

## **Annex 1**

# **LECKHAMPTON WITH WARDEN HILL NEIGHBOURHOOD PLAN**

## **CONSULTATION REPORT**

**June 2023**

(Approved 10 May 2023)

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## Consultation Report Purpose

1. This Consultation Report has been prepared in support of a Regulation 15 submission of the Draft Leckhampton with Warden Hill Neighbourhood Development Plan. In accordance with the requirements of section 15 (2) of the Neighbourhood Planning (General) Regulations 2012, the report fulfils the following requirements.
  - It contains details of the persons and bodies who were consulted about the proposed neighbourhood development plan;
  - It explains how they were consulted;
  - It summarises the main issues and concerns raised by the persons consulted; and
  - It describes how these issues and concerns have been considered and, where relevant, addressed in the proposed neighbourhood development plan.

## Consultation and Engagement to inform the Draft Neighbourhood Plan

2. Engagement of the local community is regarded as essential in developing a vision and objectives for the future development of neighbourhoods and to provide the detailed information to support non-strategic policies that can make a difference to localities. The Leckhampton with Warden Hill Neighbourhood Plan has been supported by engagement and consultation in a variety of forms over the period of its development. These are detailed below.

### 2013 CONCEPT STATEMENT AND LOCAL GREEN SPACE APPLICATION

3. A concept statement and Local Green Space application was compiled in 2012/13 and submitted to Cheltenham and Tewkesbury Borough Councils in July 2013, this document was countersigned by Shurdington Parish Council. This Concept Statement was prepared by the Neighbourhood Forum. In responding to significant local concerns over traffic congestion and traffic generation, the Leckhampton with Warden Hill Parish Council undertook extensive traffic surveys and traffic modelling of traffic flow on the A46 in order to understand the scale of the existing peak workday periods of congestion.

### 2014 THE CHELTENHAM PARTNERSHIP – CONNECTING WARDEN HILL

4. A survey was conducted in 2014, with a Task and Finish Group delivering to approximately 850 homes of over 50s and receiving responses from 55 in total. The survey aimed to explore people's interests and skills with a view to enabling setting up of more activities for over 50s in the ward and encourage volunteering. Questions also explored extent of loneliness and feelings of personal safety. This was an initiative by Cheltenham Borough Council, Leckhampton with Warden Hill Parish Council and local churches in Warden Hill to strengthen the local community.

### SUMMER 2015 NEIGHBOURHOOD PLAN CONSULTATION SURVEY

5. A survey was undertaken by Leckhampton with Warden Hill Parish Council to ask residents what their priorities were for the development of the Neighbourhood Plan. The survey and

the results were set out in full in the Cheltenham Borough Council Engaging Communities Project Report prepared by Gloucestershire Rural Community Council, published in January 2017 (see **Annex 6**). The survey informed development of the draft Neighbourhood Plan consulted upon in 2021.

#### SEPTEMBER-NOVEMBER 2021 REGULATION 14 CONSULTATION ON DRAFT NEIGHBOURHOOD PLAN

6. The previous Regulation 14 draft Neighbourhood Plan consultation period ran from 1 September 2021 to 15 November 2021, meeting the requirement for a consultation period of at least six weeks. A consultation survey was made available online. This could be completed online or printed, completed by hand and posted to the Parish Council offices. All residents in the Parish were written to regarding the consultation and residents within the Neighbourhood Area were posted information a second time also.
7. Two public consultation events were held during the consultation period. Postcards were produced and distributed to the whole parish to advertise the two events. Across the two events, over 50 people attended with some leaving comments at the venue and others taking away survey forms to complete separately. Other consultation activities included the following:
  - Consultation posters were printed and put on the Council's noticeboards and in shops, schools, doctor's surgeries and other public places.
  - Large banners were produced and placed in prominent places locally such as the Norwood Arms, at the entrance to Burrows Field and the Multi-Use Games Area in Warden Hill.
  - The consultation and the online link were promoted on the council's website and the Cheltenham consultation website itself which hosted the online survey.
  - It was also publicised on the council's Twitter and Facebook accounts.
  - All councillors were encouraged to promote the consultation through their own channels
  - Including at least one councillor's local free literature distribution of circa 5,000 as well as via Twitter (13.6k followers).
27. 272 responses to consultation were received via the survey and 8 further written submissions were made. The Consultation Report included at **Appendix A** summarises the issues raised in responses to consultation in the first 2021 Regulation 14 Consultation.
28. These have informed an update to the Vision and Objectives in a revised draft Neighbourhood Plan published for a further Regulation 14 consultation.

## Consultation on Revised Regulation 14 Draft Neighbourhood Plan, November 2022 – January 2023

29. A further public consultation was undertaken on a revised Regulation 14 Draft Neighbourhood Plan, which ran for nine weeks from 18<sup>th</sup> November 2022 to 20<sup>th</sup> January 2023. Consultation documents were published on <https://haveyoursay.cheltenham.gov.uk/parish/lwwh-neighbourhoodplan/>, Cheltenham Borough Council's consultation website.
30. Consultees were notified of the publication of the draft Neighbourhood Plan – a list of consultees is provided at **Appendix B**.
31. An online survey provided an opportunity for residents and other interested parties to indicate their views on the proposed vision, objectives and policies.
32. Leaflets were distributed to every household in the Parish, so including parts of the Parish outside the Neighbourhood Area.
33. A live consultation event was held on 7<sup>th</sup> January at the Pavilion, Burrow's Field. Engagement boards were produced for easy viewing at the event along with plenty of paper copies of the plan, survey and two key appendices: the green infrastructure list and non-designated heritage assets list. 22 members of the public attended as well as councillors.
34. Banners were put up at Burrow's Field, the MUGA in Warden Hill and at Leckhampton Primary School to publicise both the event and the wider consultation. These remained up until 20<sup>th</sup> January.

### CONSULTATION RESULTS

35. 31 survey responses were received by the close of consultation. Attendees at the public exhibition completed surveys and these are included in the total. Survey responses were input to a spreadsheet, included at **Appendix C**. Leckhampton with Warden Hill Parish Council prepared a summary report of answers to questions in the survey and this is included at **Appendix D**.
36. The summary report of the survey reveals high levels of support for the policies of the Draft NDP.
37. The survey allowed written free text comments. These have been organised by response ID and placed in order, with the comments from further written responses, in the following table in this report in relation to the specific text or policy to which they are related.
38. Responses from Cheltenham Borough Council (see **Appendix E**) and from Miller Homes (see **Appendix F**) were received after the close of consultation and have been provided separately. With regard to Miller Homes, commentary on how comments have been addressed is set out in the next section of the report and within a Landscape Consultation Response provided in **Appendix G**. With regard to Cheltenham Borough Council response, the response is set out in Appendix E.

## Summary of key points raised by Miller Homes and Response

39. Miller Homes response to the Draft Neighbourhood Plan is comprised of a lengthy technical submission from RPS, a legal submission from Counsel and a review, by HDA, of the Landscape and Visual Appraisal produced by Lepus Consulting in support of the Policy LWH5 of this Draft NDP. This note comments on the key points raised by RPS and Counsel. Lepus Consultants are preparing a response to the points raised by HDA on Value Landscape and the Landscape and Visual Appraisal.

### Sustainable Development and National Policy

40. Para 2.4 - The LWHNDP has insufficient regard to the 'needs and opportunities' in relation to ensuring plans support delivery of housing (a social objective) in line with paragraph 8 and 9 of the NPPF.
41. Para 2.7 - The current land supply position in Cheltenham therefore represents a clear 'local opportunity' for the LWHNDP to promote and facilitate the timely release of sites for housing in order to address the wider shortfall in housing supply in the borough. Unfortunately, land supply has largely been ignored by the Parish Council and AP Limited in preparing the second LWHNDP document. The approach taken in the LWHNDP is in breach of the basic conditions and in particular the need to have 'regard to national policy' in supporting the social aspects of sustainability, in particular the delivery of housing.
42. Response - There is no requirement for NDPs to actively support additional housing development and no template of requirements for topics to be included in NDPs – the scope of NDPs is upto the neighbourhood planning body. Refer to Paragraph 104 Reference ID: 41-104-20190509.

### Vision and Objectives

43. Para 3.2 - The LWHNDP makes no positive reference to the Land at Leckhampton (site allocation MD4) which can make a significant contribution towards the housing needs of the community. That is a serious omission and fails to reflect national policy and guidance within NPPF paragraphs 13 and 29. The CP Allocation Policy MD4 should be expressly supported by LWPFC as a viable and deliverable solution in the short-term to address the housing problems facing the Borough more widely.
44. Response - There is no need for the NDP to repeat adopted strategic policies and repetition of adopted strategic policies in NDPs is discouraged. The allocation site MD4 is a given and a context within which the NDP is formed. Furthermore, NDPs must be formed through extensive demonstrable community consultation and should reflect local community views and priorities as a requirement of basic conditions.

### LWH Objective 2

45. Para 3.3 - This objective should go further and make specific reference to the site allocation MD4 given its size and significance towards not only in meeting housing needs in the parish, but also across the Borough. RPS therefore recommends that a suitable amendment is made under the Vision and Objectives section of the LWHNDP to reflect this recommendation. It is recommended the Vision be extended to specifically reference allocation MD4 as the

principal allocation and mechanism to support housing delivery in the LWHNDP area as follows:

46. 'deliver housing of a size and type and level of affordability' to meet the needs of the area and specifically the contribution made by CP Allocation Policy MD4 which is supported in its entirety'.
47. Response - LWH Objective 2 has been amended to incorporate a commitment to work positively with partners to deliver MD4 to meet the housing needs of local people.

Policy LWH2 Transport Plan, Walking and Cycling

48. Para 4.4 - The first paragraph of the policy identifies five aspects relating to the 'Transport Plan'. However, these elements are presented as objectives rather than as policy criteria and the text is therefore completely unclear how these would be applied in the determination of planning applications in the area, contrary to paragraphs 16d and f of the NPPF and the need to provide decision-makers with 'clear and unambiguous' policies with a clear purpose. In addition, RPS would restate the point it made in its response to the first Regulation 14 version, in particular that these objectives repeat the criteria already set out in JCS Policy SD4(vii) on movement and connectivity. It is not necessary or appropriate to repeat the strategic policies within the LWHNDP in order to deliver these objectives, and their continued retention is therefore in breach of basic conditions 8(2)(a), (d) and (e).
49. Para 4.5 - On this basis, these objectives should be either removed from the policy. They do not represent clear provisions for assessing planning applications.
50. Policy SD4 extract below

**vii. Movement and connectivity;**

***New development should be designed to integrate, where appropriate, with existing development, and prioritise movement by sustainable transport modes, both through the application of legible connections to the wider movement network, and assessment of the hierarchy of transport modes set out in Table SD4a below. It should:***

- ***Be well integrated with the movement network within and beyond the development itself***
- ***Provide safe and legible connections to the existing walking, cycling and public transport networks;***
- ***Ensure accessibility to local services for pedestrians and cyclists and those using public transport***
- ***Ensure links to green infrastructure;***
- ***Incorporate, where feasible, facilities for charging plug-in and other ultra-low emission vehicles;***
- ***Be fully consistent with guidance, including that relating to parking provision, set out in the Manual for Gloucestershire Streets and other relevant guidance documents in force at the time.***

51. Counsel Opinion says that....Para 15 - The remaining version of Policy LWH2 continues to contain policy content which is contrary to the basic conditions. At present, the defects are so serious that the whole policy would require deletion. There has been a fundamental failure to reflect NPPF 13/29 (support for strategic allocations) and 16 (non-duplication), and also wider aspects of the NPPF, such as NPPF 57 (limitation on the imposition of financial contributions)
52. Para 18 - First, the policy is misdirected at a wider category of decisions "creating, managing and responding to traffic growth". A neighbourhood plan can only contain "policies which relate to the development and use of land" (section 38A(2) PCPA 2004). The policy therefore

fails to focus on planning applications and decisions and accordingly further breaches NPPF 16(d) and (f), lacking the necessary clarity.

53. Para 19 - Second, the policy duplicates the content of the existing development plan, the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy, Policy SD4(vii).....
54. Response - The first part of the policy has been rephrased to make clear that 'LWHPC will work with partners' to deliver the objectives set. This presents a clear set of commitments and objectives for the parish council to pursue with a range of partners which is drawn from the responses from local people to two consultations. From this change, it should be clear that no specific requirement is being placed on any applicant as a result of the first part of the policy.
55. 4.10 - (Also Cross-refer to paras 4.6-4.9) Policy LWH2 should be amended to clarify how these route proposals would be applied in the determination of planning applications involving the MD4 allocation and explain how these criteria are justified in the context of national policy governing the use of planning obligations. At present, in the absence of any clarity in the policy text, the appropriate course would be complete deletion of the policy.
56. Counsel Opinion says that.....Para 25 - Second, the policy wording is highly ambiguous and has simply not been prepared with a proper consideration of how it would impact on the delivery of MD4. The policy begins with an overarching "where appropriate" qualifier, but then proceeds to define a closed class of "priority routes". The policy fails to reflect provision that can be made elsewhere within the site or in other locations.
57. Response - Policy MD4 of the Cheltenham Plan does require development of the site to include proposals for pedestrian and cycle access within the site and to key centres. The NDP is seeking to identify what the local community sees as the key local destinations which need to be better connected for safe and convenient pedestrian and cycle access. This is a valid purpose of Neighbourhood Plans.
58. The NDP has not undertaken technical assessment of the identified routes and has not assessed financial implications. Essentially, it identifies community priorities in a general way without reference to who should fund the work and how they should be implemented. In this context, the second part of the policy has therefore been rephrased so that the policy states that support would be given to local community priorities set out in (a) to (f). Providing a clear list of local community priorities that would be given support should they come forward, is a normal feature of Neighbourhood Plans. As reworded, there is no reason for concern about impacts on viability or clarity in relation to individual planning applications.

#### LWH3 Local Green Space

59. Para 5.1 - The final paragraph of Policy LWH3 would require any application on MD4 to have regard to the 'history, landscape and rural nature' of the LGS and in addition to 'management and improvement objectives' for the LGS.
60. Para 5.2 - The LWHNDP is therefore attempting to impose additional policy criteria that go beyond the requirements of strategic Policies MD4 and Policy G11 and thus seek to unduly and unjustifiably restrict development on the allocated site that is outside the LGS and thus could undermine rather than support the implementation of Policy MD4, contrary to paragraph 29 of the NPPF and potentially conflicts with the basic conditions on general



conformity with the development plan. As the Counsel’s Opinion which accompanies this submission (Appendix A) observes, there are broader issues with Policy LWH3 in its attempt to place additional constraints on development within the LGS area. In order to address these concerns, RPS recommends that the whole of Policy LWH3 is deleted.

61. Counsel Opinion says that...Para 30 - All LGS policies must be approached with a high degree of caution, following the judgment of the Court of Appeal in the case of *Lochailort Investments v Mendip DC* [2020] EWCA Civ 1259, where the decision to send the plan to referendum was quashed due to the Neighbourhood Plan LGS policy seeking to overreach the strict constraints of NPPF 103 (then NPPF 101). The policy wording in question contained wording which went beyond the NPPF requiring development to “enhance[e] the original use and reasons for the designation of the space.” The Court of Appeal found such wording inconsistent with national policy: [33] and the Examiner’s approval of such a policy as unlawful.

<b>POLICY MD4: LECKHAMPTON</b>	
Site description	Originally a JCS site, development at this location will need to take into account landscape impacts, highways issues and green space. Site boundaries are based on the JCS Inspector’s comments in her Note of Recommendations from 21 July 2016. Development at this location will need to ensure that the JCS examination’s consideration and findings related to this site are fully taken into account. Along with this, the site has an extensive planning history related to the earlier, larger proposal (13/01605/OUT); the Inspector’s and Secretary of State’s findings in this appeal should also be reflected in any future scheme.
Site area	21ha
Constraints	<ul style="list-style-type: none"> <li>• Local Green Space</li> <li>• Impact on AONB</li> <li>• Flood Risk mitigation</li> <li>• Highways</li> <li>• Heritage assets</li> </ul>
Site specific requirements	<ul style="list-style-type: none"> <li>• Approximately 350 dwellings on land north of Kidnappers Lane</li> <li>• Provision of a secondary of school with six forms of entry on land to the south of Kidnappers Lane</li> <li>• Safe, easy and convenient pedestrian and cycle links within the site and to key centres</li> <li>• A layout and form that respects the existing urban and rural characteristics of the vicinity</li> <li>• A layout and form of development that respects the character, significance and setting of heritage assets that may be affected by the development</li> <li>• A layout and form of development that respects the visual sensitivity and landscape character of the site as part of the setting for the AONB</li> </ul>

62. Response - Under the NPPF, Local Green Space is designated according to criteria set out in para 102. Subsection (b) says that the green space should be demonstrably special to a local community and hold a particular local significance, recreational value, tranquillity or richness of wildlife. The mechanism set out in the NPPF for the management and control of development within Local Green Space is set out in paragraph 103 where it says policies for managing development with a Local Green Space should be consistent with those for Green Belts.

63. Counsel Opinion provided in support of Miller Homes response to the Regulation 14 NDP consultation refers to the Lochailort Investments Limited challenge to Mendip District Council over the making of the Norton St Phillip NDP. In this case, NDP policy sought to protect Local Green Space from all development. The key ruling in the case established that it is possible (in principle) to deviate from NPPF policies, provided that the approach is justified in the NDP. The NDP had not done this and it was on this ground only that the NDP was quashed. The legal position in relation to this ruling has therefore been overstated.
64. The reasons for designating Local Green Space are not the same as the reasons for designating Green Belt. The purpose of Local Green Space is not the same as the purpose of Green Belts. Managing development solely in accordance with Green Belt policies is not ‘job done’ when it comes to Local Green Space – Green Belt around towns and cities is often poor quality. Demonstrably, Local Green Space is used by the local community and its value has led it to be designated as such. Ensuring the value of Local Green Space is retained and where possible enhanced can be a key local concern and within scope of NDPs.
65. The Leckhampton Local Green Space is intertwined with the Leckhampton Valued Landscape, identified and considered extensively in the formulation of the Joint Core Strategy and the Cheltenham Plan. The designation of the Local Green Space in the Cheltenham Plan 2020 sought to protect what is considered to be a central part of the Valued Landscape. What happens within the Local Green Space and adjacent to it is therefore important to the function and role of the Local Green Space and of Valued Landscape.
66. Adopted Cheltenham Plan policy MD4 identifies the Local Green Space as a constraint. It sets out site specific requirements for a layout and form that respects the existing rural and urban characteristics of the vicinity.
67. Policy GI1 of the Cheltenham Plan (below) has already designated the Local Green Space and says that the views of the local community should be paid particular attention in relation to proposals for development which affect Local Green Space. Policy LWH3 of the Draft NDP simply links these requirements to management principles set locally for the management of the Local Green Space and asked applicants to have regard to these in formulating development proposals. Given the requirements of Adopted policy MD4, the objective of seeking complementary/reinforcing approaches with adjacent developments should not be controversial.

*Policy GI1 reproduced below*

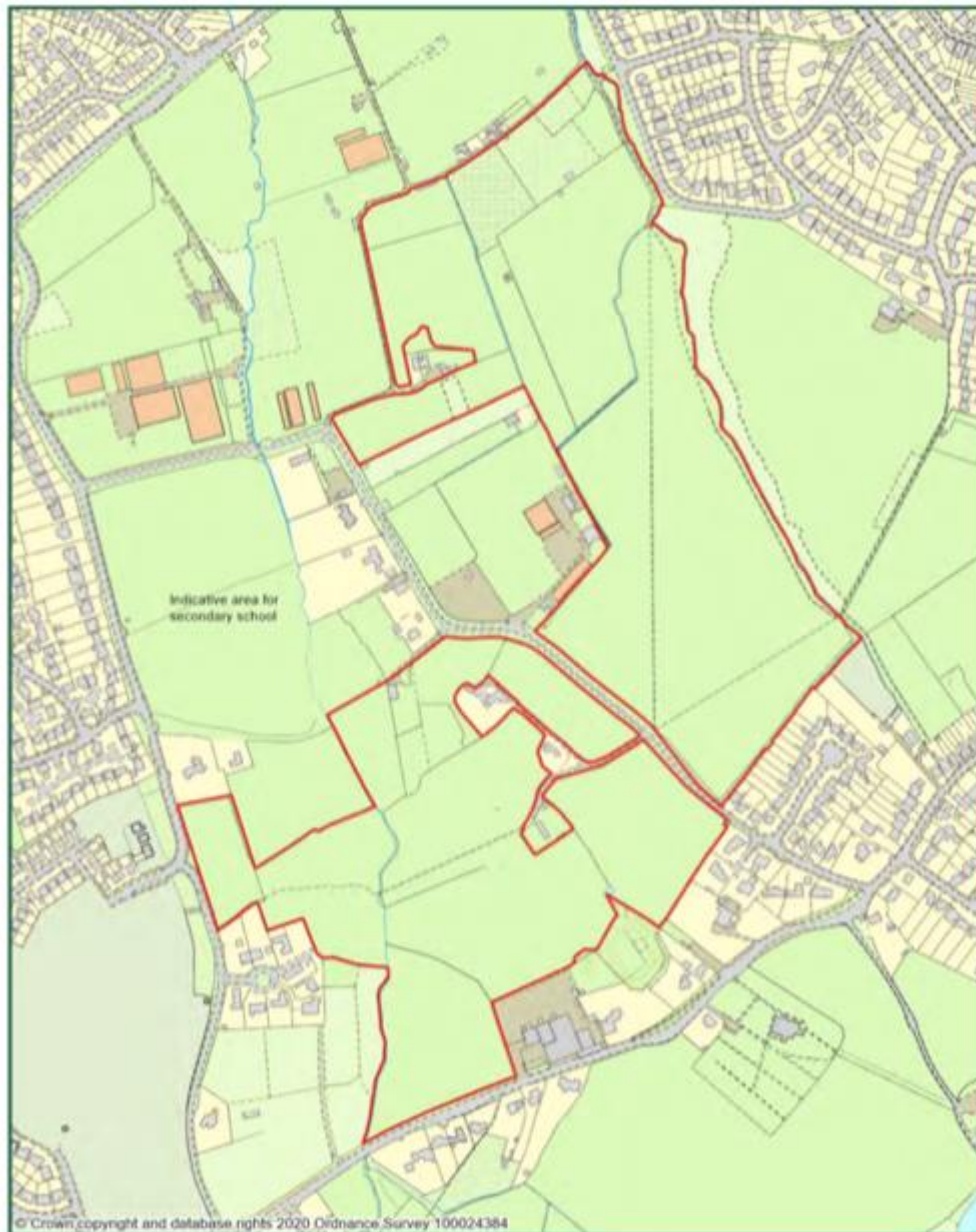
## **POLICY GI1: LOCAL GREEN SPACE**

Development will not be permitted within a Local Green Space, designated either within the Cheltenham Plan or an approved Neighbourhood Plan, unless there are very special circumstances which outweigh the harm to the Local Green Space. Particular attention will be paid to the views of the local community in assessing any development proposals that affect a designated Local Green Space.

The sites listed in Table 8 are designated as Local Green Spaces within the Cheltenham Plan.

