

Cheltenham Borough Council

Cabinet – 14^h April 2015

Cheltenham Plan Part 1: Issues and Options

Accountable member	Councillor Jordan – Leader
Accountable officer	Tracey Crews – Head of Planning Philip Stephenson – Planning Policy Team Leader
Ward(s) affected	All
Key/Significant decision	Key
Executive summary	<p>All local authorities are under a statutory obligation to prepare a development plan. Cheltenham Borough Council has chosen to do this through the preparation of two main development plan documents; the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (JCS) and the Cheltenham Plan. Together the two plans will provide the planning framework for the Borough until 2031, along with Gloucestershire minerals and waste plans and any neighbourhood plans made.</p> <p>Work to progress the development of the Cheltenham Plan has been underway since 2012. In summer 2013 consultation took place on the scope of the plan and the Council published the plan's draft vision and objectives in February 2014.</p> <p>The Cheltenham Plan project initiation document was agreed by Planning and Liaison Member Working Group on the 15th of October 2014. This sets the direction and timetable for development for the subsequent phases of the plan which will be delivered in sections called 'parts'. This is reflected in the latest Local Development Scheme http://www.cheltenham.gov.uk/site/scripts/download_info.php?fileID=3268 The first part of the Cheltenham Plan to be developed will deal primarily with policy relating to the development and protection of land for residential and employment use; the potential to use the designation 'local green space' for some green areas in Cheltenham; and will introduce evidence to assist in the development of the Borough's economic strategy.</p> <p>This consultation document forms the 'issues and options' stage of part one. The consultation sets out a number of issues faced by the Borough and possible options for future policy development. The document then goes on to identify land which through technical studies has been found to be likely to be able to accommodate different uses. It also identifies where parish and neighbourhood groups have said there are green areas which they feel are suitable to be designated as 'Local Green Space'. The consultation will seek views from the public and stakeholders as to whether they agree these areas are broadly appropriate for these uses, and whether they therefore should be further investigated for potential future allocation and or protection of their current use in the next phase of plan making.</p>

Recommendations	<ol style="list-style-type: none"> 1. That the Cheltenham Plan Part 1, Issues and Options document set out in Appendix 2, be approved for public consultation 2. That Cabinet delegates authority to the Head of Planning to make any minor amendments to the document prior to consultation.
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Financial implications	<p>The Council has approved a one-off budget of £100,000 in 2015/16 to cover the costs of implementing the Cheltenham Plan.</p> <p>Contact officer: Nina Philippidis, nina.philippidis@cheltenham.gov.uk, 01242 264121</p>
Legal implications	<p>The Council is required to have an up to date development plan for its area and must prepare it in accordance with legislative requirements, including ensuring the compliance with the Statement of Community Involvement.</p> <p>The development plan for Cheltenham Borough being the development plan documents (taken as a whole) which have been adopted or approved in relation to its and the neighbourhood development plans which have been made in relation to that area.</p> <p>If to any extent a policy contained in a development plan for an area conflicts with another policy in the development plan the conflict must be resolved in favour of the policy which is contained in the last document to be adopted, approved or published (as the case may be).</p> <p>Contact officer: cheryl.lester@teWKesbury.gov.uk 01684 272013.</p>
HR implications (including learning and organisational development)	<p>There are no staffing or Trade Union implications.</p> <p>Contact officer: Julie McCarthy, julie.mccarthy@cheltenham.gov.uk, 01242 777249</p>
Key risks	<p>Corporate risk CR81: If the Council does not progress as quickly as possible to preparing the Cheltenham Plan, then the Borough will be exposed to the risk of inappropriate development.</p>
Environmental/Social/Equality Implications	<p>Corporate Action ENV 6: We will commence preparation of a Cheltenham Plan.</p> <p>Progressing with this stage of consultation will allow the Cheltenham Plan to progress in accordance with its timescales as set out in the project initiation document, and in the Local Development Scheme 2015. The Cheltenham Plan will be subject to Sustainability Appraisal, which will inform subsequent selection of options and sites alongside the consultation responses received.</p>

