

Inspector's Preliminary Findings on Green Belt Release, Spatial Strategy and Strategic Allocations

- 1. Following the receipt of the Joint Core Strategy (JCS) Councils' "homework" I am now in a position to make some preliminary findings, as set out below. These findings are subject to determination of the objectively assessed need (OAN) and any relevant evidence submitted for the Stage 3 hearings. The OAN will be discussed further at the forthcoming hearings in January 2016 and, if appropriate, I will produce preliminary written findings on this thereafter.**
- 2. I will hold a session on Green Belt (GB) Release, Spatial Strategy and Strategic Allocations at the forthcoming hearings and I will specifically cover safeguarded land. Initial written comments are invited ahead of the hearings from the JCS authorities only, on the matters emboldened in the text, and should be submitted to Ian Kemp before 17:00 on Thursday 21 January 2016. Others will have some opportunity to comment at the hearings, limited to those matters on which I have invited a wider response. Any Main Modifications arising out of this will be fully consulted upon in due course.**

Introduction and Summary of Findings

- 3. This paper sets out my preliminary findings on the proposed release of land from the Gloucester/Cheltenham GB and the soundness of the JCS Spatial Strategy and strategic allocations. It is intended to provide some certainty to the JCS Councils, developers and other participants going forward with future strategic development. It will also form the basis of further discussion at the forthcoming hearings.**
- 4. In summary, my findings are that the thrust of the Spatial Strategy is sound although, in order to reflect the JCS's aim of meeting need where it arises, consideration should be given to some rebalancing of development towards Gloucester and Tewkesbury. This is on the basis that a significant part of Gloucester's OAN is proposed to be met through urban extensions to Cheltenham and might more justifiably be located closer to Gloucester's urban edge. Furthermore, additional development around the wider Tewkesbury urban area might be considered appropriate, particularly once the policy-on position has been determined.**

5. With respect to the distribution of sites between the JCS and Stage 2 local plans, I have concerns about the high threshold of 500 dwellings that has been set for strategic allocations. This could impact on the five year supply and also undermine the demonstration of exceptional circumstances for the release of GB strategic sites.
6. Nonetheless, my preliminary findings are that in principle, exceptional circumstances have been demonstrated for some GB release. However, weighing the harms and benefits of the proposals, I have concerns about the North Churchdown allocation in its entirety, part of North West Cheltenham and parts of the proposed safeguarded land. All other GB sites I find to be sound.
7. Turning to none-GB allocations, I have reservations about parts of the Leckhampton site. The two allocations at Ashchurch, I find to be sound.
8. In terms of the designation of Local Green Space (LGS), I find that this is justified in principle at both the Leckhampton site and the North West Cheltenham site.

Green Belt

9. The Gloucester/Cheltenham GB is one of the smallest in England and, therefore, the large areas proposed to be removed represent a significant proportion of its entire area. In considering its review, particular consideration must be given to the purposes for which it was designated, in an attempt to minimise harm caused by its reduction.
10. The GB between Cheltenham and Gloucester was designated in 1968 by incorporation into the County of Gloucestershire Development Plan. Its purposes were to prevent urban sprawl, the merging of Gloucester and Cheltenham, and to preserve the open character of the adjacent land¹.
11. Later Structure Plans emphasised the purpose of designation as preventing the merging of the two towns². In 1981 the Gloucestershire Structure Plan extended the GB to the north of Cheltenham with the purpose of preventing the coalescence of Cheltenham with Bishop's Cleeve³. Together, these purposes provide the main reasoning for designating the Gloucester/Cheltenham GB, and should be upheld as far as possible when considering land for release from the GB.

Objectively Assessed Need and Supply

¹ As reflected in Exam 85 A, B, C, & D – Gloucestershire Structure Plan extracts 1979,

² Ibid

³ Ibid

12. Whilst the OAN for housing in the JCS area has not yet been finalized, the latest Update Report indicates that the policy off figure is about 31,830 dwellings⁴. This breaks down as 9,900 for Cheltenham, 13,290 for Gloucester and 8,640 for Tewkesbury. The policy on figure is likely to be higher, due mainly to a minimum of 39,500 (up from 28,000) new jobs being proposed in the JCS area over the plan period⁵. The JCS authorities, in accordance with National Planning Policy Framework (NPPF)⁶ seek to ensure that the JCS meets the full OAN for housing.
13. The land take for employment is assessed in the latest Update Report as a minimum of 192 hectares for Class B uses alone⁷. Other employment uses and retail requirements are to be added to this. In accordance with the NPPF⁸, the JCS authorities seek to meet these requirements in full.
14. The authorities have undertaken annual assessments in the form of Strategic Housing Land Availability Assessments (SHLAAs), Strategic Employment Land Availability Assessments (SELAAs) and Strategic Assessments of Land Availability (SALAs) to ascertain the extent of deliverable/developable greenfield and brownfield sites within the JCS area.
15. From these assessments the Councils have derived figures for the numbers of dwellings and the quantity of employment land they believe can be supplied over the plan period. For each JCS area, a district capacity figure for housing has been calculated for the plan period from sources of supply consisting of completions, commitments, existing allocations, windfalls and local plan potential. These workings are set out in the *Housing Background Paper*⁹ and the *Brownfield Paper*¹⁰.
16. For Gloucester, the City capacity is said to be in the order of 7,500 to 7,670. If the OAN were taken to be 13,290, this would produce an unmet need figure of around 5,620 to 5,790 dwellings.
17. For Cheltenham, the Borough capacity is said to be in the region of 4,750. If the OAN were taken to be 9,900, this would produce an unmet need figure of about 5,150.

⁴ Exam 119-OAN Update Report, Neil McDonald, September 2015 Table 9, page 36

⁵ Exam 138-NLP Employment Land Assessment Update, October 2015, paragraph 4.35

⁶ NPPF, paragraph 47

⁷ Exam 138-NLP Employment Land Assessment Update, October 2015, paragraphs 5.4 and 5.5

⁸ NPPF, paragraph 20

⁹ ETOP 101a6, November 2014, page 19

¹⁰ Exam 77, July 2015

18. For Tewksbury, I understand that the Borough is able to supply its own needs. If the OAN were taken to be 8,640 and the *Housing Background Paper* figure of about 6,340 were provided by Borough capacity, this would leave about 2,300 to find through strategic allocations within Tewkesbury.
19. With respect to employment, figures have been derived for each authority based on existing undeveloped capacity (existing allocations and extant planning permissions) and other available and suitable sites (other than JCS allocations)¹¹. For Gloucester, this amounts to 31 hectares, for Cheltenham, 15 hectares, and for Tewkesbury, 65 hectares. If the OAN is taken to be 192 hectares for Class B employment uses, and all of the calculated capacity were to be used for Class B employment purposes, then this would leave 81 hectares (192-111) of Class B land to be found through strategic allocations. Other employment uses and retail space would need to be found in addition.
20. The Council's *Brownfield Paper*¹² explains how the urban capacity of Cheltenham, Gloucester and Tewksbury is being used and is already maximised.
21. The NLP Update notes that the current lack of employment land within the JCS area threatens the economy by undermining the ability of existing companies to expand and new firms to invest in the area¹³.

