

Council

Wednesday, 9th April, 2014
2.30 - 7.30 pm

Attendees	
Councillors:	Wendy Flynn (Chair), Simon Wheeler (Vice-Chair), Andrew Chard, Garth Barnes, Ian Bickerton, Nigel Britter, Chris Coleman, Barbara Driver, Bernard Fisher, Jacky Fletcher, Les Godwin, Colin Hay, Penny Hall, Tim Harman, Rowena Hay, Peter Jeffries, Steve Jordan, Paul Massey, Andrew McKinlay, John Rawson, Anne Regan, Rob Reid, Diggory Seacome, Duncan Smith, Malcolm Stennett, Charles Stewart, Klara Sudbury, Pat Thornton, Jon Walklett, Andrew Wall, Roger Whyborn and Suzanne Williams

Minutes

1. APOLOGIES

Apologies had been received from Councillors Garnham, Hibbert, Holliday, Lansley, McLain, McCloskey, Prince and Ryder.

2. DECLARATIONS OF INTEREST

Councillors Coleman, Fisher, Harman, Colin Hay, Sudbury and Wheeler all declared interests as members of Gloucestershire County Council and indicated that they had been granted dispensations from the Standards Committee to participate and vote in the meeting.

Councillor Whyborn declared an interest regarding the reference to the use of primary school/community centre on the Leckhampton site.

3. MINUTES OF THE LAST MEETING

These would be taken at the next meeting of Council.

4. COMMUNICATIONS BY THE MAYOR

None.

5. COMMUNICATIONS BY THE LEADER OF THE COUNCIL

As this was the last Council meeting before the borough elections, the Leader wished to place on record his thanks to all the Councillors and what they had done for the town during their period of office.

6. PUBLIC QUESTIONS

The minutes of the public questions are attached

7. MEMBER QUESTIONS

None received.

8. GLOUCESTER, CHELTENHAM AND TEWKESBURY JOINT CORE STRATEGY - PRE SUBMISSION VERSION FOR PUBLIC CONSULTATION

The Mayor welcomed all the members of the public to the meeting and explained how she intended to conduct the debate on this very important issue for Cheltenham.

A member asked for legal clarification on this item. He indicated that he had spoken to a number of members who had not had time to read and assimilate the papers in the 4 days prior to the meeting. He accepted that some of the information had been seen before but he suggested that the majority of members would not be able to put their hands up and say that they had read and understood every page. He asked for legal advice on their competence to make a decision if this was the case and clarity on the risk of a judicial review.

The Head of Legal Services advised that any decision of the council was open to legal challenge so it was always important that due process was followed. On the face of what he had seen and been told by officers, he did not think it was unreasonable for Council to proceed to debate this matter in this case. There had been a considerable length of time spent in working up the detail of the JCS to this point in time and much of the documentation circulated would have been seen by Members previously as part of the JCS processes. The main issues for Members to consider were covered in the Leader's report and it was for individual Members to decide whether they had sufficient information and understanding to make a decision on the matter; in this respect he referred Members to the proposed amendments which had been circulated where there were two proposals to defer which would be dealt with later in the meeting.

The Leader introduced the report on the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy – Pre Submission Version for publication. The report explained that the Joint Core Strategy (JCS) was the strategic plan being prepared to provide a framework for development in Gloucester, Cheltenham and Tewkesbury to 2031. The report summarised the Pre Submission version of the JCS and sought Council approval to publish the document for publication under regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 as the version of the JCS proposed to be submitted to the Secretary of State for independent examination.

The Leader informed members that Tewkesbury Borough Council and Gloucester City Council had considered and agreed the document earlier in the week. It was important that all three partners agree and he hoped that the covering report and pre-submission document were clear. He added that the Council had been working on the JCS since 2008 and outlined the process after publication would be submission to the Secretary of State in Winter 2014, examination in public (EIP) in Spring 2015 and adoption later in 2015. He said that since the Council had to have a core strategy and had an obligation to cooperate with neighbouring councils, it made sense for Cheltenham to work together with Tewkesbury and Gloucester. Cheltenham needed more housing but this must be balanced with green spaces. The Cheltenham local plan would sit under the JCS to add specific local detail.

A special meeting with officials from the Department of Communities and Local Government had been arranged in respect of the ministerial statement that had been issued to clarify the issue of planned development in the Green Belt. This meeting has made it clear that there was no overall change of Government

policy. At this stage in the process it was appropriate to review the boundaries of the Green Belt in order to meet housing needs and once the boundaries are defined defend them for the duration of the plan period. There was now more emphasis that failure to meet need could be justified if appropriate for environmental reasons. However only 62 per cent of the housing need identified in the JCS could be achieved within existing urban areas and a 38 per cent deficit would not be acceptable in any submitted document.

The council had undertaken non-statutory process consultation in 2013 to gain as much feedback as possible on the draft strategy, and he thanked people for their responses, which were on the Council's website. The draft had been changed as a result of the consultation. Addressing some of the concerns from respondents around the lack of detail in the draft JCS, he emphasised that it was a strategic document.

The key starting point for the strategy was the assessed need of 33,200 dwellings, which in his personal view was too high given population trends. He believed that the assessed need figure required further review and pointed to the Cambridge Centre for Housing and Planning Research (CCHPK) whose work had produced further figures. He proposed to target the needs of 25 to 34 year olds as a priority and argued that national population projections were lower than previously. On that basis, a reduction in need to 30,500 would represent an increase of just 5 per cent on the actual number of houses built in the previous 10 years.

One of the particularly difficult sites, Up Hatherley, had been removed from the JCS, because it was a highly sensitive Green Belt site and the green belt around the racecourse had been added back into the Green Belt designation. The increase of 4400 to 4800 houses in urban areas reflected windfalls of 1300 in Cheltenham. He recognised traffic as a major issue and modelling was currently being refined and would be available for the publication period. Work on a site-by-site basis would come forward before the pre-submission JCS publication.

Another key component was affordable housing with a strategic target of 38 per cent of new builds. The draft policy proposes 40 per cent for developments of over 10 dwellings and 20 per cent for those of between five and nine. The detail would appear in the local plan.

He commented that without a core strategy in place the Council could not implement its crucial Community Infrastructure Levy (CIL), which would identify funding for key projects within the Infrastructure Development Plan (IDP) although it could not fund all needs.

The JCS was now using three economic projections which give an average estimate of 28,000 extra jobs by 2031. Jobs will be vital to the economy and the estimate of employment land required had been increased to a range of 35 to 60 hectares, which was still lower than the 64 hectares contained in the JCS.

The JCS would link with the Strategic Economic Plan, recognising the difficult area around Junction 10 of the M5. The SEP being a parallel process and an aspirational document through which Government can be approached for funding. Whilst all parties could agree what should be done with Junction 10

even now, there was no obvious way of funding it. Ways to fund would be potential new development and grants in respect of SEP aspirations.

He highlighted the fact that the JCS could not insist on brownfield sites being developed first, particularly since the Council did not have a five-year land supply. He recognised that were concerns about proposed development in Leckhampton and North West Cheltenham. The issue of pressure on North West Cheltenham as a greenbelt area was addressed in the JCS and there were sections on local green spaces. Although it would be the local plan that would add detail on local green spaces, one of the amendments to the recommendations sought to use the section on these in the Pre-Submission JCS in looking to see what can be done now with a recommendation being that planning applications would need to consider the policy.

He thanked officers for their hard work in bringing together the evidence and members, both in this council and the other JCS councils, for their contributions at the member working group and seminars

He referred Members to his proposed amendments to the recommendations which were set out as Amendment 3 in the document circulated at the start of the meeting.

“New paragraph 2 to be inserted:

2) Notes that the latest Office of National Statistics (ONS) projections for population, which are expected in May 2014, are not reflected in the JCS. We recognise that the figures in the plan including strategic housing allocations will need to be revised to reflect these new projections and would seek to ensure that any further reductions in the quantity of housing development for the Cheltenham area are made in the proposed urban extensions (North West Cheltenham and South Cheltenham/Leckhampton).