**This policy contributes towards achieving the Cheltenham Plan Vision: Theme C – objectives a, b, e and f.**

### Map of Local Green Space Designation



#### Policy LWH4 Green Infrastructure

68. Para 6.1 - This draft policy references the 'roles and functions' of existing green infrastructure identified in Figure 12 and Appendix 3 of the LWHNDP which should be protected and enhanced including in respect of development on the MD4 allocation.
69. Para 6.2 - Figure 12 and Appendix 3 of the LWHNDP identify three areas of green infrastructure that are nevertheless located within the boundary of the MD4 allocation. These areas are:
- 6 – Line of Hatherley Brook and neighbouring flood zone
  - 7 – Field Parcels 'R2' and 'R3'
  - 17 - Hedgerows and trees in and around fields and smallholdings

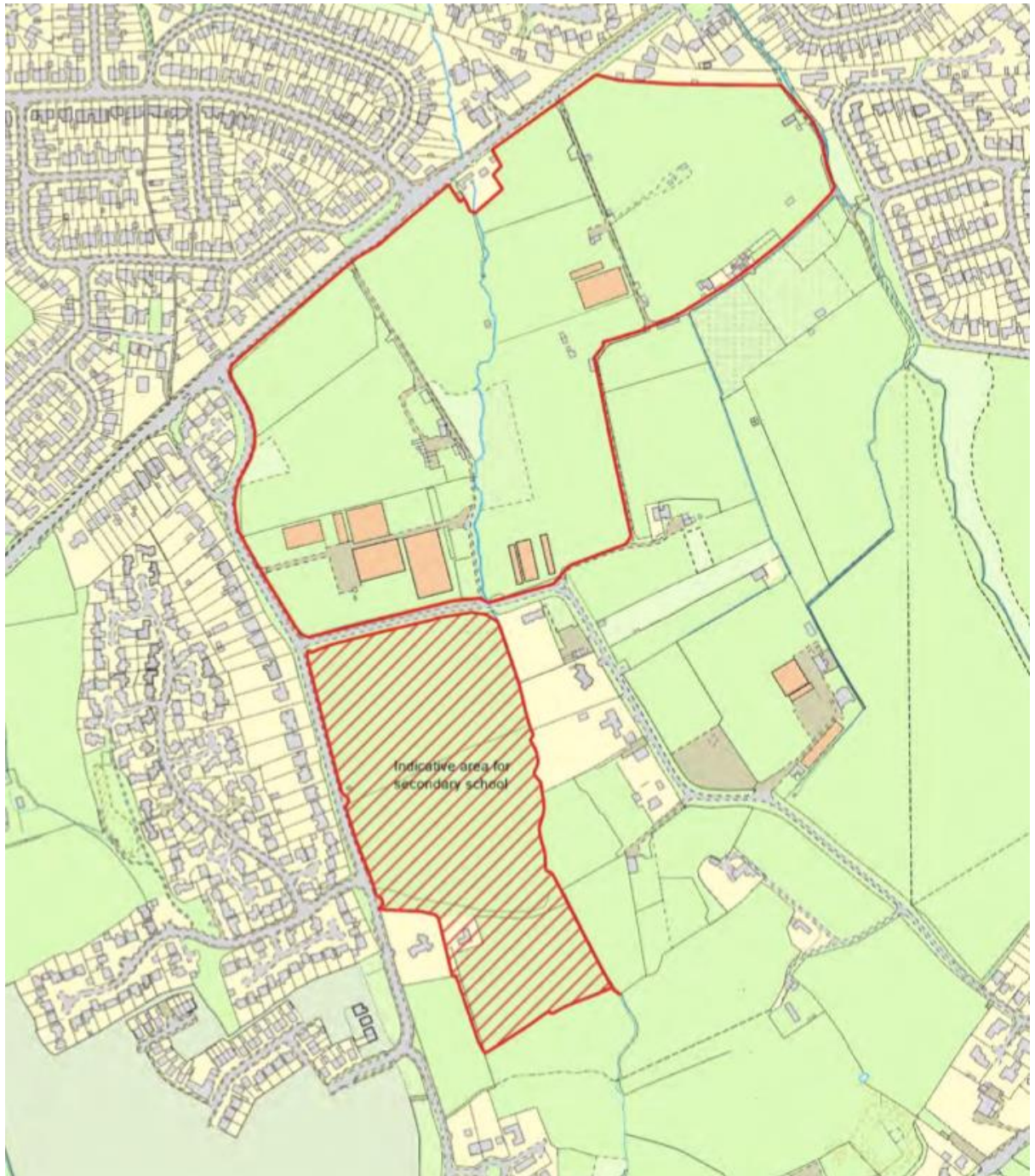
70. Para 6.3 - Area 6 largely comprises land within areas at risk of flooding and so would not constitute developable land on any reasonable assessment. RPS would also question whether the small areas 'fingers' extending in a north-westerly and easterly direction actually form part of Hatherley Brook or are at risk of flooding which is very narrow in extent, as can be seen in the extract below. This part of the policy has not properly been evidenced and justified.
71. Para 6.4 - On this basis, the identification within Appendix 3 of Area 6 is not justified on the available evidence. No evidence has presented in the LWHNDP to justify any incursion of these protections in a lateral direction west or east to include land beyond Hatherley Brook corridor.
72. Para 6.6 - refers to basis for inclusion of Area 7 as being Inspector Ord Note of Recommendations (July 2016) and Landscape and Visual Sensitivity and Urban Design Report (October 2012).
73. Para 6.8 – provides a quote to support the notion that the note was not a final conclusion which would be set out in the final report following in light of all evidence which comes forward.
74. Para 6.9 – refers to para 185 of the final JCS Inspectors Report remarks on MD4, providing quote which says the previously indicated allocation of the order of 200 was an approximation and that final figure should be based on a full assessment of the area to underpin an appropriate allocation.
75. Para 6.11 – refers to Cheltenham Local Plan Inspectors Report as supporting development of MD4 as a whole without restrictions identified on Area 7 (R2 and R3).
76. Para 6.12 – refers to exclusion of Area 7 from LGS designation.
77. Para 6.13 – refers to JCS Landscape and Visual Sensitivity and Urban Design report October 2012. Says land within R2 and R3 were both identified as less sensitive with a rating of Medium landscape sensitivity and Medium visual sensitivity. R2 and R3 also lie adjacent to the least sensitive areas of the wider site to the north and some distance from the higher sensitivity landscapes to the south.
78. Para 6.15 - In conclusion, the extent of MD4 has been determined on the basis of considerable evidence and was allocated recognising that residential development would step outside areas identified by the JCS Inspector and would include, in part, areas R2 and R3 (Area 7) and Area 17. The developable area has therefore been established.
79. Para 6.16 - The LWHNDP is seeking to effectively reopen the debate that has long been settled regarding what the scale of development should be on the allocation and seeks to limit development on the MD4 beyond that which is allowed for under an extant development plan policy (MD4).
80. Para 6.17 - There is no clear justification that any specific protections should be afforded to parcels R2 and R3 beyond the protections afforded under the existing development plan policies, notably Policy MD4. Similarly, there is also no justification presented in the LWHNDP or Appendix 3 to warrant specific protection of Area 17 or features therein beyond those afforded under existing development plan policies.

81. Counsel Opinion says that....Para 37 - Common to all three designations is a complete failure to grapple with NPPF 13 and the clear emphasis that neighbourhood plans should “shape and direct development that is outside of these strategic policies”. This will ordinarily rule out a restrictive designation within the boundaries of an allocated area, as a matter of principle. The designation is not justified by robust or indeed any evidence. None of Areas 6, 7 and 17 have been designated with proper regard to the importance of avoiding restrictions on the allocation. The designations should have no place in the Neighbourhood Plan and must be deleted on this basis alone.
82. Response - Policy MD4 of the Cheltenham Plan establishes the capacity of the allocation site as approximately 350 dwellings. The NDP does not dispute this. Policy MD4 also states that the layout and form of development on the site will need to address a number of key landscape and heritage considerations. The considerations are set out in reference to the Joint Core Strategy examination findings and previous appeal decisions on a larger scheme. Policy MD4 also sets out site specific requirements for a layout and form that respects the existing rural and urban characteristics of the vicinity.
83. In this context, it is clear that any planning application for the development of Cheltenham Plan Allocation Site MD4 must interpret and address complex and interwoven requirements set out in multiple documents published over a significant period of time. Equally, the preparation of a NDP provides an opportunity for the local community to establish which parts of its area have important local green infrastructure functions. Prior to development, these are what they are, regardless of their allocation.
84. The NDP takes the view that some areas within the allocation site MD4 perform green infrastructure functions. Indeed, it would be highly unlikely that an undeveloped area within the Leckhampton Fields Valued Landscape did not have these prior to development.
85. Three areas with green infrastructure functions have been identified by the NDP in Appendix 3 of the Draft NDP.
- Area 6 provides habitat connections through field boundary hedgerows and is affected by flood risk. This is not inconsistent with the previously submitted planning application for the development of MD4.
  - Area 17 contains tree and field boundary hedgerow habitats. This is not inconsistent with the previously submitted planning application for the development of MD4.
  - Area 7 contains wooded areas that are nationally recognised as important habitats and all the accompanying hedges provide connected habitats for a variety of species providing important biodiversity.
86. The policy seeks to protect the green infrastructure functions of identified areas including those above within strategic development. This is not inconsistent with Policy MD4 which requires layout and form to have regard to landscape and visual sensitivities within and surrounding the site. The identification of specific parcels within MD4 as having some green infrastructure value which should be noted and given due regard is therefore not inconsistent with policy MD4 and provides a local, non-strategic policy on the part that land within the allocation plays in meeting green infrastructure requirements in the Neighbourhood Area.

### Policy LWH5 Valued Landscapes

87. Para 7.1 - Policy LWH5 has been redrafted and provides a generic policy approach on the matter of Valued Landscapes. The draft policy does not make any specific reference to particular sites or locations within the LWHNDP area. This is welcomed....
88. Para 7.6 - In order to inform strategies or policies that reflect the varying character of the study area and to provide a good spatially referenced framework, a more detailed landscape character framework should have been used.
89. Para 7.8 - As a result of the broad-brush approach of the Lepus assessment, the conclusions of their report are similarly broad brush and state that 'the landscape of the study area is highly valuable under the majority of indicators' (paragraph 8.2.2). However, there are no exceptions or qualifications to the extent of the valuable landscape or comment on the land proposed for development under Policy MD4. HDA object to the generality of the recommendations in respect to valued features and the policy which flows from its conclusions. The policy washes over the MD4 allocation and therefore fails to provide a bespoke assessment at the site-specific level.
90. Para 7.12 - In conclusion, there is no reasoned justification for highlighting areas R2 or R3 within the Landscape Character Assessment Update as particularly valued landscape either with regard to landscape features within the areas or their visual sensitivity. These two parcels cannot be covered by Policy LWH5.
91. Counsel Opinion says that....Para 41 - For the reasons set out in the RPS submission, these areas [*Field Parcels R2 and R3 referred to in the Lepus Report*] do not meet the high threshold for a valued landscape (following the judgment in *Stroud District Council v SCLG* [2015] EWHC 488, [14] as approved in several later cases). The Neighbourhood Plan should not be used as a vehicle to seek to impose valued landscape designations within the allocation. The appropriate course of action would therefore be to modify the text to make clear that there no valued landscapes within the Policy MD4 area or associated with it. If the Neighbourhood Plan seeks to impose any such constraint on the allocation, contrary to NPPF 13/29 then the whole policy would need to be deleted.
92. Response - Lepus Consulting have reviewed the consultation response from Miller Homes and the Legal Opinion provided. They have prepared a Landscape Consultation Response which is set out in Appendix G. This concludes that the physical attributes of the Valued Landscape have been clearly defined and established. It also concludes that methodological approach adopted in the Landscape Character Assessment is appropriate for consideration of the Valued Landscape with a neighbourhood plan context. For these reasons, the principal objections raised against Policy LWH5 are rejected.

### Map of MD4 Site Allocation



## Consultation Survey and Other Written Comments

This section of the report displays all other written comments received set against specific parts of the Draft NDP and sets out response comments and actions (highlighted).

### DETAILED WRITTEN COMMENTS AND RESPONSES TO CURRENT REGULATION 14 DRAFT NEIGHBOURHOOD PLAN, JANUARY 2023

LINE	NDP REFERENCE	ID	CONSULTATION COMMENT (copied in as provided)	RESPONSE FROM PARISH COUNCIL
1	General Comment	6	Its all just blah blah blah. We can't beat the likes of Redrow and Tewkesbury. Great ideas, but, sorry chaps, get real	Noted.
2	General Comment	8	The various elements within the plan are well linked	Noted.
3	General Comment	10	<p>The plan does not address local congestion, residential on street parking problems, charging points for electric vehicles, or traffic management on local roads. These are key issues in Leckhampton.</p> <p>There is huge local interest in how applications for Dropped Kerbs are being managed to create off street parking (or reserve a space outside a house). It is clear there is no joined up strategic management and oversight of this. Approvals fall in a grey area between County and District/ Parish / Highways responsibilities. Residents wish to know that consideration is being given to the longer-term impact of approvals. We also request consultation on introducing one way systems on narrow residential roads - for example, Moorend Crescent.</p> <p>Plans to introduce accessible and rapid e-charging points for electric vehicles are also required. Failure to address these issues now will create legacy problems for future residents.</p>	<p><b>Traffic Congestion, Traffic Management</b> - Highways management is a Gloucestershire County Council (GCC) function and decisions on new development proposals are taken by Cheltenham Borough Council (CBC) with advice from GCC – these are a strategic matter beyond the scope of the Neighbourhood Development Plan (NDP). Leckhampton with Warden Hill Parish Council (the Parish Council) is able to promote revised traffic management arrangements through Traffic Regulation Orders outside of the NDP.</p> <p><b>Dropped Kerbs</b> – Policy to control the development of private green/garden space for car parking is addressed by the Cheltenham Plan 2020 through policy D3 and the 2009 Supplementary Planning Document 'Development on Garden and infill sites in Cheltenham'.</p> <p><b>EV Charging</b> – Larger developments are expected to provide EV charging points on residential properties and this has been the case in relation to strategic housing allocation sites in the parish. Part S Building</p>



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				<p>Regulations introduced in June 2022 now require all new buildings to install EV chargers.</p> <p>On existing properties, subject to conditions/thresholds, the installation of wall 4mounted EV chargers is permitted development under national permitted development rights.</p> <p>Free standing EV chargers are also permitted development subject to limits. See Schedule 2, Part 2, Class D and E of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).</p> <p>Dedicated EV Charging sites are now being brought forward by the market and will be subject to a requirement for planning permission. The NDP Working Group has not identified sites for this purpose in the NDP.</p>
4	General Comment	11	It is not written in clear plain English for the ordinary layman to grasp clearly and quickly - it should have simple bullet points to show exactly what you are trying to say before going into depth. Most people will not read it.	The NDP is a technical document which aims to ensure it can be used in the land use planning process and as such needs to be written with language and terms used in this process. Separate communications will be prepared to explain the NDP contents when the plan is put forward for referendum.
5	General Comment	14	I believe the area should be set aside and used to increase and enhance bio-diversity locally, making Cheltenham a new town, one that is entwined with nature. Make a park of the area also include Leckhampton and Crickley Hills. Don`t just put it under concrete.	<p>Noted. The NDP does not seek to promote new housing development or allocate land for development.</p> <p>Policy LWH3 sets a management framework for the protected Local Green Space. Policy LWH4 identifies sites with roles and functions in meeting green infrastructure objectives, including ecological</p>

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				networks and LWH5 sets a framework for ensuring the open elements of new development protect and enhance Valued Landscape.
6	General Comment	15	<p>Quite a few typos but mostly very minor. Figure 9 on page 38 should be Figure 10, as referenced in para 137.</p> <p>A great deal of work has evidently been put into a comprehensive NP and I thank you for that.</p> <p>I would like to see some reference to insistence on planning conditions being adhered to. I realise that this is the responsibility of the relevant local planning authority but the parish council would be more likely to get a hearing on issues which affect the Neighbourhood Planning area, than private individuals who just tend to get ignored. Redrow are still falling down when it comes to their planning conditions, 7 years after permission was granted.</p>	<p>Para 132 and Para 137 changed to remove word 'below' and to change reference to Figure 10 in para 137. All instances of 'below' removed in relation to tables and figures.</p> <p>Compliance with conditions is not within the scope of the NDP, but the Parish Council Planning Committee is able to consider complaints and bring non-compliance to the attention of CBC for their action.</p>
7	General Comment	16	<p>I feel that consideration should be given to any future campaign about a new 6th form centre being built on the Leckhampton lands to complement the new High School. This has been banded around which would be DISASTROUS for the Leckhampton area.</p> <p>It wouldn't be a surprise to see the same group of people strongly pushing for this 6th form in the same way as their huge campaign for the new HSL.</p>	Noted. Such a proposal would be a planning application considered through a different process, outside the scope of the NDP. Relevant policies in the NDP, once made, would be LWH2, LWH3, LWH4 and LWH5. In particular, LWH3 reflects the existing protection against new development on the Local Green Space in the Cheltenham Plan 2020.
8	General Comment	17	Walking and cycling needs to be a priority, I cannot understand why Cheltenham is so backwards regarding this	Noted. This is a priority through objective LWH Objective 4 and policy LWH2.
9	General Comment	18	I would like to see the issue of litter being included in this plan. It's a growing problem, some of which could be easily prevented i.e. the recycling operatives drop vast quantities of our recycling on the streets which ends up getting broken up and washed down storm drains, ending up in our countryside, rivers and eventually the sea.	This is outside the scope of the NDP. The PC would raise such matters through its regular liaison with the waste collection authority.
10	General Comment	25	Within the Draft NP (October 2022) the paragraph numbering is consecutive from 1 up to 158 on page 45.....then suddenly reverts to 1, 2,...etc on page 51.	Para numbering corrected

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			A lot of work has been put into this comprehensive NP and I thank the Parish Council for this effort.	
11	General Comment	27	I have focused chiefly on what I see around me and what effects my environment. I have read some of the plan document produced in 2021 and the amount of detail and work in its preparation is breathtaking. My concern is the push for development in Leckhampton is strong and development at any cost to the wishes of the community and environment. The view from the Brizen Farm roundabout to Leckhampton Hill is red rooftops. I do hope the local community have responded well on this. Thank you to all who have worked long and hard on this document.	Noted.
12	General Comment	28	How can you enforce: 1 houses to be designed to highest standards of thermal insulation (e.g. Passivhaus standard)  2 houses to be designed for non-carbon dioxide emitting energy systems (orientation to suit solar PV panels; ready for air source heat pump installation; orientation and layout to suit passive solar gain; orientation and layout to prevent summer overheating, via overhangs, sunshades, shutters, etc)  3 houses to be designed with layout to suit future installation of passenger lifts for the elderly and disabled.  4 houses to be designed to a much higher standard of architectural design than is general in the area.	1 & 2 – Forthcoming changes to new Part L Building Regulations will address requirements for energy efficient in new homes. As such, enforcement of higher standards is outside the scope the NDP.  3 & 4 – The preparation of design codes or policies was not included in the priorities for the NDP by the NDP Working Group, but may be considered in a future NDP.
13	General Comment	30	The maps need sharpening up with areas marked, eg exact location and boundary of MD4	Maps reviewed
14	General Comment	31	It is critical that the proportion of house sizes reflects the need identified by the Strategic Housing Market Assessment. Developers should be required to build 1,2 and 3 bed properties not just large 4+ bed houses.	Noted. The NDP does not comment on the need for housing type in the Neighbourhood Area. Housing Needs for specific housing types, mix and tenures may be considered in a future NDP.
15	General Comment	26	While it has some admirable intent, the plan lacks significant detail on how all the relevant policies will be implemented. As a consequence I suspect that	The Neighbourhood Area Boundary was approved by Cheltenham Borough Council and the NDP has been

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			<p>further significant amounts of Parish money that could be put to much better use will be wasted on what appears to be a vanity project to support the agenda of only a few individuals. I have serious doubts whether the amount of time and money expended on generating this document will actually deliver any tangible benefits other than to provide the Parish council and individual members thereof with a greater ability to block any planning applications that the PC members don't particularly like. The whole document come across as a smokescreen to obscure an underlying anti planning agenda and pay lip service to the environmentalist lobby.</p> <p>The fact that the document tries to justify why the whole of the expanded Parish area is not included in the proposed plan is laughable. The rationale provided was that significant work had been undertaken and that update was not considered timely or necessary. A decision made by the Parish Council. The Parish boundaries were expanded in 2018 yet the initial draft of the Plan was not subjected to consultation until 2021 - three years seems to have been a fairly adequate period of time to have updated the plan to include the all areas of the Parish rather than those subjected to inclusion in the early drafts. The plan has subsequently bee re-drafted for planned submission in 2023 - a further two years and five in total when there has been no obvious attempt to expand the scope and include the relevant areas. This creates a two-tier Parish with no clear timeline or plan on how the other areas will be encompassed within future drafts. Based on the the inability to generate any meaningful information for inclusion in this document on the areas within the expanded Parish in the last 5 years, one can only assume that any updated plan to include those areas will be available for consultation in 2028 at the earliest. On a positive note the Parish Council did deign to consult the whole of the Parish on this draft document. A laudable commitment.</p> <p>There are number of specific points that lack detail, are so aspirational as to be pointless or that would constitute an absolute waste of time and money and appear to be linked to individual's personal hobbies or hobby-horses.</p>	<p>prepared for the area within it. The whole Parish will vote on the plan and this will provide an opportunity for people to express their view.</p> <p>LWH Objective 1 and LWH Objective 2 will be delivered in part through the application of policies in the plan as a whole. The remaining objectives link directly to policies in the plan or commitments around these to on-going actions to deliver them.</p> <p>Consideration was given to restarting the process on a whole parish basis, but it was decided to complete the current plan based on the work which had gone into it at that point, based on the narrower area and in response to significant and specific planning matters applying there. It was felt then that the time required to restart and refocus would be significant.</p>

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			<p>I will list some specific examples below: <b>(THESE HAVE BEEN INSERTED INTO THE TABLE BELOW AT THE RELEVANT PLACE)</b></p> <p>Overall, the Objectives don't really align that well with the Proposed Policies. These need to be better aligned before final submission.</p>	
16	General Comment on Basic Conditions	33	<p><b>RE: Leckhampton with Warden Hill Draft Neighbourhood Development Plan – New Regulation 14 Consultation</b></p> <p>Black Box Planning submit these representations on behalf of Redrow Homes Ltd in respect of the Leckhampton with Warden Hill (LWWH) Neighbourhood Development Plan (NDP) – Regulation 14 consultation open to Friday 20th January 2023.</p> <p>The plan in question is the Draft approved by Parish Council for public consultation October 2022. Black Box Planning previously submitted representations to another Regulation 14 consultation dated 12th November 2021 and these representations should be viewed alongside those representations.</p> <p><b>Neighbourhood Planning</b></p> <p>The National Planning Policy Framework (NPPF) states at Paragraph 29 that neighbourhood plans can shape, direct, and help deliver sustainable development. However, it goes on to say that neighbourhood plans should not promote less development than set out in the strategic policies for the area or undermine those strategic policies. Footnote 18 suggests that neighbourhood plans must be in general conformity with the strategic policies contained in any development plan that covers their area.</p> <p><b>Basic Conditions</b></p> <p>As the LWWH Parish Council (PC) are aware, only a Draft NDP that meets each of a set of basic conditions can be put to a referendum and be made. In</p>	<p>The NDP is not <u>required</u> to meet housing demand or housing need. A significant amount of new housing has been allocated on sites within the Neighbourhood Area in the Cheltenham Plan 2020. The focus of the NDP is on ensuring that the delivery of new development creates a sustainable neighbourhood through which people can walk, cycle, enjoy green infrastructure and be assured that heritage assets will be protected. These contribute to the cultural and environmental pillars of sustainable development. In this regard, the NDP meets Basic Conditions.</p>

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			<p>relation to NDPs, the Planning Practice Guidance (PPG) (Paragraph 065 – Reference ID: 41-065-20140306) confirms that the basic conditions are as follows:</p> <ul style="list-style-type: none"> <li>- Having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make neighbourhood plan;</li> <li>- The making of the neighbourhood plan contributes to the achievement of sustainable development;</li> <li>- The making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area);</li> <li>- The making of the neighbourhood plan does not breach, and is otherwise compatible with EU obligations;</li> <li>- Prescribed conditions are met in relation to the neighbourhood plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan.</li> </ul> <p>It should be noted that some of the concerns listed in the previous representation regarding the Draft NDP still remain. These are explored below but can generally be summarised as:</p> <ul style="list-style-type: none"> <li>- The Draft NDP still does not include any policies or positively allocate any land to help meet housing requirements. From the outset of the NDP, it is acknowledged that there is housing need and also that housing affordability in the Parish is a major problem. The affordability gap is brought into sharp focus at paragraph 46 of the NDP. In this context, it appears the NDP stops short of presenting proposals to help tackle these issues, by omitting any proposals for housing development.</li> </ul>	

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			<p>- In terms of the ‘having regard to national policy’ basic condition, the PPG2 (Paragraph 069 – Reference ID: 41-069-20140306) notes that a neighbourhood plan must not constrain the delivery of important national policy objectives.</p> <p>- At the heart of the NPPF(National Planning Policy Framework – Paragraph 10) is a presumption in favour of sustainable development. NPPF Paragraph 11(a) notes that for plan-making, this means that; all plans should promote a sustainable pattern of development that seeks to meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects.</p> <p>- NPPF Paragraph 28 recommends that non-strategic policies should not promote less development than set out in the strategic policies for the area or undermine those strategic policies. Footnote 18 states that neighbourhood plans must be in general conformity with the strategic policies contained in any development plan that covers their area.</p> <p>- The Draft NDP does not positively promote a sustainable pattern of development which can be said to be meeting the development needs of the area, this is contrary to NPPF Paragraph 11(a).</p> <p>- The Draft NDP undermines the strategic policies of the Joint Core Strategy by limiting opportunities within the neighbourhood area for new homes to be delivered. This is by introducing barriers to sustainable development over and above those policies already set by the adopted JCS and Cheltenham Borough Plan including for AONB, Green Belt and Local Green Space. This approach is contrary to NPPF Paragraph 28.</p> <p>- The strategic policies of the JCS are set out at Part 3 of the document. Policy SP1: ‘The Need for New Development’ sets the housing requirement for Cheltenham Borough at least 10,917 new homes over the period 2011-2031 and Policy SP2: ‘Distribution of New Development’ confirms that the JCS will</p>	

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			<p>make provision for the required new homes within the Cheltenham administrative boundary.</p> <p>- Cheltenham Borough has a confirmed shortfall in housing land supply when measured against this JCS housing requirement and therefore by definition the Borough Council is not currently meeting the needs of the area and therefore all respective plans (including relevant Neighbourhood Plans) should seek to meet development needs of the area in accordance with NPPF Paragraph 11 (a) and the presumption in favour of sustainable development, which is a national policy objective.</p> <p>- NPPF Paragraph 66 states that strategic policies should set out a housing requirement for designated neighbourhood areas which reflects the overall strategy for the pattern and scale of development and any relevant allocations. Once the strategic policies have been adopted, these figures should not need re-testing at the neighbourhood plan examination, unless there has been a significant change in circumstances that affects the requirement. The current land supply shortfall is a material significant change in circumstance and warrants a review of the level of housing to be planned for through the neighbourhood plan process. On this basis, and in accordance with national planning guidance, it is considered appropriate for the NDP to either request an indicative housing requirement from the Borough Council, or to undertake a housing need survey in the NDP area. At the very least, the Draft NDP should introduce a permissive policy approach to appropriate additional housing sites within the neighbourhood area. Currently the plan continues to fail to confirm how any new planning applications for housing will be considered. This is a fundamental tenet of policy making.</p> <p>- In the context of delivering locally sustainable development, it is also prudent to note that the baseline has changed since the JCS, most notably with The High School, Leckhampton which opened in September 2022. The new school reinforces the inherently sustainable location for housing growth within the NDP area.</p>	



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			- In summary, the LWWH Draft NDP does not meet the basic conditions for neighbourhood plans, being: the draft NDP does not have full regard to national policies and advice; it does not contribute towards the achievement of sustainable development; and is not in general conformity with the strategic policies of the development plan because of its inflexibility to accommodate the required level of housing and adapt to changing circumstances.	
17	Foreword	26	<p>This plan, developed in consultation with local people and ultimately voted on by them, is our attempt to address these issues alongside the National Planning Policy Framework, the Cheltenham Gloucester &amp; Tewkesbury Joint Core Strategy and the Cheltenham Plan. It provides another important tool for decision-makers at all levels that allows local people's voice to be heard on the decisions that affect them.</p> <p>How does this differ from the Cheltenham Plan? Why waste extra resource? This feels like another excuse for wannabe politicians to sit in echo chambers of their self creation and bask in the glory of promoting their agenda for the next 8 years without delivering anything meaningful.</p>	Noted. The NDP identifies specific local priorities for investment or for delivery as new development comes forward or through CBC and GCC programmes. This is a valid purpose for a NDP.
18	P1 3	34	Can we swap the term 'climate change' to 'climate emergency' to reflect the same language (and sense of urgency) used by Cheltenham Borough Council.	Climate Change is a process and Climate Emergency is a declared position or action. Use of terms has been reviewed to ensure the most appropriate is used in each case.
19	6/1	32	<i>Leckhampton with Warden Hill Parish Council as the Qualifying Body.</i> Incorrect, the name was unchanged, but responsibilities were changed in 2018. As the responsibilities changed so should the approval.	Cheltenham Borough Council approved the designation of the current Neighbourhood Area and this continues to be recognised with the Parish Council as the Qualifying Body.
20	6/2	32	<p><i>committed to consult the whole Parish on the emerging Neighbourhood Plan and will recommend to the Examiner of the plan that the whole Parish be allowed to vote in the referendum at the end of the process:</i></p> <p>1. The plan has never been delivered, as a whole document, to the public for comment.</p> <p>What happens if the examiner rejects the proposal.</p>	The Neighbourhood Planning (General) Regulations 2012 make provisions for examination of the Neighbourhood Plan.