Spatial Strategy

22. It is clear from the above that a substantial quantity of land is required to satisfy unmet need. The JCS authorities intend to follow a two tier approach with strategic allocations being made in the JCS and non-strategic allocations being left to forthcoming district plans.
23. A number of spatial options for allocating development land in the JCS were considered in the *Spatial Options Topic Paper*¹⁴ and were subjected to Sustainability Appraisal (SA)¹⁵. The most sustainable option was found to be the creation of urban extensions to Cheltenham and Gloucester.
24. Therefore, the Spatial Strategy focuses new growth mainly on Cheltenham and Gloucester with the aim of retaining their economic and social

¹¹ Exam 139, paragraph 2.6

¹² Exam 77

¹³ Exam 138-NLP Employment Land Assessment Update, October 2015, page 34, paragraph 5.3

¹⁴ ETOP 114-Spatial Options Topic Paper, October 2013

¹⁵ See for example SAPR 100, Chapter 6 and pages 66-68; SAPRE 106 Appendix vii; SASUB 100, Chapter 6 pages 45-46 & 66-68; Appendices to ETOP 114,

positions as strategically significant settlements in the sub-region and taking advantage of their existing infrastructure capacity¹⁶. Whilst this strategy is justified in principle on sustainability grounds, it seems to me that there may be some scope to broaden the role of Tewkesbury.

25. The Spatial Strategy focuses Tewkesbury's development on a hierarchy of rural service centres and service villages¹⁷, and two strategic allocations at Ashchurch on the eastern edge of Tewkesbury's wider urban boundary. Tewkesbury Town itself is constrained by the high risk of flooding¹⁸ from the rivers Severn and Avon, and urban extensions to the Town are not proposed.

26. Nonetheless, significant areas of employment land are proposed near Tewkesbury, with the Ashchurch allocations accounting for about 35 hectares alone. These employment areas are likely to generate a need for housing. Whilst housing is proposed at the MOD Ashchurch allocation (A8), the proposed increase in job creation in the JCS area from 28,000 to 39,500 is likely to result in an increase in the overall housing OAN, some of which might fall to Tewkesbury.

27. Additional employment land may also be needed¹⁹, and I note that the landowner of the smaller Ashchurch site (A9) is promoting it for retail rather than B class employment which, if found sound, could result in more employment land having to be allocated. Therefore, whilst Tewkesbury's demographic, policy off, housing needs may already be capable of being met, the implications of further economic development being required should be considered.

28. Whilst flooding is a consideration around Tewkesbury, the evidence suggests that there may be sustainable omission sites close to Tewkesbury's wider urban boundary, which are not at significant risk of flooding, are outside the GB, and are not within highly sensitive landscape areas. **I invite comment from the JCS authorities only on the potential for allocating omission sites/other alternatives close to the urban edge of the wider Tewkesbury area, whether within the JCS administrative area or not.**

29. Cheltenham and Gloucester are unable to meet their needs within their own administrative boundaries. Consequently, the JCS's Spatial Strategy

¹⁶ ETOP 114-Spatial Options Topic Paper, October 2013, page 57, paragraphs 21.3-21.5

¹⁷ See EHO109-Settlement Audit, September 2014 for evidence base; EXAM 80A&B 2015 Settlement audit refresh

¹⁸ EXAM 130 indicates that only 220 dwellings are to be accommodated in the town

¹⁹ See EXAM 138-Employment Land Assessment, October 2015 and EXAM 139-JCS Economic Update, November 2015

is generally to meet this need by way of urban extensions to Cheltenham and Gloucester mainly on land within the Tewkesbury GB provided under the duty to co-operate.

30. *The Broad Locations Report*²⁰ assessed at high level broad locations for development around the periphery of Cheltenham, Gloucester and Tewkesbury. This was followed by the *Strategic Allocations Report*²¹, which assessed site options within these locations, thereby informing proposals for strategic allocations. The various options were subjected to SA²².

31. From this evidence it is clear that development opportunities are constrained in large parts of the JCS area by significant flood risks and potential impacts on The Cotswolds Area of Outstanding Natural Beauty (AONB), amongst other things. However, the Housing Market Area is wider than the JCS and, when considering releases of GB, alternatives in this broader area should not be ruled out. Nonetheless, on the basis of the submitted evidence, if the OAN of the JCS area is to be met, some release of GB land is inevitable.

32. It is not just the GB land-take for the plan period that needs to be considered, but also whether additional GB land might be required in the future. The NPPF seeks the endurance of reviewed GB boundaries beyond the plan period²³ and, where necessary encourages local planning authorities to identify safeguarded land to meet future development needs²⁴. Accordingly, the JCS also proposes the designation of safeguarded land for future development, which is in the GB.

33. When examining the justification for potential GB releases, a sequential approach should be followed in considering sustainable sites in the right location that fit with the Spatial Strategy. Taking account of development constraints, consideration should first be given to deliverable/developable, non-GB land, followed by land that makes a lesser GB contribution, before considering land of greater GB contribution.

34. Need should, if possible, be met where it arises, as promoted by the JCS Spatial Strategy. Therefore, as far as is reasonably feasible sufficient land should be allocated as close as possible to each of Cheltenham's and

²⁰ EBLO 100, October 2011, and Appendices EBLO103-109

²¹ EBLO 102, October 2013

²² See SAPR100, pages 46-55, 68-85 & 100-101; SASUB100, pages 47-56, 68-85 & 100-101

²³ NPPF, paragraph 83

²⁴ NPPF, paragraph 85, 3rd bullet

Gloucester's respective urban boundaries to meet each of these authorities' separate needs.

35. I am told that the proposed urban extensions to Gloucester total 4,150 dwellings and those for Cheltenham total 2,585 dwellings²⁵. However, the numbers proposed for extensions located on the urban edge of Gloucester only seem to amount to 2,650, whilst those for Cheltenham amount to 5,910 dwellings. Furthermore, the totality of proposed safeguarded land lies adjacent to the Cheltenham urban boundary.

36. It seems to me that there is a need for further allocations around the urban edge of Gloucester. From the submitted evidence, there appears to be potential on Gloucester's urban edge for sustainable sites outside flood areas, outside highly sensitive landscape areas, and which either lie outside the GB or make a limited contribution to the GB. **Comment is invited from the JCS authorities only on the potential for allocating omission sites/other alternatives around the urban edge of Gloucester, whether within the JCS administrative area or not.**

37. Summing up, in principle, the urban extensions Spatial Strategy appears to me to be generally sound, although there may be a need for some amendment to the scale of development and its location in part.

Assignment of dwellings

38. As an aside, there is an issue over how development within these urban extensions is to be shared between the JCS authorities. The authorities propose to assess their rolling five year housing supply separately, and a proportion of housing completions within the Cheltenham and Gloucester urban extensions is intended to contribute to Cheltenham's and Gloucester's supply²⁶.

