

**Written statement in response to Matter 2 Question 2.2****On behalf of Mr. & Mrs. Hadley****Field No: 3777, Hayden Lane / Old Gloucester Road, Cheltenham, GL51  
OSP****Introduction**

*2.2 Given the provisions of the JCS, the current JCS review, and the subsidiary role of the TBP to allocate non-strategic sites, does the TBP make the required contribution towards meeting the housing needs of Tewkesbury borough over the plan period 2011-2031? Will the remaining shortfall be provided through the JCS review, or in other ways, in the necessary timescale, and if not, is this a matter for the TBP?*

We are responding to question 2.2 and whether the TBP will address the shortfall for housing but we wanted to make the Inspector aware of the delay in delivery of the allocated site SA7: West Cheltenham within the JCS. We are aware that the West Cheltenham allocation in which our clients land is situated does not contribute towards the Tewkesbury Borough Council housing supply as the JCS set out that West Cheltenham would be there to bolster Cheltenham Borough Council's housing supply. However, it is important to bring to your attention that the sites that were due to contribute to the overall JCS supply are in fact not delivering to schedule.

**Response to Matter 2 JCS**

Our client has been trying to positively engage with both Tewkesbury Borough Council and Cheltenham Borough Council through the West Cheltenham Cyber Central Garden Community Draft SPD consultation that ran in January 2020. As well as following up by requesting additional meetings to address pressing matters for landowners.

Our client's land is situated to the west of the allocation fronting both Hayden Lane & Old Gloucester Road (B4634). It is situated on the eastern edge corner of the allocation, next to Orchard House & close to the House in the Tree Pub and illustrated below in figure one an aerial image of the site location. The site is well screened on three sides by high, thick hedging.



Figure 1: Site Location

The Inspector of the Joint Core Strategy noted in their Final Report October 2017 paragraph 95 *"For Tewkesbury, delivery has been strong over the past four years and as of July 2017 there was an oversupply of 254 dwellings against the annualised housing requirement of 495 for the plan period. This strong delivery is expected to continue over the coming years until about 2020/2021, as committed development is delivered, potentially producing an oversupply in the order of 1,400 dwellings. Cumulatively, on the current evidence, Tewkesbury is able to meet its housing requirements until 2024/25, when delivery is estimated to drop substantially with a shortfall likely to occur in 2025/26."*

Of those sites allocated within the JCS there are only a few sites that have come forward in Tewkesbury Borough and they cannot contribute towards the five-year housing as they do not meet the definition of deliverable as set out in the NPPF as they only have outline permission. Delivery on the allocations for Cheltenham which SA7: West Cheltenham is included should have started