New paragraph 3 to be inserted:

3) Resolves to designate Local Green Spaces where appropriate as part of the Cheltenham Local Plan. We would particularly wish to evaluate the potential for Local Green Space designation in Leckhampton and North West Cheltenham, where green areas of particular local significance are known to exist. We further resolve that, with immediate effect, any planning application to be determined on strategic sites in Cheltenham will comply with the requirements of the JCS including policies SA1 and INF4 in regards to the identification of Local Green Space.

The original recommendation 2 to be renumbered as 4.”

Before the main debate the Mayor invited members to ask questions on the report and these would then be answered by the Leader. He would be assisted on any technical matters by the Head of Planning, Tracey Crews, Philip Stephenson, Senior Planning Officer and Nigel Gilmore, a member of the wider JCS team. The questions and responses are detailed below.

- Given that the Highways Authority (HA) had asked for more work on traffic modelling was that the site work mentioned by the Leader?

- The Leader advised that work had already been undertaken and the council was now looking at each of the urban extensions individually. Initial feedback suggested that South Cheltenham was not a huge problem but it would be analysed in more detail.
- What measures were in place to ensure adequate secondary school places on the assumption that 18 places would be needed for every 100 households?
 - The Leader advised that some of the £1.2 billion was earmarked for a secondary school as part of the Infrastructure Development Plan (IDF). The difficulty lay in knowing when the need for a new school was triggered.
 - The Head of Planning added that because of its importance the council had asked the county council for clarity on how their formula approach for calculating school places would be transformed into a strategy. The matter was made more difficult because of parental choice. Further clarification on this is being sought.
- When would the size, type and tenure of houses appear in the document as required by the National Planning Policy Framework (NPPF)
 - The Head of Planning advised that on page 75 of the pre-submission document the Strategic Housing Market Availability Assessment (SHMAA) was specific about tenure.
- Where a green belt site such as Up Hatherley had been removed from the plan, could it be reintroduced in five year's time?
 - The Leader confirmed that it could not be reintroduced. Originally there had been a proposal to safeguard the site but it had been decided to take it out completely.
- How many brownfield sites in Cheltenham were being actively considered for the 4800 homes in urban areas?
 - The Leader advised that the detail would be considered as part of the local plan.
- What percentage of the affordable homes would be social housing, given the long waiting list?
 - The Head of Planning advised that that the figure for affordable housing was in policy SD13 on page 78 of the pre-submission. Social housing was no longer provided in the traditional sense with more emphasis upon affordable rent, However social housing schemes would still come forward by Cheltenham Borough Homes (CBH). The strategic housing market assessment had set affordable housing at 75 per cent and shared ownership at 25 per cent, but that figure could change on a site-by-site basis.

- How can the plan be agreed, given the Leader's uncertainty about the economic projections and has he considered how travel to work areas could affect housing needs?
 - The Leader advised that any economic projections were unlikely to be accurate for more than six weeks in the current climate. However the Council had taken the average of three views obtained, which was the best it could do at present. Answering the second point he added that every authority had a duty to cooperate with neighbouring authorities and the Council had been in ongoing discussions with Stroud District Council.
 - The Head of Planning added that the three projections had been obtained following advice given by the Inspector of the examination of South Worcestershire who had adopted this as a sound approach. The council would now do more work on economic activity rates. She added that the NPPF was clear on the council's duty to cooperate beyond the partnership, emphasising the importance for all authorities in the county to have discussions at a Chief Executive Officer (CEO) level.

- Where was the consultation response from the Conservative group?
 - The Head of Planning advised that the report was a summary and did not include all responses, although every representation had been considered and she had read the submission referred to.
 - The Leader advised that all responses were on the council's website.

- Where was the provision for utilities and health in the strategy?
 - The Leader advised that the whole infrastructure requirements were in the IDP, although it was not clear how they would be financed.
 - The Head of Planning advised that it was difficult to become involved with all health groups, but the council had discussed the needs with GP groups and representatives of the NHS.

- Which version of the DCLG meeting outcomes was correct, given the different perceptions of the local MP and the Council's CEO?
 - The Leader stated that there were different opinions of the impact of the ministerial statement which was why the meeting with DCLG had been requested. However the minutes were a fair summary of the content.

- Could the Leader comment on the rumour circulating in Leckhampton that the only reason the Chargrove site was included was in the full knowledge that it would not be required and could be taken out.
 - The Leader advised that the need had been reduced by 2700 over the last six months which had enabled this particular site to be removed. The council had been successful in influencing their partners to agree this change.

- With Bournside school already oversubscribed, where would the secondary school places come from for the increased households in the Leckhampton area?
 - The Leader advised that he could not add any more to previous statements regarding secondary provision.
 - The Head of Planning added that it was important to secure secondary school places in existing schools, and the council was in discussion with the county council and Bournside School.

- If Local Green Space Designations were protected in planning policy, should the local green spaces in Leckhampton not be included in the JCS rather than the local plan?
 - The Leader advised that it was logical that local green spaces were identified in the local plan, backed by specific policies in the JCS. Unlike greenbelts, local green spaces were about the quality and value to specific communities.
 - The Head of Planning added that the NPPF required a balanced approach to be taken. Designating green spaces had to be in specific locations that did not undermine the strategic plans in the JCS.

- Some of the land for urban extensions would not be in the Cheltenham borough, so what influence did the Council have with Tewkesbury regarding affordable housing provision?
 - The Leader advised that clearly it was sensible to talk to Tewkesbury and have a coherent policy across any cross boundary sites.
 - The Head of Planning advised that conversations were already taking place regarding how affordable housing on cross boundary sites would be allocated.

- Full Council had agreed to reconsider Leckhampton at its meeting in February, so why had it not been taken out of the JCS?
 - The Leader advised that the council had done its best to negotiate with its partners in the JCS to reduce the number of proposed dwellings in Leckhampton but this had been strongly resisted. Unlike Up Hatherley, Leckhampton had no current protections to strengthen its case.

- Referring to pages 9 and 10, if the Council could not positively respond to what the people wanted, then what was the point in having consultation and how can that counter the perception that the strategy was already a 'done deal'?
 - The Leader advised that it was important to listen to the community, but consultation was not the same as a referendum. The council had taken account of the consultation but it had to work within the statutory framework.

- Was it not making the evidence fit by designating the North West Cheltenham extension and the green belt grade two and three, when the brief had been to consider areas according to PPG2 and not relating to agricultural value?

- The Leader advised that the original criteria had been used to review every site, which contained degrees of green belt scoring to provide a mechanism to look at what was of least value, not no value at all.
 - The Head of Planning added that the sustainability appraisal should be read as a whole.
- In relation to SP1 and SP2 on page 13 of the report, was it a mistake to include the green belt designation around the racecourse, given that it had never been taken out of the green belt.
 - The Leader advised that it was true to state that there was no change proposed for the land around the race course, but it was important to state that in the document.
- The CEO's recent advice note gives some examples of what would be considered as major changes to the JCS. Would the results of the planning enquiry in Stroud for the land at Brookthorpe Waddon be considered a major change as it would have an impact on Cheltenham?
 - The Leader advised that the resolution called for anything significant to be brought back to Full Council, one of which could be the Stroud plan. Lead members would consider any items and recommend those back to Full Council where relevant.
- Referring to Annex 3 of the NPPF, had the government issued new policy guidance which the Council was not aware of?
 - The Head of Planning advised that the guidance only appeared on the DCLG website and was meant to supplement the NPPF in a user-friendly way. As it was updated changes could be viewed easily online.
- With a completion date of summer 2015 was the JCS still a 20-year strategy or had it become a 16-year strategy, in which case the figures would need to be amended?
 - The Leader advised that it was still a 20-year strategy ending in 2031, so it included houses already built because it had effectively begun in 2011.
- If the strategy were to be reviewed every five years, the prime sites would be cherry picked in the first five years to achieve the highest profit for developers. Should the land release not be phased to ensure that it was in line with actual need?
 - The Leader advised that it was important to review areas, as circumstances did change
 - The Head of Planning advised that a five-year review had been incorporated at an early stage of the draft JCS in response to members' requests, and national guidance now included that. Housing trajectories and the difficulty of delivery had been discussed. Some sites were very large, requiring long lead-in times, so the practicalities of phasing were not achievable.
- Should page 15 not include a paragraph concerning the development of brownfield and whitefield before that of greenfield sites?