39. However, in order to retain flexibility, no specific sites or dwellings are being assigned to any particular authority. This begs the question as to how, at any point in time, the actual numbers of completed dwellings will in practice be apportioned between the authorities, and the impact this might have on their five year supply. **The JCS Councils are invited to provide details of the mechanisms they envisage putting in place to deal with apportionment and how this will provide certainty to applicants/decision makers/others needing to know the five year supply position going forward.**

Strategic Allocations

²⁵ Exam 109 JCS Note – Apportionment of Strategic Allocations

²⁶ Exam 109-JCS note on strategic allocation apportionment

40. The *Strategic Allocations Report*²⁷ assessed a range of matters, including infrastructure, landscape, flooding and GB²⁸, for those broad locations, which were considered to have potential for site allocation. I have considered this Report, amongst others²⁹, in seeking to ensure that the JCS plans for sustainable development³⁰.

41. Overall, whilst it is clear that some harm will be caused to landscape, visual amenity and GB, amongst other things, this must be balanced against the significant need for housing and employment development in the JCS area.

Non-GB Allocations

42. Three non-GB strategic allocations have been identified, two being in Tewkesbury and one being partly in Tewkesbury and partly in Cheltenham.

MOD Ashchurch (A8)

43. Tewkesbury's main brownfield site contributes to the strategic allocation at MOD Ashchurch, which also comprises a greenfield area. It is proposed to supply 2,225 dwellings³¹ and 20 hectares of employment land³². It is located in a sustainable location close to Tewkesbury Town, Ashchurch station and junction 9 of the M5 motorway, although the latter could encourage commuter-led housing development.

44. The Strategic Allocations Report³³ and Landscape Report³⁴ indicate that overall landscape sensitivity is low, and that the site lies entirely within flood-zone 1. Whilst there are land contamination constraints, I understand that they can be resolved. The site also has the potential to enhance the setting of heritage assets³⁵. In view of its substantial benefits³⁶, I am minded to find that its allocation is sound.

Ashchurch (A9)

²⁷ EBLO 102, October 2013

²⁸ See ENAT 100, AMEC GB Assessment, September 2011

²⁹ Including EBLO106-Landscape & Visual Sensitivity and Urban Design Report; and ENAT 107-Historic Environment Assessment

³⁰ Section 39 of the Planning and Compulsory Purchase Act 2004

³¹ 2,125 to be delivered during plan period

³² EXAM 130, page 45

³³ EBLO 102, October 2013, pages 86-89

³⁴ EBLO 106, October 2012, pages 30-31

³⁵ ENAT 107-Historic Environment Assessment, March 2014, page 89

³⁶ See EXAM 87 for summary

45. The other Tewkesbury allocation at Ashchurch is a greenfield site proposed for 14.3 hectares of economic development³⁷. The Strategic Allocations Report³⁸ and Landscape Report³⁹ indicate that its overall landscape sensitivity is low, and that the site lies generally within flood-zone 1. There is, however, a relatively small stretch of land around Tirlle Brook that lies within flood-zone 3, and development on this area should be avoided.

46. Nonetheless, this site is in a sustainable location close to Tewkesbury Town and Ashchurch station, and lies adjacent to the A46 and junction 9 of the M5 motorway. Consequently, bearing in mind its benefits⁴⁰, I am minded to find that its allocation is sound.

Leckhampton (A6)

47. The third non-GB allocation is at Leckhampton on the south western edge of Cheltenham, located partly in Cheltenham and partly in Tewksbury. It is proposed as an urban extension to Cheltenham, contributing 1,124 dwellings towards Cheltenham's housing supply⁴¹. The site lies reasonably close to Cheltenham town centre and is partly enclosed by existing development.

48. Although that part of the site which lies to the south-west of Farm Lane (within Tewkesbury Borough) was considered by the AMEC GB Assessment to have potential to be added to the GB⁴², the report stopped short of recommending its inclusion. The AERC GB Review of Cheltenham⁴³ found that the Cheltenham part of the site did not score highly against defined GB purposes.

49. The Strategic Allocations Report⁴⁴ and Landscape Report⁴⁵ indicate that its overall landscape sensitivity is high to medium, and that whilst the site lies generally within flood-zone 1, there are small areas which fall within flood-zone 2.

50. A section of the site's southern boundary lies adjacent to the AONB and some areas of the site are very sensitive to development. In the SA it

³⁷ EXAM130, page 45

³⁸ EBLO 102, October 2013, pages 91-94

³⁹ EBLO 106, October 2012, pages 58-59

⁴⁰ See Exam 87 for summary

⁴¹ EXAM 130, page 45

⁴² ENAT 100-AMEC Green Belt Assessment, September 2011, page 55, paragraph 7.3.8

⁴³ EXAM 81, see Fig C: Ranked Scoring of Areas Against Green Belt Purposes

⁴⁴ EBLO 102, October 2013, pages 72-74

⁴⁵ EBLO 106, October 2012, pages 14-15

scored major negative against the landscape sustainability objective, meaning that it is assessed as having a problematical sustainability effect, with mitigation likely to be difficult and/or expensive⁴⁶. It is the only strategic allocation to have scored a negative effect above minor against any objective.

51. The Landscape Report indicates that a large part of the allocation, (including land to the south west of Farm Lane) falls within the highest category of landscape and visual sensitivity. One of the key considerations in the Report is that the site has a *"very prominent landform and field pattern to the south adjacent to the AONB which is vulnerable to change and is considered a valuable landscape resource"*⁴⁷.

52. I have reservations about the soundness of developing that part of the proposed allocation which is highly sensitive and which, from my site visit, I noted to be in clear view from within the AONB and other public recreational areas.

53. A number of heritage assets also require careful consideration, including the moated site at Church Farm, the Rectory, Leckhampton Farmhouse and Barn, the Olde England Cottage, the Moat Cottage and Church Farm⁴⁸. The Historic Environment Assessment states that *"there are major heritage concerns to development"* due to the high contribution the area makes to the setting of designated buildings and the high potential for archaeological remains of medium regional significance⁴⁹. Development should be avoided that could have a significant impact on these assets unless appropriate mitigation were demonstrated.

54. The section south west of Farm Lane, within Tewkesbury's boundaries, is an existing allocation within the Tewkesbury Borough Plan. However, the Inspector examining the Tewkesbury Borough Plan had reservations about developing this area and recommended its deletion as an allocation⁵⁰. This recommendation was not taken forward by the Council.

55. Tewkesbury Borough Council has recently resolved to grant planning permission for 377 dwellings on the Farm Lane site⁵¹, despite objections from Cheltenham Borough Council⁵² and seemingly without integrated master-planning for the whole site.