1. Background

- 1.1 All local authorities are under a statutory obligation to prepare a development plan. Cheltenham Borough Council has chosen to do this through the preparation of two development plans documents; the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (JCS) and the Cheltenham Plan. Together the two plans will provide the planning framework for the Borough until 2031 along with Gloucestershire minerals and waste plans and any neighbourhood plans made.
- 1.2 Since the adoption of the Cheltenham Borough Local Plan (2006), both national planning policy and guidance has been updated and condensed into a more useful and readable form. Alongside these changes the Government has abolished regional and county strategic level planning and the Council has entered collaborative working on the JCS, now submitted to the Secretary of State and due for examination in May this year. These changes have meant that many of the requirements set out in regulations concerning the contents of a local plan have already been met. For example, the JCS identifies objectively assessed development need for the area and sets out requirements for strategic sites. The JCS also contains a suite of strategic development management policies on issues as design, heritage and the provision of infrastructure. The National Planning Policy Framework (NPPF) and national Planning Practice Guidance (PPG) provide detailed planning policy direction and the government is clear that this guidance should not be duplicated at a local level.
- 1.3 In most cases, the JCS partially rather than completely supersedes policy in the adopted local plan. Usually, the JCS picks up the strategic elements of a policy, but does not always provide local detail (although this detail may have been picked up in the JCS' evidence base). In some cases this detail does not need to be immediately replicated in the Cheltenham Plan, either because the detail was superfluous, as the policy will achieve the same result as before, or because the planning issues raised can be addressed through preparation or updating of Supplementary Planning Documents (SPDs) to the JCS or and/or informal practice or advice notes. A list of current Local Plan policies which will be superseded by the JCS on adoption has been prepared and is available as part of the JCS examination website.¹
- 1.4 Work has been undertaken since 2012 on developing the Cheltenham Plan. At times this has slowed due to the need to focus resources on the JCS; but during this time we have engaged with the community and stakeholders to establish what the future contents of the Cheltenham Plan should be and how it should be progressed. The vision and objectives set out in the scope of the Cheltenham Plan were developed by Planning and Liaison Member Working Group and the scoping document was subject to an eight week public consultation, ending on the 2nd of September 2013. The upcoming consultation will be an opportunity to remind consultees of the earlier stages and refresh this discussion in light of the emerging new corporate vision.
- 1.5 The development of the Cheltenham Plan is guided by a project initiation document agreed by Planning and Liaison Member Working Group on the 15th of October 2014. This is reflected in the latest Local Development Scheme
http://www.cheltenham.gov.uk/site/scripts/download_info.php?fileID=3268
- 1.6 The drafting of the consultation document has been undertaken in collaboration with members through the liaison group which has been an effective way to ensure that the Cheltenham Plan is democratically guided, remains on schedule and will be effective once adopted.
- 1.7 The Plan will be delivered over a series of documents which will together comprise the Cheltenham Plan. Because policies in the 2006 adopted Local Plan have been saved, we can continue to use policies not superseded by the JCS on its adoption which accord with the JCS and NPPF into the future. Therefore parts of the 2006 local plan can be replaced in stages, and

¹ Available at: <http://www.gct-jcs.org/Documents/Examination-Documents/Superseded-Development-Plan-Policies-and-Proposals.pdf>

as each phase of the new Cheltenham Plan is produced, part of the 2006 local plan will be superseded.

- 1.8 The first phase of the plan focusses on land allocations, identification of local green space and the setting out of an economic development strategy for the Borough. Once this phase is complete, other areas for development, including the wider development management policies can be pursued. The approach is one of replacing and updating the policy framework as it becomes necessary in order to most efficiently use the Council's resources and ensure continuity of planning policy cover on these issues.
- 1.9 This approach has the advantage of allowing flexibility in terms of revision and review in response to changing circumstances; which is an inherent feature of the Government's current planning regime, particularly in relation to the national Planning Practice Guidance. It also means that changes in local policy will not necessarily require changes to the JCS, because the JCS will only contain the 'hooks' on which DPD's and SPD's will be based.

2. Reasons for recommendations

- 2.1 This consultation document forms the 'issues and options' stage of part one. The consultation sets out a number of issues faced by the Borough and possible options for future policy development. The document identifies land which through technical studies has been found to be likely to be able to accommodate different uses. It also identifies where parish and neighbourhood groups have said there are green areas which they feel are suitable to be designated as 'Local Green Space'. The consultation will seek views from the public and stakeholders as to whether they agree these areas are broadly appropriate for these uses, and whether they therefore should be further investigated for potential future allocation and or protection of their current use in the next phase of plan making.
- 2.2 It is a requirement to have a Local Plan in place for the Borough. The Cheltenham Plan, in conjunction with the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy, will enable the council to fulfil this requirement. Approving the issues and options document for consultation will allow the progression of the Cheltenham Plan, and provide the opportunity for feedback on the development options favoured by the public and stakeholders to promote ongoing growth. It will also be an opportunity to discuss the potential for Local Green Space allocations in the emerging plan and the direction of the council's future economic strategy.

3. Alternative options considered

- 3.1 Whilst the Town and Country Planning (Local Planning) (England) Regulation 2012 only requires that prior to submission to the Secretary of State the proposed submission document is published for representations; the addition of this issues and options stage of consultation allows a deeper dialogue with the public, statutory consultees and stakeholders to allow them to contribute to plan making, and consider their aspirations and values in regard to the directions for growth in the Borough. The issues and options approach also assists with the evaluation of alternatives to both policy and site selection, which is an important part of both plan making and sustainability appraisal.
- 3.2 Before reaching the current issues and options stage of the Cheltenham Plan, a range of alternative options as to how this consultation could be carried out were considered, particularly whether or not to include a preferred option for each of the sites. It was felt through consultation with the member working group, that it would be better at this stage to present the information available about each of the sites in visual form, and allow feedback before we draw up preferred options. This will allow for further assessment to be undertaken, particularly through sustainability appraisal and will ensure that consultation responses can be fairly assessed before any decisions are made.