- The Leader advised that the Council was unable to enforce a brownfield first policy.
- Had Objective 6 changed?
 - The Head of Planning advised that the issue concerned food security, commenting that sometimes there was conflict between objectives, requiring a balance to be struck.
- For Objective 8, concerning housing of the right size, was the case for single storey dwellings strengthened by an ageing population? Should land supply also take into account underground development? Separately should the mention of single door in paragraph 4.11.3 not state two-door entry to take into account back doors?
 - The Head of Planning advised that the first two were issues that might be scrutinised at local plan level. Single door entry was a nationally set definition.
- SP2 on page 23 seemed confused, because the number of new houses required was stated as 33,780, which was more than the 30,500 stated in SP1.
 - The Leader advised that the Council had reassessed need and allocation, which had both gone down.
 - The Head of Planning there was an error in SP2. The figure of 30,500 should state the full 31,070.
- Should the document not be amended to state that playing fields would be protected (policy SA1)?
 - The Leader advised that the document was not looking at changes before public consultation.
- Has the Council explored ways of meeting of affordable housing targets by giving more legal weight to the targets in the JCS rather than the view of the district valuer?
 - The Leader advised that these were different viability tests.
 - The Head of Planning advised that the Council had to look at the viability of the plan and could not present the plan if there were doubts over its delivery, hence the appointment of the district valuer. SD13 related to viability and the NPPF stated that the plan should not be onerous for developers. SD13 offered options to give flexibility, such as varying the housing mix.
- Viability for a developer could be a 5 per cent or 20 per cent profit margin. What should the Council do in this regard?
 - The Leader advised that it was a good point and reflected the need for viability to be determined independently.
 - The Head of Planning added that in reality, if the developer was not going to achieve a profit there would be no development. The matter depended on the type of scheme and number of on-costs coming from such things as contamination and site access.

- Relating to SD13 could the Council get into the kind of mess where a developer had outline planning permission for 10 years without building on the GCHQ site.
 - The Head of Planning advised that the GCHQ case was a unique situation which reflected a point in time.
- If the Leader had tried to persuade partners to remove Leckhampton from the JCS, why had the result been an increase in planned development?
 - The Leader advised that every site had been reviewed that a technical level by officers to advise on the capacity of the land. The council had accepted new advice from the Environment Agency that a piece of land in the proposed site was not prone to flooding.
 - The Head of Planning advised that policy INF3 on flood risk management had been signed off by the Environment Agency.
- Would the Council accept liability for maintaining mitigating measures for development in land liable to flooding?
 - The Head of Planning advised that developers were expected to fund maintenance.
- If the plan for affordable housing set at 40 per cent was agreed by the district valuer, could the Council go back to him/her for justification if a planning application contained a lower percentage?
 - The Leader advised that the Council was trying to achieve a 'best guess' figure, which was why it was working with the district valuer.
 - The Head of Planning advised that the JCS was a strategic document that did not look at the detail of applications. SA1 set out the number of dwellings and when an application was received it might not reach that level as individual schemes may change the viability.
- Would there be some opportunity for members to influence the plan priorities given that affordable housing was a key priority for the council?
 - The Leader advised that the CIL would form part of that process of setting priorities.
 - The Head of Planning added that it came back to the local plan. There had been an internal session to begin investigating flexibility with regard to affordable housing and there was a scrutiny task group waiting to consider the CIL.
- Which of the terms 'resilient rather than resistant' (submission page 95 paragraph 3.5) would apply to balancing ponds and who would pay for their upkeep?
 - The Head of Planning advised that the Environment Agency was concerned that resistance measures could conduct water to other areas, whereas resilience was about innovative ways to mitigate possible flooding and reduce risk to occupants. It was the developer's responsibility to maintain mitigation measures.

- Referring to SD15 on page 85, was sustaining environmental quality totally achievable if developments were right next to each other?
 - The Leader advised that there needed to be a balance between the environment and housing need.
 - The Head of Planning advised that development needed to be in context. As part of the sustainability appraisal the Council had looked across the plan and conducted appropriate testing. The detail would come in the local plan and during the consideration of individual applications.

- How could the Council ensure that developers actually built within five years of permission being granted?
 - The Head of Planning advised that the Council monitored development actively, talking to developers to overcome blockages. For the JCS there would be a cross-boundary group to include CEOs.

The meeting adjourned for tea between 4:45 p.m. and 5:05 p.m.

Councillor Andy Wall joined the meeting at this point.

The Mayor advised that Councillor Bickerton had agreed to withdraw his Amendment 1 as listed in the document circulated at the start of the meeting as it was essentially the same as Amendment 2.

Councillor Regan proposed the following amendment which was seconded by Councillor Harman.

“That approval of the JCS should be deferred for the following reasons:

1. We do not believe that members have been given sufficient time prior to this council meeting to read and digest the significant reports recently received. We are not therefore in a position to make an informed and considered decision at this meeting.

2. So we ask that a delay is made on the JCS vote at this stage until the latest Office of National Statistics figures are available in the near future.

3. This will enable us to have the up-to-date information and possibly consider a reduction in the housing numbers. We also would wish for the Traffic and Highway Evidence report in order that the impact of traffic and pollution on the A46 may be digested”

In seconding the amendment, Councillor Harman, as a member of the steering group, was convinced that given the delay already it made sense to wait a little longer to ensure an informed decision. It was particularly important to get the revised figures from the ONS and the results of the traffic modelling given the concerns of residents particularly those around the A46.

In the debate that followed members made the following points in support of the amendment.

The soundness of any decision made at this meeting was questionable and the member was not willing to base their decision on an assumption that the information in the document had already been seen, as Members had a duty to read it. It had also already been conceded that there were errors in the document. To be accountable and ensure a robust decision it would be irresponsible to agree the document at this point.

There were 3500 people on the social housing waiting list and many others living in terrible conditions, so it was worth the wait to be able to read the documents thoroughly and get them right.

It was clear after reading the documents that a lot of work had gone into the JCS, but a little more time would be welcome and need not prevent ongoing work to put evidence in place regarding schools, transport and social housing.

It was apparent that most of the documentation had already been seen by councillors, but to ensure that the figures were up to date and that requested work was undertaken, it was sensible to defer for a few weeks, while recognising that the Council was in a difficult position.

The following points were made against the amendment.

The Council was aware that new housing figures due in May could affect the figures; hence the amendments to the original motion proposed by the Leader. Any significant differences in the figures would need to come back to Full Council and the same applied to significant infrastructure issues. The plan would adapt and change as a result. To defer the decision would halt the work that could be sensibly achieved immediately and might create uncertainty with the Council's partners.

There was a tension between the need to get things done and the need to get things right. There was understandable concern over issues such as population projections, schools and highways. The bulk of the 1500 pages was important background material, but not essential to read in its entirety. All the issues raised would be picked up before the final submission, and if significant would come back to Full Council. The other two partners in the JCS were expecting a decision and the Council needed to give a firm message.

The JCS was a strategic document and the right place for matters such as affordable housing would be the local plan. The Council could agree the strategic document and update as necessary.

Deferral would not be for just a few weeks by the time the relevant information was received and incorporated.

A Member who had been in favour of deferral indicated they had changed their mind after attending the Council meeting in Tewkesbury earlier that week. He now thought a deferral might risk the numbers for Cheltenham going up and the time might not be spent on important issues. He was satisfied with the caveat in the original motion and was confident that the issues of ONS data and traffic modelling would be addressed.

