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**CHELTENHAM BOROUGH PLAN
2011 – 2031
EXAMINATION STATEMENT ON
MATTER 4
BROCKHAMPTON LANE
CONSORTIUM (REPRESENTOR
NUMBER 060 COMMENT ID 1090)
21 January 2019**

CHELTENHAM BOROUGH PLAN 2011 – 2031 EXAMINATION

STATEMENT ON MATTER 4
21 January 2019

Prepared for

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Representor number 060
Comment ID 1090

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1. INTRODUCTION

The Brockhampton Lane Consortium (The Consortium), owns land within Cheltenham Borough at the North West Cheltenham strategic allocation set out in the adopted Joint Core Strategy (JCS). The Consortium has submitted duly made representations on previous versions of the Cheltenham Plan from September 2013. Since the Regulation 19 submissions were made in April 2018, the number of parties in the Consortium has reduced. However, reference to The Consortium is continued for convenience.

This statement sets out responses to the Inspector's questions for Matter 4: Green Infrastructure insofar as they relate to The Consortium's interests, conform with the Inspector's Guidance note (ED007) and/or have arisen since the Regulation 19 submissions of April 2018.

2. MAIN ISSUE: GREEN INFRASTRUCTURE

- 2.1. *Q.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 G11, G12 and G13 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)?*
- 2.2. The Consortium notes that Policy INF3 sets out three distinct measures to *deliver a "series of multifunctional, linked green corridors across the JCS area"*. The common feature of these measures is that of improvement, whether through quantity, quality, linkages between and cohesive management of green infrastructure.
- 2.3. Inconsideration of Policies G11, G12 and G13 there is no recognition of the purpose of JCS Policy INF3 in that the proposed LGS sites at Policy G11 do not represent linked green corridors across the JCS area [I deal with the suitability for designating LGS at Swindon Village below]. Similarly, there is no measure to improve quality, except for the potential to ask for new tree planting with development proposals in Policy G13.
- 2.4. The Consortium notes that the CP at Table 8 makes numerous references to comments made by the JCS Inspector in her various reports/position statements as reasons for designating LGS rather than the site-specific policies in the JCS and national policy and guidance. These issues are addressed in more detail below.
- 2.5. The approach of the G1 policies in the CP are not considered to be in conformity with JCS policy INF3.
- 2.6. *Q. 2 Have all the landowners of sites proposed for LGS been consulted?*
- 2.7. Insofar as land owned by The Consortium is concerned, there has been no specific consultation in relation to the LGS designation in the Cheltenham Plan. The only consultation has been that required by statute when a development plan document is prepared. The response was to object to the proposed designation.
- 2.8. I am unable to confirm whether other landowners have been consulted.

- 2.9. *Q. 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?*
- 2.10. The Consortium restricts its response to the issues raised in relation to their land at Swindon Village. National Policy at paragraphs 76-78 of the 2012 Framework set out the considerations for designating land as Local Green Space. Of particular concern to The Consortium is the CP disregard for the exclusion of extensive tracts of land such as at Swindon Village. However, there are also concerns that the other qualifying consideration has not been met namely '*...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.*
- 2.11. The Planning Practice Guidance (PPG) sets out more detailed criteria. In particular, Paragraph: 015 Reference ID: 37-015-20140306 is clear that '*...blanket designation of open countryside adjacent to settlements will not be appropriate. In particular, designation should not be proposed as a 'back door' way to try to achieve what would amount to a new area of Green Belt by another name.*'
- 2.12. Given that the JCS removes this land from the Green Belt the Consortium is particularly concerned that the LGS designation will effectively reverse that process for an extensive area of land.
- 2.13. In dealing with such an extensive tract of land the Local Green Spaces Study Report parts 1 and 2 provide generalised statements which apply to parts of the area but do not apply to specific parcels such as where there is no public access. Similarly, little of the area relates to or provides a backdrop to the Conservation Area, nor is of historic interest [Historic England's response to the proposed JCS allocation at **Appendix A** was concerned only with the impact on the setting of St Mary Magdalene Church (Grade II*) and harm to its significance].
- 2.14. The Consortium referred to several NDP examination reports in their Reg 19 submission where examiners had considered LGS designations and ruled them out as being contrary to the criteria set out in the Framework and PPG. Since those submissions the consortium notes that NDP examiners have continued to recommend the removal of LGS, particularly where those designations were for extensive tracts of land (see **Appendix B**). At that time, the Consortium was not aware of this issue being addressed as part of a local plan examination. However, the examination of the North Somerset Site Allocations Plan and the Plymouth and South West Devon Joint Local Plan have demonstrated the Inspectorate's consistent approach to this matter.
- 2.15. *Q. 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?*
- 2.16. The Consortium has no comment to make on this question.
- 2.17. *Q. 5 Table 8 of the CP proposes significant areas of LGS to be identified at Leckhampton Fields, the North West Cheltenham Strategic Allocation at Swindon Village, and at the West Cheltenham Strategic Allocation. Is there any evidence that areas of 39.91, 24.5 or 18.25 ha could be considered not to be "an extensive tract of land"?*

- 2.18. As set out above and in previous representations The Consortium does not believe that the Swindon Village proposed LGS can be described as anything other than an extensive tract of land which should be removed from the CP.
- 2.19. *Q. 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?*
- 2.20. As set out above and in previous representations The Consortium does not believe that the Swindon Village proposed LGS complies with National policy and guidance. In addition to its extensive size, it includes an existing dwelling and its curtilage and as set out above, does not demonstrate the special qualities set out in the Framework. The Consortium also notes that the allotments which would qualify for LGS designation, are not included.
- 2.21. In addition, the extent of the LGS over The Consortium's land appears to be arbitrary in that its outer edge is not underpinned by any analysis or delineated by any physical features on the ground. Given the policy implication of an LGS designation the supporting evidence is inadequate.
- 2.22. JCS Policy A4 – North West Cheltenham at criterion xv states that the allocation should '**Take into account of the indicative Local Green Spaces identified on the Policies Map with consideration of the special features of that area which make it suitable for this designation**'. (my emphasis).
- 2.23. As set out above the special features required by national Policy for LGS have not been demonstrated.
- 2.24. Similarly, given that the JCS Strategic allocations at Innsworth, Twigworth, Brockworth or Churchdown which also adjoin their respective urban areas do not require a buffer policy, The Consortium believes that the master planning of future development proposals and for the allocation to be the most appropriate way forward. Certainly the extend of the proposed LGS would not be suitable to define a green buffer.
- 2.25. *Q. 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?*
- 2.26. The Consortium has no comment to make on this question.
- 2.27. *Q. 8 Is the scale of the LGS proposed at West Cheltenham justified?*
- 2.28. The Consortium has no comment to make on this question.



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