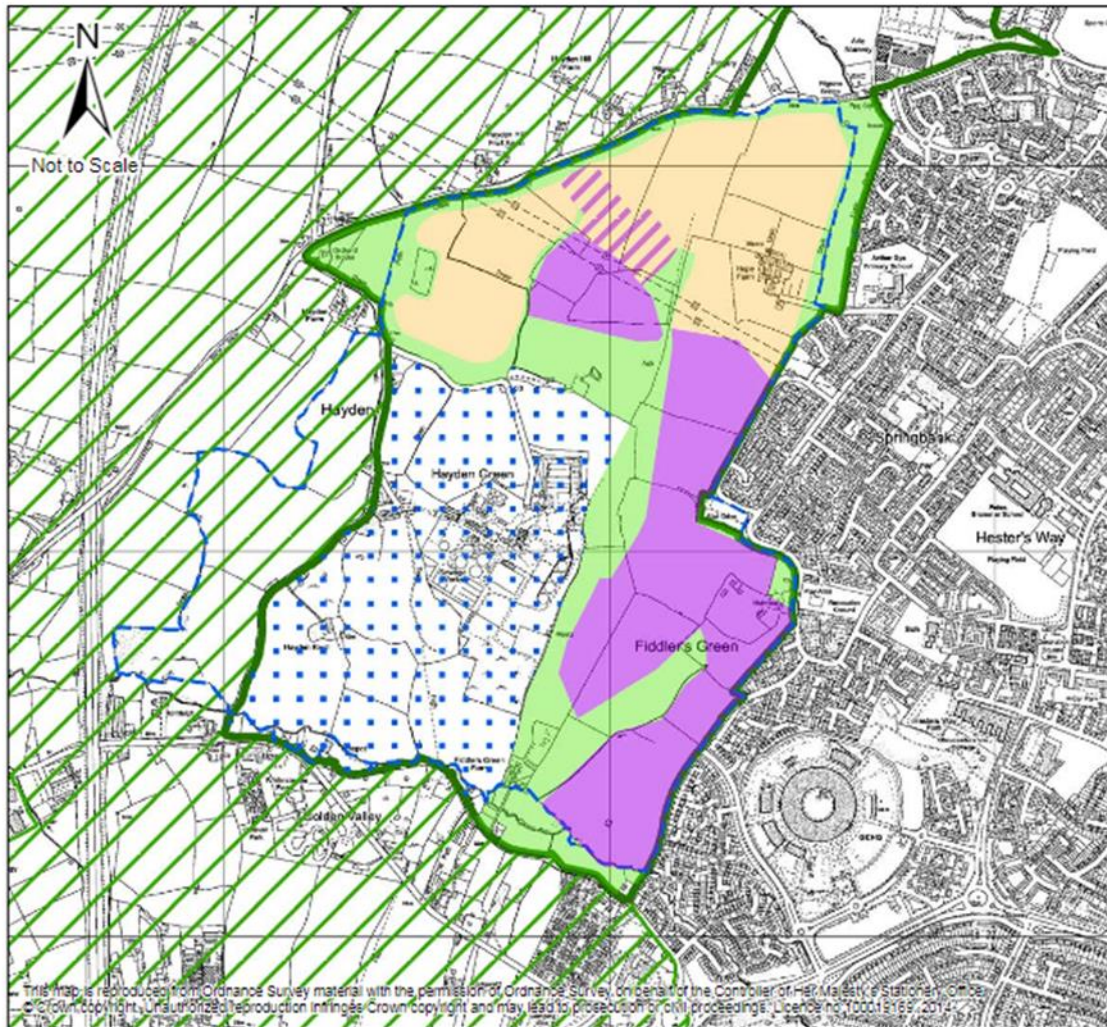
delivering in the monitoring year 2018/19. Figure 2 below shows the strategic allocations trajectory in the adopted JCS; it illustrates the **councils are not delivering the housing within the expected timescale.** The councils have published the monitoring reports for 2019/2020 and there have been no residential applications / completions on the site of SA7: West Cheltenham.

**Strategic Allocations Trajectory (including Mitton in Wychavon)**

Site Name	District	Net Site Capacity	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31
Land at West Cheltenham (whole site)	Cheltenham/ Tewkesbury Borough	1100		25	50	50	75	100	100	100	100	100	100	100	100	100
North West Cheltenham (whole site)	Cheltenham/ Tewkesbury Borough	4285		135	315	260	260	260	260	385	480	480	480	410	280	280
Innsworth	Tewkesbury Borough	1300		25	50	50	125	150	150	150	150	150	150	150		
Twigworth	Tewkesbury Borough	995			25	50	50	125	150	150	150	150	145			
South Churchdown	Tewkesbury Borough	1100			50	100	100	100	100	100	100	100	100	100	100	50
North Brockworth	Tewkesbury Borough	1500		75	150	150	150	150	150	150	150	150	150	75		
Winnycroft	Gloucester City	620		50	100	100	100	75	50	50	50	45				
Mitton	Wychavon District	500		25	125	125	125	100								
<b>Total Delivery</b>			<b>0</b>	<b>335</b>	<b>865</b>	<b>885</b>	<b>985</b>	<b>1060</b>	<b>960</b>	<b>1085</b>	<b>1180</b>	<b>1175</b>	<b>1125</b>	<b>835</b>	<b>480</b>	<b>430</b>

Figure 2: Joint Core Strategy adopted local plan p.38.