In isolation the amendment seemed reasonable but the Council had debated the strategy four times in the previous two years and could not ignore its two partners' decisions. It was also unclear when the traffic information would be

available. Additionally Planning Committee was due to consider a planning application in Leckhampton in June and if the pre-submission JCS were not agreed, any appeal would be based on what planning policies the council currently had in place. If agreed, at least that application would have to be considered in the light of the JCS statements regarding green spaces and might lead towards what campaigners wanted. The situation around Swindon Village presented similar issues. The member urged that some protections be put in place immediately by agreeing the document.

It was a tempting amendment but deferral would not solve any of the problems and the member would not be supporting the amendment or the original motion. The member suggested that the Conservative councillors worked on their counterparts in Tewkesbury Borough Council to urge them to agree to take out the Leckhampton site from the JCS.

In her summing up, Councillor Regan said that one section had so far not been referred to, namely the public, who had inundated councillors with their views. Elected Members should listen more seriously to the community, and from the emails she had received, the community wanted the Council to wait. She cited the people of Leckhampton, who were desperately concerned about possible development. She urged members to vote for the amendment to ensure that when making a decision, Members had the proper facts and figures.

As the proposer of the substantive motion, the Leader responded that the amendment set no time limit for a deferral. The documentation had been available for some time and the long document was the result of officers erring on the side of giving thorough, complete background information. Much of the information had been available on the website so he could not accept that Members had insufficient time to get to grips with the issues. He entirely accepted the concerns regarding traffic and actual housing need but he did not think it was acceptable to ask our partner authorities to wait an indeterminate time for ONS figures and new information to be available. Planning applications would continue regardless, and the Council would be defenceless without an agreed document.

Upon 7 members standing in their seats, a recorded vote was requested and agreed.

Upon a vote the amendment was LOST.

For; 11 – Councillors Bickerton, Chard, Driver, Fletcher, Hall, Harman, Regan, Seacome, Smith, Stennett and Wall.

Against; 21;- Councillors Barnes, Britter, Coleman, Fisher, Flynn, Godwin, Colin Hay, Rowena Hay, Jeffries, Jordan, Massey, McKinlay, Rawson, Reid, Stewart, Sudbury, Thornton, Walklett, Wheeler, Whyborn and Williams.

Abstentions; 0

Councillor Bickerton proposed the following amendment which were seconded by Councillor Smith

Add the following recommendations to the substantive motion.

1. That the Objective Assessed Need (OAN) to be reviewed when the ONS sub-national population projections are published in May 2014

2. to adopt a brownfield first policy prior to final JCS through Examination in Public
3. that the JCS OAN take account of windfalls, existing permissions and previous supply before final submission
4. to undertake a careful scrutiny of sites that could increase the risk of future flood risk, specifically where historical flood and surface water run-off has been recorded
5. that NPPF Local Green Space applications be processed and brought into the plan before final submission

In proposing the amendment, Councillor Bickerton acknowledged that points 1, 3 and 5 were already in the amended substantive motion. He highlighted JCS p72, paragraph 4.11.2 in which policy approach directed previously developed sites. The Council needed a strong phasing policy. His amendment was asking for protection in the interim period before final submission.

In the debate that followed members made the following points in support of the amendment.

In support of the brownfield recommendation, a member said that the future of sites liable to flooding was important to the people of Warden Hill, given the damage caused in 2007. There was no soakaway from Leckhampton Hill and the member was not happy with balancing pools, wondering who would maintain them if developers ceased trading. The issue required careful scrutiny.

The following points were made against the amendment.

Previously the Council had put in place a very strong policy on brownfield development. However, NPPF guidance was now not as strong. The Member suggested that officers could be asked to review this and discuss the matter with partners as part of their work going forward.

It was vital to ensure that more difficult brownfield sites were looked at before considering greenfield sites. The NPPF encouraged re-use of land previously developed, as long as it was not of high environmental value, more or less stating that it was up to the Council to determine. A member was concerned that the guidance made matters more difficult for the council and suggested that the council write to central government about possible phasing. It had been frustrating that recent applications for brownfield site development had not included enough affordable housing.

If developers built on every brownfield site first, a member suggested that the percentage of affordable housing would go down to 5 per cent.

Officers had mentioned several times the need to take a balanced approach, so it was important to consider how a brownfield first policy would affect infrastructure and existing traffic problems.

In his summing up, Councillor Bickerton clarified that his amendment sought to protect the Council in the vulnerable period before final submission.

As the proposer of the substantive motion, the Leader responded that the interim policy did not stack up alongside the formulation of a full JCS. The Council could encourage but not enforce a brownfield first approach. The

Council had undertaken a full flood review, and any developer already needed to address mitigation and flood impact in any application.

Upon a vote the amendment was LOST

Voting; For 10, Against 20 with 2 abstentions

The Mayor invited members to debate the substantive motion.

In the debate that followed members made the following points in support of the motion.

In September a member had said that the JCS was flawed, but it had been materially improved and represented the best the Council could achieve, bearing in mind its neighbours. Cheltenham needed to house its population, needing to push away from the Cheltenham towards the Tewkesbury boundaries. The Council had managed to keep the Chargrove triangle in the green belt and hoped for substantial gains in green spaces in Leckhampton and North Cheltenham with no urban spread. Cheltenham could not ask for green spaces in all areas, but there was a need to avoid development in the Swindon Village area which could lead to uninterrupted development from the town centre to the M5 motorway. The member hoped for a reduction in need being incorporated with the availability of the ONS statistics. The final sentence of the motion as amended embedded green spaces in planning policy for immediate consideration. The member agreed that there was more work to be done regarding housing density and was concerned about infrastructure pressures on the Tewkesbury Road and A46, and it was worrying not to have the M5 junction 10 in the plan.

The JCS had been improved by amendments to the substantive motion, so to reject it would not leave Cheltenham in a better position and would increase the risk of bringing Up Hatherley back into the strategy. Central government's NPPF was deliberately designed to kick-start building, and the figure of 75 per cent of appeals being upheld sent a clear message. The Council should use the parts of the NPPF that suited the town's needs, so that green spaces survived. The revised ONS figures would help the Council's case in readdressing numbers. The member pointed out that recommendation 2 would need to be discussed with the other partners. Having no plan would leave the Council helpless, so it had to face the difficult choices.

There was no doubt that the Council had reached a critical point in the JCS process. The member was concerned about a strategy where 70 per cent of sites would be in the greenbelt area, especially when others were available. The member suggested that the cross-boundary group should include elected members and reported that at the Tewkesbury JCS meeting accusations had been levelled at Cheltenham over Up Hatherley and the racecourse. To postpone a decision or scrap the JCS would only raise again matters around Up Hatherley and Leckhampton. The current proposals were not perfect, but if population figures were wrong, there were assurances in the amendments that would give the three partners an opportunity to take a fresh look and adjust the strategy numbers accordingly. There would also be time to look fully at transport matters. The member acknowledged that the inquiry on the Stroud Local Plan

was important for Cheltenham too. There was a long way to go with the JCS and the member wished councillors well in their endeavours, announcing that he would be standing down at the May elections.

The JCS Steering Group had considered difficult priorities and it had been positive to achieve a reduction in the proposed number of houses for Leckhampton. The current strategy was moving in the right direction, and the member realised that applications would continue whether or not Full Council agreed it. The amendments went some way to allay the member's concerns, but the strategy would fundamentally not deliver desired outcomes for the people in the North West and South West of the town, who had not been listened to. The real challenge was around the administrative boundary sites, given that Tewkesbury curled around Cheltenham and it was unclear as to how building would take place around the peripheries. The proposed development around Cheltenham's North West and South West fringes was not thought through well enough in relation to infrastructure. Cheltenham was an attractive town in which to live, but should also be affordable without becoming overdeveloped and gridlocked. The member believed that the green space policy should have had a greater part in the debate.

