

## Council

30 June 2016

### Member Questions (3)

1.	<b>Question from Councillor John Payne to the Leader , Councillor Steve Jordan</b>
	<p>On the 7th of June this year Brandon Lewis, Minister of State for Housing and Planning wrote a letter to all Members of Parliament stressing and restating the Government's position on development in the Green Belt, that "development may only be allowed where exceptional circumstances exist". Could you please detail the specific circumstances that justify the destruction of most of the Green Belt in Prestbury?</p>
	<b>Response from Cabinet Member</b>
	<p>Government policy and statements both reinforce that Green Belt boundaries should only be changed where exceptional circumstances exist.</p> <p>The exceptional circumstances case for release of Green Belt can be made depending on the need for release, the sensitivity of the Green Belt in that location, and the potential for a suitable new green belt boundary to be created. These principles have been demonstrated through previous examinations and through case law.</p> <p>The Inspector's role is to examine whether the JCS is "sound", based on four tests. These tests set out that the plan should seek to meet requirements for delivery of housing and infrastructure in line with national policy. If the Inspector has identified that needs are not being met, then she has the power to examine and recommend alternative sites and locations where the need could be delivered; taking into account the evidence she has heard on the social, environmental and economic principles of sustainability.</p> <p>While the Inspector cannot compel the authorities to make the modifications she recommends to make the plan sound, the authorities cannot legally adopt or implement the plan if it has not been found to be sound through examination.</p> <p>As Cllr Payne will be aware, after having evaluated evidence on these principles and requirements the inspector writes:</p> <p>'The removal of Leckhampton as a strategic allocation and the reduction of housing numbers at North West Cheltenham leaves Cheltenham with a need to find alternative housing capacity. The newly proposed strategic allocation of West Cheltenham will go part way to doing this, although a deficit still remains. In my judgement there is additional potential capacity in non-strategic Green Belt sites, which could significantly increase Cheltenham's district capacity and which could be allocated in the emerging Cheltenham Local Plan. Releasing these areas of Green Belt now within the JCS would facilitate these sites coming forward and contributing to Cheltenham's five year housing land supply. Following this approach should also enable Cheltenham's housing requirements for the Plan period to be met in full'</p>

	<p>On pages 28 – 30 of the Inspector’s report she gives reasons why, in her view, the exceptional circumstances test is met for release of Green Belt land in each of the locations described to the North of Cheltenham – based on the principles above.</p> <p>Through the Joint Core Strategy the authorities have sought to alter green belt boundaries at urban extensions to allow for the sustainable development of Cheltenham and Gloucester. Tewkesbury’s strategic allocations around Tewkesbury town are not within the Green Belt. In doing so the Green Belt has to be comprehensively reviewed, and the authorities have presented two detailed studies on the Green Belt in the Cheltenham area.</p> <p>National Planning Policy requires that when reviewing the Green Belt: ‘...local planning authorities should take account of the need to promote sustainable patterns of development. They should consider the consequences for sustainable development of channelling development towards urban areas inside the Green Belt boundary, towards towns and villages inset within the Green Belt or towards locations beyond the outer Green Belt boundary.’</p> <p>The JCS Inspector has considered the studies and evidence presented to her over the course of the examination, but has come to an alternative interpretation of this evidence to that of the JCS authorities.</p> <p>The Inspector has reviewed the Green Belt across the whole JCS area and recommends alterations to those set out in the Submission JCS, not only in Cheltenham Borough. For example, recommending that significant areas of land be released from the Green Belt at Twigworth, and that land not be removed from the Green Belt for Safe Guarding at West Cheltenham (phase 2) in Tewkesbury Borough; where the JCS authorities argued it should be removed but Safeguarded.</p> <p>Although the JCS authorities have presented evidence regarding these sites also, the Inspector has examined this evidence and taken a contrary view.</p> <p>In regard to North Cheltenham and the Prestbury area, whilst the Inspector recommends the removal of particular areas from the Green Belt to be undertaken through the JCS, any allocation would be for the Cheltenham Plan to consider.</p>
<b>2.</b>	<b>Question from Councillor John Payne to the Leader , Councillor Steve Jordan</b>
	<p>All the proposed sites in the JCS have been subject to scrutiny to inform their suitability. What, if any detailed scrutiny have the sites in Prestbury been subjected to, specifically in relation to site accessibility, transport modelling, environmental impact and the ability of the infrastructure to support such extensive development?</p>
	<b>Response from Cabinet Member</b>
	Please see also the answer given to Question 1.

	<p>The areas at Prestbury have been evaluated through the strategic land availability assessment, which is a basic technical appraisal of sites across the Cheltenham Borough area. Since the area was not proposed for strategic allocation detailed work has not been undertaken on accessibility, transport modelling or environmental impact, or the infrastructure requirements of development in this area.</p> <p>Any proposal for development in this area would need to demonstrate that these needs could be met. While the Inspector recommends the removal of particular areas from the Green Belt to be undertaken through the JCS, any allocation would be for the Cheltenham Plan to consider, and would need to include an infrastructure delivery plan. I am keen that any sites now being proposed by the Inspector are properly considered before final decisions are taken although the JCS process is largely in her hands.</p>
<p><b>3.</b></p>	<p><b>Question from Councillor Adam Lillywhite to the Leader, Councillor Steve Jordan</b></p>
	<p>The JCS's legal representative, Mr Jameson suggested to the inspector on the final day of the JCS hearing that as an independent outsider, rather than an officer, if she could be clear about what should happen and if she were to make a recommendation then the simpler the political process would become. He inferred that it would be politically difficult for officers to make these recommendations.</p> <p>It is clear that the inspector understood what she was being asked to and that she had enough information, and again she asked Mr Jameson if he was sure that the JCS authorities didn't want the flexibility to make those changes themselves.</p> <p>Mr Jamesons response was that it would make the political process easier if the inspector were to point us in the right direction.</p> <p>Do you think the JCS's legal representative was correct when he suggested it would be politically difficult for our officers to make these recommendations and was he correct in asking the inspector to make them?</p>
	<p><b>Response from Cabinet Member</b></p>
	<p>Mr Jameson was speaking from his professional experience of providing legal assistance to numerous local plan examinations. He was advising from the perspective that a clear direction of soundness would need to be given in relation to the Plan through the Inspector's Interim Report. Mr Jameson advised that uncertainty would lead to delay and sought certainty in her report on that basis.</p> <p>If the Inspector finds any aspect of the plan unsound in her Final Report it cannot progress so the sooner we know the better as proposals concerning strategic allocations across the JCS area are proceeding at pace. Therefore it was important that the Interim Findings when delivered were meaningful and showed a clear direction of travel that the Inspector would have the authorities take in order to achieve soundness, if she identified areas where, in her view, the plan was not sound.</p>