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21	Para 7	26	<p>Importantly, Neighbourhood Plans should not promote less development than set out in the strategic policies for the area or undermine those strategic policies.</p> <p>There are certain elements where the NP seeks to impose requirements on developments relating to grocery and retail outlets would appear to potentially be in conflict with the requirement to build homes to limit the significant shortfall in residential properties in Cheltenham.</p>	<p>Policy LWH1 is subject to the word 'normally' which provides opportunity for impacts on viability to be taken into account in the planning balance. The requirement would be considered alongside other requirements made of housing developers to provide infrastructure and which are not considered to conflict with housing requirements.</p>
22	Para 8	26	<p>Key elements of this examination will be to confirm the plan: b) justified.</p> <p>It is not clear how the plan is justified in providing anything over and above the current local plans except to the extent that it will allow locals to potentially block many aspects of potential development.</p> <p>Key elements of this examination will be to confirm the plan: c) effective</p> <p>I am struggling to see how the plan can be judged to be effective as it lacks any clear or obvious guide or plan on how many of the elements contained will realistically be implemented</p>	<p>LWH1 protects identified local community facilities and local shops which should be declared F2 uses.  LWH2 identifies specific local priorities for improved walking and cycling links which can be facilitated through new development and other investment.  LWH3 provides a framework for management of the Local Green Space  LWH4 identifies a framework/network for considering Green Infrastructure protection and enhancement which is locally specific and relevant to implementation of Biodiversity Net Gain improvements from strategic developments.  LWH5 seeks to ensure that new development works with other policies to deliver on principles for the protection and enhancement of the Valued Landscape  LWH6 identifies new local non-designated heritage assets  LWH7 highlights specific issues relating to flood risk in the area.</p>
23	10/13	32	<p><i>It makes sense!</i> To whom</p>	<p>Neighbourhood Plans can set their own time periods but it makes sense in terms of effective local policy frameworks to seek to align the Neighbourhood Plan period with adopted local plans where these have recently been put in place.</p>

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24	11/14	32	<i>Only small parts, the Church, Leckhampton Court and Daisy Bank Road. If this area is included approval is needed from the planning authority which covers the Cotswold National landscape. The intent form this para is to extend the Cotswold National Park into Leckhampton.</i>	<p>This is incorrect. Neighbourhood Plans are allowed to address non-strategic planning policy matters. Designation of Areas of Outstanding Natural Beauty is a strategic matter for central Government.</p> <p>Neighbourhood Plans are required to be screened as to whether their contents would generate potentially significant environmental effects. This has been carried out and has been determined that the Draft Neighbourhood Plan should not lead to such effects.</p>
25	11/17	32	<i>The Written Request for the Screening Opinions from Cheltenham Borough Council (and its response) is included in <b>Appendix 1</b>. Appendix not available for examination.</i>	<p>The appendices and annexes were available to view via the consultation website provided by Cheltenham BC, at <a href="https://haveyoursay.cheltenham.gov.uk/parish/lwwh-neighbourhoodplan/">https://haveyoursay.cheltenham.gov.uk/parish/lwwh-neighbourhoodplan/</a></p>
26	P15 Point 26	34	Add Entrance to Burrows Fields	Added to second bullet (assuming this is what was meant)
27	15/27	32	<i>The Consultation Report included at Annex 1 Annexes not available for examination.</i>	<p>The appendices and annexes were available to view via the consultation website provided by Cheltenham BC, at <a href="https://haveyoursay.cheltenham.gov.uk/parish/lwwh-neighbourhoodplan/">https://haveyoursay.cheltenham.gov.uk/parish/lwwh-neighbourhoodplan/</a></p> <p>The Screening Opinion on requirements for Strategic Environmental Assessment was published after the start of consultation and this was available on the Cheltenham Borough Council website soon after.</p>
28	15/27	26	<p>A total of 280 response to the original plan were received and a grand Total of 50 people turned up to two consultation events.</p> <p>This suggests the actual number of people really engaging or feeling the need for this plan is actually very low.</p>	Noted.

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29	17/37	32	<i>The approximate Neighbourhood Plan area was home to 4,610. Lower than the 5500 expected by the legislation.</i>	There is no population expected minimum threshold set down in legislation for the population of Neighbourhood Areas.
30	18/50	32	Working at home not considered and its supporting infrastructure. What infrastructure in place to support working from home?	The NDP Working Group has not identified this as a topic for inclusion in the NDP but may consider it for a future NDP.
31	18/51	32	The largest employer in Cheltenham is GCHQ therefore the sustainable transport links are imperative. As employment is solely base outside the NP area sustainable transport links are highly relevant	Noted. Strategic public transport services are outside the scope of the NDP. The parish council is able to engage with public transport providers and GCC on bus routes, stops and bus shelters, outside the NDP.
32	19/53	32	<i>The issues raised by the local community in response to surveys and consultation go wider than the remit of a Neighbourhood Plan, Thus the Cheltenham Plan should be amended</i>	Noted.
33	Para 56 (should be Para 55)	26	'A key task for the Neighbourhood Plan is to identify how a clear set of principles that would manage and enhance the Local Green Space will be developed'. This again feels like it is an opportunity to indulge a few people in their hobbies and personal agendas.	Noted. Given local people campaigned for the designation of Local Green Space, which is a complex site with multiple roles and subject to adjacent development influences, it is right that the Neighbourhood Plan and follow on management principles and plan provide a framework for its management and enhancement.
34	Page 19. 56	27	Allotments. Where would additional allotments be sited? There was discussion that Miller Homes would create these.	Noted. No sites have been identified in the NDP. With reference to LWH4, provision would be sought from new development when planning applications are made.
35	Page 19/20..58	27	Trees on new developments. Offering advice is not enough. Planting trees and trees should be mandatory on all new sites and part of the planning process. Planning protection for established trees/hedges on boundaries of developments and their enforcement. New developments in Kidnappers Lane and MD4.	Noted. New developments generally are supported with approved landscaping schemes. The NDP policies LWH3, LWH4 and LWH5 can all be brought to bear to require consideration of local green space, local green infrastructure and valued landscape in the provision and management of new landscaping to complement these resources.

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				<p>Where development is not being undertaken, advice and guidance will be needed to encourage landowners/residents to plant trees.</p> <p>Emerging requirements of the Biodiversity Net Gain from new development will also assist in meeting climate change objectives.</p>
36	Page 20. 60	27	<p>Shurdington Road, Farm Lane &amp; Woodlands Road. Road resurfaced, cycle path and pedestrian traffic lights installed. Makes it safer to walk and cycle now and get across to the school and shops in Warden Hill. However will this be ripped up to accommodate a roundabout for the 360 home development? If so what a waste of tax payers money. And dangerous for pedestrians and cyclists.</p>	<p>Noted. The matters raised, related to the maintenance practices of statutory undertakers, are outside the scope of the NDP.</p>
37	P19 Point 57	34	<p>Change 'Climate change, global warming and changes to weather patterns in the UK' to 'The Climate Emergency'.</p> <p>Not just extreme heat, but also snow and prolonged periods of ice as in December 2022. We need to get better at handling extreme temperatures rather than solely preparing for heat.</p>	<p>Climate Change is a process and Climate Emergency is a declared position or action. Use of terms will be reviewed to ensure the most appropriate is used in each case</p> <p>Added reference to other 'extremes'</p>
38	Para 58	26	<p>The Parish Council could play a role in offering advice on which types of trees are best for the garden, trees requiring low maintenance of the right size and with a low risk of causing subsidence.</p> <p>Isn't that what the expert Tree Officers at CBC already do. Another example of where the PC seemingly feels the need to play a role when there are much better qualified experts employed by the Brough Council to provide that advice.</p> <p>The Council aims to add to its website descriptions of local walks to encourage more people to walk in the countryside. Not really something that isn't already easily done.</p>	<p>Noted. The NDP Working Group believes that local government works best when all its branches are working together.</p> <p>Increasing public awareness of available local recreational resources is part and parcel of what a Parish Council does. It can do this through the Neighbourhood Plan and through its work with the Cotswold Wardens, GCC, and in sponsoring tree planting.</p>

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			Feels like the PC is clutching at straws here. Is this the extent of the ambition?	
39	Para 61	26	The plan does not seem to address the issue of speed monitoring and specific details on how the Parish plans to utilise data using public funded equipment to effect a change that will make a significant change to improve the road safety in the Parish. There is a lot of data collection, but based on the minutes of the PC meeting over the last number of years there appears to be a lot of bluster about speeding and impact on road safety, but a distinct lack of discussion of the data, engagement with CBC about how the Parish actually intends to implement measure to improve general road safety in the Parish. A clear plan of how the Parish will seek to influence and support improvements to road safety particularly in areas where they repeatedly indicate that there are problems and speed cameras are deployed on a regular basis or where recommendations have been made as to how the PC could potentially request changes to Highways that are seemingly then ignored.	These matters are outside the scope of the NDP. Highways management is a Gloucestershire County Council (GCC) function and decisions on new development proposals are taken by Cheltenham Borough Council (CBC) with advice from GCC – these are a strategic matter beyond the scope of the Neighbourhood Development Plan (NDP). Leckhampton with Warden Hill Parish Council (the Parish Council) is able to use its information to discuss matters of local concern and if necessary promote revised traffic management arrangements through Traffic Regulation Orders outside of the NDP.
40	21/65	32	<i>outside the Neighbourhood Plan Area.</i> This Plan is about the area in the plan.	Noted. The NDP does not contain policies which would apply to areas outside the Neighbourhood Area. In an urban context, the presence of services serving the Neighbourhood Area but located outside at least must be acknowledged.
	Para 68	26	Point 68. ...All of this could lead to changing requirements for the design of homes to provide space for home working. It could support the development of neighbourhood shared-serviced employment spaces. Existing local businesses may need to develop to maintain their competitive [sic].  This is statement of fact, but there is nothing in the plan that goes anyway to does nothing to indicate how it will help address this issue or ‘help existing local businesses to maintain their competitive(ness).	Para 68 does refer to this issue among others to acknowledge points raised by the previous consultation.  Consultations can raise many matters and the NDP Working Group has the responsibility to identify its priorities tailored to the available community resources to deliver the NDP. In this instance, the NDP Working Group has not identified this as a topic for inclusion in the NDP but may consider it for a future NDP.
41	22/71	32	<b>Maintenance of the Local Area:</b> The context here is wrong “maintain the look and feel” is different from delivering service. Few services are devolved to the PC most are CBC or GCC.	Noted. The paragraph reports issues raised in the previous Reg 14 Consultation and so it represents the issues raised by local people.

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	73/ 79 - 80	32	These objectives are nebulous and contradicted by opening comments where the plan wants to retain the look and feel. The objectives are a repeat of the NPPF and local plan Strategies. Which are only true if you state what you want. Objective 3 is massive! It would be easier to quote Maslow.	<p>Disagree that there is a contradiction in the Vision as it seeks a <u>better</u> look and feel to the area.</p> <p>The objectives are given some meaning in the policies where it is stated what is wanted.</p> <p>LWH Objective 3 is a central Local Green Space Resource which is bordered by two brooks and forms a central setting for the Valued Landscape. It will be an important resource for existing and new residents. As such it does provide opportunities to meet the objectives referred through appropriate management and enhancement.</p>
42	Vision	1	Whilst the above sounds ideal, due to the amount of homes you are building I do not see how you can say valued landscapes will remain the same and the area will be greener. This is of great concern.	The NDP does not proposed the development of any new homes. These are promoted in the Joint Core Strategy, the Cheltenham Plan and in planning applications from developers.
43	Vision	2	No new building plans should be built at a higher ground level than that which exists now. This would protect the “blotting paper” effect of the ground and reduce the possibility of future flooding	<p>Flood Risk considerations in new development are a strategic policy consideration. Policy INF2: Flood Risk Management of the Cheltenham, Tewkesbury and Gloucester Joint Core Strategy (JCS) provides the planning policy framework for the consideration of flood risk in new development.</p> <p>Appropriate Finished Floor Levels will be determined through planning applications in association with flood risk assessments where required and drainage plans.</p> <p>Policy LWH7 of the NDP addresses specific issues relating to run-off from Leckhampton Hill.</p>
44	Vision	4	The rural feel to the area needs preserving	Noted. LWH3, LWH4 and LWH5 address this point.
45	Vision	5	Enhanced wildlife, a greener environment and better flood defences don’t sound readily compatible with more housing.....	The NDP is trying to ensure that strategic and other developments are designed in ways that contribute to local community objectives to promote green

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				infrastructure as set out in LWH4. LWH7 is highlighting locally-specific conditions that new development should have regard to.
46	Vision	6	Nice vision, but already developments are making a nonsense of this. Tewkesbury Council have already messed up Leckhampton both in terms of traffic and in trms of the view from the hill	Noted.
47	Vision	8	The primary requirement is to protect the green space and its biodiversity. Any change in the housing stock, either replacement of old or new build must be eco efficient and be mindful of the impact of transportation.	Noted.
48	Vision	9	An aspiration to widen the range of retail available in the area would be a useful addition.	Policy LWH1 seeks to address protection of local retail provision where possible.
49	Vision	10	I like the concept but how will this be facilitated- ie more cycle lanes and cycle racks, better local facilities, much clearer understanding of local car use, stronger management of on-road parking issues, electric charging points which are accessible, consideration of introducing more one way systems, increased funding for local bus routes, etc.	There are only three mechanisms with the first to secure commitments from developers to provide the infrastructure or funding towards it. The second if the the Parish Council to use Community Infrastructure Levy (CIL) to provide what it can. The third is to use the specific proposals and NDP evidence/policies to influence other public funding and investment programmes.
50	Vision	11	There are no local shops or community facilities within walking distance from Brizen Park - residents have to drive to even the closest shop.	LWH1 and Figures 4-6 illustrate and address this problem.
51	Vision	13	Brizen Park is lacking a convenience/grocery store within a reasonable walking distance. Therefore everyone drives to Morrisons, the Co-op on Leckhampton Road or the Co-op in Warden Hill.  If the proposed Miller Homes development goes ahead, a convenience/grocery store must be part of the plan.	LWH1 and Figures 4-6 illustrate and address this problem.
52	Vision	14	Your view on the environment shows you are out of touch with current realities. 1) You have build a school on green land, the result of this will be irreparable damage to the local environment. If you valued it you wouldn't damage it. 2) When you have finished damaging it, where will the Lesser and Common Whitethroat's breed and the passing migrants that once re-fueled in that area go. Your actions only lead to a further loss to our heritage. There	The Parish Council has not permitted or built the school or any other development as it is not the Local Planning Authority.



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			is nothing good here for our grand children. Yes, and the pollution, all for Warden Hill and Cheltenham on the Westerlies.	
53	Vision	15	Visions looks comprehensive	Noted.
54	Vision	17	Cycling and walking needs to be a priority. Road speed needs to be reduced considerably.  Green spaces need to be maintained.	See LWH Objective 4 and Policy LWH2
55	Vision	19	Leckhampton is fortunate in having history, attractive buildings and quality landscape. It is vital that these are maintained and not swamped by large-scale, anonymous housing developments.	The NDP is not able to comment on strategic housing site allocations or stop speculative housing applications. But the vision and objectives seek to protect and enhance the key attributes of the area where it can.  LWH6 provides a policy framework for protection of non-designated heritage assets and LWH5 provides a framework for a wider consideration of this.
56	Vision	20	Excellent addition of improved cycling and footpath links.	Noted.
57	Vision	21	Sounds great but is it realistic to be greener and more protected from flood risk, yet also have more homes and work places?	Decisions on whether new development sites can be allocated and new proposal sites can be consented are the responsibility of Cheltenham Borough Council and the Joint Core Strategy. The NDP works within this strategic framework.
58	Vision	22	The need for sustainable development and transport is prominent; this is a good thing. Protection of green spaces is an essential part of wellbeing and overall health of the community.	Noted.
59	Vision	23	The retention of green spaces, wherever possible with views, must continue to be a core part of the vision. This contributes to outside recreation as well as health and wellbeing.  Green spaces can also contribute to walking or cycling routes to counter use of the car for local journeys, for example to local shops.	Noted.
60	Vision	25	I suggest that the vision should encompass maintaining and promoting the tranquility of that area remaining outside of already-agreed development.	Added reference to Vision and LWH3

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61	Vision	27	<p>Page 8, 6f. In view of this governments plan to rip up thousands of EU regulations will this this endanger the protection afforded by the EU? If so how will it affect the Neighbourhood Plan? Will developers be jumping for joy? Is the Neighbourhood Plan in danger of being compromised?</p> <p>Page 14. SEA. I fail to understand why this important assessment was turned down.</p>	<p>The para references current legislative provisions which may be subject to change.</p> <p>Strategic Environmental Assessment/Habitats Regulations Assessment (SEA/HRA) was not required because the NDP will not create potentially significant environment effects on sensitive sites or on the environment more generally.</p>
62	Vision	28	<p>This vision should not allow further housebuilding or other building. The dumping of a large secondary school on the area by the county council was carried out without proper consultation and is in my opinion a disaster. Kidnappers' Lane and environs are being urbanised.</p>	<p>Noted. The comment requires action that would be beyond the scope for the NDP.</p>
63	Vision	29	<p>Public transport and transit orientated development should also be core parts of vision</p>	<p>The NDP Working Group has not identified this as a topic for inclusion in the NDP but may consider it for a future NDP.</p>
64	Vision	30	<p>It covers all the most important issues. It sounds convincing.</p>	<p>Noted.</p>
65	Objectives	4	<p>Ensure local green spaces</p>	<p>Noted.</p>
66	Objectives	5	<p>I still can't see where there is room for any new housing without increasing traffic congestion and compromising flood defences.</p>	<p>Noted.</p>
67	Objectives	6	<p>I'm too old and cynical to believe any of the Objectives will actually happen. Nice ideas, though</p>	<p>Noted.</p>
68	Objectives	8	<p>The housing mix must reflect the character of the area but also recognise that all social groups can afford to live and work in the area. This will need to include social housing as well as private.</p>	<p>The NDP Working Group has not identified this as a topic for inclusion in the NDP but may consider it for a future NDP.</p>
69	Objectives	9	<p>For many people, walking or cycling is not an option. Bus links need to be strengthened. What about a route allowing travel daily Morrisons - Warden Hill - Leckhampton - Charlton Kings?</p> <p>And housing... nearly all new housing should be 'affordable', without the option for developers to change their plans post approval to reduce the %age of affordable.</p>	<p>Encouragement of the provision of local bus services added to LWH Objective 4. Paragraph added to the key challenges section at Para 69</p> <p>The NDP is not able to influence the proportion of affordable housing to be included within development sites.</p>
70	Objectives	10	<p>I'm not clear how you are defining Objective 1? Clearly we all aspire to a 'good quality of life' but this is subjective, and has many dependencies. For some people this may well link to achieving objectives 2-5.</p>	<p>The objective of promoting a good quality of life in Objective 1 is given meaning by objectives 2 to 5 in the context of the Neighbourhood Plan. This is not to say</p>

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				that these are the only measures on which a good quality of life is based, but it is those being addressed by this Neighbourhood Plan.
71	Objectives	11	I've been campaigning for better road safety especially on church lane at CMS Auction site where the building forces people to practically walk in the road since moving my family here 3 years ago - cars still speed at 50mph there - nothings ever been done about it. I've also been campaigning for a shop at Brizen Park - again totally ignored - forcing more people in cars doesn't improve quality of life.	<p>Noted.</p> <p>Speeding - Highways management is a Gloucestershire County Council (GCC) function and decisions on new development proposals are taken by Cheltenham Borough Council (CBC) with advice from GCC – these are a strategic matter beyond the scope of the Neighbourhood Development Plan (NDP). Leckhampton with Warden Hill Parish Council (the Parish Council) is able to promote revised traffic management arrangements through Traffic Regulation Orders outside of the NDP.</p> <p>Shop - LWH1 and Figures 4-6 illustrate and address this problem.</p>
72	Objectives	12	People will still need to use their cars and once again we see Lib Dems demonising them. The one cycle route you propose running along the edge of Bourneside field was first proposed 40-50 years ago and was rejected over residents concerns with the Police referring to the idea as a "corridor of crime".	The NDP seeks to provide opportunities and choice for local people so that, if they want to leave their cars at home, they can do so. Also, there is a sizeable part of the community that does not drive and so better walking and cycling links are important for their daily needs eg school children.
73	Objectives	14	You must have spent a lot of time of this. Hear, better quality of life is all about how much money you have. Affordability, all the new houses that have been built are way beyond a young persons pocket, it's an insult. You need to change your politics.	<p>Noted. The NDP Working Group has not identified this as a topic for inclusion in the NDP but may consider it for a future NDP.</p> <p>More broadly, the NDP does recognise the importance of maintaining a balanced community and how this is in danger of breaking down because of high house prices and the availability of housing to meet local</p>

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				<p>needs. However, it is also recognised that the Neighbourhood Area and those immediately adjacent have been subject to significant plan allocations and planning consents for new housing which include affordable housing provision at 40 per cent of the total.</p>
74	Objectives	15	<p>Objective 2 needs to include climate change aspects, e.g solar panels, EV chargers.</p> <p>It would be helpful if the Objectives and Policies tied together. Where are Policies LWH 6 and LWH 7 reflected in the objectives?</p> <p>It is not clear (i.e. I don't know) if Objective 2 is covered in any of the policies, even though this objective is key. I would have liked to see some specifics in the what new housing should look like.</p>	<p><b>Have added new para 66 to recognise the importance of providing buildings with high environmental standards</b></p> <p>In relation to sustainable buildings, larger developments are expected to provide EV charging points on residential properties and this has been the case in relation to strategic housing allocation sites in the parish. Part S Building Regulations introduced in June 2022 now require all new buildings to install EV chargers.</p> <p>On existing properties, subject to conditions/thresholds, the installation of wall mounted EV chargers is permitted development under national permitted development rights.</p> <p>Free standing EV chargers are also permitted development subject to limits. See Schedule 2, Part 2, Class D and E of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).</p> <p>With regard to Objective 2, the NDP Working Group has not identified policies for inclusion in the NDP but may consider it for a future NDP.</p>

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				With regard to LWH6 and LWH7, it is agreed that they do not connect directly to an objective, but this is not required and every case.
75	Objectives	17	<p>New developments should not be allowed to go ahead if there are gas boilers.</p> <p>Green spaces and fields must be maintained so that Leckhampton does not turn i to suburbia.</p>	<p>Have added new para 66 to recognise the importance of providing buildings with high environmental standards</p> <p>This requirement will be addressed through changes to building regulations.</p> <p>LWH3 seeks to provide a strong approach to managing the future of the Local Green Space and LWH4 seeks to protect and enhance the roles and functions of key green infrastructure sites.</p>
76	Objectives	19	Travel and transport: it is vital that traffic in Leckhampton be kept under control; the roads are already overly congested.	Noted. This is the responsibility of GCC.
77	Objectives	20	<p>Housing - Would benefit greatly from the addition of wording to encourage developments of buildings which conform to passive house standards.</p> <p>Travel - would benefit from a reordering ' promote alternatives to the use of private cars by providing safe walking and cycle routes' should be the primary sim with the secondary benefit of 'reducing congestion' following.</p> <p>5. Once the plan has been set, if development falls within it, local people's involvement outside of council members should not be to the detriment of agile and efficient governance.</p>	<p>Noted.</p> <p>Housing – New building regulations will provide a framework for energy efficiency in new housing.</p> <p>Travel – The current ordering reflects community concern over the need to reduce and protect against further traffic congestion resulting from new developments.</p>
78	Objectives	23	Good quality of Life is an admirable objective - however, it may mean different things to different people so a definition in the Neighbourhood Plan would allow more considered assessment of this objective.	The objective of promoting a good quality of life in Objective 1 is given meaning by objectives 2 to 5 in the context of the Neighbourhood Plan. This is not to say that these are the only measures on which a good quality of life is based, but it is those being addressed by this Neighbourhood Plan.