A member agreed with the JCS, but not in the areas of deprivation, where people were in critical need for more social housing. There were providers other than Cheltenham Borough Homes (CBH) that the Council could talk to and the member was concerned that the figure of 40 per cent affordable housing for developments of 10 or more was not set in stone and that developers would take the lead in reducing that number. Providing housing for those that needed it might mean building in areas that members would prefer not to.

The Council had done a great deal of work to produce for the first time a plan together with two other authorities. Some members had said that the number of homes proposed was high, but it was lower than in the previous Regional Spatial Strategy. The member thought that 9100 was slightly on the low side and the Council would do well to defend that with an inspector. An individual Cheltenham core strategy could not have achieved as good a deal. Without a five-year land supply the Council could not defend any development in the green belt, but through the JCS had protected the land around the racecourse and Prestbury. The Council needed to go forward by taking the strategy to the public and the inspector, because sometimes politics was about making hard decisions.

A member explained from experience what it was like to be homeless and welcomed the JCS as a good thing for Cheltenham. He did not think that there would be inappropriate or poor quality development. The JCS enabled Cheltenham to have a say about urban extensions in discussion with its partners. Cheltenham needed houses and it was good for all residents for the town to expand.

Affordable housing would be considered in detail in the local plan, so a member urged others to agree the JCS to allow work on the local plan to proceed.

The following points were made against the motion.

New evidence in the SHMAA highlighted the differences in the causes of projected population growth between the three partners with Cheltenham with

the largest component of population growth in Cheltenham being as a result of net inward migration. The balance of the JCS did not reflect these differences. Equally the 2011 census predicted the average household size to rise in Gloucester to 2.38 and to remain flat in Cheltenham and Tewkesbury, despite a DCLG report in April 2013 suggesting that household sizes had stabilised. Work from Cambridge consultants had been circulated to the council's working group, projecting the household sizes in the JCS.

A member read out a statement from Leckhampton and Warden Hill Parish Councils regarding an email sent to by the CEO. It concerned the Neighbourhood Development Plan (NDP) submissions not appearing in the JCS documentation and the Council's intention to include them in the local plan.

The CEO responded that he could not give an answer regarding the traffic issues, but that matters around green spaces had been taken very seriously and the submissions from the parish councils had been considered at various meetings. The MP had taken a different view having stated that he had spoken to people in central government. The Council was in a position to decide what it thought best and to take all views seriously. His letter to the MP and the two parish councils had stated that the best way to deal with the matter was in the local plan. The advice from a barrister, which was available at the meeting, supported the officers' position. He apologised to the parish councils for omitting their representations from the Council's website, but that should not be perceived as an indication that they were not being considered seriously. He repeated his apology.

The Head of Planning added her apology, saying that the Council had been considering the NDP and its detailed assessment of traffic, which she had passed on to the county highways department and which the council was considering in relation to a current application. She reminded the meeting that the JCS transport work was at a strategic level.

Responding to a member question she said that she had received some feedback already and that the Council was undertaking further work with the Highways Authority (HA) to include an additional level of modelling. The Planning Committee would consider the live planning application in June 2014, and the Council was still waiting for proposed measures relating to transport issues from the applicant.

If councillors agreed the JCS, Cheltenham would be taking the largest amount of greenbelt land for development in the county. Housing needs could be addressed without attacking the greenbelt. The member did not believe that there was any possibility of Junction 10 becoming four-way in the next ten years. The JCS was still sketchy about land for warehousing and commerce, where online business was growing. Experts got economic predictions wrong more often than they got it right and to state that economic growth would support growth in housing was wrong. The only way out of poor housing was through economic development. There were 750,000 unoccupied houses in Britain and elsewhere in Europe homes were being demolished to keep prices high. As a representative for Cheltenham as well as Swindon Village, the member was concerned about traffic congestion, air pollution and the poor state of roads. The JCS would not address the needs of the people.

Throughout the meeting there had been apologies and blame rather than looking at what was right for the communities. Leckhampton's community had achieved cross-party support for its views. Consultation had been devalued and had ignored what the community had wanted. There were no positive reasons for the people to agree the strategy. The member urged others not to vote for the strategy if they did not think that it was not sound and should not include Leckhampton.

A member said that it would be the last meeting at which he would represent the people of Swindon Village, whom the JCS would affect the most. The previous Regional Spatial Strategy that had imposed huge number of housing proposals had ignored the views of the people, yet after it had been scrapped a local document again proposed massive development. The member acknowledged the Leader's persistence and skill in reducing the initial proposed number of houses, which might lead to further reductions. However, the JCS still proposed overdevelopment, particularly in the member's ward. He acknowledged that all members were trying to do the best for their wards, whether in the town or on the edges. He was convinced that the argument was the same as in 2006. No-one could accurately predict the number of houses required, and unless the evidence of need was overwhelming common sense dictated building fewer. He ended by stating that he had been elected to protect the green fields around Cheltenham.

A member did not want to see Cheltenham go downhill and development expanding the peripheries. There was no concrete evidence for much of the proposal and the member was fearful for the future of Cheltenham, believing that the JCS was not the right way forward.

A member was disappointed that the decision had not been deferred, not for reasons of prevarication, but to 'get it right not quick'.

The local authorities in the partnership should not **seek** to deliver affordable housing, they should simply deliver it. Councillors were aware that developers tried to wriggle out of their responsibilities and in the past had 'ghettoized' the affordable housing provision in developments. The JCS was woolly in section 1 and as such the member would not support it.

In his summing up, the Leader thanked all members for their contributions and addressed some of the concerns. He mentioned that population growth in Gloucester, mainly due to higher birthrate could be because housing was more affordable than in Cheltenham. The annualised housing requirement was only five per cent higher than previously, which was concerning but not massive. He believed that the JCS was the right option for Cheltenham and that the risk of not having a strategy without a five-year land supply would lead to a free-for-all for developers. He was not arguing with the partners that all reductions in numbers should be in Cheltenham but that the reduction should target urban extensions. The JCS has something on Local Green Spaces and the third recommendation commits the Council to reviewing Local Green Space designations and implementing where appropriate as part of the Local Plan, as well as in the meantime having an expectation that developers carry out their own review in requiring developers to consider them as part of their applications. He re-emphasised that the motion asked only for minor change sign-off and that any significant changes, after consultation with the JCS team and group leaders would be brought back to Full Council. The JCS was a good

document that balanced need with effect, protecting 100 per cent of the AONB and 90% of the green belt, while introducing the new weapon of local green spaces. It was important to review the strategy every five years to ensure that the Council was on track. He ended by stating that he would not be proposing the motion if he did not think that the JCS would be good for Cheltenham.

Upon 7 members standing in their seats, a recorded vote was requested and agreed.

RESOLVED THAT

- 1. The Joint Core Strategy Pre Submission, set out in Appendix 1, be approved for publication under regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 as the version of the JCS proposed to be submitted to the Secretary of State for independent examination;**
- 2. It be noted that the latest ONS projections for population, which are expected in May 2014, are not reflected in the JCS. We recognise that the figures in the plan including strategic housing allocations will need to be revised to reflect these new projections and would seek to ensure that any further reductions in the quantity of housing development for the Cheltenham area are made in the proposed urban extensions (North West Cheltenham and South Cheltenham/Leckhampton).**
- 3. Local Green Spaces be designated where appropriate as part of the Cheltenham Local Plan. We would particularly wish to evaluate the potential for Local Green Space designation in Leckhampton and North West Cheltenham, where green areas of particular local significance are known to exist. We further resolve that, with immediate effect, any planning application to be determined on strategic sites in Cheltenham will comply with the requirements of the JCS including policies SA1 and INF4 in regards to the identification of Local Green Space.**
- 4. Authority be delegated to the Chief Executives in Cheltenham and Tewkesbury and the Corporate Director of Services and Neighbourhoods for Gloucester City Council in consultation with the relevant Lead Members to make any necessary minor amendments including the identification of any saved plan policies as considered appropriate by the three JCS Councils prior to:
 - i. publication of the Pre Submission JCS and**
 - ii. submission of the JCS to the Secretary of State for independent examination.****

Voting

For; 18 - Councillors Barnes, Britter, Coleman, Flynn, Godwin, Colin Hay, Rowena Hay, Jeffries, Jordan, McKinlay, Rawson, Reid, Stennett, Stewart, Thornton, Walklett, Wheeler and Whyborn.