⁴⁶ SAPR 100, page 100; SASUB 100, page 101

⁴⁷ EBLO 106, October 2012, page 15

⁴⁸ ENAT 107-Historic Environment Assessment, March 2014, page 75

⁴⁹ ENAT 107, page 76, paragraphs 10.4.2 and 10.4.3

⁵⁰ EXAM 144C, see particularly paragraphs 2.25.15 and 2.25.17

⁵¹ EXAM 127-Farm Lane Application; EXAM 144A Tewkesbury Borough Council planning committee minutes

⁵² EXAM 121A, Annex C

56. Whilst these dwellings are intended to contribute to Cheltenham's housing supply, it is unclear how this will work in practice, as there is no mechanism in place to achieve this at present and, as the main reason for the resolution seems to be Tewkesbury's lack of a five year housing supply. **The JCS authorities are invited to provide further explanation.**

57. I have reservations about developing this area of high landscape and visual sensitivity, adjacent to the AONB and GB. I understand that the application is now with the National Planning Unit following a request for a call in⁵³.

58. The Cheltenham part of the allocation is proposed for 764 dwellings with no employment land⁵⁴. An outline planning application for residential development of up to 650 dwellings and a mixed use local centre is currently the subject of an appeal and a decision from the Secretary of State is pending. However, it is not known how this will be decided and my preliminary findings have not been influenced by this appeal. I understand that another application for additional development is expected⁵⁵.

59. In summary, balancing the harms and benefits of this site⁵⁶, in my judgement some residential development is justified on the Cheltenham part of the site. Nonetheless, this should not be on those areas that have high landscape and visual sensitivity. With this proviso, I am minded to find that the Cheltenham part of the allocation is sound. **Submissions are invited from the JCS authorities only on what capacity is justified on this site in view of my comments.**

60. On the other hand, for reasons of landscape sensitivity, I am not minded to find the Tewkesbury part of the allocation sound. However, this finding may be overtaken by events, depending on the results of the call in request.

61. Leckhampton with Warden Hill Parish Council has proposed the designation of LGS within the strategic allocation. Both the Parish Council and the JCS authorities have requested that I make a finding on the soundness of such a designation.

⁵³ EXAM 144B

⁵⁴ Councils' Matter 8 written statement, answer to question 137

⁵⁵ JCS Statement Matter 8: Strategic Allocations, answer to question 148, page 30

⁵⁶ See summary of benefits in EXAM 87

62. The NPPF states that local communities should be able to identify green areas of particular importance to them for designation through local or neighbourhood plans, which is consistent with the planning of sustainable development⁵⁷. Therefore, LGS designation should only be made on areas of this site which are inappropriate for development.
63. The criteria for designation, as set out in the NPPF⁵⁸, are that the green space is in reasonably close proximity to the community it serves, it should be demonstrably special to the community and hold particular local significance, and it should be local in character and not be an extensive tract of land.
64. What is an extensive tract of land is largely a matter of judgement and will depend on the circumstances of each designation. However, I consider the original area put forward by the Parish Council, as referred to in the *Local Green Space Study Report*⁵⁹, to be too large (54 hectares) and to conflict in part with areas that are justified for development. Nonetheless, there is scope for designation within the allocation.
65. Turning to the merits of designation, the proposed LGS lies close to the local community, and is well supported by local people⁶⁰. Following public consultation, a range of reasons was submitted in support of the designation. Amongst other things, these relate to the beauty and interest of views, the importance of the network of footpaths for dog walkers and others, opportunities for all year round exercise such as jogging, enjoyment of the historic buildings, hedgerows and trees, and the area's overall tranquillity⁶¹.
66. In my judgement, the evidence suggests that the NPPF criteria are met and LGS designation is justified. **The JSC authorities are requested to consider indicative areas for LGS designation based on two scenarios: 1) development not proceeding on the Farm Lane site; 2) development proceeding on the Farm Lane site. Further input from relevant developers and Leckhampton with Warden Hill Parish Council, limited to indicative areas, is invited at the forthcoming hearings.** Detailed boundaries are best left for either the Cheltenham Borough Plan or the forthcoming Neighbourhood Plan.

GB Strategic Allocations

⁵⁷ NPPF, paragraph 76

⁵⁸ NPPF, paragraph 77

⁵⁹ EXAM 17

⁶⁰ See for example EXAM 121, 121A & 121B

⁶¹ Summarise at EXAM 121A, page 5 spread sheet

67. The NPPF states that, when reviewing GB boundaries, local planning authorities should take account of the need to promote sustainable patterns of development⁶² and ensure consistency with the Local Plan strategy for meeting identified requirements for sustainable development⁶³. Accordingly, the need for sustainable development is a consideration when assessing exceptional circumstances. There are five proposed strategic allocations which lie within the GB and would contribute to both housing and employment requirements⁶⁴.
68. Four of these proposed allocations are urban extensions close to Gloucester, namely, A1- Innsworth (1,250 dwellings; 9.1 hectares of employment), A2- North Churchdown (532 dwellings; no employment), A3 - South Churchdown (868 dwellings; no employment), and A4 - Brockworth (1,500 dwellings; no employment). The fifth is a proposed urban extension on the edge of Cheltenham, namely, A5 - North West Cheltenham (4,785 dwellings; 23.4 hectares of employment). There are also two proposed areas of safeguarded land in the GB, namely, West Cheltenham and North West Cheltenham.
69. The AMEC GB Assessment of September 2011⁶⁵ considers all the Cheltenham and Gloucester GB land at a high level against the five purposes of including land in the GB⁶⁶. It does not consider sustainability or landscape issues, but is purely an assessment against the purposes and function of GBs. I am satisfied that the methodology used is appropriate and that the report is robust. Another assessment, the AERC Report, considers smaller segments of GB within the Cheltenham administrative area⁶⁷.
70. The AMEC report ranks strategic segments according to a traffic light system of green (limited contribution), amber (a contribution) and red (significant contribution). Those segments scoring red against all five purposes⁶⁸ were not considered further. For the rest, segments were grouped into clusters and recommendations made for each cluster.

⁶² NPPF, paragraph 84

⁶³ NPPF, paragraph 85, first bullet

⁶⁴ Numbers taken from JCS authorities' Matter 8 statement, answer to question 137; also EXAM 130, page 45

⁶⁵ ENAT 100

⁶⁶ As then set out in Planning Policy Guidance 2: *Green Belts*; now found in the NPPF, paragraph 80

⁶⁷ EXAM 81-Applied Environmental Research Centre Ltd, March 2007

⁶⁸ Four purposes were actually assessed as the fifth purpose (assisting urban regeneration) was screened out as it applied to all sites

71. Three clusters were identified as green, making a limited contribution to GB purposes⁶⁹. The recommendation for these areas is that they may be considered further for release for development⁷⁰. These clusters are: land to the north, east and west of Brockworth (SE9, SE8, SE7, SE1); land to the west of Innsworth, north of Longford and around Twigworth (NW5, NW6, NW9); and land to the west of Kingsditch and Swindon (NE8, NE13).
72. One cluster, land north-west of Cheltenham (segments NE9, NE10, NE11, NE12), is identified as amber, making a contribution to the GB⁷¹. The indication set out at Table ES.2 for this land is that overall, whilst it provides the wider setting for Cheltenham and Bishop's Cleeve, it plays a more limited role in separating these settlements and is not critical to the GB.
73. Seven clusters were given red traffic lights and identified as making a significant contribution towards GB purposes⁷². The recommendation for these areas is that they should not be considered further for release from the GB unless there is a very strong case emerging from other evidence base studies⁷³.