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79	Objectives	25	<p>Objective 2 is key and it is not clear if it is covered comprehensively in any of the Policies. As it stands Obj. 2 is a generalised starting point to which much detail and specifics will need to be added if it is to become a benchmark.</p> <p>Objective 3 needs to incorporate concepts of tranquility (supporting mental health).</p>	<p>Regarding LWH Objective 2, the NDP Working Group has not identified this as a topic for inclusion in the NDP but may consider it for a future NDP.</p> <p>More broadly, the NDP does recognise the importance of maintaining a balanced community and how this is in danger of breaking down because of high house prices and the availability of housing to meet local needs. However, it is also recognised that the Neighbourhood Area and those immediately adjacent have been subject to significant plan allocations and planning consents for new housing which include affordable housing provision at 40 per cent of the total.</p> <p>Regarding LWH Objective 3, 'tranquillity' is implicit in the reference to the valued landscape. Reference to tranquillity is contained at R17 in Table 3.</p>
80	Objectives	26	<p>The objectives while highlighted in yellow ought to be more prominent in the document, i.e. at the front. A reader has to wade 23 pages of information before actually reaching the point where the objectives of the plan are laid out.</p> <p>While they are admirable objectives, I am particularly concerned the the reason for Objective LWH2 is to provide a mandate for those on the PC that have an anti-planning/development agenda to seek to block all development and/or exert overly onerous demands on potential development to the extent that it doesn't happen. This would align with the findings of a survey conducted in 2015 to inform the nascent NDP that indicated 'housing and over development' to be a key concern. It would be difficult to find a clear case of Nimbyism if one smacked you in the face.</p>	<p><b>The front sections of the Draft Plan have been rationalised to shorten the document and reduce process matters.</b></p> <p>Regarding LWH Objective 2, the NDP Working Group has not identified policies for inclusion in the NDP but may consider it for a future NDP. Normally, such policies would consider objective information on housing affordability, population structure, household size and housing needs to support policies on housing tenure, mix and type. This may be addressed in a future NDP.</p>
81	Objectives	28	Resisting building work and road work is key.	Noted. Matters raised are outside the scope of the NDP.

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82	Objectives	29	Should be looking at creating transit orientated development on housing that removes need for cars rather than further entrenching car dependency.	Noted. Agreed, but NDP is not allocating sites for development. Determination of applications is beyond the scope of the NDP.
83	Objectives	31	More public consultation is required. I recognise the difficulty with getting people to engage with the planning system.	Noted. The NDP Consultation Report details the consultation activities supporting the preparation of the NDP.
84	P24 Point 83	34	Line 4 typo 'loess' s/b 'less'  There is no mention of the wider Shopping Centre on Salisbury Avenue which contains, a café, hair salons, a charity shop and two vacant units which we hope will soon be occupied. Support for this is vital as rundown shopping areas with vacant units can attract anti-social behaviour and adversely affect the general ambience of the area.	<b>Typo corrected.</b>  Salisbury Avenue Shopping Centre is described at Para 88 and shown on Figure 3.
85	24/84	32	800m? The distances are not consistent throughout the document and the transport authority's walking distance is 500m, what about alternative transport how far on a bike, sustainable transport how far on a bus? What is acceptable to the residents? The plan should be what the residents accept!	Noted. Two distances are referred to and are explained. National Government Permitted Development Rights set a threshold distance of 1,000m from one grocery shop to the next. Subject to this and other criteria if shops are at least this far apart, then they can be considered F2 community uses and protected from the Class E changes of use.  Para 104 refers to the 500m distance but this cannot be used based on current policies and permitted development rights order.  800m is commonly used as a threshold considered suitable maximum walking distance and as a yardstick for walkable neighbourhoods. This is explained.  It makes sense to base NDP policy on accepted threshold distances.

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86	Para 92	26	<p>The intention is to measure what existing local grocery shopping facilities are available to support a walkable neighbourhood, to understand the effects if they were to be lost, and to identify areas within the plan area which lack provision. Because the focus is on shopping for grocery essentials on foot, other types of shop, or cafés, pubs and restaurants are not shown on the map.</p> <p>To what end or benefit? None obvious to my eyes. The NP and those promoting it have no power or authority to effect change in a meaningful way. A pointless exercise that has in effect been done already.</p>	National Government Permitted Development Rights set a threshold distance of 1,000m from one grocery shop to the next. Subject to this and other criteria if shops are at least this far apart, then they can be considered F2 community uses and protected from the Class E changes of use. It would be possible to protect these shops from change of use without planning permission. The NDP provides the evidence to support this.
87	26/94	32	Because if its location on the corner of the transport network coupled with its parking and accident history. This plan should encourage relocation of the Leckhampton Co-op. As agreed by the PC and the transport authority.	Noted. The NDP Working Group already refers to this in terms of the need to retain local retail presence in this part of the Neighbourhood Area.
88	P26 Point 95	34	Should Salisbury Avenue Co-Op also feature here?	Added reference to para 95
89	Para 105	26	<p>Point 105. To meet future objectives for more sustainable, walkable neighbourhoods with opportunities to minimise car use, then some grocery retail provision amongst all the new residential development still to come forward in this area should be secured.</p> <p>How does the PC intend to enforce this or ensure that this will be done. How big does a residential development need to be - more than one house and you have to build a shop?</p> <p>Nice, but how? Not obvious how this has any value in the plan other than to ensure the PC does not object to any planning application relating to the provision of a local grocery/retail store.</p>	Noted. Policy LWH1 sets a 1 hectare site area threshold for consideration of the provision of a grocery shop if it is not within 800m of existing or future committed provision.
90	29/105	32	<b>Must Be</b> secured!	Changed wording from should to must
91	30/116	32	Simply repeat the NPPF in all factors.	Noted.
92	Para 117	26	Point 117. Some parts of the Neighbourhood Area, furthest away from available facilities, are subject to significant development pressures. New	Noted. Policy LWH1 sets a 1 hectare site area threshold for consideration of the provision of a grocery shop if



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			developments should contain local grocery retail provision on site to support objectives to promote sustainable, walkable neighbourhoods.  Same comment as for point 105	it is not within 800m of existing or future committed provision.
93	Para 119	26	It would be sensible to guard against the sudden loss of facilities in the Leckhampton Village area by seeking to safeguard existing provision where loss would result in the next nearest alternative being over 1,000m away....Any application that would seek to redevelop this site and change use from a grocery shop should seek alternative provision to maintain local provision.  Again while this his admirable, it is completely unrealistic to think that the PC can implement this. The reason local shops close is because they are not viable. How does the PC think that it can change that? I suspect it can't. They need to wake up to the fact that society has changed for the population they supposedly represent rather than harking back to the halcyon days of their earlier years when a local shop on every corner was the norm and the large supermarkets of the current day did not exist.	National Government has provided a means to protect land and buildings from permitted development rights based changes use from Class E Commercial Premises to Class MA Housing – which means that a planning application would be required through which the need for local retail provision can be considered and determined.  The NDP provides supporting information to identify shops which meet the criteria for this protection through a reclassification of their use class to F2.  National policies have weakened the protection of existing commercial premises but this one area recognises where there may be some benefit in preserving local shops as community facilities. The NDP seeks to support that potential.
94	30/119	32	<a href="#">alerts development managers at Cheltenham Borough Council. At the meeting of the Parish Council on Thursday 3rd February 2022 the PC stated its policy is not to alert the Planners to shortcomings in infrastructure in their statutory responses to planning applications.</a> This was subject to a PC Council vote and is in the minutes. So, is this a change of policy?	Policy LWH1 draws attention to the status of shops within the Neighbourhood Area, as they are, to ensure that the correct use class is applied to them should change of use be sought.
95	P30 Point 119	34	Ditto loss of Salisbury Avenue Co-Op	Added recognition of the local importance of the Salisbury Avenue Co-op to para 112. Added ref to desire to retain this store in para 119
96	LWH1	6	So what happened to the shop on the corner of Church Rd - Gone. And the old Robert Young shop at the pissoire roundabout? Gone	Noted. This is why the NDP is addressing the issue through LWH1. Also, it is outside the parish.

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97	LWH1	8	Local shops, such as the Co-op on the corner of Church rd provide an essential service for the local community. It's character is to provide a range of items for everyday requirements rather than a mega weekly shop. Its car park is sufficient for such a facility and should not be increased as this will encourage car users to go the Bath Rd where there is more suitable parking. The Church rd store is ideal for people to walk to for tops ups of shopping.	Noted. There is a wider concern about the lack of parking availability, access and operational constraints regarding the current site, which it has been recognised requires attention. This wider concern has been reflected in the approach taken in the NDP.
98	LWH1	9	where new retail premises are included in a plan, the business which will occupy it should be identified prior to approval to prevent it being left vacant after construction until converted to another use.	Noted. The NDP does not identify new retail premises. On the substance of the comment, if a shop was consented to establish a commercial use and then it did not ever operate, then the consented use would not be established and the previous use would apply, so this mechanism cannot be used as a backdoor means to establish housing. Also, within the permitted development rights order, there are rules preventing this through the application of time periods within which certain uses need to have be in operation.
99	LWH1	11	You don't stop building new homes for families because there isn't a shop - that is backwards thinking - you build new homes and new shops at the same time.	Noted. At present, within the Neighbourhood Area, new developments are being consented without shopping provision – they are housing only. The NDP is seeking the incorporation of retail provision into larger developments if there is not alternative provision within 800m which addresses this point.
100	LWH1	12	We value our local shops but note that the County Council want to increase the parking restrictions even further which will adversely affect trade.	Noted. GCC parking policy is outside the scope of the NDP.
101	LWH1	14	Again the green places take a thumping. You are always talking about building stuff and the you talk about mental health. You can't see the wood for the trees, which of cause will be cut down.	Noted. The NDP is a development plan and as a result is concerned with matters related to development.
102	LWH1	15	Is 800m each way realistic for access on foot, bearing in mind the neighbourhood's aging population? Para 64 suggests the population is getting even older. The policy then refers to "another shop within 1000m", which is probably unrealistic if we are to limit car journeys. Despite being	Noted. The NDP has no control over the 1,000m threshold distance between local shops as this is set by Government.

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			good in theory, I feel 800m and 1000m are wishful thinking rather than practical distances and I fear people will resort to their cars.	Most highway departments consider 800m the maximum distance for a walkable access to daily services, and this is also the case for walkable neighbourhoods.
103	LWH1	17	It would be nice if there are local shops not huge supermarkets	Noted.
104	LWH1	18	I would like to make comment on shopping facilities in the heart of Leckhampton. I think it is very important that we do not lose the old Suzuki site to more housing. It needs to stay as business premises as we have lost many over the years. There is a strong case for the Co-op to move to this site as it is now too small in it's current location to serve the growing community and the parking issue there is becoming more of a problem. We also need more facilities such as a coffee shop, takeaway, restaurant which could be located in the current Co-op building. This is needed as the Bath Road is over a mile away from the heart of Leckhampton and is now so busy in coffee shops some need to be booked 2 weeks in advance!	Noted. Whilst the NDP Working Group has not identified sites for development of commercial uses, it has recognised (at para 119) that if the Leckhampton Co-op were to move from the current site it would need to be replaced within this local area to maintain local grocery shopping provision.
105	LWH1	25	I agree with the concept of Policy 1 but question if 800m is a realistic distance for frequent access on foot, bearing in mind the neighbourhood's aging population - which Para 64 suggests is getting even older. Distance of 1000m is problematic - journeys of this length will be made in extremis but not frequently. The idea of local store provision is a good one but convenience is paramount, and the benchmark distance should be much less than 800m.	Noted. The NDP is working with the 1,000m distance between local shops set by Government.  Most highway departments consider 800m the maximum distance for a walkable access to daily services, and this is also the case for walkable neighbourhoods.
106	LWH1	26	While it is admirable, the PC has no power to ensure this is even possible. the PC needs to wake up to reality that the world is changing and that local shops are in the large part not sustainable. If these close down t is for a reason. To try and enforce new facillities to be build in a development is ridiculous.  Point 7 Importantly, Neighbourhood Plans should not promote less development than set out in the strategic policies for the area or undermine those strategic policies.	Noted. National Government has provided a means to protect land and buildings from permitted development rights based changes use from Class E Commercial Premises to Class MA Housing – which means that a planning application would be required through which the need for local retail provision can be considered and determined.

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			<p>There are certain elements where the NP seeks to impose requirements on developments relating to grocery and retail outlets would appear to potentially be in conflict with the requirement to build homes to limit the significant shortfall in residential properties in Cheltenham.</p> <p>Policy LWH1</p> <p>New residential development within the Neighbourhood Area on sites larger than 1 hectare should not normally be permitted unless suitable local grocery shop provision exists or will be provided within 800 metres of the whole of the development.</p> <p>This is unbelievable vague and appears to be just another excuse for the PC to object to residential development within the Parish whilst cheltenham cannot demonstrate adequate housing supply for the next 5 year. How many properties</p>	<p>The NDP provides supporting information to identify shops which meet the criteria for this protection through a reclassification of their use class to F2.</p> <p>National policies have weakened the protection of existing commercial premises but this one area recognises where there may be some benefit in preserving local shops as community facilities. The NDP seeks to support that potential.</p> <p>Policy LWH1 is subject to the word 'normally' which provides opportunity for impacts on viability to be taken into account in the planning balance. The requirement would be considered alongside other requirements made of housing developers to provide infrastructure and which are not considered to conflict with housing requirements.</p>
107	LWH1	29	600m would be a better measure of distance for shops. We should look at creating more community hub areas with more facilities, multiple shops and services. Development should be transit orientated and dense enough to provide enough custom for shops and transport.	<p>Noted. The NDP has no control over the 1,000m distance between local shops as this is set by Government.</p> <p>Most highway departments consider 800m the maximum distance for a walkable access to daily services, and this is also the case for walkable neighbourhoods.</p> <p>With regard to more community hubs, the NDP Working Group has not identified this as a topic for inclusion in the NDP but may consider this in a future NDP</p>
108	P34	34	The upper parts of Warden Hill bordering the Shurdington Road are in close proximity to the new school. There are now improved foot and cycle paths and crossings which facilitate easy walking and cycling to school. It will be important to work with the school to ensure that though outside the priority	Noted.

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			catchment area, children living close by in Warden Hill remain able to obtain places at the school.	
109	35/130	32	The PC has continually stated that it does not want to see footpaths upgraded yet the public are now demanding it for the new school. Further this plan promotes no change and change. If the public are to vote on this <b>Plan</b> it needs to be more prescriptive. It needs to define the difference as recognised by the Transport Authority and define footpath and footway. What paths do the residents want converted and what are they willing to pay for?	Policy LWH2 provides a means of promoting new footpaths and cycle routes to be provided and existing routes to be improved, so that they become an attractive and safe means of active travel leading to a reduction in car users visiting the new school. At the same time, LWH3 provides a mechanism for management of the Local Green Space to ensure that infrastructure provided within the area is appropriate to maintain and enhance its essential characteristics, roles and functions.
110	Para 131	26	<p>Point 131. An additional link is in the process of being recognised – at Leckhampton Hill opposite Undercliff Avenue, for which an order has been made.</p> <p>This is not strictly true as documented in Appendix 3. I understand that there is an objection to the Order and it has been referred to the Secretary of State for review and that there is likely to be a public enquiry, at significant expense to the public purse, that may result in the footpath being extinguished.</p> <p>Furthermore, an Order has recently been made to divert the footpath to a safer location down the hill due to the need to implement a planning permission on the site. Given the PC's strong concerns about road safety, as documented in this Plan, and their own speed data that indicate cars accelerate dangerously up the hill towards the point where walkers need to cross Leckhampton Hill, I am sure the PC will be unanimous in supporting the diversion in the interests of road safety.</p> <p>The PC has seemingly done little to ensure safety on some of the existing footpaths in the Parish - the absence of Neighbourhood Plan should not be a justifiable excuse for not having done so. In particular off-road cyclists</p>	Removed reference to additional link at this time until status is clarified. Reference to site 9 in Appendix 3 amended

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			regularly use footpaths from Daisybank down to the Leckhampton Scout hut generating significant potential risk to pedestrians. Perhaps the PC could focus on some of these issues rather than expending precious resource on this Plan.	
111	P37 Point 136	34	It would be good to explicitly mention connecting Burrows Fields to High School Leckhampton for walking/cycling. The circular walking route around this field already connects to Hall Road and Merlin Way and acts as a kind of 'walking hub'. Also mention Belmont and Bettridge special schools sited on Warden Hill Road. Final line typo 'hosuing' s/b 'housing'	Noted. The third bullet point refers to connection the High School Leckhampton to residential areas to the north (across Burrowas Field) and Figure 10 shows these priorities on a map.  Belmont School is shown on Figure 10.  Reference to Belmont and Bettridge Schools added to first bullet point of para 136.
112	P39 Point 140	34	Part of the policy should be about improving accessibility for walking and cycling for existing routes. Actively removing impediments to routes such as barriers, closed gates, kissing gates, speed bumps. Wheelchair and cargo bike users regularly use existing routes and are continually frustrated by this type of friction.  Could the policy also look at safe and secure locations to lock up cycles near key locations such as shops and services?	This is referred to in policy through reference to Appendix 2 Transport and Travel Plan.  Added reference in policy LWH2 to cycle racks at key destinations.
113	Para 140	26	Significant housing developments  This needs to be defined in terms of size/number of houses otherwise the Plan is likely to be used universally as a tool to block necessary and appropriate developments.	Noted. The Policy LWH2 provides for flexibility based on the term 'where appropriate'.
114	LWH2	6	Oh for heaven's sake! There's a new pavement along Kidnappers Lane, finished a few days ago which will be dug up successively by Gas, Water, Sewage, Electricity and Telecoms companies.  Neighbourhood Plan? The various Councils can't plan ***-all.	Noted. Statutory undertakers have been granted Permitted Development Rights by Central Government to undertake works on the highway. They should provide notification to the relevant authorities (GCC/CBC).

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115	LWH2	7	Cycle path across from Burrows Field to Kidnappers Lane should be a priority in order to allow children to cycle to High School Leckhampton.	Noted. The third bullet point refers to connection the High School Leckhampton to residential areas to the north (across Burrell's Field) and Figure 10 shows these priorities on a map.
116	LWH2	11	There should be a cycle lane on the full length of shurdington lane and church lane / leckhampton lane. It's currently too dangerous to ride cycles on those roads and only a matter of time before someone dies. You're stopping people from having access to that area by making it only accessible by cars.	Noted. Shurdington Road proposals are already planned and being implemented. Leckhampton Lane is outside the Neighbourhood Area (and Parish). Given the narrowness of the road and the residential on-street parking requirement, the Church Road suggestion is not practical.
117	LWH2	12	See my previous answer re the cycle routes.	The NDP seeks to provide opportunities and choice for local people so that, if they want to leave their cars at home, they can do so. Also, there is a sizeable part of the community that does not drive and so better walking and cycling links are important.
118	LWH2	14	You have done enough damage, leave it be.	Noted.
119	LWH2	15	Very good in theory, however, Fig 9 excludes the 377 Redrow dwellings and the new secondary school and so it is out of date (even as at March 2022 when it was "accessed") and does not reflect how busy Farm Lane is now. What are the impacts of the policy on traffic on the A46 in terms of speed, pollution, capacity and queuing? Whether we like it or not, the A46 is very busy and any additional crossings etc. may be seen as a hindrance and may divert even more traffic along Church Road (as is happening now due to the ongoing road works). Although the policy sounds ideal, it needs to fit into the bigger picture of Cheltenham's economy. There needs to be cycle parking at bus stops - as conditioned on Redrow's 377 plans but which are missing!  It would encourage walking and cycling if there were some way to prevent people parking on pavements and yellow lines!	Noted. CBC Cycle Map was "accessed" online again on 23.2.23 and still does not show the Redrow 377 site (which is outside the Neighbourhood Area) or the High School Leckhampton. It remains the most recent available and so is retained.  The reality is that people living in any new development to the east of the A46 will need to cross that road to access services to the west in Warden Hill, as the closest available. No specific proposals are presented in the NDP which need to be assessed for impacts/effects.  Policy LWH2 has been amended to include the provision of cycle racks at key destinations.
120	LWH2	17	This needs to be a priority, I cannot understand why improving walking and cycling has not been improved previously. We need to get people out of their cars mowing down all the pedestrians and driving on pavements	Noted.

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121	LWH2	18	Pedestrian road crossings have been an issue for many years and is not being addressed. We need to stop talking about it and get on with providing them. Urgent ones are Church Road, near the memorial, and Leckhampton Road, towards the hill end, perhaps at the walkway through to Collum End Rise. Volume and speed of traffic is making it ever more dangerous. Also desperately needed are safe cycle lanes, and also to reverse the notion that motor vehicles have priority.	Noted. The Church Road suggested crossing is already shown on the Figure 10 map. There are already two crossings on Leckhampton Road and a third would not be justifiable. The proposed infrastructure on Figure 10 and in policy LWH2 is not exact and is subject to detail consideration on the best position.
122	LWH2	19	These rather idealistic proposals seem far from the current situation where Shurdington Road is already overloaded.	Noted.
123	LWH2	22	Improved walking and cycling routes are essential to allow further housing without overloading our roads, and to tackle the climate emergency and improve health.	Noted.
124	LWH2	25	Do not see the need for lower speed limits - the issue is that drivers do not obey the existing ones. (And they will obey them even less if they are lowered).  Fig. 9 is out of date as it excludes the 377 Redrow dwellings and the new secondary school, and therefore does not reflect how busy Farm Lane has become and the regular conflicts that arise.	Noted. CBC Cycle Map was accessed online again on 23.2.23 and still does not show the Redrow 377 site or the High School Leckhampton. It remains the most recent available and so is retained.
125	LWH2	26	Point 61. The plan does not seem to address the issue of speed monitoring and specific details on how the Parish plans to utilise data using public funded equipment to effect a change that will make a 1significant change to improve the road safety in the Parish. There is a lot of data collection, but based on the minutes of the PC meeting over the last number of years there appears to be a lot of bluster about speeding and impact on road safety, but a distinct lack of of discussion of the data, engagement with CBC about how the Parish actually intends to implement measure to improve general road safety in the Parish. A clear plan of how the Parish will seek to influence and support improvements to road safety particularly in areas where they repeatedly indicate that there are problems and speed cameras are deployed on a regular basis or where recommendations have been made as to how the PC	Road safety and traffic management remain the responsibility of GCC. Matter to address this are outside the scope of the NDP.