Against; 14 – Councillors Bickerton, Chard, Driver, Fisher Fletcher, Hall, Harman, Massey, Regan, Seacome, Smith, Sudbury, Wall and Williams..

Abstentions; 0

9. NOTICES OF MOTION

None received.

10. TO RECEIVE PETITIONS

None received.

**11. ANY OTHER ITEM THE MAYOR DETERMINES AS URGENT AND WHICH
REQUIRES A DECISION**

There was no urgent business.

Wendy Flynn
Chair

Council – 9 April 2014

Public Questions (13)

1.	Question from David Bayne to the Leader Councillor Steve Jordan
	Noting the widespread local and political support for the designation of a Local Green Space on the Leckhampton White Land, how will this proposal now be taken forward as part of the JCS implementation of NPPF para 76 in order to protect in perpetuity this important amenity land?"
	Response from the Leader
	<p>Request for Local Green Space (LGS) designation at Leckhampton has been proposed by both statutory consultees (Warden and Leckhampton Parish Council), local action group (LEGLAG), individuals and the Cheltenham MP Martin Horwood. Some of these individuals and groups have simply submitted a request for its designation; others have submitted information which further sets out reasoning for such a designation to be made.</p> <p>The approach adopted by the JCS is that LGS designation must be consistent with the local planning of sustainable development. As such, planning for such designations is appropriate within the Cheltenham Plan. The recently published national planning policy guidance confirms this approach and now provides additional guidance on LGS.</p> <p>Within the Pre Submission JCS, Green Infrastructure forms a key policy that will support both place shaping of new developments, access for recreation and health, and support for biodiversity. Submissions made to the Draft JCS on LGS have helped inform these parts of the plan now included within the Pre Submission version, in particular policy INF4 and which now makes specific reference to LGS.</p> <p>The new approach to Policy SA1 in the JCS is designed to ensure that planning applications which come before the adoption of the Cheltenham Plan incorporate areas of local green space which meet the criteria above whilst delivering the development requirements set out in the plan.</p> <p>This Council will now expect any developer submitting a planning application to demonstrate assessment of protection of land for local green space in line with policies SA1 and INF4 of the Pre Submission JCS.</p>
2.	Question from Chris Nelson to the Leader Councillor Steve Jordan
	Can he please explain how the 9,100 new house requirements within the JCS has been calculated for Cheltenham? For instance, how many of these houses are from demand within the town and how many from outside the town (i.e. inwards migration)?
	Response from the Leader

	<p>The 9,100 housing requirement for Cheltenham has been calculated using the 2011 based household projections with a partial return to trend in household formation rates calculated for the age group 25 – 34 year olds. Migration includes that both from the UK (projection flows from one authority to another in the UK) and international migration, the former being a big factor in population change for many authorities, including the JCS. The raw data that supports the calculation is available to view via the following link http://www.ons.gov.uk/ons/rel/pop-estimate/population-estimates-for-uk--england-and-wales--scotland-and-northern-ireland/mid-2011-and-mid-2012/rft---mid-2012-uk-population-estimates.zip</p> <p>The ONS data on migration flows is one of a number of factors input into PopGroup suite of software, run by consultants Nathaniel Lichfield and Partners. Migration flows together with wider inputs including; fertility and mortality rates, household headship rates, housing vacancy rates (including second home and holiday home ownership levels), employment change, unemployment levels and commuting patterns. Details of the PopGroup model can be viewed via the following link http://www.gct-ics.org/Documents/PublicConsultation/DevelopingthePreferredOption/NLPAssessmentofHousingNeedsFULLREPORT.pdf</p> <p>The latest outputs from the PopGroup model indicate that around 57% of population increase for Cheltenham is derived from migration, with the greatest number from UK flows as opposed to international migration. Migration forms a key element of population change across all local authorities and is something we have to consider assessing housing need.</p> <p>Conclusions on the projections which have informed the JCS are available via reports commissioned from consultants Cambridge Centre for Housing and Planning Research and Nathaniel Lichfield and Partners, all available to view via http://www.gct-ics.org/EvidenceBase/AssessmentofHousingRequirements.aspx</p> <p>In a supplementary question, Mr Nelson referred Members to table SP2A on page 27 of the JCS submission document which appeared to illustrate an oversupply of housing of 569 across three authorities above the target of 30,500. Members could also see on this table that when you look at each Councils' targets and supply figures that it is only Cheltenham that is planning an over supply of houses. So why can we not simply reduce the planned build on Leckhampton by this 569 houses, as to do so would recognize the voice of this Council expressed unanimously at the JCS debate on 28 February and also have absolutely no impact on our partners figures, so could be regarded as a change which this Council could easily agree to without having to re-negotiate or delay the JCS?</p> <p>In his response Councillor Jordan commented that this wasn't a supplementary to clarify the original answer, it was a different question. However, he confirmed that the JCS process had to set out the projected supply and he acknowledged that currently there was an over provision across the JCS area. The figures for Cheltenham could be reviewed when there was new evidence available, including ONS projections.</p>
<p>3.</p>	<p>Question from Chris Nelson to the Leader Councillor Steve Jordan</p> <p>Public and private statements have been made by Councillors suggesting that it is only because of pressure from Tewkesbury and Gloucester Councils that Leckhampton has been left in the JCS; irrespective of external pressures on Cheltenham Council, real or imagined, can he please state his personal view of whether Leckhampton should remain in the JCS. If he could remove Leckhampton as a strategic site within the JCS, would he?</p>

	<p>Response from the Leader</p> <p>The Conservative majority on Tewkesbury Council have resisted any reduction to the housing allocation at Leckhampton. The difficulty in completely removing the Leckhampton site from the JCS is because it is not in the Green Belt and it is likely that removal at this stage would be challenged at the future Examination in Public (EiP), as well as by other Councils, particularly as other Green Belt sites have been identified to meet the needs of the JCS.</p> <p>There may be hope in the new Local Green Space (LGS) designation included in the NPPF with support from Martin Horwood MP. Included in the policies in the JCS is the requirement for developers to preserve areas of green space that fulfil the LGS criteria. If the Pre Submission JCS is agreed today, this Council intends to insist that any developer submitting a planning application must comply with the policy requirements relating to local green space.</p> <p>There may also be hope in the facts that the new ONS population projections due to be published in May could lead to a reduction in assessed housing need. If this happens, the Council will almost certainly wish to reduce the allocations for the strategic sites rather than ease the pressure for brownfield development</p> <p>So while it would be desirable to remove the Leckhampton site it would not be sensible to do so at this stage for the reasons mentioned above.</p> <p>In a supplementary question Mr Nelson said that having attended the JCS debate at Tewkesbury on Monday night, he was pleased to hear that the reason Up Hatherley was removed from the JCS was because, for political reasons, Cheltenham threatened to reject the JCS. Given that at the 28 February Council Meeting this Council voted unanimously to negotiate the removal of BOTH Leckhampton and Up Hatherley from the JCS, why is it that the Council negotiators did not also insist, for the same political reasons, on saving Leckhampton?</p> <p>In response the Leader advised that Up Hatherley had been in the highest category of Green Belt being proposed for development which justified its removal. In the case of Leckhampton there was currently no legitimate defence against development to justify its removal at this stage, much as he would have liked to. However, there was still a way to go and the council was keen to use the new Local Green Space designation.</p>
4.	<p>Question from Anne McIntosh to the Leader Councillor Steve Jordan</p>
	<p>Will the Council provide - and make it available for public scrutiny - a full data index, complete with references and background, for the figures given by the Cambridge consultancy they commissioned and upon which they have based their housing projection to 2031?</p>
	<p>Response from the Leader</p>
	<p>All data used is drawn directly from the ONS and can be viewed via the following link www.ons.gov.uk . Assumptions made in regard to household formation rates are dealt with via work commissioned from consultants Cambridge Centre for Planning and Household Research and can be viewed via the following link http://www.gct-jcs.org/EvidenceBase/AssessmentofHousingRequirements.aspx</p>
5.	<p>Question from Anne McIntosh to the Leader Councillor Steve Jordan</p>
	<p>Until recently, it was felt that we had only to deal with the possibility of severe flooding once in 100 years, but now it is predicted more wet winters will be the norm and thus more flooding. During the developer forum for Leckhampton in 2013, the developers</p>