Indicative Site Layout A7 - West Cheltenham



Key

- Housing and related infrastructure
- Employment and related infrastructure
- Housing and Employment and related infrastructure
- Green Infrastructure and other supporting infrastructure
- Areas removed from Green Belt
- Green Belt (revised)
- Safeguarded Area
- Odour Monitoring Zone

Figure 3: Joint Core Strategy Proposal Map

The proposal map from the Joint Core Strategy shown in figure 3 shows that the site is on the corner edge of the allocation.

Following the publication of the SPD which our client was not consulted as to its use before publication our clients land has gone from being part of an allocation for residential and employment land to being identified as green space & an attenuation lake - for reason neither Council can explain. The consequence of the publication of the SPD has resulted in resistance to the development of our client's site by the Council. Furthermore, without any mechanism for equalisation of land values (despite consistent calls for this over many years), it has resulted in withdrawal of much developer interest in the site.

The consultation regarding the West Cheltenham SPD took place over several weeks from January until February 2020. We submitted a response to that consultation which is attached as Appendix A. Our client has also contacted the council in January, February, March, April and May 2020 to meet with officers regarding the details of the SPD and its delivery. Following meetings with CBC'S officers in January 2020 our client found that there was no provision in place for Equalisation in the overall scheme or any robust justification for the attenuation lake, nor its size or positioning. The site was included within the SPD as open space which is some distance from the main part of the development as shown on the illustrative masterplan.

The meeting arranged for March 2020 with landowners was to discuss the feedback on the SPD and not as our client wished to discuss the implications of the illustrations within SPD which affects the development potential of our client's land. This meeting was then cancelled due to the Covid-19 restrictions which was set up by the council in the spirit of continued engagement. There has been no collective group meeting of landowners to discuss the basic issues. There has been no proactive contact from either authority as to housing delivery, even though Cheltenham Borough Council have moved forward by purchasing some of the land within the allocation.

Our client has informed us that progress on the delivery of the 5.5-acre site has not been able to progress as Tewkesbury Borough Council are not wishing to discuss the delivery of the site independently of the overall allocation.

Developers interested in acquiring the site have either had a negative pre-application discussion with officers or a rejection for a pre-application meeting on the basis planning permission would be denied.

### **Conclusion**

Given the evidence that we have presented in this representation regarding the delivery of the West Cheltenham allocation we hope that you will consider the council's approach to the housing requirement as set by the Joint Core Strategy and the delay in delivery of those allocations which should have started delivering on site.

Due to the position of the site within the allocation a senior policy officer at TBC stated that development of the site '*would have no material impact on the remainder of the allocation*'. This site has all services except gas readily available, good vehicular access, well screened & construction could start within six months of planning approval. The site is suitable and available for development and would contribute towards the housing supply for the borough.

## **Appendix A**

**Representation to Cyber Central Garden Community West Cheltenham  
Strategic Masterplan Draft Supplementary Planning Document (January  
2020)**

**On behalf of Mr. & Mrs. Hadley**

**Drews Field, Old Gloucester Road and Hayden Lane, Boddington  
Cheltenham, GL51 0SP**

**Introduction**

Representations are made with regard to the West Cheltenham Supplementary Planning Document (SPD) (January 2020).

This representation is being submitted on behalf of Mr. & Mrs Hadley, owner of Drews Field, Old Gloucester Road and Hayden Lane Parcel ID 3777 (The Site).

This submission objects to the indicative land use illustrated in the SPD for the Site as a lake as set out in the draft Masterplan document. The SPD and draft Masterplan should also be updated to reflect the landowner's intention for residential development of the Site.

**The Site**



*Figure 1: Site Location*

The Site is located in the North West part of the Strategic Allocation A7 West Cheltenham and is within the Supplementary Planning Document area. The Site is outlined in red at figure 1, and is approximately 2.16 hectares. The SPD area is located to the west of Cheltenham between the westerly extent of the town and the M5 Corridor. The Site is on the western boundary of the SPD area, and is within Tewkesbury Borough Council's administrative area.