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			could potentially request changes to Highways that are seemingly then ignored.	
126	LWH2	27	Reduce speed limit on Church Road to 20 mph. Instal pedestrian lights on Kidnappers Lane Church Road junction. Create a raft at the lights to slow traffic in and out of the village and for pedestrians to cross. A further raft at St Peters Church to slow traffic before reaching the Kidnappers Lane junction and provide a “rump for pedestrians to cross. This would also link on with the footpath coming past the Moat. Improve footpath between St Peters Church and Farm Lane especially by Church Farm. This section is very wet in winter and narrow. Increasing the width of the footpath would narrow the road requiring motorists to slow down. Reducing speed of traffic and encourage parents to walk their children to school.	Traffic management measures - Highways management is a Gloucestershire County Council (GCC) function and decisions on new development proposals are taken by Cheltenham Borough Council (CBC) with advice from GCC – these are a strategic matter beyond the scope of the Neighbourhood Development Plan (NDP). Leckhampton with Warden Hill Parish Council (the Parish Council) is able to promote revised traffic management arrangements through Traffic Regulation Orders outside of the NDP.
127	LWH2	28	This should not involve further urbanisation of remaining quasi-rural areas (e.g. new areas of hard paving, street lighting).	Noted, subject to the need to balance rural objective with safety and accessibility for all on some key footpaths and cycle routes.
128	LWH2	29	I'm sending a GPX file to the clerk that contains various specific improvements that could and should be made across the neighbourhood plan area. Primarily there are many places where raised crossings would make it better for pedestrians and especially those that are mobility impaired. These would also act as a traffic calming measure as well and reduce the car centric nature of a lot of the developments. There are several places where there are not even drop kerbs making it very hard for those in wheelchairs to cross roads. Also included are various places where cycle infrastructure could be added or improved. Highlighting a few high priority changes that could easily be made  Gwernant road join to Alma road raised crossing needed (not even drop kerbs) Caernavon road near dog park raised crossing needed drop kerb on only one side turn kingham line to cycle path cycleway connecting merlin way to woodlands road	Added bullet point to para 135 to reflect the importance of ensuring routes and crossing points are accessible for all and contain the necessary design features

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129	LWH2	31	Greater priority should be given to pedestrians and cyclists on public highway	Noted.
130	LWH3	4	Protection and expansion of local green spaces recommended	Noted. The NDP Working Group has not considered additional Local Green Space Designations but may do so in a future NDP.
131	LWH3	14	Yes I would, So put a few trees in and off you go, are you not going to nurture the environment to encourage wildlife and birds back into the area. Where is the plan for that or is it just to line the developers pockets.	Noted. Para 142 provides a commitment to develop a management plan to protect and enhance the Local Green Space in accordance with clear principles. This is referred to in Policy LWH3. Policy LWH4 addresses the ecological value of Green Infrastructure.
132	LWH3	15	I would like to see the Local Green Space expanded to include the land on the corner of Farm Lane and Church Road (item 9 in Appendix 3). Although this land is currently in private ownership (Redrow), so is the old "pig field" which IS included in the LGS so this should not be a barrier.	Noted. There is no possibility to designate Local Green Space on land which is the subject of planning applications for development.  Note PC objection to the planning application.
133	LWH3	18	I am in agreement that all green spaces should be protected and saved, no matter how small. This is important for wildlife and to give residents quality of life. Regarding footpaths, I am broadly in support of making walking easier and safer, though I do have issue with paving over 'green space' pathways as these spaces should hold wildlife and biodiversity as it's priority.	Noted.
134	LWH3	19	Please try and achieve protection for the old perry orchard	Noted. There is no possibility to designate Local Green Space on land which is the subject of planning applications for development.
135	LWH3	20	The addition of a sustainable maintenance plan for these areas would be welcomed.	Noted. Para 142 provides a commitment to develop a management plan to protect and enhance the Local Green Space in accordance with clear principles. This is referred to in Policy LWH3.
136	LWH3	25	LWH3 does not go far enough - it should contain explicit support for "improvements to habitats" and preservation of wildlife.  I would like to see the Local Green Space expanded to include the land on the corner of Farm Lane and Church Road (Item 9 in Appendix 3). Although this	Noted.  LGS and Wildlife - Para 142 commits to the development of a management plan to improve the

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			<p>land is currently in private ownership (Redrow), so is the old "pig field" which IS included in the LGS so this should not be an issue. This initiative is supported by the following concerns:-</p> <ul style="list-style-type: none"> <li>- The orchard has always been in the Leckhampton LGS request from the outset which establishes it as a component of this varied, historic 'Valued Landscape"</li> <li>- Unless there was or is a published government/PINS maximum for LGS size, then what the JCS Inspector Ord left to the lower-tier LP inspector to determine was the precise LGS boundary, not its overall scale, quality or quantity. See para 66 EXAM 146</li> <li>- In years past wildlife had unrestricted access from the present LGS westwards towards Shurdington but the construction of the new school and the Redrow estate of 377 houses has removed this countryside connection/corridor and entirely cut off the LGS to the west.</li> <li>- The south-west corner of the NP area now forms the remaining critical wildlife corridor linking the approved LGS to the AONB countryside south of Leckhampton Lane, and is essential for the biodiversity of the adopted LGS.</li> <li>- The LGS cannot reasonably become completely severed from its wider countryside.</li> </ul>	<p>Local Green Space and, specifically at the third bullet to promote biodiversity within the Local Green Space.</p> <p>Policy LWH3 refers to the same and mentions biodiversity mitigation and net gain.</p> <p>LGS Expansion - There is no possibility to designate Local Green Space on land which is the subject of planning applications for development.</p>
137	LWH3	26	<p>Point 56 ...a key task for the Neighbourhood Plan is to identify how a clear set of principles that would manage and enhance the Local Green Space will be developed.</p> <p>This again feels like it is an opportunity to indulge a few people in their hobbies and personal agendas.</p> <p>Point 58. ...The Parish Council could play a role in offering advice on which types of trees are best for the garden, trees requiring low maintenance of the right size and with a low risk of causing subsidence.</p>	<p>Noted. The NDP Working Group believes that local government works best when all its branches are working together.</p>

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			Isn't that what the expert Tree Officers at CBC already do. Another example of where the PC seemingly feels the need to play a role when there are much better qualified experts employed by the Brough Council to provide that advice	
138	LWH3	27	Replant hedges trees and along Kidnappers Lane, protect established hedges and trees from the Newlands to Farm Lane junction and down Farm Lane towards the Shurdington Road. Protect hedge rows and trees around Lotts Meadow. Protect the three Oak Trees in Lotts Meadow, one of which is a veteran tree as recorded on the Woodland Trust data base. Retain the derelict tree as a home for wild life. Encourage the High School and Leckhampton schools to see the meadow and local green space as a valued asset for education and wellbeing. To see the meadow not as a play ground but as a living thing with its pond ( covered in ice at the moment and children are fascinated by it ) Already the High School encourage pupils to take early morning runs through the meadow. Encourage respect for nature by not leaving litter and reporting fly tipping. Maybe information boards at the entry to the meadow explaining its diversity, history, links to the village, church and Leckhampton Court and a request to respect other users use of the open space by keeping dogs close or on leads and pick up mess. And to encourage locals to take part in maintaining a valued part of Leckhamptons landscape.	Noted. The comments would be relevant to the development of the management plan.
139	LWH3	28	Unmetalled paths are probably acceptable but not metalled paths.	Noted. Key routes for purposes of transit will need to be accessible and safe.
140	LWH3	30	This is the most vital policy within the overall plan	Noted.
141	LWH3	33	Furthermore, it is pleasing to learn that Draft Policy LWH3 no longer directly refers to our client's site. As set out in our previous representation, this should be the case because the site is not within the designated LGS. It is noted that there remains indirect reference as it is suggested by Draft Policy LWH3 that landscaping, planting, biodiversity mitigation and net gain, and pedestrian/cycle access proposals associated with proposals for new development on sites adjoining the LGS should have regard to the history, landscape and rural nature of the LGS and to management and improvement objectives developed for the Leckhampton Fields LGS. Our client has no objection to this policy wording.	Noted.

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142	Para 149	26	<p>Given the strategic contribution that green infrastructure makes as a whole and in view of the objective to connect green infrastructure, extreme care should be taken in allowing its loss so that connections and functions of value to local people, and its strategic role, are maintained.</p> <p>PC seemingly fail to understand that all trees are not equal. On a number of occasions they have failed to identify Ash trees that are suffering from dieback. As such the PC seem to have failed to grasp the fact that these trees need to be removed yet still complain bitterly about the situation and also fail to recognise and that number of the greenspaces identified in the plan contain a number of these trees that will need to be dealt with. In a number of instances the PC views have been contrary to those of expert Tree Officers and highlights a lack of detail understanding in the management of green spaces. A more meticulous assessment of the identified green spaces with a plan including timelines for their upkeep, including removal and replacement of affected trees need to be provided in the plan.</p>	Noted. There is a commitment to provide a management plan for the Local Green Space at para 142.
143	P43 Point 153	34	<p>Where is Appendix 3 with the sites identified? I can't find it.</p> <p>Is the new Bournside Woodland project added to this?</p>	<p>The appendices and annexes were available to view via the consultation website provided by Cheltenham BC, at <a href="https://haveyoursay.cheltenham.gov.uk/parish/lwwh-neighbourhoodplan/">https://haveyoursay.cheltenham.gov.uk/parish/lwwh-neighbourhoodplan/</a></p> <p><b>Appendix 3 Green Infrastructure List – added Bournside Woodland Project which is on the inside boundary of the Neighbourhood Area</b></p>
144	LWH4	4	Green spaces essential to biodiversity and well being and reducing air pollution and holding water	Noted.
145	LWH4	6	Yes - get some school kids and the local MP to plant some trees, while hedgerows are being ripped up and deer are so desperate that they eat our front lawns	Noted.
146	LWH4	8	Allotments not only provide for food security but provide a social function for meeting others within the community who may not live close to one another.	Noted.

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			Surplus produce is donated by the holders to charities and food banks which provides an essential community focus. For those in smaller residences it provides a valuable open space which aids mental wellbeing and exercise.	
147	LWH4	12	We don't need more housing here.	Noted. The NDP is not proposing to develop more housing.
148	LWH4	14	As I said, and the green spaces take battering... and it roles on..lack of care for the environment.	Noted.
149	LWH4	15	See comment above re including item 9 in the LGS.	LGS Expansion - There is no possibility to designate Local Green Space on land which is the subject of planning applications for development. Refer to discussion above.
150	LWH4	18	As stated previously it is important that Green Spaces hold wildlife and biodiversity as a priority.	Noted: Green infrastructure functions are described in Appendix 3 and thee include for wildlife/biodiversity.  Para 142 commits to the development of a management plan to improve the Local Green Space and, specifically at the third bullet to promote biodiversity within the Local Green Space.  Policy LWH3 refers to the same and mentions biodiversity mitigation and net gain.
151	LWH4	23	Any planning for MD4 must maintain areas of green space and green infrastructure - in particular, the brook, the orchard and historic hedgerows.	Noted. This is addressed by LWH4.
152	LWH4	25	Attention is drawn to NP para 147 "(.....create connected networks for habitats") and NP para 151 (".....strengthen the network") in the context of the comments above under LWH3 regarding Item 9 in the LGS.	NPPF Para references in this comment are incorrect. NPPF (July 2021) para 175 calls for a strategic approach to the maintaining and enhancing networks of habitats and green infrastructure.  Para 179 says plans should identify wider ecological networks and should promote the conservation, restoration and enhancement of priority habitats and ecology networks, and identify opportunities for net gains in biodiversity.

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				Whilst para 145 refers to the biodiversity benefits of Green Infrastructure, additional text is inserted in to supporting text and policy to strengthen this.
153	LWH4	26	<p>This strikes me as an attempt to place overly onerous and undue burdens on developers that might prevent the provision of much needed housing stock to meet the ongoing shortfall in cheltenham's housing needs.</p> <p>While I agree that development needs to be sympathetic to the environment, this needs to be balanced against what appears, based on the stance and objection against multiple housing developments, to be the PC's overzealous approach to proposed developments in the Parish unless they pay lip service to a green/environmentalist agenda</p>	Noted: The policy considers how existing strategic policy requirements in adopted plans would apply to local priorities and opportunities for green infrastructure provision in the Neighbourhood Area. These can then be given due regard in the formulation of development proposals and reserved matters applications brought forward by developers. It is better for developers to know what local priorities are so that when they bring forward green infrastructure proposals they are required to submit in any case, they have a better chance of local support.
154	LWH4	27	<p>On any new allotments, establish fruit trees to mitigate the loss of the orchards in the Northern fields. Encourage developers in MD 4 to retain mature trees and plant new to help reduce flooding and rejuvenate aging hedge rows.</p>	<p>Noted: The NDP does not address the management of allotments which are subject to national guidelines and rules which cover the planting of trees on allotments.</p> <p>Policy LWH4 will address the provision of green infrastructure and LWH5 will address the wider landscape role of planting within developments and LWHS3 will address the opportunity for complementary approaches to reinforce key characteristics of the Local Green Space.</p>
155	LWH4	28	<p>But MD4 should not be built on.</p>	Noted. This is not a matter for the NDP.
156	LWH4	30	<p>The number of houses within MD4 was of concern, previously. They were closer to Merlin Way than expected. This was raised by various people in the last consultation.</p>	Noted. The NDP is not able to influence the number of homes to be developed on Allocation Site MD4.
157	LWH4	33	<p>The Regulation 14 Consultation Report refers to Draft Policy LWH4 and confirms that the policy identifies the site and accurately describes its status as 'undesigned open land within the urban area'. It is suggested that 'the features of the land are noted in relation to the orchard and objectives for future restoration of the orchard and future public access are stated within supporting tables. If consent is given, then Policy LWH4 would seek to ensure</p>	Noted: Existing and newly provided green infrastructure in the Leckhampton with Warden Hill context has clear potential to make a valuable contribution to the setting of the area in relation to the AONB and in relation to the Valued Landscape.

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			<p>that new development is designed in a way which maintains and enhances strategic and local contribution of green infrastructure through design, layout, landscaping and planting as appropriate in the context of the nature of permissions’.</p> <p>Draft Policy LWH4 – Green Infrastructure suggests that the roles and functions of existing green infrastructure should be protected and enhanced when considering new proposals for development. Where feasible, new development should contribute through on-site provision to the maintenance and enhancement of local green infrastructure roles and functions.</p> <p>The NPPF definition of Green Infrastructure is ‘a network multi-functional green and blue spaces and other natural features, urban and rural, which is capable of delivering a wide range of environmental, economic, health and wellbeing benefits for nature, climate, local and wider communities and prosperity’. Our client does not view the residential development of their site in the manner proposed under application ref 21/02750/FUL as incompatible with the achievement of the aims and objectives of Draft Policy LWH4 and the NPPF definition for Green Infrastructure.</p> <p>It is noted that Appendix 3 – Green Infrastructure List suggests that ‘the area was not excluded from the LGS on landscape or visual sensitivity grounds but because local planners and councillors trying [sic] to limit the size of the LGS according to the Cheltenham Plan inspector’s instructions prioritised areas which were more publicly accessible and thought to be more at risk from development, considering development very unlikely to be permitted at this location’.</p> <p>Firstly, it is questioned why the Green Infrastructure List begins to discuss landscape sensitivity as this is not referenced within the NPPF definition. Furthermore, the version of events stated in the Appendix regarding the removal of the site from the proposed LGS is fundamentally incorrect.</p>	<p>Consented developments will therefore have an important role in contributing to wider objectives as well as on site requirements, particularly where they are located adjacent to important green space and value landscape.</p> <p>The respondents assertions on matters relating to the exclusion of the orchard site from the Local Green Space designation are noted. The Parish Council maintains its view about the reasons for exclusion as stated.</p> <p>Green infrastructure plays multiple roles and its management could help to meet multiple objectives including to protect and enhance a Valued Landscape or the setting of an AONB, so it is wrong to seek to use the NPPF glossary definition of Green Infrastructure, which is in any case very broad, to artificially limit the consideration of what green infrastructure is and does in a local context.</p>



LINE	NDP REFERENCE	ID	CONSULTATION COMMENT (copied in as provided)	RESPONSE FROM PARISH COUNCIL
			<p>National policy and guidance makes no mention of the designation of LGS taking into consideration whether land is at risk from development or indeed the consideration of landscape or visual sensitivity. NPPF Paragraph 101 allows communities to identify and protect green areas of particular importance to them, NPPF Paragraph 102 states that the LGS designation should only be used where the green space is: in reasonably close proximity to the community it serves; demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value, including as a playing field), tranquillity or richness of its wildlife; and local in character and is not an extensive tract of land.</p> <p>As stated in our previous representation, the position of Cheltenham Borough Council (which the Inspector subsequently endorsed) was that they re-assessed a range of land parcels within the proposed LGS and concluded that our client's site did not meet 4 no. of the 5 no. NPPF criteria for designation as it had no public access and played a peripheral role to the bulk of the LGS characterised by a lack of inter-visibility and relationship with the rest of the proposed LGS.</p>	
158	LWH5	4	Rural character needs protecting	Noted. Refer to R1, R2 and R3 of Table 3
159	LWH5	8	With the new builds now having been built on previous nursery lands a review of opportunities for rewilding in some of the remaining green spaces. Also there needs to be a review of corridors to link these green spaces to ensure that bio-diversity can thrive.	Noted: this can be examined during the development of a management plan for the Local Green Space and through policy LWH4
160	LWH5	12	Lots of fine words but where we're they when the school was built on our green land.	Noted.
161	LWH5	14	Complement management principles for the Leckhampton Local Green Space in the provision of external landscaping, planting and biodiversity enhancement, where relevant. Again, a after though, there will be nothing left to preserve.. footpaths buses cars and of course a Supermarket somewhere, yet.	Noted.
162	LWH5	17	This is paramount	Noted.

LINE	NDP REFERENCE	ID	CONSULTATION COMMENT (copied in as provided)	RESPONSE FROM PARISH COUNCIL
163	LWH5	18	My only concern is the last point (g) concerning signage and interpretation. Yes education is very important but I'm not a fan of having information boards plastered over our countryside.	Noted.
164	LWH5	19	The Leckhampton green fields can provide and valuable asset to connect local people with the rural landscape.	Noted.
165	LWH5	25	LWH5 (c) should be expanded to read ".....watercourses, hedgerows and trees and existing green corridor connections between LGS and surrounding environs."	Change made to incorporate proposed wording
166	LWH5	29	Need developments that are denser so reduce car centrism and are transit orientated reducing sprawl	Noted. The NDP does not address development design or density.
167	LWH6	15	Very worthy but I wonder how practical it is for those who are residents of these buildings. Personally I have no objection to more modern architecture, although please note that this totally excludes the generic Redrow tat west of Farm Lane. This policy highlights the need for some clearer definition of what is regarded as "housing of the size and type" that Leckhampton needs, i.e. what might it look like?	Noted: The NDP Working Group has not identified housing type and size policies for inclusion in the NDP but may consider it for a future NDP.
168	LWH6	25	I support this policy in principle. However I have no objection to more modern architecture, provided homes are individually designed to a high standard - indeed I would prefer it to the generalised faceless product produced by volume housebuilders.	Noted: The policy is targeted on the features of local interest on existing buildings and structures.
169	LWH6	26	The PC needs to ensure that its position is balanced against the need requirement for any planning proposals to make changes	Noted. Policy LWH6 refers to decision making in line with the NPPF which refers to the planning balance applied to non-designated heritages assets in addressing this point.
170	LWH7	5	.....or you could just not allow any development.	Noted. It is not within the scope of the NDP to provide a blanket ban on development.
171	LWH7	6	Start by being REAL about the effect of all the building and tarmacing	Noted.
172	LWH7	8	In considering the transport plan care must be taken in limiting the change of front gardens to enable parking for multiple vehicles. The tarmacking to facilitate this must be refused and if such space is deemed necessary then a permeable surface must be used.	Noted. Policy to control the development of private green/garden space for car parking is addressed by the Cheltenham Plan 2020 through policy D3 and the 2009 Supplementary Planning Document 'Development on Garden and infill sites in Cheltenham'.
173	LWH7	9	I think the 30% figure should be revised to 60% and the 50% to 90%	Severn Vale Management Catchment peak rainfall Climate Change Allowances for a 3.3% annual

LINE	NDP REFERENCE	ID	CONSULTATION COMMENT (copied in as provided)	RESPONSE FROM PARISH COUNCIL
				<p>exceedance rainfall event for 2070s (for development with a lifetime of between 2061 and 2125) is between 25% for the central allowance and 35% for the upper end allowance. The allowances for the 1% annual exceedance rainfall event are 25% for the central allowance and 40% for the upper end allowance.</p> <p>This means that for development which is operational within the period 2061 to 2125 (so, most new development that will occur during the NDP period) a 1% exceedance rainfall event would be expected to occur between 25% and 40% of the time, whilst a 3.3% exceedance event would be expected to occur between 25% and 35% of the time.</p> <p>On this basis, it is not appropriate to raise the allowance thresholds from those stated in the policy, based on a 30% allowance.</p>
174	LWH7	12	I won't comment on the spurious science used to claim climate change is man made and not of a natural cycle	Noted.
175	LWH7	14	Flooding is part of the natural way of thing, it encourages bio-diversity. It enriches our lives.	Noted.
176	LWH7	15	The flooding picture needs to be updated as, for example, the most recent Redrow application (refused by CBC on 14th December 2022) did not acknowledge the standing water that occurs every winter on this site and which CBC only became aware of once we submitted photos of it.	The intention of the policy is to highlight circumstances that might not otherwise be evident in relation to the particular effects of run-off from Leckhampton Hill during storm events, based on documented observations. Beyond this, general drainage and flood risk matters and strategic policy considerations outside the scope of the NDP.
177	LWH7	16	Bad flooding should be taken into account on the Brizen Farm fields adjacent to the A46 Shurdington Road. It is extremely bad some years, this year being one of them, Although Brizen Farm fields are under TBC jurisdiction the flood water emanates from the new Redrow site which starts it's journey on	The intention of the policy is to highlight circumstances that might not otherwise be evident in relation to the particular effects of run-off from Leckhampton Hill during storm events, based on documented observations. Beyond this, general drainage and flood

LINE	NDP REFERENCE	ID	CONSULTATION COMMENT (copied in as provided)	RESPONSE FROM PARISH COUNCIL
			Leckhampton Hill. These fields abut the Neighbourhood Plan area and should be taken into account.	risk matters and strategic policy considerations outside the scope of the NDP.
178	LWH7	18	Flooding has not been taken seriously by building companies, for example Leckhampton Industrial Estate which flooded soon after development of the site, even though it was known that flooding was always an issue there. This could happen again with the 2 houses proposed for the old reservoir site.	Noted.
179	LWH7	19	Flooding will be a huge problem in years to come.	Noted.
180	LWH7	25	<p>NP para 20 on page 55 insists that balancing ponds must be assumed to be full.</p> <p>This requirement must be carried forward into section LWH7(a) e.g. ".....both on fully saturated land AND WITH FULL BALANCING PONDS".</p> <p>The NP needs to update the Flood Risk Assessment particularly for the SW corner of the area. For many years surface water has accumulated on parts of this site, but the most recent Redrow application (refused by CBC on 14th December 2022) did not acknowledge the existence of this Surface Water Flooding in its Flood Risk Assessment. To date the accumulations of surface water are not a problem, because the site is completely undeveloped, (green infrastructure) allowing any ponds the freedom to increase their volume when necessary by spreading out. (This is an important mechanism for slowing the rate at which water enters Hatherley Brook to the east). Any development on this site would radically alter these dynamics and increase flooding.</p>	Noted.
181	LWH7	26	The PC should really leave it to the planning experts to determine if the applications are appropriate in line with national guidelines	The area of focus for Policy LWH7 is a legitimate local planning concern which raises an issue to be taken into account in preparing development proposals. The escarpment is not identified as being in a high risk flood zone and is not identified as being subject to surface water flood risk, but the effects increasingly frequent extreme weather events on properties on the hill are documents, and the potential for development there to affect properties downhill within the Neighbourhood Area are clear. There is no harm, and clearly a potential benefit, in raising these matters and

LINE	NDP REFERENCE	ID	CONSULTATION COMMENT (copied in as provided)	RESPONSE FROM PARISH COUNCIL
				urging that they are taken into account in new development.
182	LWH7	27	Lotts Meadow provides considerable protection to property further down stream by acting as a sponge. The pond now full and the gulleys in the ridge and furlough takes on that role. Leave alone. Any flood protection should be the responsibility of developers. They should take ownership of surface drainage by ensuring there is plenty of green space, no block paving of front garden space, water bits it's for each house, trees and hedging. Find means of holding water without making it someone else's problem.	Noted. Outside the NDP, The Parish Council is able to engage with relevant authorities to consider how local catchment for surface water run-off and for rivers and brooks is being managed and affected by the accumulation of new development in the immediate and wider area.
183	LWH7	30	Warden Hill desperately needs a programme of tree planting to enhance its character and improve health and well-being of residents.	Added reference to programme of tree planting in the monitoring and review section
184	P57	34	<p>Existing estates in Warden Hill were built without street trees and recent proposals to add these were thwarted because the placement of utilities under the pavements made it impossible to identify suitable locations for new street trees. Hence it is vital to plant trees when any development is built.</p> <p>Areas of Warden Hill are exposed to the danger of Surface Water Flooding due to both geographical and environmental features. The main roads of the original estate Woodlands Road and Salisbury Avenue incline sharply down to Winchester Way. When the estate was built no street trees were planted though most of the properties benefited from front gardens. With widening car usage most front gardens have been replaced with drives which are predominantly constructed from non-permeable materials. This accelerates the risk of Surface Water Flooding during those intense periods of heavy rainfall that are happening with increasing frequency.</p> <p>To reduce this risk, it should be a priority to encourage residents to replace these over time with frontages that are constructed of permeable materials and also incorporate tree planting.</p> <p>Strongly echo Tony's point above. The PC should refuse change-of-use or resurfacing requests to large surface areas/driveways unless they utilise permeable materials. This condition should be in force both in Warden Hill and Leckhampton here rainwater runs down the hills towards Warden Hill potentially causing floods</p>	<p>Added paragraph at para 22 to recognise the need to identify ways to store water and slow run off from nearby areas into Warden Hill.</p> <p>2006 Local Plan saved policy BE 7 says that proposals for the conversion front gardens for car parking spaces will be refused. This only applies in Conservation Areas so will not assist in Warden Hill.</p> <p>Outside Conservation Areas, the conversion of front garden space to parking space is permitted development and there is no planning control over this. The application of Article 4 provisions by Local Authorities to remove permitted development rights is not possible outside Conservation Areas, and are not useable at any time by Parish Councils within NDPs.</p> <p>Policy LWH7 highlights the surface water flooding issues associated with rainwater run-off from Leckhampton Hill.</p> <p>Point (e) of policy LWH7 refers to the incorporation of tree planting in new development in Warden Hill.</p>

LINE	NDP REFERENCE	ID	CONSULTATION COMMENT (copied in as provided)	RESPONSE FROM PARISH COUNCIL
185	Annex 1	33	<p>Noting Annex 1 – Regulation 14 Consultation Report, and specifically Appendix 2 of that report which sets out the NDP response to our previous representation, it is pleasing to hear the NDP is aiming to ‘provide a more forward-looking vision and objectives which speak to positive strategies to achieve sustainable development in the neighbourhood. The NDP recognises the current planning policy and development context and seeks to influence how these are delivered’.</p> <p>It is important to note though that the NDP still does not include any policies or positively allocate any land to help meet housing requirements. Therefore, the NDP would not avail of the safeguard set out at NPPF Paragraph 14 for situations where the presumption in favour of sustainable development applies to applications involving the provision of housing – this is because it would fail criterion 14(b). The NDP therefore remains, on balance, a restrictive plan, rather than seizing the opportunity to adopt a positive and proactive plan-making role and shape, direct and help to deliver sustainable development for the parish, which NPPF Paragraph 29 suggests should be the case. NPPF Paragraph 16 confirms that plans should be prepared positively, in a way that is aspirational but deliverable. We consider that the NDP could consider allocating our client’s site for residential development in way which would accord with the achievement of the various policy aims set out in the rest of the plan, such as retention, management and enhancement of the orchard areas and future management of the Hatherley Brook corridor.</p>	<p>Noted. The NDP is not required to meet housing demand or housing need. A significant amount of new housing has been allocated on sites within the Neighbourhood Area in strategic plans. The NDP Working Group has not set out allocation sites for development for inclusion in the NDP.</p> <p>The focus of the NDP is on ensuring that the delivery of new development creates a sustainable neighbourhood through which people can walk, cycle, enjoy green infrastructure and be assured that heritage assets will be protected. The contribute to the cultural and environmental pillars of sustainable development. In this regard, the NDP meets Basic Conditions.</p>
186	Annex 6 -	26	<p>This Annex refers to an engagement commissioned by CBC to inform the development of the Cheltenham Plan in 2016/2017. It is disappointing that there is no other obvious attempts to engage with the Parish since then - other than the consultation on the previous iteration of the NP in 2021 - despite there having been ample opportunity to have done so across the expanded Parish</p>	<p>Noted.</p> <p>Whilst the CBC engagement project report dates from 2016/17, the Parish Council undertook a large consultation on the Draft Neighbourhood Plan in September 2021 using a variety of engagement and consultation techniques, stimulating a good level of comments on the plan. This has led to a further year of plan development to reflect on and have regard to the comments raised. A further consultation was then undertaken on a second regulation 14 draft from</p>

LINE	NDP REFERENCE	ID	CONSULTATION COMMENT (copied in as provided)	RESPONSE FROM PARISH COUNCIL
				November 2022 to January 2023. This demonstrates significant engagement and consultation on the development of the NDP.
187	Unseen Annexes and appendices/ Transport	32	Again, the comments on transport are flimsy. No mention on connections and for what reason. Work, school, education, leisure. For example, there is no connection to Cheltenham, Gloucester and GCHQ. What a NP can do in relation to transport is very limited. What it can say is what residents want. What is the PC prepared to spend its CIL on in the Neighbourhood. For example, the bridge to Merlin Way. Boardwalk across Lotts... Where does it want transport service to and from, GCHQ, Railway Station Cheltenham. Mention Regularity of the sustainable transport! Relation to traffic congestion. What is the position on safer streets? Congestion charges, parking. No mention of speed limits. No suggestions on what the future for Church Road might be.	<p>The NDP does not consider destinations or strategic transport matters outside the Neighbourhood Area.</p> <p>The NDP has identified priorities for walking and cycling connections across the Neighbourhood Area and to nearby facilities.</p> <p>Highways management is a Gloucestershire County Council (GCC) function and decisions on new development proposals are taken by Cheltenham Borough Council (CBC) with advice from GCC – these are a strategic matter beyond the scope of the Neighbourhood Development Plan (NDP). Leckhampton with Warden Hill Parish Council (the Parish Council) is able to promote revised traffic management arrangements through Traffic Regulation Orders outside of the NDP.</p>
188	Unseen Annexes and appendices/ Infrastructure	32	No mention of the medical practice which currently cannot cope. Where could new provision be made. No dentist, Leisure centre facilities, swimming pool etc. No new allotments, No formal parks, dog walking areas	<p>The appendices and annexes where available to view. along with the draft plan, on the 'consultation website' with a link via the Parish Council website. <a href="https://haveyoursay.cheltenham.gov.uk/parish/lwwh-neighbourhoodplan/">https://haveyoursay.cheltenham.gov.uk/parish/lwwh-neighbourhoodplan/</a></p> <p>The NDP working group did not include topics relating to services availability/stress for inclusion in the NDP but this may be considered in a future NDP.</p>
189	Conclusion	32	Short on detail. What will the CIL (gained by the NP) be spent on (in the NP Area) and support infrastructure outside of the <b>Plan</b> area of the plan including parish. The consequences not thought through.	Noted. There is no requirement for the NDP to set out Community Infrastructure Levy priorities.