	<p>were asked whether they had considered the flooding risks and they answered that they had only allowed for the standard 1 in 100 year flood event (E. Pimley, pers. comm.) now inadequate in view of emerging data.</p> <p>Will the Council demand further hydrological modelling to still see if the proposed number of houses, other buildings and areas of hard standing still accommodates such flood risks in the light of climatic changes and these comments, and is the council confident the flood barrier built recently off the Shurdington Road to protect Warden Hill homes will save that area from further flooding if the intensive building on the land above them, off Shurdington Road, is allowed?</p>
	<p>Response from the Leader</p>
	<p>The JCS allocation of the urban extension at Leckhampton and the planning application regarding this land are separate matters and so it would be wrong to comment, or pre-judge evidence submitted, as part of the application which has yet to be determined.</p> <p>The site housing totals shown in the Joint Core Strategy are an estimate of capacity taking into account the areas of land within allocations which have been deemed deliverable through work assessing a range of factors including flood risk.</p> <p>The flood risk work undertaken on the Leckhampton site and the other strategic allocations in the JCS was developed in co-operation with the Environment Agency and it has fully reviewed and endorsed it. Both the Level 1 and detailed Level 2 strategic flood risk assessments (SFRAs) took into account the possible impacts of climate change.</p> <p>As part of the level 2 assessment for Leckhampton the flood extents for key return periods (1 in 20, 100, 100 plus climate change and 1000 years to represent Flood Zone 3b, Flood Zone 3a, Flood Zone 3a plus climate change and Flood Zone 2 respectively) were determined and mapped for each watercourse.</p> <p>Because the SFRA2 work was done comprehensively, no further hydrological work is proposed on the part of the local authority on these sites – and this approach has been confirmed as acceptable by the Environment Agency. However, on some sites, detailed Flood Risk Assessments will need to be submitted as part of development proposals.</p> <p>At the Leckhampton site, the SFRA modelling demonstrated that a more detailed Flood Risk Assessment would be required for the site as part of the proposal, and this work will need to be rigorously tested through the development management process and in decision taking.</p> <p>Notwithstanding this, the Environment agency and our own capacity work has confirmed that within the application area, sufficient developable land is available to ensure that the scale of development proposed in policy SA1 is achievable.</p>
<p>6.</p>	<p>Question from Margaret White to the Leader Councillor Steve Jordan</p>
	<p>In September 2013, I asked the Lib Dems whether they had altered their 2012 Manifesto, which was to protect the Green Belt and to resist urban sprawl. The answer given was unclear and the Government's views on the subject have been reviewed again which if interpreted correctly by the JCS, will mean much of our green belt and fields can be protected.</p> <p>I have seen no change in the Lib Dem Manifesto published. Can the Lib Dems still claim to be a green party as they are now championing building on the green belt and green</p>

	<p>spaces?</p> <p>Therefore, may I ask again if they will ensure that brownfield sites are developed prior to any greenbelt or green fields are built on?</p>
	<p>Response from Cabinet Member</p>
	<p>I would not be as optimistic about the position of Nick Boles, Minister for Planning, as the questioner is. The general consensus among local authorities and environmental organisations like CPRE is that the Government's position has not shifted much. However there seems to be a willingness on Government's part to recognise that environmental considerations may sometimes overcome the requirement to meet assessed housing need; and this is a point we need to bear in mind in our ongoing work on the JCS and the Cheltenham Plan.</p> <p>It would not be a fair assessment of the Liberal Democrat position in Cheltenham to say that we are championing development on green fields, any more than it would be true to accuse the Conservative leaders of the other JCS councils of doing so. Our aim as a group on this council is to protect as much of the countryside as we can, which is the purpose of the amendments we will be putting forward today. However, we also have to bear in mind that at some point we will have to submit a plan that meets the Government's requirements. The recent rejection by Planning Inspectors of the East Devon plan, leaving their countryside open to a developer free for all, shows the risks of having a plan rejected for being non-compliant or not having a plan at all.</p> <p>So far as the manifesto for the coming election is concerned, it will be published shortly, but will certainly contain a commitment to do all we can to protect our green fields and maintain a very substantial Green Belt to prevent the coalescence of Cheltenham, Gloucester and Bishops Cleeve.</p> <p>So far as pursuing a 'brownfield first' policy is concerned, this is answered in my response to question 13.</p> <p>In a supplementary question Margaret White asked the Leader whether he thought his interpretation was superior to that of the government minister.</p> <p>The Leader replied that this was absolutely not the case and a special meeting with officials from the Department of Communities and Local Government had been arranged to clarify the issue. This meeting has made it clear that there was no overall change of Government policy. At this stage in the process it was appropriate to review the boundaries of the Green Belt in order to meet housing needs and once the boundaries are defined defend them for the duration of the plan period. However, there was now more emphasis that failure to meet need could be justified if appropriate for environmental reasons.</p>
<p>7.</p>	<p>Question from Margaret White to the Leader Councillor Steve Jordan</p>
	<p>Last September, I drew attention to the fact that the ONS figures being used were intended for short term use only. I was assured that the figures were being scrutinized thoroughly and the public would be informed of the outcome. However, the Council is still awaiting the correct and updated housing figures and is still using figures which the ONS themselves have said were unfit for the purpose that they are being used. The revised figures from the ONS will be available in 2-3 weeks, why do the JCS officers not wait for these to be released to allow a proper assessment of local housing needs?</p>
	<p>Response from the Leader</p>
	<p>Even were we to wait for these updated figures, we would still need the household projections which will not be ready until Autumn 2014. The plan must progress and we have taken advice from two sets of consultants, Nathaniel Lichfield and Partners and the</p>

	<p>Cambridge Centre for Housing and Planning Research.</p> <p>The OAN of the JCS is based upon the Interim 2011-based sub-national population projections for England; they are the latest official local authority level projections and as such need to be taken into account as part of the evidence base used in determining the housing requirement. The assumptions made in reaching the OAN were benchmarked against the national projections published in 2013, which presented the outputs of the 2011 census at a national level. The projections at a local level are expected in May 2014 and once available these too will be benchmarked against the assumptions made to date on the OAN.</p> <p>I will be proposing to Council that any change in the ONS figures should be included in the Submission JCS.</p> <p>In a supplementary question Margaret White asked whether the Leader thought it was sensible to use ONS figures which were known to be unfit for purpose.</p> <p>In response the Leader advised that the process would always take account of the latest evidence available. National projections had been produced and once local figures were available they would be taken on board and any appropriate adjustments made.</p>
<p>8.</p>	<p>Question from Dr Elizabeth Pimley to the Leader Councillor Steve Jordan</p>
	<p>Considering people pressure already evident on Leckhampton hill SSSI grassland how will council ensure their legal obligation to prevent further damage to valuable protected habitat as there is not enough retained public open space to counter this in current plans?</p>
	<p>Response from the Leader</p>
	<p>The JCS allocation of the urban extension at Leckhampton and the planning application regarding this land are separate and so it would be wrong to comment or pre-judge evidence submitted as part of the application which has yet to be determined.</p> <p>Although these are yet to be updated, the indicative site layouts in the JCS document show that within the allocation area there is scope to provide significant areas of open space. JCS policy SA1 requires that where areas of local green space meet the requirements of the NPPF, whilst ensuring that the scheme as a whole meets development requirements, these should be retained.</p> <p>The strategic allocation at Leckhampton also contains protected Green Infrastructure corridors which assist with biodiversity preservation and enhancement and create linkages with the surrounding Green Belt, AONB watercourses and the wider countryside.</p> <p>Within the Pre Submission JCS green infrastructure plays a key role in supporting both the place-shaping of new developments, access for recreation and health, and support for biodiversity. Submissions made to the Draft JCS on LGS have helped inform these parts of the plan now included within the Pre Submission version, in particular policy INF4 (Green Infrastructure)</p> <p>Gloucestershire Wildlife Trust and Natural England monitor the state of SSSI's and this monitoring framework is incorporated into the JCS. Protection for the natural environment is a key part of the planning process and we have worked with Natural England and the Wildlife Trust as part of the JCS process.</p>

