehensive study across the JCS area.

The JCS released a large portion of the Cheltenham Green Belt in order to meet future housing and growth needs. This was part of the overall spatial strategy set out in JCS Policy SP2 which sought to focus development within existing urban areas and at strategic allocations where necessary. A housing requirement for Cheltenham is set out in the JCS which is based on the potential yield from sites within the urban area. The Cheltenham sPlan meets this requirement with no need for any additional Green Belt release. Therefore, the Council do not consider that there are any exceptional circumstances which would justify a limited review of Green Belt boundaries.

3. Are policies GB1 and GB2 clearly worded and in accordance with national policy in paragraphs 79-92 of the NPPF?

NPPF paragraph 89 provides a non-exhaustive list of exceptions to new buildings being inappropriate in Green Belt. This list includes the following:

- the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan

It is considered that both Policy GB1 and GB2 accord with the NPPF Green Belt policies.

Main Issue: Green Infrastructure

1. Policy INF3 of the JCS deals with Green Infrastructure and seeks to deliver a “series of multifunctional, linked green corridors across the JCS area”. Does the approach adopted in the CP through Policies GI1, GI2 and GI3 deliver that requirement in a manner consistent with national policy as set out in the NPPF paragraphs 76 and 77 and accompanying guidance in Planning Practice Guidance (PPG)?

JCS Policy INF3 sets out the principles for the protection and enhancement of green infrastructure. It also includes three specific requirements on development proposals. Taken together it is considered the INF3 is a detailed policy. It also does not specifically place a requirement on the subsidiary local plans to deliver a “series of multifunctional, linked green corridors across the JCS area”. Cheltenham Plan Policies GI1, GI2 and GI3 do go further than the JCS in adding local detail to what green infrastructure is locally important.

The NPPF (para 76-78) makes provision for local communities to identify green areas of particular importance to those communities, where development will not be permitted except in very special circumstances. Cheltenham Plan Policy GI1 sets out the sites which will be protected as Local Green Space.

2. Have all the landowners of sites proposed for LGS been consulted?

The Council have used a variety of sources to ensure that landowners of any site allocated for development or designated for LGS in the Cheltenham Plan have been consulted.

3. To what extent does the Council’s Local Green Spaces Study Report parts 1 and 2 provide the justification for the designation of the sites listed in Table 8 of the CP as LGS in accordance with National policy and advice?

The Council’s Local Green Spaces Study Report parts 1 and 2 (EB021 & EB022) provide evidence for LGS sites numbered 1 – 11 in table 8 of the Cheltenham Plan.

4. Are there any sites identified as LGS apart from the sites at Leckhampton Fields and Swindon Village which do not meet the criteria in National policy and advice?

LGS sites numbered 12 – 82 in table 8 of the Cheltenham Plan have come forward because they have historically been protected under Public Green Space policy (GE1 of the 2006 Local Plan – NS002).

The public green space policy was very much a forerunner of the LGS policy of the NPPF in that it gave locally valued open spaces strong protection against development. This protection should be maintained in the Cheltenham Plan but having one policy for these sites and another for new LGS sites would be confusing and inefficient. Therefore the former public green space sites are now also included in the LGS designation alongside the new sites discussed above.

Although most of these sites were not put forward as part of the Council's Local Green Spaces Study Report they have been consulted on as part of the Pre-Submission consultation. The protection and enhancement of green spaces remains a key priority for the Council as well as for residents and visitors. Indeed, none of these sites have been developed since the policy was implemented and the policy remains popular and highly needed.

All of these sites are considered to meet the three main criteria set out in the NPPF that stipulates that the designation should only be used:

- where the green space is in reasonably close proximity to the community it serves;
- where the green area is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and
- where the green area concerned is local in character and is not an extensive tract of land.

LGS sites numbered 83 – 85 in table 8 of the Cheltenham Plan are owned and managed by CBC. They are very similar to several other Public Green Space sites but were not designated in the 2006 Local Plan. They have been included here for consistency.

LGS site numbered 86 in table 8 of the Cheltenham Plan is part of the West Cheltenham Strategic Allocation. For more information see the question below.

5. There are significant areas of LGS identified at Leckhampton Fields and Swindon Village. Is there any evidence that an area of 39.91 or 24.5 ha could be considered not to be “an extensive tract of land”?

There is no definition of “an extensive tract of land” so each site must be looked at on its own merits. The following is an extract from the toolkit which was submitted as part of the Council's Local Green Spaces Study Report (EB021 & EB022), which sets out why the local community think that the Leckhampton Fields LGS is not an extensive tract of land:

There are 143 SSSI's in Gloucestershire and that two of the nearest are (1) Leckhampton Hill & Charlton Kings Common and (2) Crickley Hill & Barrow Wake which cover 63ha and 55ha respectively.