Strategic Allocations for Gloucester

A1-Innsworth

74. Site A1-Innsworth equates broadly to green traffic light segments NW5 and NW6 and, therefore, accepting the findings of the AMEC report, may be considered for release from the GB. Specifically, the report refers to these segments⁷⁴ as not playing a role in preventing the merger of Gloucester and Cheltenham.
75. The Strategic Allocations Report⁷⁵ and Landscape Report⁷⁶ indicate that overall landscape sensitivity is low, but show that whilst part of the site is in flood zone 1, other parts lie within the functional flood plain (flood-zone 3). Development on this site will need to avoid high flood risk areas. Innsworth Meadows Site of Special Scientific Interest, designated for its lowland grassland, should also be protected. Nonetheless, the site is well

⁶⁹ ENAT 100, Fig 5.2 *Summary Results of Assessment Against Green Belt Purposes*

⁷⁰ See *Summary of Assessment Results* p.viii & section 5.6-*Summary*

⁷¹ ENAT 100, Fig 5.2 *Summary Results of Assessment Against Green Belt Purposes*

⁷² ENAT 100, Fig 5.2 *Summary Results of Assessment Against Green Belt Purposes*

⁷³ ENAT 100, *Summary of Assessment Results* page vi & section 5.6 - *Summary*

⁷⁴ ENAT 100, Appendix D-*Assessment of Segments against Five Purposes of Green Belts*, page D6

⁷⁵ EBLO 102, October 2013, pages 20-21

⁷⁶ EBLO 106, October 2012, pages 18-19

related to the built up area of Innsworth, reasonably close to Gloucester City Centre, and benefits from good transport routes.

76. Notwithstanding potential flooding issues on part of the site, as long as development avoids these areas, then in view of the site's benefits⁷⁷ I am minded to find that exceptional circumstances exist for its release from the GB, and that its allocation is sound.

77. There is a small difference between the boundaries of site A1 and the slightly larger area proposed to be removed from the GB at Longford. However, I am told that this small additional GB area consists of development land which already has planning permission⁷⁸. There would be no purpose in keeping this development land within the GB and, therefore, I am minded to find that the proposed larger area is the appropriate area to be removed.

A2-North Churchdown

78. North Churchdown corresponds roughly with red traffic light segment NW3⁷⁹, thereby making a significant contribution to the GB. The AMEC report states that this segment is critical to preventing the closing of the gap between Cheltenham and Churchdown, which is already heavily intruded towards its southern extent by the airport⁸⁰.

79. As Churchdown is a suburb of Gloucester, removing this segment from the GB would also significantly impact on the separation of Cheltenham and Gloucester, thereby impacting on the main purpose for which this GB was designated. Referring specifically to segment NW3, the report states that "*The contribution of this segment to maintaining the openness as a whole is critical at this narrow point.*"⁸¹ Consequently, the bar for demonstrating exceptional circumstances for the release of NW3 from GB should be set very high.

80. The Strategic Allocations Report⁸² and Landscape Report⁸³ indicate that overall landscape sensitivity is medium to low and the site is mainly in flood zone 1, although there is a stretch along Norman's Brook in flood-

⁷⁷ See summary in Exam 87 of exceptional circumstances and strategic allocation benefits

⁷⁸ See Exam 111-Longford Green Belt Boundary

⁷⁹ The allocation is slightly smaller than the segment and the area proposed for GB removal.

⁸⁰ ENAT 100, Table ES.1 *Recommendations for Clusters that make a Significant Contribution towards Green Belt Purposes*

⁸¹ ENAT 100, appendix D, page D5

⁸² EBLO 102, October 2013, pages 25-27

⁸³ EBLO 106, October 2012, pages 44-45

zone 3. It is located centrally between Gloucester and Cheltenham on the edge of Churchdown, has good transport links and is close to junction 11 of the M5 motorway. However, it lies adjacent to Gloucestershire Airport and I have reservations about the potential for noise sensitive development to impact on the operation of the airport.

81. I have considered the benefits of this site⁸⁴ and its reasonably sustainable location. I also note the Councils' submissions that the site has defensible boundaries that would reduce the likelihood of further encroachment into the GB⁸⁵. However, given that this site is critical to the openness of the Cheltenham and Gloucester gap, I am not persuaded that exceptional circumstances exist for its removal from the GB. Therefore, I am minded to find that its allocation is not sound.

A3-South Churchdown

82. South Churchdown consists of red traffic light segments NW4 & SW5 and makes a significant contribution to the GB. The AMEC report indicates that NW4 and SW5 make a significant contribution to the separation of Gloucester and Churchdown (and thus Cheltenham). Nonetheless, it goes on to indicate that the segments are enclosed by urban development, the substantial barrier of the A40, and the main line railway, thereby isolating them from the more substantial tract of GB to the South East⁸⁶.

83. The South Churchdown allocation is sandwiched between the eastern edge of Gloucester and the south-western edge of Churchdown, with Cheltenham lying beyond an open gap to the east. The eastern edge of Churchdown forms the nearest settlement boundary to Cheltenham and development of this site would not bring the urban settlement boundary any closer to Cheltenham. Whilst its allocation would cause the merging of Churchdown and Gloucester, the gap between Churchdown and Cheltenham would be preserved.

84. The Strategic Allocations Report⁸⁷ and Landscape Report⁸⁸ indicate that overall landscape sensitivity is medium and it is mainly in flood-zone 1. The site is in a sustainable location, reasonably close to Gloucester City Centre, junction 11 of the M5 motorway and the highway network. However, development must be designed to mitigate the impact on Churchdown Hill and Pirton Court, the latter of which is an important

⁸⁴ As summarised in EXAM 87

⁸⁵ Answers to Inspector's Matter 7:GB questions

⁸⁶ ENAT 100, Appendix D, pages D5 & D6

⁸⁷ EBLO 102, October 2013, pages 29-33

⁸⁸ EBLO 106, October 2012, pages 26-27 & 54-55

heritage asset⁸⁹. Noise impact from the A40 and main railway line would need to be carefully managed.

85. Nonetheless, whilst there would be some harmful impacts from development, on the evidence before me, and in view of the site's benefits⁹⁰, I am minded to find that exceptional circumstances exist for its release from the GB, and that its allocation is sound.

A4-Brockworth

86. The site at Brockworth corresponds with green traffic light segments SE7, SE8 and SE9 and similarly may be considered for release from the GB. The AMEC report⁹¹ indicates that the GB function of this land is compromised by the A417, which severs it from the more expansive GB area beyond.