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The Site is located within adopted Joint Core Strategy Strategic Allocation A7 West Cheltenham. The principle of development of this Site has therefore already been agreed through the examination of the JCS. Indeed, the landowner has positively engaged with the Councils at every opportunity first through submitting the Site to Tewkesbury Borough Council through the Assessment of Land Availability (as mentioned above), then through engaging in the consultation of the Joint Core Strategy (JCS) and attending the Hearing Sessions in 2017 in support of the strategic allocation at West Cheltenham.

The Site is located wholly within Flood Zone 1 and, unlike large parts of the rest of the allocation, is located outside of the Odour Monitoring Zone. There are no other policy designations/constraints at the Site.

It is on this basis that the landowner has been previously engaged in discussion with developers regarding the Site, with the intention of the site coming forward for residential purposes. Indeed, there is no policy barrier to this occurring subject to compliance with the allocation policy in the JCS.

### **Draft Supplementary Planning Document**

The Site has been identified in the SPD as an indicative lake (see Figure 2 below). No reason is given for this in the SPD. However, the appendices include a 'Flood Risk and Drainage Due Diligence' report which was undertaken by Hydrock. This states that "*The surface water flood map (Figure 3) shows the north-western corner of the site, where the ground flattens out, is considered to be at 'high risk' of surface water flooding during the 1 in 30 year storm event or greater. This mapping does not consider any drainage culverts which may be present under Old Gloucester Road and so this map is considered to be a worst-case scenario, i.e. total blockage of culverts.*" However this is based on preliminary findings and further investigation will be required before moving forward. The Site has been within family ownership for several decades and there has been no flooding of the Site in that time.

Without a topographical survey of the whole of the land the subject of the SPD, and appropriate surface water modelling taking into account land drains, culverts, watercourses etc it is impossible to suggest an appropriate location for attenuation at this early stage. It therefore isn't appropriate to do so until further investigations have been carried out in consultation with the landowners. Furthermore, given the lack of detail regarding the size, depth and exact position of the proposed lake within the land then it stands to reason that this lake could be accommodated on another parcel of land.

In addition to the above, the SPD notes within Appendix A2.2 that "*a number of further landowners/ owner occupier interests control areas within the south, North West and south west corners of the site.*" This representation is made on behalf of one of those landowners, and is made in the absence of any prior engagement with Mr. & Mrs. Hadley on behalf of those responsible for the SPD.

We are therefore submitting this representation to attempt to rectify this and positively engage in SPD process. The SPD states that *"1.3.2 Public and stakeholder engagement has been central to the process of SPD preparation. Having been prepared in accordance with the relevant regulations, the SPD is a material planning consideration and will have substantial weight in the determination of relevant planning applications by the two authorities."* We therefore welcome the opportunity to comment, but we also urge the Councils as primary landowners to take a better and more constructive role in speaking with other landowners before presenting indicative plans in the manner in which they have been to date.

Following publication of the SPD and receipt of a letter regarding compulsory purchase orders, the landowner has also met with both Cheltenham and Tewkesbury councils to understand the best approach towards moving this site forward with a positive outcome. The landowners have expressed frustration regarding the lack of pre-consultation with landowners, and lack of apparent consideration given to all aspects of equalisation.

The SPD itself states that engagement is embedded in the process and that ongoing conversation will continue to shape the emerging SPD. We are therefore taking this opportunity through the consultation for the Councils to actively talk to our clients, and amend formally from the SPD to create an indicative masterplan taking into consideration these comments, and the need for more accurate and complete survey work.



Figure 2: Cyber Central Garden Community West Cheltenham Strategic Masterplan Draft Supplementary Planning Document December 2019 pg.25

### **Conclusion**

This representation for the Cyber Central Garden Community West Cheltenham Strategic Masterplan Draft Supplementary Planning Document (January 2020) demonstrates that the Site at Drews Field comprises of land in a sustainable location within the adopted Joint Core Strategy. The Site has vehicular access and main drainage connection together with mains water and electricity.

On this basis, Tewkesbury Borough Council and Cheltenham Borough Council should refrain from indicating land uses until further consultation and accurate survey work has been undertaken. In view of the lack of other constraint with regard to the Site it should be considered suitable for housing within the masterplan area. This SPD should reflect consultation responses and be amended following public engagement.

We look forward to your response on these matters in due course as part of the on-going consultation process.