	Strategic Objective 4 and (conserving and enhancing the environment) and policy SD11 (Biodiversity and Geodiversity) set out the requirements for applications in protecting biodiversity – alongside the national and legislative protection SSSI's already benefit from.
9.	Question from Dr Elizabeth Pimley to the Leader Councillor Steve Jordan
	Considering that 1 in 100 year flood events happening more frequently with climate change how will council ensure developments account for this as current hydrological models used by developers for Leckhampton only factor bad flood event every 100 years?
	Response from the Leader
	Please see answer to question 5.
10.	Question from Gerry Potter to the Leader Councillor Steve Jordan
	Powerful arguments by MPs, prospective MPs, County, Borough and Parish Councillors, CPRE, and many other prominent people, have all stated that the South Cheltenham lands should not be developed with a 1,000 signature petition reinforcing this. A Local Green Space (LGS) application, fully in line with the National Planning Policy Framework (NPPF), has been handed in, together with a Country Park idea with a 2,000 signature petition. Additionally, a 70-page application and Neighbourhood Plan concept put forward by Leckhampton with Warden Hill Parish Council, Shurdington Parish Council and LEGLAG has been sent. Finally, Cheltenham Borough Council voted on February 28, unanimously asking for Leckhampton to be taken out of the JCS. What more has to be done to convince Officers that these fields to the South of Cheltenham should not be developed?
	Response from the Leader
	What Cheltenham Borough Council voted for on 28 February was that, "This Council directs that the JCS Team reconsider the status of Leckhampton and Up Hatherley as strategic sites within the JCS and explores the possibility of withdrawing these locations from the Strategy and report back to Council in April." In reality it is not officers that need convincing but the other Councils in the JCS. While I'm pleased that our 2 partner Councils agreed to remove Up Hatherley as a strategic site they did not support removing Leckhampton. The main difference is that while Up Hatherley is in Green Belt, Leckhampton has no specific protection so it is difficult to delete it completely while elsewhere sites in Green Belt are proposed for development. However policies in the JCS, particularly the requirement for developers to preserve areas of local green space whilst meeting the development requirements of the allocation, together with enhanced protection for the AONB, amount to a robust approach to mitigating impacts of development at Leckhampton at a strategic level. If the Pre Submission JCS is agreed, this Council intends to insist on any developer submitting a planning application must comply with the policy requirements relating to Local Green Space. In a supplementary question Mr Potter said that during the debate at Tewkesbury's Joint Core Strategy meeting on Monday it was stated that Gloucester City Council has an 11 year housing land supply. Given that Cheltenham and Tewkesbury have struggled to meet their 5 year housing land supply couldn't Gloucester have offered more of its brownfield sites into the JCS. This would surely have saved Cheltenham from having to find roughly an equal share of the housing total with Gloucester and removed hotly disputed sites from the JCS, such as South Cheltenham?

	<p>The Leader assured Mr Potter that this had had been taken into account as that was the point of the 3 councils working together on the JCS. However the plan covers the next 17 years not just 11.</p>
11.	Question from Gerry Potter to the Leader Councillor Steve Jordan
	<p>I was told by Planning Officers at Cheltenham Borough Council that evidence is needed about why development should not take place on the Leckhampton fields. I have sent a large amount of photos to CBC Officers, and Councillors, of bad flooding that regularly occurs on the proposed development lands at Leckhampton during times of high rainfall.</p> <p>Why has no notice been taken of the evidence in these photos because the land downstream, slightly west of the proposed development site, was badly flooded in 2007 and it is well known that residents living the other side of the road from this proposed site i.e. the Warden Hill area, are extremely worried that this will happen again if houses were to be built on this land ?</p> <p>There is huge concern that if the soak away on the Leckhampton land is built upon then surely, a torrent of water (when it happens again) would cause a greater deluge towards Warden Hill.</p> <p>There is no confidence in the balancing ponds having the desired effect, no matter how much the developers try to reassure us.</p>
	Response from the Leader
	<p>Please see question 5, recent photographs do show surface water, however the Environment Agency are of the view that surface water can be dealt with appropriately through suitable sustainable drainage systems. Flooding shown in photos of David French Court also pre-date the flood mitigation scheme implemented at that location.</p>
12.	Question from Liz Dries to the Leader Councillor Steve Jordan
	<p>Why is this Council voting on this JCS pre-submission document, before the most up to date ONS housing statistics are available in May 2014 and when several of the other vital evidence based documents, the traffic modelling, infra-structure plans, the Strategic Economic plan, SEP, which are needed to support the sustainability of the site allocations, are still not available?</p>
	Response from the Leader
	<p>As mentioned in answer to question 7, even were we to wait for these we would still need the household projections which will not be ready till Autumn 2014. It is important we make progress on the JCS; the plan has been informed by the strategic outputs of transport modelling and the update to the Infrastructure Delivery Plan. In addition the Council has been working in partnership with the LEP on the preparation of the Strategic Economic Plan. The Pre Submission version of the JCS reflects the outputs of these elements of the evidence base.</p>
13.	Question from Helen Wells to the Leader Councillor Steve Jordan
	<p>Will this council follow the NPPF guidelines and commit to development of Brownfield land <u>first</u> before considering new development on existing greenbelt or greenfield land.</p> <p>If not - Why not?</p>
	Response from Cabinet Member
	<p>The questioner touches on a major problem with the NPPF. While it sets out 'brownfield first' as a core principle, it provides very little in the way of firm policies to put this principle into action. The NPPF is by no means as robust in supporting 'brownfield first' as the previous policy PPG3, and there is evidence emerging across the country that</p>

Planning Inspectors are not being supportive of councils that attempt to impose 'brownfield first' and phasing of development. The requirement in the NPPF for councils to have a five year supply of deliverable housing land also makes it very hard to phase development.

Despite these limitations, we are doing all we can to pursue a 'brownfield first' policy.

Strategic Objective 6 and Policy SD11 in the JCS direct residential development to previously developed (brownfield) land. However, the available previously developed sites in the JCS area are not sufficient to meet need.

The introduction to the infrastructure policies in the JCS encourages the development of brownfield land wherever viable and commits the Local Planning Authorities to take into account, on a case by case basis, evidence of any mitigating circumstances that affect the viability of redevelopment to ensure that development is not biased toward greenfield sites.

In considering sites it is important that the Council has regard and acts upon the guidance on the need for a 5 year housing land supply, set out in the NPPF. Applying a 'brownfield first' approach by withholding greenfield sites until all brownfield areas are developed would make Cheltenham extremely vulnerable to not having a 5 year supply of housing and therefore put the town at risk from speculative development. It would also not accord with the NPPF above.

While the Council is keen to promote the development of brownfield sites, it is not able to refuse to consider planning applications relating to greenfield or Green Belt land on the basis that brownfield sites may be available. The Council will apply the policies of the development plan and NPPF in considering such applications.

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