LINE	NDP REFERENCE	ID	CONSULTATION COMMENT (copied in as provided)	RESPONSE FROM PARISH COUNCIL
			The area to be “Developed” is too small for its own plan. Contradicts current PC policy. It largely agrees with NPPF and local plans. This document would not support a valid referendum. Since it does not reflect to opinions expressed in the local media and the responses to planning applications.	
190	LEGLAG	32	LEGLAG have been too involved in this plan its aims excluded development therefore no development plan! The plan just seeks only to keep the green space. This is an easy challenge for the developer against a backdrop of no housing! The Plan should define how it develops the green space to provide for the needs of the new community. More free space, better connectivity, maintain the biodiversity, maintain the wildlife control dogs. Not only what is needed but where.	Noted.  Para 142 provides a commitment to develop a management plan to protect and enhance the Local Green Space in accordance with clear principles. This is referred to in Policy LWH3.

Updated 1.6.23



# Appendix A – Consultation Report For First Regulation 14 Draft Neighbourhood Plan September 2021

## Leckhampton with Warden Hill Neighbourhood Development Plan

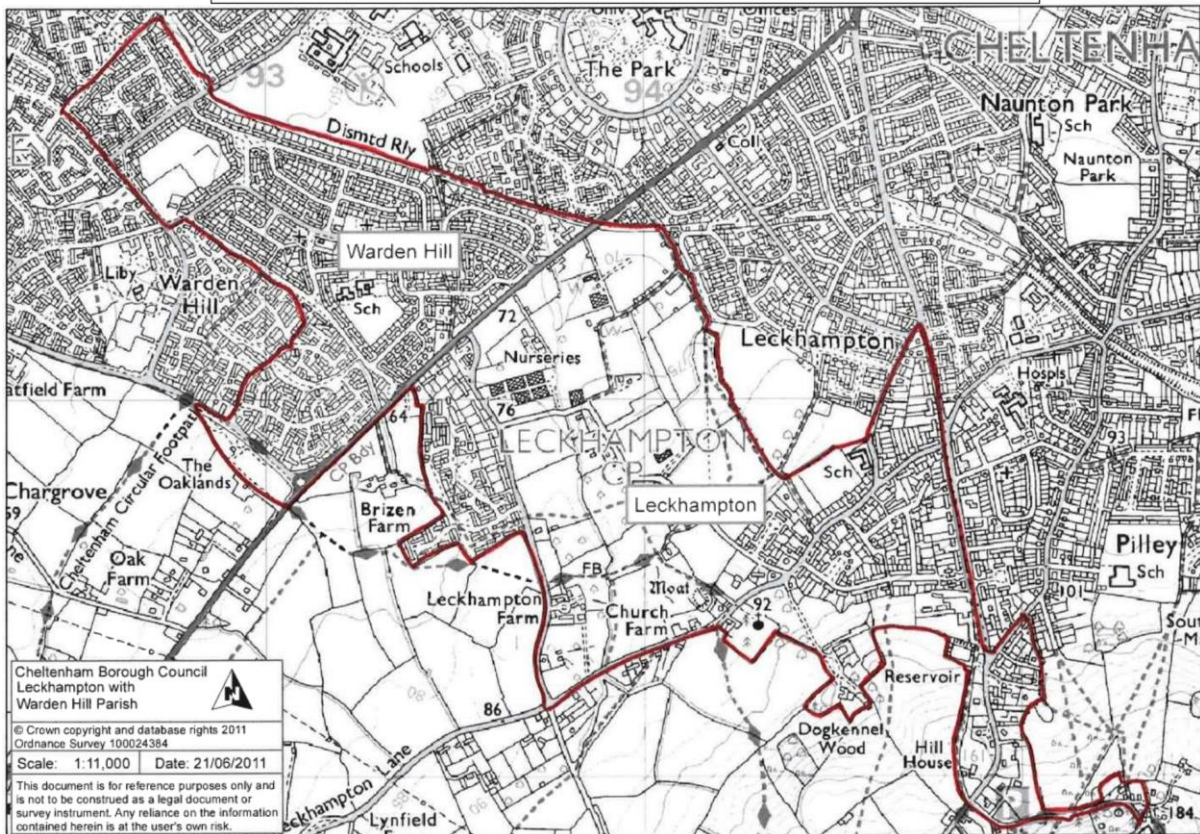
### Regulation 14 Consultation (2021) Report.

#### Introduction and background

This report provides details of responses made to a Neighbourhood Planning (General) Regulations Act 2012 (as amended), Regulation 14 Consultation on the draft Neighbourhood Development Plan (NDP) for a Neighbourhood Area within Leckhampton with Warden Hill Parish (as defined on the plan below).

It details actions proposed in response to matters raised and textual responses to some matters where appropriate.

**LECKHAMPTON WITH WARDEN HILL NEIGHBOURHOOD AREA APPLICATION FOR DESIGNATION PLAN NP1 - JUNE 2015**



The Neighbourhood Area was designated for the whole Parish in June 2015 with work on the NDP led by Leckhampton with Warden Hill Parish Council (LWWHPC) as the Qualifying Body.

However, the Cheltenham Borough Council (Reorganisation of Community Governance) (Leckhampton with Warden Hill Parish) Order 2018 altered the boundaries of the Parish, making it significantly larger. Given the advanced state of technical work supporting NDP preparation, LWWHPC

decided to proceed to progress the NDP on the basis of the existing Neighbourhood Area, without modification. LWWHPC has committed to consult the whole Parish on the emerging NDP and to allow the whole Parish to vote in the referendum at the end of the process.

### **Consultation Process**

The following documents were provided for the Regulation 14 Consultation:

- Leckhampton with Warden Hill Parish Council Neighbourhood Plan 2021 – 2031

The consultation document was made available in the following ways:

- Online via the ‘[haveyoursay.cheltenham.gov.uk/parish/neighbourhoodplan/](https://haveyoursay.cheltenham.gov.uk/parish/neighbourhoodplan/)’ with a download and link to the Parish Council’s website
- Available to view at the Parish Council offices
- As a printed copy from the Parish Council for a charge of £3

A consultation survey was made available online. This could be completed online or printed, completed by hand and posted to the Parish Council offices.

All residents in the Parish were written to regarding the consultation and residents within the Neighbourhood Area were posted information a second time also.

The consultation period ran from 1 September 2021 to 15 November 2021, meeting the requirement for a consultation period of at least six weeks.

### **Public Consultation Events and Activities**

Two public consultation events were held during the consultation period.

- Saturday 2 October 2021 at Brizen Young People's Centre (Warden Hill ward), 10am-2pm
- Sunday 3 October 2021 at the Glebe Rooms, next to St Peter's Church Leckhampton (Leckhampton ward), 1pm-5.30pm

Postcards were produced and distributed to the whole parish to advertise the two events. Across the two events, over 50 people attended with some leaving comments at the venue and others taking away survey forms to complete separately. Responses made at the event were collected via post-it notes. These are provided in Appendix 1. Matters raised were similar to addressed in response to the consultation survey.

Other consultation activities included the following:

- Consultation posters were printed and put on the Council's noticeboards and in shops, schools, doctor’s surgeries and other public places.
- Large banners were produced and placed in prominent places locally such as the Norwood Arms and the Multi-Use Games Area in Warden Hill.
- The consultation and the online link were promoted on the council's website and the Cheltenham consultation website itself which hosted the online survey.
- It was also publicised on the council's Twitter and Facebook accounts.
- All councillors were encouraged to promote the consultation through their own channels
- Including at least one councillor’s local free literature distribution of circa 5000 as well as via Twitter (13.6k followers).

# An invitation

to voice your feedback on the draft  
Neighbourhood Plan

**EVENTS  
NEAR YOU!  
(TURN OVER FOR DETAILS)**

NOTICE OF REGULATION 14 CONSULTATION

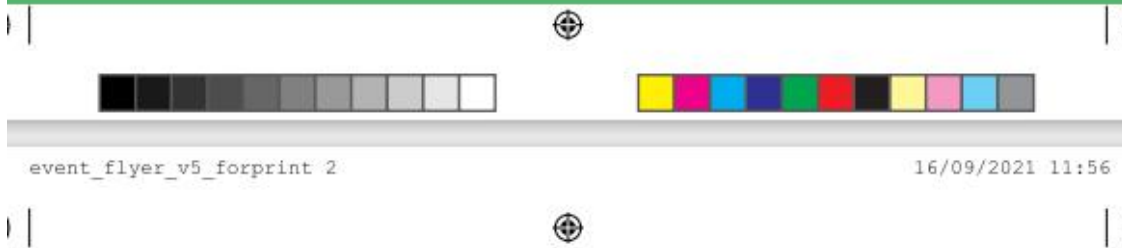
Go to:

[haveyoursay.cheltenham.gov.uk](https://haveyoursay.cheltenham.gov.uk)



- ✓ Protect the things you love about your area
  - ✓ Improve the things you need
  - ✓ Every response will be entered into a prize draw to win £100!\*
- \*Terms and conditions apply

Paper copies of the full Neighbourhood Plan will be available to view at our two local events (turn over for details) and you can also pick up a paper copy of the consultation questionnaire if you would prefer not to respond online.



event\_flyer\_v5\_forprint 2

16/09/2021 11:56

**Come along and talk to us.**  
Tell us what matters to you, read the policies  
and leave your feedback

**Saturday 2nd October 2021**  
10am to 2pm



**Brizen Young People's Centre**  
Up Hatherley Way,  
Cheltenham GL51 4BB

**Sunday 3rd October 2021**  
1pm to 5.30pm



**The Glebe Rooms**  
St Peter's Church, Church Road,  
Cheltenham, GL53 0QJ

Refreshments will be provided

## Consultation with Schedule 1 Consultees

Regulation 14 requires the Qualifying Body to consult with those organisations 'whose interests the qualifying body considers may be affected by the proposals for a neighbourhood development plan'. Using Schedule 1, the following organisations were/were not consulted as part of the Regulation 14 Consultation:

- a) n/a, not London
- b) Yes, Cheltenham Borough Council, Gloucestershire County Council, Tewkesbury Borough Council, Up Hatherley Parish Council and Shurdington Parish Council.
- c) n/a. No active or historical mining controlled by the Coal Authority in the Neighbourhood Area.
- d) n/a. No relevant Homes and Communities Agency housing schemes in the parish.
- e) Natural England – yes
- f) the Environment Agency – yes
- g) Historic England – yes
- h) n/a, no railways within the Neighbourhood Area
- i) n/a. No national highways in the Neighbourhood Area.
- j) n/a, not in a coastal location
- k) BT Openreach - yes.
- l) (bodies exercising a function in any part of the Neighbourhood Area)
  - i. Gloucestershire Care Commissioning Group - yes; (also Leckhampton Surgery)
  - ii. National Grid – yes
  - iii. Wales & West Utilities – yes
  - iv. Severn Trent Water – yes
  - v. Severn Trent Water – yes
- m) Voluntary Bodies - Sue Ryder Care at Leckhampton Court, Brizen Young peoples' centre, Friends of Leckhampton Hill & Charlton Kings Common (FOLK), Leckhampton Local History Society, Cheltenham & Tewkesbury Cycling Campaign, Leckhampton Rovers FC, Leckhampton Lawn Tennis Club, 24th Cheltenham (Leckhampton) Scout Group, Cheltenham Woodcraft Folk, Gloucestershire Wildlife Trust, Friends of Leckhampton Primary School - yes
- n) sadly, there are no bodies that LWWHPC were aware of representing the interests of different racial, ethnic or national groups in the area;
- o) St Peter's CofE Leckhampton, Cheltenham United Reformed Church/St Christopher's Church/the Church in Warden Hill – yes
- p) Cheltenham Connect – yes
- q) sadly, there are no bodies that LWWHPC were aware of representing the interests of disabled persons in the neighbourhood area.

In addition, the following were consulted:

- a) Cotswold AONB Management Board (aka Cotswold Conservation Board, aka Cotswolds National Landscape)
- b) Police and the Office of the Police & Crime Commissioner
- c) Leckhampton Primary School
- d) the Balcarras Trust/High School Leckhampton
- e) Cheltenham Bournside School & Sixth Form Centre, 4 local pre-schools
- f) 2 local veterinary practices
- g) all known major developers (Miller, Kendrick, Redrow & Newlands) and Midcounties Co-Op.

- h) All local parish, borough and county councillors as well as their councils who include representatives of the Liberal Democrat, Conservative, Green and Labour parties locally.

### **Letter of response Received**

8 consultees responded to the consultation by letter or email. Those available are summarised in Appendix 2.

### **Consultation Survey**

A survey was published providing 29 separate opportunities to register a view in the form of 18 multiple choice questions and 11 free text comment questions relating to the Vision, Aims, Objectives, 7 policies and a final 'any other comment?'

For multiple choice questions, respondents were able to indicate their view based on the following range of views:

- Strongly Agree
- Slightly Agree
- Neither Agree nor Disagree
- Slightly Disagree
- Strongly Disagree

The survey is provided as a separate pdf document.

**Feedback on Survey** - Some consultees questioned the value of the multiple-choice questions in the context of some of the policies. In their view, the policies are very long and contain multiple significant topic areas such that it is difficult/impossible to agree or disagree and for this to have any meaning. The author of this report concurs.

In this context, the written comments provided take on added significance. These have been reviewed in full.

### **Consultation Survey Responses Received**

#### Number of responses

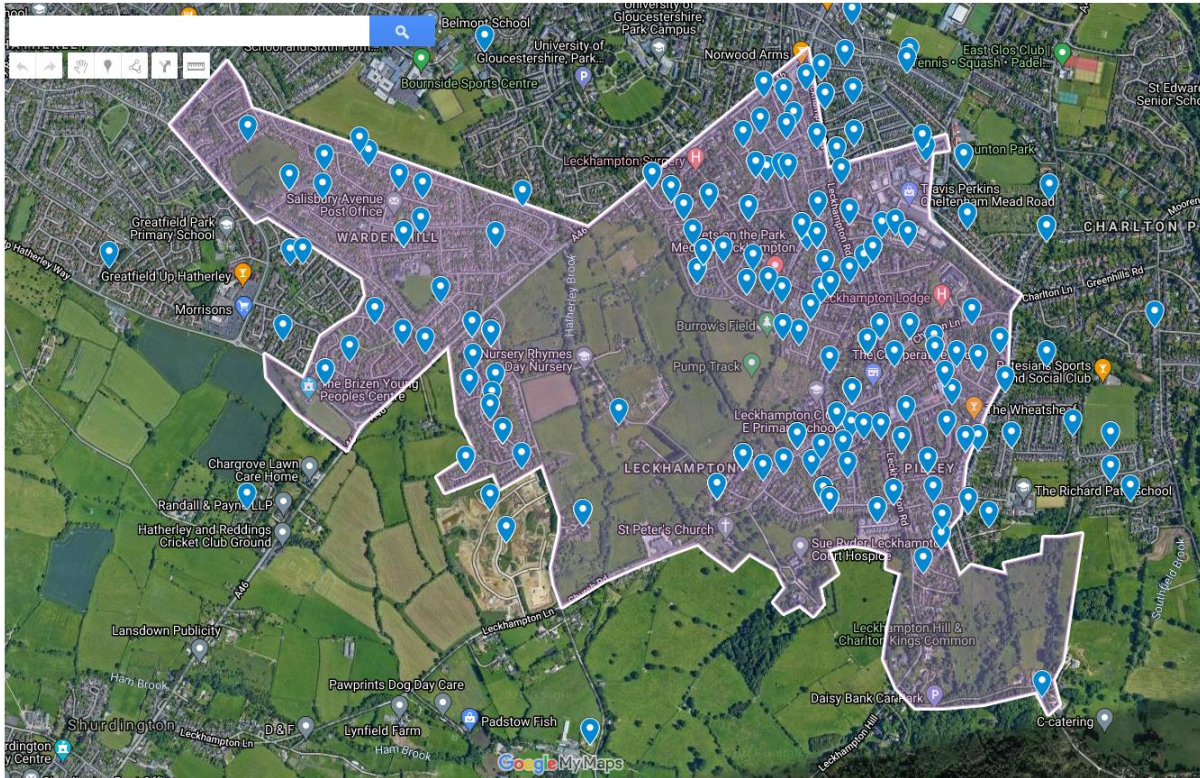
A total of 272 separate consultation survey responses were received on the Draft NDP. The survey was available in printed form and the total includes 12 responses received through this method, with the responses inputted to the online survey platform.

A summary and discussion of the key matters raised and actions/responses to them is set out in the following sections of this report. In terms of results, this produced 18 summarised responses in relation to questions on the level of agreement or disagreement with different aspects of the Draft NDP. It also produced, in total, 927 separate written comments which needed to be read and considered.

A spreadsheet setting out individual consultation responses received via the survey is available separately.

#### Response addresses

In relation to the survey, responses were received from postcodes inside the Neighbourhood Area, from the rest of the Parish and also from outside the Parish.



## Consultation Survey Responses to Vision, Aims and Objectives

This section of the report examines responses received to the multiple-choice survey questions 1, 3 and 5 and provides a summary of the key matters raised by respondents in free text answer 2, 4 and 6.

### Question 1 and 2 - Draft Vision

*‘To achieve balanced development that provides additional high quality housing including a good measure of affordable housing and at the same time to conserve and enhance the landscape and amenity of the Leckhampton Fields and of the adjacent Cotswold Area of Outstanding Natural Beauty (AONB) and the outstanding and nationally significant view from Leckhampton Hill to which the Leckhampton Fields make a significant contribution. To conserve and enhance Warden Hill, Leckhampton and Cheltenham as an outstanding place to live and work and, in this context, to ensure that development is compatible with sustaining a viable traffic network in south Cheltenham and enabling people from areas south of Cheltenham to continue to commute into Cheltenham to work.’*

In responding to **question 1**, there was support for the draft vision with 76% of those responding slightly or strongly in agreement (48% in strong agreement). People were invited to provide their own thoughts on the Draft Vision in **question 2** and 127 did so, raising the following:

**Clarity of Vision** – There was a considerable view from those indicating (multiple choice) support for the Draft Vision that it lacked focus and meaning, is vague, or is confusing with elements in conflict with each other. A Vision would normally provide a projected end-state. There was another frequently expressed view, including from those opposed to more development, that the vision is set to influence/resist new development which has already been allocated, consented or built. Some felt the Draft Vision was set narrowly to address the impacts of new development on landscape and views. One view indicated the inclusion of references to a wider context – the rest of Leckhampton, South Cheltenham and Cheltenham as a whole was not reflected in the plan.

**Balance housing and landscape objectives** – There was significant concern that the Draft Vision cannot reconcile its elements particularly in relation to housing and landscape. Opinion divided into those which felt that landscape should be promoted ahead of other things and those which felt this view was ‘partisan’ and that the ‘wider needs of the community’ should be met including by through additional affordable housing. Regardless of view, few responses indicated that the balance within the Draft Vision could be achieved.

**No more development** – A significant number of responses indicated opposition to any further development and want this reflected in the Vision and the plan. The reason for this position is a view that parts of the Neighbourhood Area are of rural character which is being eroded and that traffic is already at or beyond capacity with attendant congestion and air quality impacts. In particular, traffic around the school and around the A46/Church Road/Shurdington Road/Kidnappers Lane are highlighted in many responses. Traffic generated by the new secondary school is also a significant source of concern.

**The need for housing** – A counter view expressed by fewer respondents is that the area is not a rural location but is part of the suburban fringe (and so should expect development). This view contends the community needs more housing and this should be clearly expressed in the Vision. The NDP then needs to understand what’s required and create policies to secure the size, type and tenure of housing from new developments in the Neighbourhood Area based on local housing needs. There was concern that the Vision reference to ‘high quality’ as meaning larger executive homes.

**Sustainable Transport** – It was widely stated that the Draft Vision should focus on developing sustainable transport solutions and not on traffic networks and commuting. This should translate into aims and objectives and policies currently lacking within the NDP to secure a sustainable travel network-based opportunities to secure, develop and promote cycling and walking, particular to and from new developments, key services and schools. Disability access should be address as part of further work to develop a NDP policy on sustainable transport.

**Managing Traffic Networks** – Notwithstanding the comments related to sustainable transport, it was felt that the Draft Vision does not follow through to traffic management proposals to improve the Neighbourhood Area environment for non-car users through more effective control of traffic speeds including low speed zones, physical measures to manage road space and parking, particularly at key facilities and schools. These measures would be complementary to improve the environment for bus services.

**COVID-19** – Some responses highlighted the need to address trends post the pandemic. Given that traffic is considered a problem, what effect COVID-19 work from home mandates had on commuting patterns and what home-based or local workspace needs does it potentially give rise to? How can the NDP support this?

**Climate Change and Climate Emergency** – Responses pointed to the omission of a reference to the climate emergency and sustainability in the Draft Vision. It was felt that given the prominence of the issue, the NDP should address this within the Vision and the plan with specific policies to make a local contribution. Specific matters mentioned include energy use and requirements for EV Charging, heat pumps, solar panels etc, do not design houses base on private car ownership. Carbon neutral requirement on new homes.

**Employment Land and Support for local businesses** – The Draft Vision refers to ‘an outstanding place to...work’. Some responses indicated there was an insufficient focus on employment and regeneration

and that the NDP contains no policies which support local businesses or employment development needs and should do so.

**Air Quality** – A clear link was made by those expressing views about traffic conditions to air quality. Managing and reducing traffic growth was seen as important to improving air quality. They felt that the Vision should address this aspect.

**Access to Community Services and Facilities** – Responses suggested the Vision and the plan as a whole should address the provision of accessible services, as a means of providing alternatives to car use and to address inequalities. This is especially relevant in the context of new development. They also felt that existing community assets should be protected and supported.

**Local Green Space** – There was support for the protection of Leckhampton Fields as a Local Green Space, with a few responses indicating that this might be required for development if housing needs are to be met (which they felt should be met even if this means building on green space).

**Public realm maintenance and enhancement** – One response indicated the importance of ensuring that new development and the existing built environment is well maintained and enhanced.

**Well-Designed and integrated development** – A few responses suggested that the Vision and plan should specifically address the design of new developments to ensure these are sympathetic to local design context. This could include an approach to density of new development and address the need to place trees and hedgerows whilst laying out landscaping within developments. Some said that the aim should be to work with developers to secure better outcomes.

