

The grounds for rejection on Leckhampton 650 application, ref 13/01605/OUT:

1. The grant of planning permission for the proposed development in advance of the finalisation of the JCS could prejudice decisions about the size, scale, sustainability and phasing of new housing development. Therefore, it is unclear at this time whether the proposed development would be in line with planning for housing objectives, reflecting the need and demand for housing in, and the spatial vision for the area or whether the proposals would undermine wider policy objectives. The application is therefore contrary to guidance set out in paragraphs 150 and 156 of the NPPF.

2. The proposed site forms part of an area identified as a strategic allocation in Policy SA1 (A6) of the Pre Draft submission of the JCS. The application proposes to provide 650 residential units of the proposed allocation of 1,124 residential units identified in Policy SA1. It is unclear at this time whether the proposed application as part of this strategic allocation would be in line with, and provided for the necessary comprehensive development needs and provision required for the strategic allocation as a whole and not just the application site. This would include the appropriate provision for retention and enhancement of areas of local green space; provision of new Gypsy, Travelling Show people sites, and infrastructure requirements as set out in policies SA1, INF4, INF7 and INF8 of the pre submission document of the JCS. The application is contrary to guidance set out in paragraphs 77, 150 and 156 of the NPPF.

3. The application is premature to the Council's decision to designate sites as local green space.

4. The proposed development would significantly and adversely add to existing traffic congestion on the A46 and a significant number of wider roads and junctions. The public have raised significant concerns and objections to the application regarding the impact a development of the scale proposed would have on the existing road network. The development does not provide the necessary mitigation to ensure that the impact of the network would have an acceptable impact to the existing road network. The road network in this part of Cheltenham already suffers from congestion and the additional traffic generated from this site and its lack of mitigation, would unnecessarily and severely add to current traffic movements and problems. The new access points would also add and increase endangerment to highway safety along the A46. The indicative layout would provide for diversion through the site which gives rise to rat-running which would add to endangerment to highway safety and road users. Furthermore the additional traffic and congestion generated would severely increase levels of traffic to and from the site which would give rise to increased pollution and would have an unacceptable environmental impact. The application therefore conflicts with Policies CP3(e) and CP4(b) and TP1 (a) of the Cheltenham Local Plan and paragraph 32 of the NPPF which states that development should be refused on transport grounds where the residual cumulative impact of development are severe.

5. The proposed development would have a significant adverse impact on the character of the landscape and the adjoining AONB. The introduction of new built form in the manner proposed would include building adjacent to and along the boundary of the A46 (to provide a local centre, office provision and residential development). Along the A46 currently there is a hedge of varying height. Where the hedge is lower, expansive views are afforded of the Cotswold escarpment, with its setting of Settled Underwooded Vale in the foreground. This proposal would therefore adversely impact on the landscape experience currently enjoyed. It would replace spectacular extensive views of the scarp and the Area of Outstanding Natural Beauty with limited glimpsed views through the site. The Visual Impact Assessment should have given greater consideration to this impact of the proposed development from the A46. The measures to reduce the adverse effect on the existing open views, as identified and suggested by the applicant, are in this instance unacceptable as mitigation.

Furthermore the development of the site in the manner suggested would erode the relatively open and spacious character of the site, which includes public rights of way, would compromise views out of and into the site, with the consequence that the high amenity value attached to the land and landscape would be unacceptably harmed. The proposal is therefore contrary to Cheltenham Local Plan policies CP1(a) CP3(a) (b), CP7(c) CO1, and paragraphs 109 and 115 of the NPPF and Policies SD7 and SD8 of the Pre Submission JCS.

6. The proposed development would result in the loss of areas of best and most versatile agricultural land. The application therefore conflicts with paragraphs 112 of the NPPF

7. Policies U12 and CP3 (f) in the Cheltenham Borough Local plan states that development will only be permitted where it would not increase the quantity or rate of surface water run-off, and minimizes the risk of flooding. Notwithstanding the submission of a Flood Risk Assessment by the applicant's drainage consultants, the Local Planning Authority considers that insufficient conclusive evidence has been advanced to accept unequivocally that the drainage measures proposed would ensure that the development of the site would not increase the risk of flood outside the site.

8. The proposed development includes both new office and retail provision. This provision will impact on the existing District Centres at Hatherley and the Bath Road. The Local Planning Authority therefore considers that the proposed development would result in harm to the long term vitality and viability of these neighbourhood centres which could lead to a loss of local facilities and services for the local community. The proposed development is therefore contrary to Policy RT7 of the Local Plan and paragraph 70 of the NPPF which seeks to guard against the necessary loss of local facilities and services to the community.

9. Policy CP8 of the Cheltenham Borough Local Plan states that development will be permitted only where adequate provision has been made for the infrastructure necessary for the development to proceed and for other public services and facilities, the need for which arises directly from the development. The development will lead to:

i) An increase in use of the A46 and also the surrounding highway networks and the development should therefore mitigate its impact in terms of providing commuted payments towards the provision of walking, cycling and the use of public transport for journeys to and from the application site (Local Plan Policy TP1, Supplementary Planning Guidance, Planning Obligations: Transport: NPPF Section 4)

ii) An increase in demand for playspace provision in the Borough and therefore the development should mitigate its impact in terms of adequate provision for on-site or off-site outdoor playing space. Notwithstanding the above the LPA would expect to see the play space on site in a development of this scale, as shown on the indicative master plan. (Supplementary Planning Guidance, 'Playspace in Residential Development' and Local Plan Policy RC6, section 8 of the NPPF)

iii) An increase in demand for education and library facilities in the Borough and therefore the development should mitigate its impact in terms of providing on-site or off-site provision or commuted payments towards the provision of new or improved primary and secondary school facilities and new or improved library facilities within the Borough (Section 8 of the NPPF)

iv) A need to provide the improved health care facilities (Section 8 of the NPPF)

v) A need to provide for the future management and maintenance of the common land within the development and therefore the development should make provision to mitigate its impact by providing the provision a land management plan covering such common areas of land. (Supplementary Planning Guidance, Landscaping in New Development).

vi) A need to provide for an element of affordable housing (Local Plan Policy HS4)

No agreement has been completed to secure payment of the necessary commuted sums, itemised above, along with the provision of affordable housing and a land management plan. The proposal therefore fails to meet the expectations of Local Plan Policy CP8 and Local Plan Policies, Supplementary Planning Guidance and the NPPF Guidance referred to above.

Signed by Mike Redman - Director - Built Environment.

Appeals to the Secretary of State;
ETC. ETC.

Appeals must be placed within 6 months of the date of this notice.