87. The Strategic Allocations Report⁹² and Landscape Report⁹³ indicate that overall landscape sensitivity is medium and it is in flood zone 1, apart from a small area around Horsebere Brook. It is in a sustainable location, well related to the village of Brockworth, reasonably close to Gloucester City Centre, and benefits from good transport routes. However, development should be designed to mitigate the impact on the AONB, which lies close by beyond the A46, and careful management of the noise impact from the main traffic routes nearby will be required.

88. There are also significant heritage assets within the site, including St George's Church and a complex of listed buildings at Brockworth Court⁹⁴. The Historic Environment Assessment states that "*there are major heritage concerns to development*" due to the high contribution the area makes to the setting of designated buildings and the high potential for archaeological remains of medium regional significance⁹⁵. Development should be avoided that could have a significant impact on these assets unless appropriate mitigation could be demonstrated.

89. In terms of delivery, a planning appeal for a housing development is awaiting a decision from the Secretary of State and, if granted, development could commence within a relatively short time period.

⁸⁹ ENAT 107-Historic Environment Assessment, March 2014, page 47

⁹⁰ As summarised in EXAM 87

⁹¹ ENAT 100 Appendix D, page D4

⁹² EBLO 102, October 2013, pages 41-43

⁹³ EBLO 106, October 2012, pages 22-23

⁹⁴ ENAT 107, historic Environment Assessment, March 2014, page 55

⁹⁵ ENAT 107, page 56, paragraphs 8.4.2 and 8.4.3

90. Whilst there would inevitably be some damaging impacts from developing this site, on the evidence before me, and considering this site's benefits⁹⁶, I am minded to find that exceptional circumstances exist for its release from the GB, and that its allocation is sound.

*Strategic Allocation for Cheltenham
A5-North West Cheltenham*

91. Site A5-North West Cheltenham largely corresponds to green traffic light segments NE13 and NE8, amber traffic light segment NE12, red traffic light segment NE15 and part of NE14.

92. In accordance with the AMEC Report, green segments NE13 and NE8 may be considered for release from the GB. The report indicates that these segments do not perform a separation function between Cheltenham and Bishop's Cleeve or between Cheltenham and Gloucester⁹⁷. Whilst it should be born in mind that amber segment NE12 makes a contribution to GB purposes, it nonetheless does not play a role in the separation of the settlements⁹⁸.

93. According to the AMEC Report, red traffic light segments NE14 and NE15 make a significant contribution at a narrow point to separating Cheltenham and Bishop's Cleeve⁹⁹. However, within the AERC report the area falls largely into parcels G1 and G2 which are assessed as making an average contribution to the GB¹⁰⁰. On this evidence and considering its geographical location, I am of the view that this land could be released from the GB.

94. The Strategic Allocations Report¹⁰¹ and Landscape Report¹⁰² indicate that overall landscape sensitivity for this site is high to medium. A key visual receptor is Cleeve Common within the AONB. Development proposals should seek to avoid the areas of highest landscape and visual quality. Whilst it is mainly in flood-zone 1, the site contains two water courses and associated land within the functional floodplain, together with a small area in flood-zone 2, all of which will restrict development.

95. The impact on heritage assets including Uckington Farmhouse, Swindon village conservation area, and particularly the Church of St Mary

⁹⁶ Summarised in EXAM 87

⁹⁷ ENAT 100 Appendix D, page D8

⁹⁸ ENAT 100 Table ES.2 and Appendix D, page D8

⁹⁹ ENAT 100, Appendix D, page D9

¹⁰⁰ EXAM 81, Figure C

¹⁰¹ EBLO 102, October 2013, pages 61-65

¹⁰² EBLO 106, October 2012, pages 10-11

Magdelene¹⁰³, will require careful mitigation. There is also a residual waste facility at Wingmoor Farm to the north east of the allocation and its impact on development will need consideration.

96. Nonetheless, the site is in a generally sustainable location, well related to the urban edge of Cheltenham, close to junction 10 of the M5 motorway¹⁰⁴ and existing services and facilities. Although it is of a substantial scale, which will completely transform this large area of open countryside, it has the greatest potential to accommodate much of Cheltenham's remaining development needs¹⁰⁵.

97. The North West Cheltenham allocation provides the single largest employment allocation (23.4 hectares) within the JCS. Despite its generally sustainable location, there are accessibility issues for development on this scale, relating to junction 10 of the motorway which has restricted access at present. The Local Enterprise Partnership is of the view that the employment element of this allocation be removed from the urban extension and moved to the west into safeguarded land¹⁰⁶.

98. I have reservations about the quantum of development on this site, and its allocation for employment. Nonetheless, acknowledging that some harm is inevitable, and considering the site's benefits¹⁰⁷, I am minded to find that exceptional circumstances exist for the release of GB land in this area. **However, I invite comment from the JCS authorities on whether the site's boundaries are sound or whether they should be reconsidered to avoid the most sensitive landscape areas. Bearing in mind the landscape constraints, I also invite comment from the JCS authorities on whether the proposed capacity of the site (4,785 dwellings and 23.4 hectares of employment land) is justified. Alternatively, views are sought from the JCS authorities on whether the forthcoming site policy for A5 might satisfactorily address these issues without amending the site boundary.**

99. Swindon Parish Council has put forward a proposal for LGS to be designated on this site¹⁰⁸. Both the Parish Council and the JCS authorities have requested that I make a finding on the soundness of such a designation. As with the Leckhampton LGS considered above, I have assessed the merits of this proposal against the NPPF.

¹⁰³ ENAT 107, Historic Environment Assessment, March 2014, page 65

¹⁰⁴ Restricted access to junction 10 but upgrades expected in the future

¹⁰⁵ EBLO 102, page 62, paragraph 3.35

¹⁰⁶ EXAM 138–Employment Land Assessment Update, Appendix 5, page 10

¹⁰⁷ Summarised in EXAM 87

¹⁰⁸ EXAM 97

100.I consider the original area put forward by the Parish Council, as referred to in the *Local Green Space Study Report*¹⁰⁹, to be too large (about 47 hectares) and to conflict in part with areas that are justified for development. Nonetheless, it is close to the local community and its designation is well supported by local people. There is scope for some LGS within the allocation that would be consistent with sustainable development, including areas of high landscape sensitivity close to the village and areas that form the setting of the Swindon Village Conservation Area.

101.In terms of merit, there are important views, including those that are significant to the character of the Conservation Area, and I understand that the land is used for recreation such as dog walking, ball games, and biking, amongst other things. Well used public footpaths and bridleways cross the area and its wildlife and tranquillity is important to the community¹¹⁰.

102.Swindon sports ground and the allotments are included in the land proposed to be taken out of the GB. Whilst development is not intended on these areas at present, and the Parish Council has not put forward the allotments as LGS, to protect both these areas from any future development, they could justifiably be designated as LGS.

