

Cheltenham Local Plan Examination

Opening Statement

On behalf of

Cheltenham Borough Council

RA Jameson LLB

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Attwaters Jameson Hill Solicitors

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1. The Cheltenham Local Plan will, when adopted and together with the Gloucester Cheltenham and Tewkesbury Joint Care Strategy (JCS), the Gloucestershire Minerals and Waste Local Plans, and any neighbourhood plans made in the future, comprise the Statutory Development Plan for Cheltenham to 2031.
2. The CLP is a “second Tier” Local Plan, the strategic context for which is contained in the JCS which was adopted in December 2017. This context is important. The strategic approach and spatial vision set out in the JCS is not being revisited for the preparation of this plan. The OAN for Cheltenham for 2011 – 2031 found in table 2 on page 59 of the draft CLP (10,917) is taken directly from the JCS (table SP1C page 19). It is not for the CLP to revisit that OAN, or indeed to look at issues such as 5 year supply of housing land. Those are matters for a review of the JCS.
3. So far as housing numbers which are to be examined via this examination are concerned, table SP2a of the JCS (Page 25) sets out sources of housing supply in the JCS area. As part of the Cheltenham supply, the table identifies a potential for 1,011 dwellings via the CLP. It is that figure that this plan seeks to make provision for as part of the overall anticipated supply in the JCS of 11,092.

It should also perhaps be noted that the OAN of 10,917 for the plan period identified in the JCS includes an increase from the demographic OAN of 9,900 dwellings for Cheltenham to 10,395 to provide an economic uplift (Insp. Final Report, paras 45 – 49).

4. Additionally, there is a further 5% overall uplift as a contribution to affordable housing (Insp. Final Report para 55). The OAN of 10,917 is more than 1,000 dwellings in excess of the demographic OAN. It is my submission in opening and the Council’s case, that given the uplifts to OAN contained in the JCS that provided the figure of 1011 dwellings identified in the JCS as a

contribution to overall supply via the CLP is provided for and deliverable, then in respect of housing numbers the Plan is sound.

5. The distinctive element of the CLP is set out in three “Vision Themes” and supporting objectives set out in Chapter 2.

#### Vision Theme A

“Cheltenham is a place where people live in strong, safe, healthy, well served and well connected communities which are successful and sustainable places in which to live and work and which contain the necessary infrastructure to support social and cultural life together with space for people and places to evolve in the future.”

#### Vision Theme B

“Cheltenham is a place with a prosperous and enterprising economy where education, skills and employment opportunities are increasing and diversifying, where businesses choose to invest and deliver increased value of economic output and where the benefits are felt by all.”

#### Vision Theme C

“Cheltenham is a place where the quality and sustainability of our cultural assets and natural and built environment are valued and recognized locally nationally and internationally and where tourists choose to visit and return.”

Those 3 Vision Themes are supported by a range of objectives set out in Chapter 2, and which underpin the preparation of the Plan.

6. In terms of retail strategy, the JCS Inspector found the JCS sound subject to an immediate review of policy SD3. The CLP does not include any policies on retail provision. Retail policies will be introduced at the earliest opportunity upon completion of the JCS retail review. Policy SD2 of the JCS sets out that retail policies within the Borough of Cheltenham are set out in the

saved policies of the Cheltenham Borough Local Plan 2006. Of course, those policies will fall to be reviewed in the immediate review of JCS policy SD3.

7. In your letter to the council of 15<sup>th</sup> November 2018 (ED 002A) you set out three issues which as things then stood, could lead to a finding that the Plan is not sound, namely:-

- (1) Flood risk and sequential test
- (2) The Cotswolds Beechwoods SAC
- (3) Issues raised by Historic England

You requested that the Council address those issues prior to the start of the hearings.

8. The Council has done that;

- (i) There is an SOCG with the EA dated 28<sup>th</sup> November 2018 (ED 0056) correspondence at ED 010a and an updated position in the matter 5 statement updated on 6<sup>th</sup> February 2019. The EA are considering the further work undertaken by the consultants and we believe that no further concerns will arise. We will let the Examination know as soon as we have confirmation.
- (ii) I will update you orally on the latest position with Natural England.
- (iii) The agreements with Historic England are recorded in the Matter 3 Statement of 23<sup>rd</sup> January 2019. Historic England are happy with the Council's proposed amendments and no longer propose to attend the hearings.

9. I should also make brief mention of Secondary Education and Transport.

The Council's position on Secondary Education provision is that the allocation in CLP remains the only sound option for the Secondary School. The Leckhampton area was debated at length at the JCS examination and there was a general consensus about where development would be appropriate and where L.G.S should be designated. That consensus was not challenged by the County Council until the end of 2018.

We do not share their view that a C.P.O on the land within the allocation site would not succeed. There are good planning reasons for siting the school within the allocation rather than in L.G.S including impact on the landscape and the AONB. Again, these issues were discussed at length at the JCS examination.

In relation to Transport issues raised by the County Council, our position is as set out in the matter 8 statement. Highways England are content. We are agreed with the County Council that landowners and developers need to be clear that evidence in the form of a robust Transport Assessment will be required at a planning application stage. We are still working with G.C.C. to determine whether any amendments to CLP policies or Transport are needed.

10. We believe that the CLP is Legally Compliant (SD007) and that the Duty to Co-operate has been satisfied (SD019 and SD011). We have formally requested that you make recommendations to the Council for any main modifications to the Plan that you consider are necessary in order to enable the Plan to satisfy the requirements referred to in S.20 (5)(a) of the Planning & Compulsory Purchase Act 2004, and to make the Plan sound (ED 004). With that request, we commend the Plan to you.

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