**Response: The Draft Vision has been revised to improve clarity and meaning, and to address comments over conflicts between elements of the Vision. The Vision is now more traditionally based on achieving an outcome by the end of the plan period in relation to the Neighbourhood Plan Area. The revised Vision is now based on the established planning policy and development context as it exists today. Matters raised above are discussed as key challenges and some elements are now included in the Vision, and some elements have not been addressed and this is explained with reference to a future potential Parish-wide Neighbourhood Plan.**

### Questions 3 and 4 - Draft Aims

In response to Question 3, the following multiple-choice responses were provided on the Draft Aims:

1. To thrive as a vibrant community – 89% indicated slight or strong agreement, 3.3% slight or strong disagreement.
2. To maintain the distinctive rural character – 87.8% indicated slight or strong agreement, 4.8% slight or strong disagreement.
3. Sustainable development sympathetic to the landscape – 82% indicated slight or strong agreement, 12.5% slight or strong disagreement.
4. Sustain and promote local businesses and a range of community activities and facilities – 89% indicated slight or strong agreement, 5.2% slight or strong disagreement.

In all cases, the remainder predominantly neither agreed nor disagreed.

Whilst there was a high level of agreement with all the aims in the multiple-choice responses, 94 free form responses to **Question 4** raised the issues below.

**Comments on the Draft Aims 1-4 as a whole** – Some comments were on the Draft Aims as a whole and these varied in nature:



- Whether the Vision, Aims and contents of the plan met basic conditions was questioned by a small number of respondents with knowledge of the planning system, set in the context that they felt the NDP went against strategic policies or replicated them in terms of the NPPF. Conversely, it was felt the NDP did not provide local strategy and policies where it should do so. Linked to this, they felt a sufficient means of achievement has not been indicated.
- There is a lack of reference to sustainable transport or climate change priorities.
- The Aims as a whole are seen to support/facilitate new development, which is opposed.

**Comments on Draft Aim 1 ‘To thrive as a vibrant community’** – There was a general comment recurring that the Aim is too vague and undefined.

**Comments on Draft Aim 2 ‘To maintain the distinctive rural character’** – Opinion was evenly split among those responding to this Draft Aim, with some making the comment that the rural character of the area should be protected from new development, and others saying that either it has already gone or that it does not have a rural character. Other responses say that what and where rural character is, is not defined and so it is difficult to support the Draft Aim.

**Comments on aim 3 ‘Sustainable Development sympathetic to the landscape’** – Respondents said that sustainable development was not defined. Other elements of sustainable development should be considered – energy, sustainable travel, eco-homes etc. There should be focus on improving footpaths and cycle ways especially in relation to journeys to school. Sustainable Transport missing and should be a key theme with a clear plan.

Some responses saw this Draft Aim as anti-development. Other responses saw this as facilitating new housing development which is opposed. Some responses felt the landscape character had not been sufficiently identified, the elements which are important are not defined, how development can be sympathetic to it is not set out and does not set out an approach for Warden Hill. Other responses felt this aim has little use as key sites are already allocated, consented or built. The suggestion here is to switch emphasis to secure the greening of the area as a top priority through and alongside development.

**Comments on aim 4 ‘Sustain and promote local businesses and a range of community activities and facilities’** – A few comments made on this aim related to providing policies to meet the development needs of businesses, examining how arrangements established through the pandemic could be retained and expanded, encouraging community hubs e.g. Salisbury Avenue and establishing leisure centre and gym facilities in the area. The need for more and larger community meeting spaces was mentioned. The role of facilities such as the Scout Hut and Village Hall were highlighted.

**Comments on matters not included in the Draft Aims** – The following points were made as specific suggestions:

- Include an aim on Air Quality and environmental improvement.
- Oppose new housing development because of traffic, landscape and air quality impacts
- Use local parking areas for short term school drop off to alleviate the parking issues.
- Support development only on brownfield sites.

**Response: whilst there was support in broad terms for the aims, they were not clearly stated in the Regulation 14 Draft Neighbourhood Plan (being significantly longer than presented in the survey). As such the aims were not clear. Further, the aims were not used in the rest of the plan and so, when considered next to the aims and objectives, are superfluous. The aims have therefore been deleted.**

**Questions 5 and 6 – Draft Objectives**

In response to **Question 5**, the following multiple-choice responses were provided on the Draft Objectives:

1. To encourage a thriving and prosperous community that delivers an excellent quality of life for all its residents – 87.9% indicated slight or strong agreement, 3.3% slight or strong disagreement.
2. To deliver a housing growth strategy informed by the Joint Core Strategy and the Cheltenham Local Plan, with housing type tailored to the needs and context of the parish – 61.8% indicated slight or strong agreement, 21.3% slight or strong disagreement.
3. To provide long term protection of local green space, the landscape and support nature conservation through improvements to habitats – 92.6% indicated slight or strong agreement, 4.1% slight or strong disagreement.
4. To seek ongoing improvements to transport to reduce traffic congestion and promote alternatives to the use of private cars by providing safe walking and cycle routes – 90.4% indicated slight or strong agreement, 4.8% slight or strong disagreement.
5. To involve local people in an ongoing basis in the process of place-making, monitoring and delivery of development – 91.5% indicated slight or strong agreement, 3.3% slight or strong disagreement.

With regard to **Question 6**, 103 response comments were made. The question allowed for a response on any of the objectives and as such most were not specific. A review of the comments on the objectives was undertaken and matters raised in many cases mirrored matters raised on the Draft Vision and Draft Aims. Matters raised additional to those are set out below:

- There were comments registered on a lack of consultation and involvement of the NDP over the life of its development.
- Examine the potential for community bike scheme if current trials are successful.
- Incorporate 20 minute neighbourhood as an aim: <https://www.tcpa.org.uk/the-20-minute-neighbourhood>
- Max 30mph on all roads within Parish. Reducing Leckhampton Lane to 30mph (or even 20mph) - would have minimal impact on journey times, but make this much more attractive for cycling/walking.
- Create a new cycle track along the South West boundary of Bournside School along the path of the dismantled railway.
- Look at provision of EV charging facilities for those with terraced houses and on-street parking.
- Minimum plot size and maximum density for new housing
- Provide self build plots
- Set standard for tree planting per hectare
- Dedicated lanes for scooters and bikes
- Need to get older people occupying large properties to vacate for smaller ones so families can take them on.
- Quality of Life is not defined – what does it mean?
- What are the community infrastructure requirements arising from an additional 1100 people living in the area.
- Need affordable housing for rent and need smaller properties
- Thriving and prosperous community – causes a reaction from some people who think it means upper middle class only
- e-scooters worth considering
- landscape section is too long and why is there nothing on transport?

**Response: The Regulation 14 Draft Objectives have been revised to address the comments arising from consultation, to make them clearer and more targeted to policies and actions that can be presented in the Neighbourhood Plan. Draft Objective 2 has been amended to address matters which can be influenced by the Neighbourhood Plan (though no policy is presented on housing as supporting technical work on a neighbourhood housing needs assessment was not undertaken).**

### **Consultation responses to Policies**

Questions 7-20 asked people to indicate their level of agreement/disagreement with the policies in the Draft NDP. An opportunity was provided to make a written comment on each.

#### **Questions 7&8 - Policy LWH1 – Protection of Existing Shops, Community, Sports and Recreation Facilities**

With regard to **Question 7**, there was wide support for the draft policy with strong agreement indicated in 64.7% of responses and slight agreement indicated in 20.2% (84.9% indicating strong and slight agreement). 6.6% indicated strong or slight disagreement with the proposed policy.

With regard to **Question 8**, there were 66 comments in response to the draft policy.

A number of comments focused on improving facilities at Burrows Fields but it was also noted that the area is outside the NDP area. This also applied to strong support for protecting and improving Bath Road which is also outside the NDP Area, with a recommendation that it needs to be removed from the policy.

A general theme was that the policy should seek to improve and enhance provision and not only protect existing provision. In this, a particular need was identified for more leisure, sports and gym facilities.

Other comments asked for the NDP to ensure new housing developments addressed facilities within their proposals.

Further comments warned against defining a list of unchanging facilities, and called for recognition of the need for change, of alternative uses and that the plan should look forward to the types of facilities it would want to attract.

Significant comments were received on the need to ensure ongoing and improved provision of facilities and activities for children and young people in the area, with particular reference to play areas and facilities such as the Scout Hut.

Other specific facilities were requested for inclusion in the list.

**Response: The policy has been revised to distinguish between local shopping facilities now placed within a commercial use, or potentially a local community use, and community facilities. Information is presented to define the role and function of different types of community facilities in meeting local needs and sets out potential improvements required to maintain and enhance them. The policy requires on-going monitoring so that a clear and upto date picture of needs, requirements and alternatives is understood at the point at which planning applications are received for redevelopment.**

**Other parts of the Neighbourhood Plan and wider actions of the Parish Council and others are relevant to providing an attractive and well-functioning urban environment to support commercial and community activities.**

### **Questions 9&10 - Policy LWH2 – Northern Fields Design Principles**

With regard to **Question 9**, there was support for the draft policy with strong agreement indicated in 50% of responses and slight agreement indicated in 22.8% (72.8% indicating strong and slight agreement). 14% indicated strong or slight disagreement with the proposed policy.

With regard to **Question 10**, 117 comments were made on the draft policy. Comments were varied but some themes were contained among them.

Many comments took the opportunity to reinforce opposition to the developments in the area on the basis of traffic and impacts on landscape and openness. These themes have been fully recognised elsewhere and are not repeated here.

A clear desire was expressed for development of networks for walking and cycling and a concern that these should connect to destination, emphasising the need to plug gaps, particularly if children are being encouraged to walk and cycle to school.

Managing traffic flows and managing speeds with more 20mph zones was considered important. Managing the impacts of new developments on particular roads was considered important.

Some questioned the purpose of the policy given the state of current applications and developments under construction and felt this should have been addressed in advance of consultation.

Some comments felt the policy is too long, is not defined and lacks specific measures.

Some referred to the importance of managing flood risk.

The need to address sustainability was raised in terms of energy efficiency and sustainable design.

Green infrastructure within developments was mentioned – trees, hedgerows etc.

One comment said the policy appears rooted in dampening effects of change rather than embracing positive change, leads to missed opportunities.

**Response: Given that strategic planning allocations for housing development, designation of Local Green Space and other planning consents are made (the school) or are under consideration, the elements of this policy are superseded by events. The policy is deleted and any remaining relevant elements are addressed in other policies in the Neighbourhood Plan.**

### **Questions 11&12 - Policy LWH3 – Protecting Local Green Space**

With regard to **Question 11**, there was strong support for the draft policy with strong agreement indicated in 71.7% of responses and slight agreement indicated in 13.2% (84.9% indicating strong and slight agreement). 7.7% indicated strong or slight disagreement with the proposed policy.

With regard to **Question 12**, there were 91 comments on this policy.

The policy is regarded in some comments as either too late and not deliverable given developments or else already covered by the existing Cheltenham Policy. CBC recommends deletion of the policy, on the grounds that the LGS was designated in the local plan and that the school related elements (which it says amounts to a second policy within the policy on LGS, is overtaken by events and should be removed.

Familiar themes from other questions are repeated – opposition to development and a need for a focus on walking and cycling with the LGS context.

One comment referred to the need for a sixth form at THSL which is not planned for.

Another recommended a stakeholder group be formed to manage and improve the LGS

One response said references to map in section 6 and figure 9 are inconsistent and have different effects

Some comments were not complimentary about the coherence and drafting of the policy, or NDP as a whole.

**Response: The Local Green Space has been designated within the Adopted Cheltenham Borough Plan, 2020. The previous policy has therefore been replaced with another which addresses objectives to manage and enhance the Local Green Space and to seek complementary approaches to achieve benefits in relation to adjacent developments. The policy will be supported by a Management Plan which needs to be prepared to give effect to elements of the policy.**

#### **Questions 13&14 - Policy LWH4 – Protecting Other Open Spaces and Amenities**

With regard to **Question 13**, there was strong support for the draft policy with strong agreement indicated in 65.1% of responses and slight agreement indicated in 20.6% (85.7% indicating strong and slight agreement). 5.3% indicated strong or slight disagreement with the proposed policy.

With regard to **Question 14**, 49 comments were made on the policy.

The main comments on the policy related to the clarity of the definition of open space vs green space and of the criteria used in the policy and some comment on whether the criteria are already covered in national and local policies and so superfluous.

The reference to allotments prompted comments about the need for more allotments.

Other comments of note included the need to consider the collective value of open spaces and the need for wilder spaces and rewilded spaces.

The other non-recreational roles of open space were referred to, such as for drainage and flood storage.

Comments also opposed the loss of any open spaces from the area.

**Response: The previous policy has been replaced by a new one focused on defining the neighbourhood's green infrastructure, seeking to establish the roles and functions of green infrastructure elements and providing planning policy to ensure these functions are maintained and enhanced.**

**Green Infrastructure roles are relevant to the strategic consideration of Valued Landscape, to walking and cycling and to other elements of the Vision. The policy requires the development of programme priorities for green infrastructure investment in the neighbourhood.**

#### **Questions 15&16 - Policy LWH5 – Conserving and Leckhampton's Valued Landscape**

With regard to **Question 15**, there was strong support for the draft policy with strong agreement indicated in 75.0% of responses and slight agreement indicated in 13.6% (88.6% indicating strong and slight agreement). 5.8% indicated strong or slight disagreement with the proposed policy.

With regard to **Question 16**, there were 58 comments on the policy. The main theme raised was that the objectives of the policy are lost owing to development already consented and under construction

plus new allocations. Therefore, the policy is not deliverable. This was expressed in disappointment in the main.

It was felt that Value Landscape is not defined and references to reference 4 are incorrect. It was suggested in one comment consultation responses are based on false information.

CBC say the policy repeats elements of adopted policies and these parts should be removed with the policy redrafted to make it clearer and more understandable.

Some comments felt the policy sought to prevent any sort of development, forever, and that this is not reasonable.

Some comments referred to issues around trees – ash die back, tree cutting to improve views, replacement trees.

**Response: A revised policy is presented which reflects the current planning policy context and status of planning consents in the Neighbourhood Plan Area. Importantly, the Landscape and Visual Appraisal which was prepared to support the previous policy, has been updated to provide up to date context to guide this policy. The LVA and a summary of the established planning policy position on Valued Landscape is provided in appendices to the Neighbourhood Plan.**

#### **Questions 17&18 - Policy LWH6 – Development affecting non-designated heritage assets**

With regard to **Question 17**, there was strong support for the draft policy with strong agreement indicated in 61.8% of responses and slight agreement indicated in 19.1% (80.9% indicating strong and slight agreement). 5.2% indicated strong or slight disagreement with the proposed policy.

With regard to **Question 18**, 33 comments were made in response to this policy. The main comment is that the policy needs recasting to define non-designated heritage assets and to ensure that this brings in all such local assets in the Neighbourhood Area. Setting this as local detail in relation to existing NPPF and JCS policy will address concerns raised about the definitions in the policy, about the use of the word protection stopping all development or being unclear.

It was felt that if features have heritage value, they should be managed/maintained and there is a duty to provide interpretation/information to educate and inform. There was a question about who will do this.

**Response: The policy has been rewritten to provide Neighbourhood Plan policy to ensure appropriate regard is given to the importance of non-designated heritage assets and building of local importance. The policy is supported by a list of all such assets included within appendices.**

#### **Questions 19&20 - Policy LWH7 – Protection of dwellings against Future Flooding and Climate Change**

With regard to **Question 19**, there was strong support for the draft policy with strong agreement indicated in 77.9% of responses and slight agreement indicated in 13.6% (91.5% indicating strong and slight agreement). 3.3% indicated strong or slight disagreement with the proposed policy.

With regard to **Question 20**, 69 comments were made on this policy. There was strong support for more tree planting along with some comment about the need for ongoing care and management of trees. There is a particular need to enhance tree planting in the Warden Hill area.

A number of comments felt that Warden Hill suffers significant risk of flooding but that the policy is not addressing it but should do so.

A clear focus is needed on ensuring that the current network of flood defences, drainage ditches and drainage infrastructure is properly maintained so that it functions to its capacity.

Many comments indicated that the 30% margin in the policy will be subject to change as information on climate change improves.

The use of the word encourage was seen as weak.

There was clear support for a focus on avoiding impermeable hardstanding where possible.

One comment questioned if flood risk was beyond the scope of the NDP and is a matter on which the JCS and GCC are competent authorities.

Another comment questioned the implementation of the policy in practice given the NDP applies to only a part of the Parish.

CBC requested rewording of parts d and e of the policy to make them clear and useable.

**Response: The policy has been amended to improve the strength of requirements in d) and e), regarded as weak or not clear.**

#### **Question 21 – Clarity of the Neighbourhood Plan**

With regard to **Question 21**, there was more limited agreement that the Neighbourhood Plan is presented clearly with strong agreement indicated in 37.1% of responses and slight agreement in 27.9% (65.1% indicating strong and slight agreement). 15.4% disagreed that the plan is clear and a further 15.4% neither agreed or disagreed.

**Response: The Neighbourhood Plan has been significantly reduced in length. The sections of the plan are clearly focused and the Vision and Objectives now feed directly through to relevant policies. Information is not duplicated so that relevant information is included in appendices and referred to throughout.**

#### **Question 22 – Further Comments on contents of the Neighbourhood Plan**

With regard to **Question 22**, 120 comments were made in response to this question. Many focussed on the clarity and presentation of the plan. Whilst some thought it well drafted and well presented, most admitted to not having read all of it because of its length. A far greater number of responses were critical of the length of the document, its complexity and its lack of clarity. Many urged a rewrite to make it shorter and clearer, employing the use of appendices.

Some comments were critical of the focus on matters now resolved and thought these should not have been in the consultation draft and should now be taken out.

Some comments thought the document is backward looking and not thinking about the future needs and aspirations of the community.

All sides of the development debate felt that traffic, walking, cycling, public transport should have been tackled in the NDP and have not been.

Some comments referred to the need for the NDP to address climate change.

Respondents from Warden Hill felt the plan does not consider the needs of this area and is too focused on development issues in Leckhampton.

A few comments pointed to errors in the document and were concerned this jeopardises the consultation as responses could be founded on false assumptions.

A few comments felt the plan opposes development which is needed – the school, affordable housing.

**Response: Many matters raised in consultation have been acknowledged and discussed in the key challenges, vision and draft objectives section of the plan. Here it is established which issues are addressed within the plan, recognising the genesis of the plan and its focus on a number of distinct issues over many years. Some matters would be more appropriately addressed in a future Neighbourhood Plan based on the whole of Leckhampton with Warden Hill Parish.**

**A new walking and cycling section and policy has been added to the Neighbourhood Plan as a means of giving strategy and policy effect at the neighbourhood level to concerns over traffic generation, air quality, congestion, walking and cycling. Given established competencies over highways matters at County level, the Neighbourhood Plan focus is on developing sustainable travel options based on walking and cycling to local amenities.**

**The new green infrastructure-focused policy supports this and is also relevant to concerns raised that the Neighbourhood Plan should seek to improve sustainability and healthier lifestyles. The policy demonstrates how the collective elements of green infrastructure operate at strategic and local levels.**



**Appendix 1 - Comments received at Public Consultation Event on Reg 14 held on 2<sup>nd</sup> and 3<sup>rd</sup> October 2021**

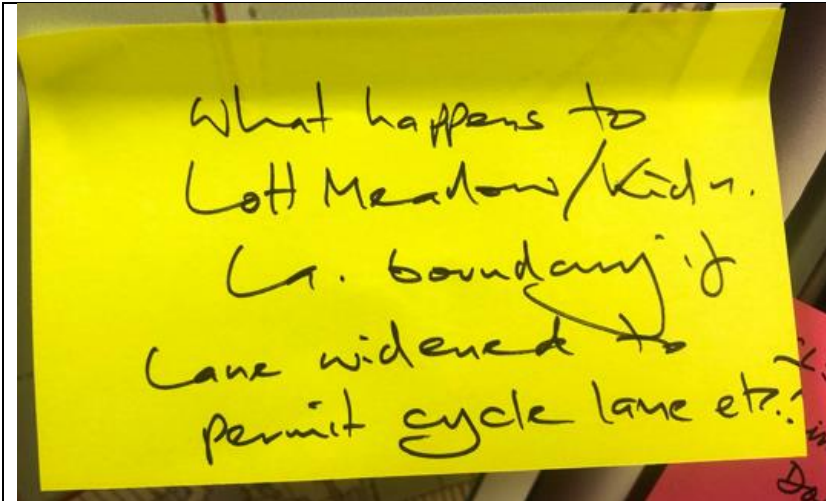
People were invited to leave comments written on post it notes

Comment	Response
<p>IF WE KEEP BUILDING ON GREEN SPACE ONE DAY WE WILL HAVE NONE LEFT!! MONEY RULES!!</p> <p>1547</p>	<p>The view expressed was also expressed in response to the consultation survey and a discussion of the issues is set out in that part of this consultation report.</p>
<p>GLS3 OPY Point d) on Policy LWH2 board has already been ignored. eg view of hill blocked by new secondary school from Kidnappers Lane. Will "careful consideration" mean anything?</p> <p>1548</p>	<p>View expressed that criteria d. of LWH2 has been compromised by development of the school. This is also raised in the survey and is addressed elsewhere in this report.</p>
<p>Retirement Village - NO!! Retirement Bungalows - YES but good quality 2-3 bedrooms 2 bedrooms For people who wish to downsize but remain in the area.</p> <p>1549</p>	<p>Specific comment on desired form of retirement accommodation – to be available for local people to downsize into 2/3 bedroom, 2 bathroom bungalows.</p> <p>Response - A local housing needs assessment has not been prepared to support the NDP. This would provide evidence to support specific requirements on accommodation types.</p> <p>A design code has not been prepared to support</p>

	<p>the NDP. This would provide local evidence and context to influence layout and density of development.</p> <p>The proposed retirement village is subject of an existing full planning application and so comments in relation to the form of accommodation must be made separately in response to the application.</p>
	<p>The Draft NDP is undergoing an edit to address to improve clarity and structure.</p>
	<p>Information in the Draft NDP is being updated to reflect more recent information.</p>

1551

1552

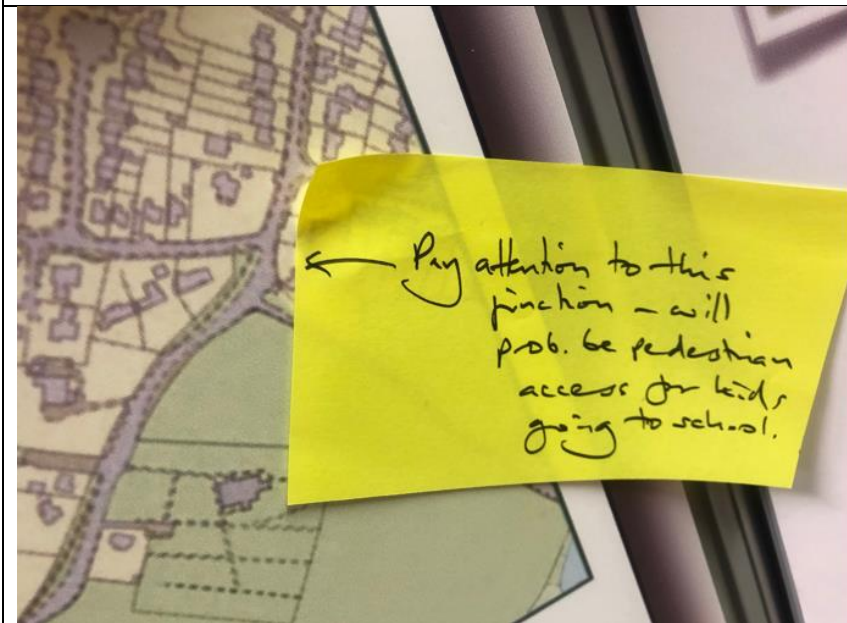


1553

This comment may be referring to whether a cycle lane can be developed in what would be Local Green Space?

If so, the policy for Local Green Space could set out the objectives for management of the space including acceptable forms of development to encompass, signs, paths, seating, cycle ways.

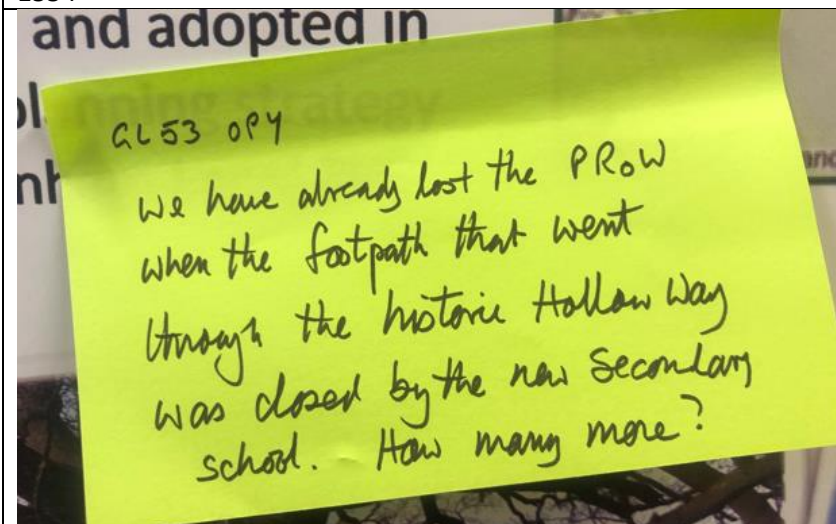
A new walking and cycling section is now provided.



1554

The NDP does not currently address transport and traffic as a distinct topic.

A new walking and cycling section is now provided.



1555

Concern over loss of PROW with Consented School development.

A new walking and cycling section is now provided.

## **Appendix 2 – Consultation Response provided as separate written representations**

A number of consultation responses to the Regulation 14 Draft Neighbourhood Development Plan for Leckhampton with Warden Hill were received as letters of submission or emails. These are detailed below.

### **Black Box Planning (on behalf of Redrow Homes Ltd)**

Please refer to the full submission. In summary, two main points are contained within the response made on behalf of Redrow.