103.In my judgement, the evidence suggests that the NPPF criteria are met and some LGS designation is justified. **The JSC authorities are requested to consider indicative areas for LGS designation.** Detailed boundaries are best left for the Cheltenham Borough Plan or to any Neighbourhood Plan that might come forward. **This will be discussed further at the forthcoming hearings when I will invite input from relevant developers and Swindon Parish Council, limited to indicative areas for designation.**

Safeguarded Land

North-West Cheltenham

104.The proposed safeguarded land at North-West Cheltenham lies within the Tewkesbury GB and broadly corresponds to amber segment NE9 in the AMEC Report, and is thereby assessed as making a contribution to the GB¹¹¹. However, the Report indicates that it does not play a role in

¹⁰⁹ EXAM 17

¹¹⁰ For details of the merits see EXAM 17 and EXAM 97

¹¹¹ ENAT 100, Fig 5.2 *Summary Results of Assessment Against Green Belt Purposes*

separating Cheltenham and Bishop's Cleeve or Cheltenham and Gloucester¹¹².

105. The Strategic Allocations Report¹¹³ and Landscape Report¹¹⁴ indicate that overall landscape sensitivity is medium although the land lies adjacent to a highly sensitive area. The land is in flood-zone 1, close to junction 10 of the M5 motorway¹¹⁵ with its north-western boundary lying adjacent to the motorway. It is separated from the urban edge of Cheltenham by allocation A5 (North West Cheltenham).

106. This is another large area of land in the GB, lying immediately adjacent to the very large North West Cheltenham allocation. Together, these areas engulf the village of Elmstone Hardwicke and parts of Uckington, and remove huge swathes of open countryside. This begs the question as to whether so much development land is likely to be needed on the edge of Cheltenham.

107. However, the landscape sensitivity and flood risk in this safeguarded area are less than parts of the North West Cheltenham urban extension. **Comment is invited from the JCS authorities and other participants on whether the boundaries of the North West Cheltenham extension could be re-shaped and justifiably extended into this safeguarded area.**

108. **I also invite comment from the JCS authorities and other participants on whether the totality of land covered by the North West Cheltenham urban extension and this safeguarded land should be removed from the GB.** Currently, on the evidence before me I am not persuaded that exceptional circumstances exist for the release of such a huge area of open countryside from the GB in this location.

Safeguarded Land West of Cheltenham.

109. The proposed land lies adjacent to the western edge of Cheltenham partly within the administrative area of Cheltenham and partly within that of Tewkesbury, and is wholly within the GB. It corresponds to segment NE4 of the AMEC Report¹¹⁶, which forms part of a larger cluster that makes a significant contribution to the GB (NE1, NE2, NE3, NE4, NE5, NE6 and NE7).

¹¹² ENAT 100 appendix D, page D8

¹¹³ EBLO 102, October 2013, pages 61-65

¹¹⁴ EBLO 106, October 2012, pages 10-11

¹¹⁵ Restricted access to junction 10 but upgrades expected in the future

¹¹⁶ ENAT 100, Fig 5.2 *Summary Results of Assessment Against Green Belt Purposes*

110. According to the AMEC report, this cluster is critical to preventing the sprawl of Cheltenham and, towards the south, the merger of Cheltenham and Gloucester¹¹⁷. The segments to the south are NE1 and NE2. NE4 is further north. Nonetheless, the report specifically says that this segment makes a significant contribution to the land separating Cheltenham and Innsworth¹¹⁸, thereby playing an important role in the separation of Cheltenham and Gloucester. However, the AERC Report shows that the land within the Cheltenham administrative boundary mainly makes a low contribution to the GB¹¹⁹.

111. The Strategic Allocations Report¹²⁰ and Landscape Report¹²¹ indicate that overall landscape sensitivity is medium to low and the land is within flood-zone 1. It is in a sustainable location, well related to the urban edge of Cheltenham, and close to the highway network and junction 11 of the M5 motorway.

112. I understand that this area was not proposed as a Strategic Allocation due mainly to potential odour impacts from the Haydon sewage treatment works. However, Severn Trent Water's recent improvements to odour emissions from the works, and the potential reduction in the plant's cordon sanitaire¹²², suggest that odour may no longer be a development constraint at least for part of this land.

113. Taking account of housing and employment needs overall, including GCHQ's requirements¹²³, and my reservations on certain other potential strategic allocations, it seems to me that the Cheltenham part of this proposed safeguarded area might be suitable for allocation. **Views are sought from the JCS and other participants on the potential for allocating land in this area.**

114. Nonetheless, care must be taken not to develop too far to the west towards Gloucester, in order to retain the GB gap between Cheltenham and Gloucester. I am, therefore, not convinced that removal of land from the GB should extend much into the Tewkesbury part of this proposed safeguarded area. **I welcome views from the JCS authorities and other participants on where the GB boundary should be drawn.**

Other areas of land proposed for removal from the GB

¹¹⁷ ENAT 100, Table ES.1

¹¹⁸ ENAT 100, Appendix D, page D7

¹¹⁹ EXAM 81, Figure C

¹²⁰ EBLO 102, October 2013, pages 68-70

¹²¹ EBLO 106, October 2012, pages 37-38

¹²² EXAM 125A&B

¹²³ EXAM 100-GCHQ representations

115. The submission version of the JCS Policies Map¹²⁴ shows other areas of land proposed for removal from the GB.
116. Map 1 shows a sliver of land being removed from the GB between strategic allocations A1 and A3, wedged between the urban edge of Gloucester and the A40. If retained, this GB land would be isolated by development from other stretches of GB, and would serve no purpose. Consequently, its removal is justified.
117. Map 2 proposes an area south east of the Brockworth site, within the AONB. However, this area is not proposed for development, it continues to serve GB purposes, and there appears to be no justification for its removal. At the hearing sessions the Councils accepted that its removal was not justified and that it should be retained as GB. Whilst a proposed modification has been suggested to the Policies map¹²⁵, accompanying wording to the JSC will also be required, and I invite the JCS Councils to put forward their suggestions.
118. Map 3 shows two small areas proposed for removal on the edge of Shurdington village, one being a playing field and the other a site for potentially 50 dwellings. It is unclear as to why the playing field has been included, and the other site is not proposed as a strategic allocation for development. Therefore, the removal of these sites is not justified and, as agreed at the hearing sessions, there should be a main modification to retain these areas in the GB. Again, as above, whilst a modification has been proposed to the Policies map¹²⁶, accompanying wording to the JSC will also be required, and I invite the JCS Councils to put forward their suggestions.
119. Map 4 shows another area proposed to be removed from the GB, at the former M&G Sports Ground off Cold Pool Lane, Cheltenham, which was granted planning permission on appeal for residential development and has been built out. Under these circumstances there is no purpose in retaining this land within the GB and its removal is justified.
120. The Councils proposed that another area be removed, which is currently not shown on the Policies Map. This is the BMW showroom at Grovefield Way, off the A40, west of Cheltenham, which has planning permission and is currently being built out. There is no purpose in retaining this land in the GB and its removal is justified. An amendment to Map 4 has been

¹²⁴ SUB 103 b)

¹²⁵ Exam 114-Mapping Amendments

¹²⁶ Ibid

proposed to reflect this¹²⁷, although once again, accompanying wording is also required to the JCS.