This area of land is local to the village of Leckhampton, the first settlement in this area of Gloucestershire and has been protected for many generations. Importantly this area is very accessible and close to the urban areas that it serves. The LGS is local to Leckhampton but enjoyed by residents of other wards in the town, there is no other area in Cheltenham that provided the same density of footpaths with such an attractive rural character and tranquillity.

The site serves the Cheltenham community on all four sides, please see the map of figure 1. To the northwest it serves residents in Warden Hill, with the existing footpath and the new proposed link to Woodlands Road and along the Shurdington Road. They mainly use the access track from the A46 to the Leckhampton Fields Circular Path and thence to Robinswood Field or to Lotts Meadow, or round the Circular Walk.

To the north and north-east it serves residents in Leckhampton who access the land either by the footpath from the A46 along Moorend Stream, or from several roads adjacent to Moorend Stream, or from Burrows Field, which has the car park that is used by people coming from further afield.

From the east it serves residents in Leckhampton Village and to the east of that along Leckhampton Road, Pilley and Old Bath Road, who access the site via the footpath from Church Road along Moorend Stream, via Kidnappers Lane, via the footpath (Cheltenham Circular Path) from St Peters Church carpark past the Medieval moat,

To the south, it serves residents along Church Road and Leckhampton Lane and to the west it serves residents along Farm Lane and the north end of Kidnappers Lane and residents in the Lanes Estate. The network of footpaths on the land also connects to footpaths up Leckhampton Hill.

The following is an extract from the toolkit which was submitted as part of the Council's Local Green Spaces Study Report (EB021 & EB022) which sets out why the local community think that the Swindon Village LGS is not an extensive tract of land:

The definition of 'extensive' is context specific, and in this context the area is far from extensive. This is because an extremely large area of greenbelt, approximately 356 hectares, has been allocated in the JCS for around 4800 houses. Within these 356 hectares, the 47 hectares of proposed Green Space around the village is just 14% of the area. This can easily be accommodated within any proposed development while still leaving ample room for the new housing.

Swindon Parish Council's initial LGS application asked for 47 ha, but the JCS Inspector stated that although it was close to the local community and well supported by local people the area was too large. Over the course of the examination the area was reduced by 48% in order for it not to be considered an extensive tract of land. The size of 24.5ha is not unprecedented for LGS. For example, Havant Borough Council's Local Plan includes LGS spaces of 61.87ha and 40.6ha.

6. Paragraph 5.4.13 of the JCS refers to a green buffer to be retained at NW Cheltenham near Swindon Village, and the CP will allocate the specific boundaries of the LGS in this area. Does the approach in the CP, which designates the area as LGS, comply with the JCS, and National policy and guidance?

The JCS Inspector said, in her Final Report (NS012) that, “the allocation at North West Cheltenham should ensure that a green buffer remains around Swindon Village within which Local Green Space may be designated, the detailed boundaries of which are to be left to the forthcoming Cheltenham Local Plan.”

Justification for the LGS within the green buffer is provided by the toolkit which was submitted as part of the Council’s Local Green Spaces Study Report (EB021 & EB022). The extent of the LGS has been reduced from that which was requested by the Parish Council following negotiations as part of the JCS.

7. For Leckhampton Fields, guidance was provided by the JCS Inspector in her report. She stated it would be for the CP to identify the detailed boundaries of the LGS. Can the scale and extent of the proposed LGS be fully justified in accordance with the JCS, and National policy and guidance?

The evidence which justifies the scale and extent of the Leckhampton Fields is mentioned above. Support from the local community for the LGS has been significant at Issues & Options, Preferred Options and Pre-Submission consultation stages of the Cheltenham Plan as well as during the JCS process.

8. Is the scale of the LGS proposed at West Cheltenham justified?

A proposed LGS in West Cheltenham was put forward by the Springbank Neighbourhood Forum. The merits of LGS and general green infrastructure were discussed during the JCS Main Modifications examination hearings. The Inspector decided that the LGS should be a matter for the Cheltenham Plan so did not refer to this in her final report.

The Springbank Forum’s proposal was not deemed to be acceptable by officers because it concentrated the green space in only part of the allocation. A compromise was then created and this is what is included in the Pre-Submission document. It is considered that the area meets the criteria in para 77 of the NPPF, however it is also recognised that masterplanning of the allocation is ongoing and that the exact boundaries of the LGS are likely to be a topic of discussion at the Cheltenham Plan examination.

The proposed LGS is considered to meet the three main criteria set out in the NPPF that stipulates that the designation should only be used:

- where the green space is in reasonably close proximity to the community it serves;
- where the green area is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and
- where the green area concerned is local in character and is not an extensive tract of land.