**Basic Conditions** - Taken as a whole, the Draft NDP fails to meet Basic Conditions on the grounds that it does not positively promote a sustainable pattern of development to meet the development needs of the area and reads as a presumption against development. It refers to policies which it says seek to undermine those set out in the Joint Core Strategy by limiting opportunities within the Neighbourhood Area for new homes to be delivered and introduces barriers to sustainable development over and above those already set out in the JCS and Cheltenham Borough Plan, contrary to the NPPF para 28. Finally, the submission says that the plan is not responding to the shortfall in housing supply and does not (clearly) set out how planning applications will be considered.

**Response: The Neighbourhood Plan has been significantly reworked to provide a more forward-looking vision and objectives which speak to positive strategies to achieve sustainable development in the neighbourhood. The Neighbourhood Plan recognises the current planning policy and development context and seeks to influence how these are delivered.**

**Policy LWH3 Area CF5 and Local Green Space** – There is an objection to policy LWH3. This relates to the inclusion of the Local Green Space policy as a whole given that it has already been included in Policy GI1 of the adopted Cheltenham Borough Plan and so duplicates this.

A specific comment relates to Area CF5, where it says that ‘*Cheltenham Plan Modifications report (July 2019), CBC re-assessed a range of land parcels within the proposed LGS and found that CF5 (Parcel J) did not meet 4 no. of the 5 no. NPPF criteria for designation as it had no public access and played a peripheral role to the bulk of the LGS characterised by a lack of inter-visibility and relationship with the rest of the proposed LGS. The only mention of existing protections over the site was in relation to a Tree Protection Order (TPO) over an orchard area on the land. As a matter of fact therefore, the land was considered unsuitable for LGS designation.*

There is a further comment which gives the respondent’s view in detail of the value of the parcel Area CF5 as lacking any statutory protection in landscape or LGS terms, as not precluded from development owing to TPOs, as not constrained by ecological considerations (subject to survey and mitigation), as being within Flood Zone 1, and as capable of development [in the planning balance] considered against Value Landscape which may be placed upon it by the NDP.

The response requests the removal of Area CF5 and in view of the duplication with CBC policy GI1, consideration of the removal of the policy LWH3.

**Response: Policy LWH3 has been replaced and no longer refers to Area CF5 in those terms. Policy LWH4 on green infrastructure refers to the site as land off Barn Lane and Church Road and accurately describes its status as undesignated open land within the urban area. The features of the land are noted in relation to the orchard. Objectives for future restoration of the orchard and future public access are stated within supporting tables, if planning consents for housing**

**development are not granted. If consents are given, then Policy LWH4 would also seek to ensure that new development is designed in a way which maintains and enhances strategic and local contribution of green infrastructure through design, layout, landscaping and planting as appropriate in the context of the nature of permissions.**

### **Natural England**

Responded with no comment

**Response: none required**

### **Jo Furley, GL53 0AG**

The response raised a number of transport related comments:

- Concern was raised over the loss of footpath across CF2 (related to the school development)
- Greater priority needs to be given to cycle routes and footpaths as an alternative to the car
- Traffic management/prioritisation/pedestrianisation options need to be considered on Kidnappers Lane.
- Consideration of pedestrian crossings and rear access to the school is needed.
- Bus Services used to be direct and frequent and are now slow and circuitous, which needs some attention.
- Request to preserve CF4 and CF5 owing to wildlife value.
- Northern Fields – development should be no more than two storey and homes should be zero carbon
- The heart of the (Leckhampton) village is lacking amenities and needs a greater range of services.

**Response: The Neighbourhood plan has been reworked to recognise the current planning policy context and status of planning consents. The plan has introduced new sections on walking and cycling and green infrastructure which addresses some of the comments above.**

### **Martin Horwood, Liberal Democrat Borough and Parish Councillor for Leckhampton**

Please refer to the full submission. This sets out a detailed sets of suggestions to improve the clarity of the plan, make it easier to read and understand, and to make it shorter.

**Response: the Neighbourhood Plan has been reworked with comments taken into account.**

### **RPS on behalf of Miller Homes**

Please refer to the full submission. The response says that Miller Homes was not notified of the consultation. They would welcome dialogue and may seek Counsel advice depending on how matters progress in relation to responses to points raised prior to Regulation 15 consultation.

A detailed response is provided to each of the criteria a) to x) laid out under **policy LWH2**, summarised as follows:

- a) Duplicates NPPF, lack of clarity over requirements and lack of definitions, lack of supporting evidence on trees, overall criteria should be deleted.
- b) Policy MD4 of Cheltenham Borough Plan allocates the site. Consideration of transport impacts is built-in. Should not limit use of models. Requirement is not consistent with para 110d of the NPPF, criteria not required as development plan policy already addresses it. Delete Criteria.

- c) Should not limit use of transport model. The criteria is overly-prescriptive, references to specific highway improvements contradicts Policy INF1 of the JCS. Applicants are required to demonstrate their schemes are appropriate with the LPA and Highways Authority. Parish Councils not competent authorities for this. Duplicates policies and roles. Delete criteria or amend to address concerns.
- d) NW2 covers the north west of the allocation site MD4, therefore this could undermine the allocation which is for development in that area. Views from NW2 already affected by development of the school. Delete criteria.
- e) As drafted, development on MD4 would only be allowed if totally obscured from public viewpoints – not reasonable nor justifiable given examination and adopted of local plan with site allocation. Also unnecessary as other design policies of adopted local plan apply - SD4 Design Requirements and SD6 Landscape (neither seek to 'hide development'). Goes beyond the development plan. Delete Criteria
- f) The process leading to the adoption of the Local Plan and allocation of site MD4 did not refer to, provide for or make any comment on the value of smallholdings, or result in policy criteria on such uses within the allocated site. There is no justification for the criteria, and in any case is unclear and lacks definition such that it would not be usable. It also refers to discussions with the parish council where it was made clear that it would not be possible to incorporate the smallholdings into a residential development as a retained use as they would form part of the communal POS and as such would be managed. Seeks removal of reference to future public consultation from the policy.
- g) Criteria cannot be implemented as land south of NN is the location of the new school that will act as a visual barrier, negating screening requirements on the boundary of NN and NE as a result. Criteria is already addressed in development plan policy. Delete Criteria.
- h) The requirement is overly-prescriptive and is not supported by any evidence of requirement or justification on separation of vehicular/non-vehicular routes. Suggests different wording to avoid conflict with NPPF.
- i) No comment
- j) There is no requirement in strategic policy MD4 for the provision of older persons housing on the site, therefore is not consistent. No local evidence of housing needs for older people or specialist accommodation has been presented. Recommends deleting parts of the text to address these concerns.
- k) No Comment
- l) The wording is generic in nature and is addressed elsewhere in the development plan i.e. under JCS Policies SD4 (Design), SD9 (Biodiversity and Geodiversity) and INF3 (Green Infrastructure), and Policies G12 and G13 of the adopted CLP on trees. Therefore, it is questioned whether the criteria is needed in principle. Also differs from adopted policies. Overall, does not add anything of detail beyond local plan policy, so delete criteria.
- m) No comment
- n) The allocation in MD4 does not require provision of local shopping facilities or other commercial facility as part of the mix of uses on the site. The NDP does not present evidence to demonstrate the need for additional facilities on the site. Delete references to shops.
- o) No comment
- p) No comment
- q) duplicates elements of the development plan (Policy MD4 and INF1) as well as national policy (NPPF, paragraph 111) which require the consideration of potential impact of new development on the transport network. This brings into question the necessity of including

the criteria in the LWHNDP. Does not allow for mitigation. Duplicates NPPF para 111 with regard to residual impacts. Delete criteria.

- r) Duplicates criteria h) and Local Plan policy SD4vii which addresses the same points. The NDP raise issues about walking and cycling across the Parish in the context of this and so raises question about test of reasonableness of Planning Obligations requirements under Para 57 of NPPF. In any case, the NDP does not define the network or what the requirements are specifically. Overall duplicates and is not clear or deliverable, so delete criteria.
- s) Duplicates criteria k). DAS are a requirement in any case. There are clear regulations covering their content including design principles and context. Duplicates and is unnecessary, so delete criteria.
- t) Development plan policies most relevant to the design of buildings, notably Policy SD4 of the JCS and Policy D1 of the Cheltenham Local Plan do not contain any precedent for the restriction of storey heights in this location. Most notably, Policy MD4 also contains no requirement for heights of buildings to be specifically restricted to 2.5 storeys or less on the site. None of these policies promote an absolute restriction on storey heights anywhere in the JCS area, or in the Cheltenham area specifically. It is not clear what evidence is used to justify the proposed restrictions on storey heights on the site and to demonstrate that development of buildings over and above 2.5 storeys would cause the adverse harm suggested in the policy. Appears arbitrary and without justification and not consistent with development plan policies. Delete criteria.
- u) Inconsistent with other development plan policies (Policy SD4(1i)) which merely promotes the use of materials 'appropriate to the site and its setting'. The development plan does not therefore insist or require the use of local materials as a matter of principle. No evidence is provided to justify such a prescriptive approach and so the wording cannot be supported. Modify wording to encourage rather than require so remains consistent with local plan policies.
- v) The criteria is not clear what types of equipment it is referring to and is not supported by evidence or guidance to provide clarity what is required. Needs clarification and supporting information.
- w) SD3(2) of the JCS requires that proposals must demonstrate that development is designed to use water efficiently, but does not require optimum efficiency in water usage. This remains consistent with national policy (NPPF paragraph 8) which defines as part of the environmental objectives of sustainable development as 'using natural resources prudently' (RPS emphasis). The criteria goes beyond the remit of national and local policies on managing natural resources, including water. No supporting information is provided to establish a context for higher requirements. On this basis, the criteria is not appropriate as drafted and so should either be modified or deleted from the policy.
- x) No Comment

**Comments on the supporting text to LWH2** – The response makes detailed arguments as to the treatment of land parcels R2 and R3 in the supporting text to policy LWH2. Refer to the full submission for the details of these. In summary, the response says that policy MD4 of the adopted local plan places no restraint on development of R2 and R3 and that the objective of discussion of these in the Draft NDP in support of LWH2 is to reopen debate which has been settled. A significant redraft of the section is requested to ensure it accurately reflects established facts and adopted planning policies.

**Response: Policy LWH2 and supporting text have been deleted.**

**Comments on Policy LWH5** – The Landscape and Visual Appraisal November 2017, LEPUS Consulting Ltd. October 2017, is referred to as reference 4 and should be viewed to understand the valued landscape that the policy seeks to conserve and enhance – no further details are provided and the study has not been made available for the consultation.

The supporting text (see page 52-53 of the LWHNDP) state that the area of valued landscape spans an area of 60 hectares bounded to the south by the Cotswold AONB, however the boundary of this area is not defined in the LWHNDP.

The policy does not refer to R2 or R3, nor the smallholdings (in relation to LWH2). Does not discuss the merits of protecting these from development within the Value Landscape.

The response makes detailed arguments as to the treatment of valued landscape and to the factors leading to the designation of Local Green Space through the Cheltenham Borough Plan. This concludes that it is clear that there is broad consistency between the various Inspectors who have been asked to consider the merits of the land south of Leckhampton. In terms of which areas meet the definition of ‘valued landscape’ and those that do not and, as a result, which areas merit specific protection under the development plan, this clearly does not include areas R2 and R3 nor the smallholdings. However, the Parish are seeking to re-define the extent of valued landscape in Leckhampton, without regard to the evidence available. It says the Parish’s approach is therefore unjustified.


Further information is presented to consider the character and appearance and landscape value of areas R2 and R3. The result of this is to conclude that R2 and R3 do not have sufficient landscape quality to merit specific protection in the development plan. Further detailed commentary is provided in relation to JCS 2017 examination processes to establish that R2 and R3 do not fall into a category of landscape and visual sensitivity that would make them inappropriate for development.

The response says it is considered appropriate not to apply Policy LWH5 to areas R2 and R3 or the smallholdings north and south of footpath CHL/6 as these are not valued landscapes as defined in national policy.


**Response: Policy LWH5 has been redrafted and the Lepus LVA has been updated.**

**Other submissions not reviewed.**


Three further .pdf files were supplied from the Parish Council for the review of consultation responses, but these could not be opened. A request for further copies of the file has been made and the report will be updated when openable versions of these files are received.

 FW: RE: Regulation 14 consultation on the Leckhampton and Warden Hill Parish Council draft Neighbourhood Plan

Microsoft Edge PDF Docu...

 Fwd: Just days before Leckhampton deadline!

Microsoft Edge PDF Docu...

 Fwd: The Time is Right for Bournside Green Corridor to Be Included into the Leckhampton with Warden Hill Neighbourhood Plan

Microsoft Edge PDF Docu...



## Appendix B– Consultee List For Regulation 14 Consultation, November 2022 – January 2023

Consultee	Email address(es)
All ward/division parish, borough & county councillors for Leckhampton and Warden Hill	PC circulation list; <a href="mailto:emma.nelson@gloucestershire.gov.uk">emma.nelson@gloucestershire.gov.uk</a> ; <a href="mailto:cldr.emma.nelson@cheltenham.gov.uk">cldr.emma.nelson@cheltenham.gov.uk</a> ; <a href="mailto:cldr.tony.oliver@cheltenham.gov.uk">cldr.tony.oliver@cheltenham.gov.uk</a> ; <a href="mailto:cldr.iain.dobie@cheltenham.gov.uk">cldr.iain.dobie@cheltenham.gov.uk</a> ;
Cheltenham Borough Council (planning policy team)	<a href="mailto:john.rowley@cheltenham.gov.uk">john.rowley@cheltenham.gov.uk</a>
Gloucestershire County Council / Gloucestershire Highways	<a href="mailto:colin.chick@gloucestershire.gov.uk">colin.chick@gloucestershire.gov.uk</a>
Cotswolds AONB Management Board ('Cotswold National Landscape')	<a href="mailto:john.mills@cotswoldsaonb.org.uk">john.mills@cotswoldsaonb.org.uk</a>
Environment Agency	<a href="mailto:LegalSupport@environment-agency.gov.uk">LegalSupport@environment-agency.gov.uk</a> ; <a href="mailto:enquiries@environment-agency.gov.uk">enquiries@environment-agency.gov.uk</a>
Natural England	<a href="mailto:consultations@naturalengland.org.uk">consultations@naturalengland.org.uk</a>
Gloucestershire Constabulary & OPCC	sent to chris nelson to pass on to the right person
Historic England	<a href="mailto:southwest@HistoricEngland.org.uk">southwest@HistoricEngland.org.uk</a>
Leckhampton CofE Primary School	<a href="mailto:admin@leckhampton.gloucs.sch.uk">admin@leckhampton.gloucs.sch.uk</a>
Warden Hill Primary School	<a href="mailto:admin@wardenhill.gloucs.sch.uk">admin@wardenhill.gloucs.sch.uk</a>
High School Leckhampton/Balcarras Trust/Balcarras	<a href="mailto:thsl@balcarras.gloucs.sch.uk">thsl@balcarras.gloucs.sch.uk</a>
Cheltenham Bournside School & Sixth Form Centre*	<a href="mailto:hello@bournside.gloucs.sch.uk">hello@bournside.gloucs.sch.uk</a>
Westfields Day Nursery, Leckhampton Road	<a href="mailto:info@westfieldsdaynursery.co.uk">info@westfieldsdaynursery.co.uk</a>
Nursery Rhymes Day Nursery, Kidnappers Lane	<a href="mailto:nurseryrhymes@btinternet.com">nurseryrhymes@btinternet.com</a>
Broadlands Pre-School, Burrow's Field*	<a href="mailto:broadlandspreschool@tiscali.co.uk">broadlandspreschool@tiscali.co.uk</a>
St. Christopher's Playgroup, Warden Hill	<a href="mailto:info@stchristophersplaygroup.uk">info@stchristophersplaygroup.uk</a>
Pip & Jim's Pre-School, Brizen*	<a href="mailto:enquiries@pipandjimspreschool.co.uk">enquiries@pipandjimspreschool.co.uk</a>
Leckhampton Surgery	Letters sent 31/8 and 21/10

Severn Trent Water	<a href="mailto:customer care@severntrent.co.uk">customer care@severntrent.co.uk</a>
National Grid	<a href="mailto:surinder.sian@nationalgrid.com">surinder.sian@nationalgrid.com</a>
Wales & West Utilities	<a href="mailto:enquiries@wwutilities.co.uk">enquiries@wwutilities.co.uk</a>
Openreach	<a href="mailto:press@openreach.co.uk">press@openreach.co.uk</a>
Sue Ryder Care, Leckhampton Court	<a href="mailto:leckhampton@sueryder.org">leckhampton@sueryder.org</a>
Woodlands Vets	<a href="mailto:enquiries@woodlands-vets.co.uk">enquiries@woodlands-vets.co.uk</a>
Vets on the Park	<a href="mailto:leckhampton@medivet.co.uk">leckhampton@medivet.co.uk</a>
Known key developers (Miller, Kendrick, Newlands, Redrow)	<a href="mailto:craig.cobham@newlandhomes.co.uk">craig.cobham@newlandhomes.co.uk</a> ; <a href="mailto:helen.Dawkins@m">helen.Dawkins@m</a> <a href="mailto:Darren.Oakley@rpsgroup.com">Darren.Oakley@rpsgroup.com</a> ; <a href="mailto:dan.trundle@blackboxplanning.co.uk">dan.trundle@blackboxplanning.co.uk</a> <a href="mailto:J.baggott@tyler-parkes.co.uk">J.baggott@tyler-parkes.co.uk</a>
Midcounties Co-Op	<a href="mailto:justin.Jones@midcounties.coop">justin.Jones@midcounties.coop</a>
Up Hatherley PC	<a href="mailto:clerk@uhpc.org.uk">clerk@uhpc.org.uk</a>
Shurdington PC	<a href="mailto:shurdingtonpc@gmail.com">shurdingtonpc@gmail.com</a>
Tewkesbury BC	<a href="mailto:PlanningPolicyEnquiries@tewkesbury.gov.uk">PlanningPolicyEnquiries@tewkesbury.gov.uk</a>
Brizen Young Peoples' Centre	<a href="mailto:brizencentre@gmail.com">brizencentre@gmail.com</a>
St Peter's Leckhampton/Leckhampton Village Hall	<a href="mailto:parishofficeleckhampton@btinternet.com">parishofficeleckhampton@btinternet.com</a>
Cheltenham URC/St.Christopher's/Church in Warden Hill	<a href="mailto:urc@tciwh.org.uk">urc@tciwh.org.uk</a> ; <a href="mailto:stchris@tciwh.org.uk">stchris@tciwh.org.uk</a>
FOLK	<a href="mailto:leckhamptonhill@gmail.com">leckhamptonhill@gmail.com</a>
FOLPS	<a href="mailto:chair@folps.com">chair@folps.com</a>
Leckhampton Local History Society	<a href="mailto:sue@everest48.plus.com">sue@everest48.plus.com</a>
Cheltenham & Tewkesbury Cycling Campaign	63 Shurdington Road, Cheltenham, GL53 0JG
Leckhampton Rovers FC	<a href="mailto:davepitts@blueyonder.co.uk">davepitts@blueyonder.co.uk</a> ; <a href="mailto:markebeaney@googlemail.com">markebeaney@googlemail.com</a>
Leckhampton Lawn Tennis Club	<a href="mailto:tennis@talktalk.net">tennis@talktalk.net</a> . (really! Dave Hughston, club secretary)
Cheltenham Connect	<a href="mailto:contact@cheltenhamconnect.co.uk">contact@cheltenhamconnect.co.uk</a>
24th Cheltenham (Leckhampton) Scout Group	<a href="mailto:gsl@leckhamptonscouts.org.uk">gsl@leckhamptonscouts.org.uk</a>
1st Warden Hill Scout Group	<a href="mailto:robsam12@googlemail.com">robsam12@googlemail.com</a>

Cheltenham Woodcraft Folk	<a href="mailto:contact@cheltenhamwoodcraft.org.uk">contact@cheltenhamwoodcraft.org.uk</a>
Gloucestershire Wildlife Trust	<a href="mailto:Roger.Mortlock@gloucestershirewildlifetrust.co.uk">Roger.Mortlock@gloucestershirewildlifetrust.co.uk</a>
Newlands Homes	<a href="mailto:craig.cobham@newlandhomes.co.uk">craig.cobham@newlandhomes.co.uk</a>
Kendrick	<a href="mailto:j.bagg0tt@tyler-parkes.co.uk">j.bagg0tt@tyler-parkes.co.uk</a>
Miller Homes	<a href="mailto:helen.evans@miller.co.uk">helen.evans@miller.co.uk</a>
Redrow	<a href="mailto:Conor.Flanagan@blackboxplanning.co.uk">Conor.Flanagan@blackboxplanning.co.uk</a>

## **Appendix C – Spreadsheet of Survey Responses to Consultation on Regulation 14 Draft Neighbourhood Plan, January 2023**

**See Separate Document**

## **Appendix D – LWHPC Neighbourhood Plan Summary Report**

**See Separate Document**

## Appendix E – Response from Cheltenham Borough Council to Regulation 14 Consultation, March 2023

### Cheltenham Borough Council comments on LwWH neighbourhood plan, Regulation 14 draft

Cheltenham Borough Council has been asked by the Leckhampton with Warden Hill Parish Council to provide comments on their Regulation 14 draft Neighbourhood Plan. The following comments focus on the Vision & Objectives as well as the policies of the Plan.

#### Compliance with CBC strategic policies

Planning Policy Guidance for Neighbourhood Plans state that they should support the strategic policies of the local planning authority's Local Plans. CBC has two strategic policies, both of which are in the Joint Core Strategy (SP1 & SP2). They determine the need and distribution of new development respectively. The neighbourhood plan does not impede these policies and therefore it is compliant with the policies.

#### Vision & Objectives

We have no comments to make regarding the vision & objectives, although we would point out that objective 3 refers to "local green space" without capital letters. Perhaps consider either capitalising the letters or using a different term if green spaces in general are being referred to.

**Response – Change has been made to refer to the objective to protect and enhance the Leckhampton Local Green Space and other green infrastructure.....**

#### Policy LWH1 - Grocery Shops and Community Facilities

- The policy states that changes of use from F1 and F2 (i.e. shops and community facilities) will not be supported without suitable alternative provision. It could be argued that this is either consistent or not consistent with the NPPF.
  - Paragraph 123 of the NPPF states: "Local planning authorities should also take a positive approach to applications for alternative uses of land which is currently developed but not allocated for a specific purpose in plans, where this would help to meet identified development needs. In particular, they should support proposals to: a) use retail and employment land for homes in areas of high housing demand, provided this would not undermine key economic sectors or sites or the vitality and viability of town centres, and would be compatible with other policies in this Framework".
  - The NPPF therefore encourages the use of retail/employment land for other purposes unless it would harm "key economic sectors". The neighbourhood plan emphasises the importance of the grocery shops within and around the neighbourhood area and makes a case for a review of Neighbourhood Centre boundaries found in the Cheltenham Plan. Neighbourhood Centres are generally focused on corner shops and other community services. They are allocated in the Cheltenham Plan and benefit from a degree of protection. Therefore, it could be

argued that such locations are key economic sectors, and thus this section would be consistent with the NPPF.

- The wording regarding permitted development in the Plan is confusing in places, such as LWH1 and paragraph 85. Permitted development that allows class E uses (e.g. retail) to be changed to class C3 (residential) is called class MA permitted development. Describing it as class E to class MA housing is not correct. This should be described either as Class MA permitted development or Class E to Class C3 development (or changes of use from Class E to Class C3). **Response – text in para 85 and LWH1 has been amended to make it clearer.**
- Normally the removal of permitted development rights would require an Article 4 direction to be made. However, LWH1 specifically says it should not be approved if “it would significantly harm the overall function and role of the local shopping facilities and centres”. The General Permitted Development Order of the Town and Country Planning Act is consistent with this by saying, “the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to... the impact on the local provision of the type of services lost”. **Response – Noted.**
- Part of LWH1 requires that new housing sites of 1 hectare or larger will only be supported if there is existing suitable shop provision, or should propose new shop provision. The emphasis within the neighbourhood plan is that shops should be within 800m of housing to keep them within a walkable distance. This would make them more sustainable and enable a healthier mode of transport than the car for residents. The NPPF supports policies that promote healthy lifestyles and communities, e.g. paragraph 92(c). **Response – Noted.**

#### LWH2 – Transport Plan, walking, cycling

- Regarding the requirement for financial contributions towards walking and cycling provision, [the PPG](#) says “Neighbourhood plans may also contain policies on the contributions expected from development, but these and any other requirements placed on development should accord with relevant strategic policies and not undermine the deliverability of the neighbourhood plan, local plan or spatial development strategy. Further [guidance on viability](#) is available”. (Paragraph: 005 Reference ID: 41-005-20190509)
  - LWH2 appears to accord with strategic policies etc.
  - The viability PPG also states that “These policy requirements should be informed by evidence of [infrastructure need], and a proportionate assessment of viability that takes into account all relevant policies, and local and national standards, including the cost implications of the Community Infrastructure Levy (CIL) and section 106.”
  - This level of evidence appears to be lacking.

**Response – Policy LWH2 has been amended to state support for identified community priorities on walking and cycling routes but does not require contributions from applicants given the lack of supporting evidence on viability.**

#### LWH3 – LGS

- No comments

#### LWH4 – GI

- No comments

#### LWH5 – Valued Landscape

- Consider separating point b’s two sentences into separate points. **Response – change made to separate the sentences.**

LWH6 – Non-designated Heritage Assets

- No comments

LWH7 – Flooding and Climate Change

- No comments



## **Appendix F – Response from Miller Homes to Regulation 14 Consultation, April 2023**

**See Separate Document**

## **Appendix G – Lepus Consulting Landscape Consultation Response**

**See Separate Document**