Alternatives and Omission Sites

121. The extent to which omission sites may need to come forward will be influenced by any loss of development potential from allocations that are found to be unsound or where development potential is reduced, and what is finally found to be the OAN for the JCS area. A number of omission sites have been put forward for consideration both within the JCS administrative area and just beyond. From the submitted evidence, including the Broad Locations Report¹²⁸, it seems there may be potential for additional/alternative strategic development which follows the Spatial Strategy.

122. The JCS authorities intend to make non-strategic allocations for development in their forthcoming local plans and some of the candidate sites lie within the GB, potentially necessitating further GB reviews. The NPPF states that "*When defining boundaries, local planning authorities should satisfy themselves that GB boundaries will not need to be altered at the end of the development plan period.*"¹²⁹ Therefore, national policy does not support additional reviews within the timeframe of the JCS.

123. However, the issue of split GB reviews was considered by Mr Justice Jay in the High Court in *Calverton Parish Council v Nottingham City Council & Ors*¹³⁰. In that case the Aligned Core Strategies of Nottingham, Broxtowe and Gedling envisaged a two-staged approach to altering GB boundaries, with the precise boundaries for individual sites to be released from the GB being established in the Part 2 Local Plans¹³¹. Subject to a main modification ensuring a sequential approach with none-GB sites having first preference, the Inspector accepted this approach¹³².

124. The Judge accepted the Inspector's findings and noted that a two staged approach is not impermissible in principle, although it is not expressly authorised by the NPPF. He noted weaknesses in the approach but emphasised that the key point was that the Inspector was able to reach an evidence based conclusion as to the presence of exceptional

¹²⁷ Ibid

¹²⁸ EBLO 100

¹²⁹ NPPF, paragraph 85

¹³⁰ [2015] EWHC 1078 (Admin) (21 April 2015) – see EXAM 35D

¹³¹ EXAM 35D quote from Inspector's report, paragraph 114

¹³² EXAM 35D quote from Inspector's report, paragraph 118

circumstances at the first stage, and that she was not in some way adjourning the matter over for substantive consideration at Stage 2¹³³.

125. The JCS does not currently have a sound framework for directing Stage 2 allocations within the forthcoming local plans, although I accept that further direction could be added through main modifications. However, the *Calverton* case referred only to Stage 2 dealing with "*precise boundaries for individual sites*". In the case of the JCS and subsequent district local plans, there are completely new GB sites under consideration at Stage 2, some of which are proposed for hundreds of houses¹³⁴.

126. The evidence suggests that there might be a number of Cheltenham GB omission sites/officer found sites which, apart from size, appear to meet with the Spatial Strategy, are in sustainable locations, and make a low or average contribution to the GB¹³⁵. It is not clear whether any of these sites are intended to make a contribution to the five year housing supply. If they are, excluding them from the JCS is likely to prevent them coming forward for some time, as the Cheltenham Plan is yet to be examined and, in the meantime, the high bar of demonstrating very special circumstances on application will need to be overcome.

127. Allocating these sites now could potentially deliver a significant number of dwellings at a faster rate than larger strategic allocations, thereby contributing to the five year housing supply and beyond. This would not impact on the overall scale of Cheltenham's development, as it would simply involve the bringing forward of sites from the Stage 2 Plan to the JCS. Their allocation in the JCS would provide greater flexibility now by establishing a larger pool of sites from which development of homes and businesses could come forward.

128. The Cheltenham Plan has undergone consultation on its Issues and Options and the Pre-Submission Draft Plan is in preparation¹³⁶. Therefore, some assessment of sites should already have taken place. Consequently, it should be possible to consider potential larger GB allocations now for inclusion in the JCS.

129. I understand that one of the reasons given for not allocating these sites in the JCS is because they would produce an insufficient number of dwellings to be classed as strategic according to the Council's chosen minimum of around 500.

¹³³ EXAM 35D, paragraphs 58 and 59

¹³⁴ See for example EXAM 142-GB paper Appendix 4

¹³⁵ See for example EXAM 142, Appendices 4 and 6; EXAM 81, Fig G; EXAM 16

¹³⁶ EXAM 16

130. However, this minimum is based on the threshold above which The Advisory Team for Large Applications (ATLAS) generally becomes involved in planning applications, and to which quite different considerations apply¹³⁷. Consequently, I am not convinced that this is the most appropriate benchmark. **Comments are invited from the JCS authorities on what alternative minimum limits should be set for strategic allocations.**

131. Whilst taking account of the JCS authorities' position on GB¹³⁸, it seems to me that exceptional circumstances for GB release might more readily be demonstrated for some of the larger Stage 2 sites than for the North West Cheltenham strategic allocation (the only Cheltenham GB site in the JCS). In comparing and balancing the harms and benefits of the North West Cheltenham site with these other sites, and in seeking to avoid undermining the demonstration of exceptional circumstances for North West Cheltenham, further consideration should be given to the allocation of smaller sites.

132. I understand that Cheltenham would wish to keep these Stage 2 sites for its own supply rather than sharing them with the other JCS authorities, which is the intention for the strategic urban extensions. However, this could be resolved by allocating Cheltenham's extensions and allocations to Cheltenham, Gloucester's to Gloucester, and Tewkesbury's to Tewkesbury. This would satisfy the principle of meeting demand where it arises and would also resolve any confusion over how the five year supply is to be calculated.

133. I understand that Gloucester does not have any GB sites that are being considered for release in the Gloucester City Plan, although GB release is being contemplated for some settlements in the Tewkesbury Borough Plan. **The JCS authorities are asked to confirm the GB position for Gloucester and Tewkesbury, including the scale of any potential Stage 2 GB release and its location.**

134. **Overall, comment is invited from the JCS authorities on the scale of development and criteria for GB release that would be justified for the Stage 2 plans. Also proposals are invited from the JCS authorities for an appropriate JCS framework to guide GB reviews in the Stage 2 plans, (I understand the JCS authorities are working on this).**

135. **The JCS authorities are asked to confirm whether there are any Stage 2 GB sites in the JCS area that are likely to be relied on to**

¹³⁷ See EXAM 123 and 123A for further discussion

¹³⁸ EXAM 142-Green Belt Paper

contribute to the five year supply. If so, details are requested on what they are and the scale of development proposed for each of them.

136. Larger Stage 2, non-GB sites which, apart from size, meet with the JCS spatial strategy, may also merit consideration for inclusion in the JCS. Omitting them from the JCS could undermine the demonstration of exceptional circumstances for GB strategic allocations. **The JCS authorities are asked to confirm whether any such sites are likely to be relied upon to contribute to the five year housing supply. If so, details are requested on what they are and the scale of development proposed for each of them. Comment is also invited from the JCS authorities on what criteria could be justifiably set for inclusion of larger Stage 2 sites in the JCS.**

Elizabeth C Ord

Inspector

16 December 2015