4. Consultation and Feedback

4.1 Internal consultation has been undertaken on the Cheltenham Plan Part 1, Issues and Options, this includes:

- Planning and Liaison Member Working Group – A cross party group with a remit to consider and advise on the emerging Cheltenham Plan and provide guidance and feedback to Planning Committee, Cabinet and Council as appropriate. Through monthly meetings the working group has had a number of opportunities to comment and shape the working drafts in addition to meetings with wider members and each of the political groups who requested an individual update meeting.
- Internal officer working group - made up of officers from across the council with a remit to work with, consider, advise and inform the emerging Cheltenham Plan and request information from, and provide feedback to, individual teams as appropriate. This group has had the opportunity to feed into the draft scope, visioning and objectives consultation, has been kept informed on progress with the plan and members have fed into information supplied as part of the Issues and Options consultation.
- Liaison with the Strategy and Engagement team under Richard Gibson to ensure that the Cheltenham Plan aligns well with the Corporate Strategy and that consultation response can be elicited as widely as possible within the Borough.
- The Cheltenham Taskforce/ Civic Pride – regular updates and discussions with officers leading preparation of the Cheltenham Plan.
- Feedback from the 2013 Scoping Consultation - Comments have been summarised and uploaded to the website. These have been used to directly influence draft vision themes and objectives and are referred to within the document.
- Keeping Cheltenham's parishes and communities up to date on the latest developments on the plan through updates to the regular 'C5' and Neighbourhood and Community Group Chairs meetings.

Feedback from the above groups and consultations has been considered and incorporated where appropriate.

4.2 Consultation on the issues and options document is scheduled to take place in June 2015. Members of the public and organisations will be given a period of 6 weeks to comment. Comments will be invited from all contacts on our Planning database and copies of the document will be made available (in paper format) at the Council's deposit locations and electronically via the Council's website. Efforts will be made to ensure the public, local businesses, statutory consultees and stakeholders are aware of the consultation through media releases, engagement with parish and neighbourhood groups, and via council networks to alert groups to help cascade information. A small number of public consultation events will occur, likely to centre on busy times, which could include displays at the Regent Arcade.

5. Performance management – monitoring and review

5.1 This is not a policy document in itself; however the responses from the consultation will be used to inform the production of the Cheltenham Plan.

5.2 The Council will regularly monitor the effectiveness of the Cheltenham Plan in the planning process and use the results to review policies and practices. If necessary, the Council will review the Cheltenham Plan, which would be indicated through a change to the Local Development Scheme (LDS)

5.3 The timetable for delivery of part 1 of the Cheltenham Plan is set out below:

- June 2015, 6 week consultation on the Issues and Options
- Winter 2015, Pre Submission consultation (dependent on receipt of JCS inspectors report)
- Winter 2015/ Spring 2016, Submission to the Secretary of State
- Spring 2016, Examination in Public
- Summer 2016, Adoption

5.4 Performance against the LDS's milestones is monitored through the Authority Monitoring report which is prepared annually.

5.5 The LDS will be revised if there is a major change to the preparation of Development Plan Documents set or prior to submission of a Development Plan Document for examination.

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Appendices	1. Risk Assessment 2. Cheltenham Plan Part 1, Issues and Options
Background information	Background information and updates on consultation can be found at https://www.cheltenham.gov.uk/info/1004/planning_policy

Risk Assessment

Appendix 1

The risk				Original risk score (impact x likelihood)			Managing risk				
Risk ref.	Risk description	Risk Owner	Date raised	Impact 1-5	Likelihood 1-6	Score	Control	Action	Deadline	Responsible officer	Transferred to risk register
CR81	Corporate risk: If the Council does not progress as quickly as possible to preparing the Cheltenham Plan, then the Borough will be exposed to the risk of inappropriate development.	Mike Redman	21.03.13	3	4	12	Reduce	Ensure that resource remains available to develop the Cheltenham Plan to meet the timetable outlined in the LDS		Tracey Crews	Corporate
<p>Explanatory notes</p> <p>Impact – an assessment of the impact if the risk occurs on a scale of 1-5 (1 being least impact and 5 being major or critical)</p> <p>Likelihood – how likely is it that the risk will occur on a scale of 1-6 (1 being almost impossible, 2 is very low, 3 is low, 4 significant, 5 high and 6 a very high probability)</p> <p>Control - Either: Reduce / Accept / Transfer to 3rd party / Close</p>											