

Cheltenham Borough Council

General Statement of Information - Town and Country Planning, including Neighbourhood Planning

1. The Planning System

- 1.1 The planning system manages the use and development of land and buildings with the aim of creating sustainable places to live and work. Without a planning system in place, development would not be controlled and could take place anywhere, with a considerable impact on people and the environment. Potential development activity is managed through planning applications, using the Development Plan as a basis to make decisions.
- 1.2 The planning system has two parts which are usually the responsibility of the Local Planning Authority (LPA):
- Plan-making – setting out proposals for development and policies to guide development over a period of time.
 - Development management – where planning decisions are made through the assessment of planning applications.
- 1.3 Not all forms of development require the submission of a planning application as some proposed development, depending on the scale and type, is covered by permitted development rights. For development that requires the submission of a planning application, Cheltenham Borough Council (CBC) as the LPA is responsible for deciding whether the development should go ahead unless a right of appeal against a refusal or non-determination has been made to the Planning Inspectorate under the Secretary of State. Decisions on planning applications in the Leckhampton with Warden Hill area are taken in accordance with the Development Plan unless there are material considerations that indicate otherwise. If 'made' (adopted) the Leckhampton with Warden Hill Neighbourhood Plan will also become part of the Development Plan and be used in decision making on planning applications within the Neighbourhood Plan area.

2. National Planning Policy

- 2.1 The NPPF sets out the Government's planning policies for England and how these are expected to be applied. It provides a framework within which locally-prepared plans can provide for housing and other development in a sustainable manner. The NPPF includes a presumption in favour of sustainable development and sets out core planning principles to be followed which include environmental, social and economic aspects. The national Planning Practice Guidance (PPG) supports the NPPF and provides further live guidance on planning issues such as neighbourhood planning.

3. Development Plans

- 3.1 The policies in a Development Plan set out to deliver key development including homes and jobs required, the provision of retail and community facilities and infrastructure. Policies relating to managing climate change, conservation and enhancement of the natural and historic environment are also included.
- 3.2 The Joint Core Strategy (JCS) was adopted in December 2017 and forms the top tier of the Development Plan covering housing, employment and infrastructure requirements for the borough. The Cheltenham Plan, and the saved policies from the 2006 Local Plan, was adopted in June 2020 and sits underneath the strategic level JCS, providing a local-level Development Plan for the borough. Further information can be found here <https://www.cheltenham.gov.uk/planning-and-building/planning-policy/the-development-plan/>

4. Neighbourhood Planning

- 4.1 Neighbourhood Planning was introduced under the 2011 Localism Act. It provides an opportunity for local communities to shape future development in their local area. Where a community wants to take up the opportunities offered by neighbourhood planning, the legislation enables three types of organisations, known as 'Qualifying Bodies', to lead it:
- i. a parish or town council
 - ii. a neighbourhood forum
 - iii. a community organisation
- 4.2 In parished areas, neighbourhood plans can be produced by a Parish Council who need to apply to the local planning authority for a neighbourhood area to be designated and will act as the Qualifying Body. This was the case in relation to the Leckhampton with Warden Hill Neighbourhood Plan.
- 4.3 Neighbourhood plans have to meet a number of basic conditions in order to proceed to referendum stage. An independent examiner is appointed to check that a plan meets the basic conditions which are set out below:
- i. Have regard to national policies and advice contained in guidance issued by the Secretary of State;
 - ii. Contribute to the achievement of sustainable development;
 - iii. Be in general conformity with the strategic policies of the development plan for the area; and
 - iv. Does not breach and is otherwise compatible with European Union (EU) obligations now assimilated into UK law.

5. What is a Neighbourhood Plan Area?

- 5.1 A neighbourhood plan must apply to a specific designated area which can range from single streets or large rural or urban areas.
- 5.2 The Council has agreed with the Examiner's recommendation that the Referendum be held for the whole of the existing Parish rather than the Plan area following a request received from the Parish Council.

6. Neighbourhood Plan Referendum

- 6.1 The Neighbourhood Plan has been the subject of formal public consultation stages. A Regulation 16 Consultation ran from 29 January 2024 to 12 March 2024. Following amendments put forward by the Parish Council, a second Regulation 16 consultation ran from 14 March 2025 to 30 May 2025.
- 6.2 An Independent Examiner (Ann Skippers) considered the Neighbourhood Plan and provided their report to CBC. The report recommended that, subject to her proposed modifications, the Leckhampton with Warden Hill Neighbourhood Plan should proceed to referendum. On 24 February 2026 the Council's Cabinet agreed with all the modifications to the Neighbourhood Plan recommended by the Examiner. The Council has confirmed the decision that the Neighbourhood Plan should proceed to Referendum, that it has met the basic conditions and all other legislative requirements in the 'Decision Statement' published on 2 March 2026.
- 6.3 The Leckhampton with Warden Hill Neighbourhood Development Plan referendum will be held on **7 May 2026**.
- 6.4 The proposed Neighbourhood Plan needs to gain the approval of the majority of voters (more than 50%) in the Referendum Area for the local planning authority to 'make' the neighbourhood plan. If the majority of voters vote 'no' rather than 'yes', then the Neighbourhood Plan will not become part of the Development Plan for the local area.
- 6.5 If the Neighbourhood Plan is made then it will become part of the Development Plan for Cheltenham Borough Council and will be used in the determination of planning applications in the Leckhampton with Warden Hill neighbourhood plan area.
- 6.6 Additional information on neighbourhood planning is available on the following website – <https://www.gov.uk/guidance/neighbourhood-planning--2>.