



SEQUENTIAL TEST REPORT

**New Cheltenham Secondary School | November 2017**

*On behalf of Gloucestershire County Council*

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# 1.0 Background & Planning Policy Context

## BACKGROUND

- 1.1 SF Planning Ltd has been instructed by our Client, Gloucestershire County Council (the County), to undertake a Sequential Test report to assess the planning merits of potential sites for a new secondary school to the south of Cheltenham.
- 1.2 By way of background, in 2016, the County undertook a strategic review of school place planning in Cheltenham. The aim was to build an overall picture of school places in the town, against an assessment of existing and future need. This also included an assessment of primary school places, although it should be noted that this report focusses solely on secondary education.
- 1.3 This aforementioned strategic review and the associated assessment of need has been covered by the County through other documents prepared as part of the wider submission, but in summary the identified need for secondary education is as follows:
  - Shortfall of at least 120 Year 7 places by 2019 (4 forms of entry (FE)), increasing to 6 FE by 2021/22 (equivalent to shortfall of 180 secondary school places)
  - Pressure for places most acute to the south of Cheltenham
  - Expansion of existing secondary schools in Cheltenham is not a feasible option, as it would not meet the future demand in full.
- 1.4 Therefore, the County have concluded through this process that the most appropriate option to deal with this shortfall is to identify a strategic site capable of accommodating a new 6 FE secondary school in the south of Cheltenham. It is understood that a site of c. 7ha would be required for this purpose.
- 1.5 Since this option was identified, the County have undertaken a thorough search for sites in the south of Cheltenham that would meet the site size requirement. This search has been undertaken through a review of existing County land holdings in the area. Land agents were also instructed to identify other land and landowners outside of the County ownership in this area.
- 1.6 In addition to this, the County have held discussions with both Cheltenham Borough Council (CBC) and Tewkesbury Borough Council (TBC) to obtain the early view of officers on the range of sites identified.

- 1.7 Through this process a number of sites have been identified. It is these sites that will be assessed through this Sequential Test report. The aim being to outline our recommendations for the most appropriate site to take forward.

## PLANNING POLICY CONTEXT

- 1.8 In order to bring forward a strategic site of this nature, the most appropriate mechanism would be to secure a formal allocation through the necessary local Development Plan. The promotion, allocation and adoption of sites through local Development Plans are time critical and to effectively use this method will be dependent on the status and scope of the local Development Plan at any given time.
- 1.9 As mentioned, the County has been in discussions with the relevant local planning authorities covering the site search location, namely CBC and TBC, to determine the most appropriate way forward in relation to allocation through the local Development Plan.
- 1.10 Before we assess the sites in question, it is important to outline the strategic and local planning policy context as it currently stands.

### **Joint Core Strategy (JCS)**

- 1.11 The JCS will be the overarching strategic development plan covering the Gloucester City Council, CBC and TBC areas, covering the period up to 2031.
- 1.12 The JCS has been under preparation since 2008 and was submitted to the Planning Inspectorate for examination in November 2014. Following the first round of hearing sessions in 2015/16, the Inspector recommended a number of Main Modifications in order to make the plan sound. These Main Modifications were consulted upon in early 2017, were subsequently submitted to the Planning Inspectorate and then the final hearing sessions were undertaken in July 2017.

- 1.13 The Planning Inspectorate released the Inspector's final report on 26<sup>th</sup> October 2017. Whilst a number of issues were still identified, the Planning Inspectorate concluded that it was in the public interest to have an adopted plan in place as soon as possible to reduce continuing ad-hoc and unplanned development. As a result, the JCS with Main Modifications, was found sound, subject to an immediate partial review in respect of housing need for Gloucester City and TBC in order to address shortfall in supply during the plan period, and an immediate review of retail policy for all authorities.
- 1.14 Therefore, the three authorities are now seeking resolution for members to adopt the JCS as soon as possible. This will likely happen immediately after the last Full Council meeting at CBC on 11<sup>th</sup> December 2017. As a result, it is unlikely that any further amendments will be made before adoption.
- 1.15 In the context of secondary school education in Cheltenham, it should be noted that the JCS only allocates additional secondary school facilities as part of the North West Cheltenham allocation (Policy A4). This would deal with the need arising from this allocation, but not the immediate need recently identified by the County to the south of Cheltenham.
- 1.16 The JCS does not allocate any other strategic sites for secondary education purposes around Cheltenham and does not reference the identified immediate need. This is due to the fact that the results of the County's strategic review of school place planning have only been made available very recently and after the opportunity to make any amendments to the JCS.
- 1.17 The immediate review of housing need will focus on Gloucester City and TBC. This could lead to further allocations for housing and associated education, however there is a low likelihood that these will be located around Cheltenham. In any case, it will likely be a number of years before the "immediate" review is completed and the findings adopted. It is therefore the case that there is no scope for any new strategic site allocations for education purposes to meet the identified need through the JCS at this time.

### Cheltenham Plan

- 1.18 The current development plan for CBC includes the saved policies of the Cheltenham Borough Local Plan 2<sup>nd</sup> Review (Adopted 2006) and associated supplementary planning guidance, supplementary planning documents and development briefs.
- 1.19 With the JCS advancing, work commenced on the Cheltenham Plan in 2013. The Cheltenham Plan will sit underneath the Strategic-level JCS, providing the local-level growth strategy.
- 1.20 At the time, it was decided to split the Cheltenham Plan into two parts; Part 1 in relation to Cheltenham's economy, Local Green Spaces and sites for housing and Part 2 in relation to heritage, the natural environment and the town centre. Further public consultation has since been carried out on Part 1 in relation to Issues and Options (2015) and Preferred Options (February/March 2017).
- 1.21 However, following responses to the consultation and with the impending adoption of the JCS, CBC are now preparing Parts 1 & 2 of the Cheltenham Plan together, as a single document.
- 1.22 The latest Cheltenham Borough Local Development Scheme (October 2017) outlines the following timetable:
- Pre-Submission Consultation – Late 2017
  - Submission to Secretary of State – Early 2018
  - Examination – Mid 2018
  - Adoption – Late 2018
- 1.23 As previously mentioned, due to the timing of the County's findings in relation to the need for secondary education places in Cheltenham, the Cheltenham Plan consultations to date have not made reference to any specific allocations in this regard.
- 1.24 However, unlike the JCS, there is an immediate opportunity to include an allocation for a new secondary school and for it to be consulted upon within the imminent Pre-Submission consultation process. Should an allocation be acceptable, the timetable for adoption outlined above would fit neatly with the need requirements identified from 2019/20.

### Tewkesbury Borough Plan

- 1.25 The current development plan for TBC includes the saved policies of the Tewkesbury Borough Local Plan to 2011 (Adopted 2006) and associated supplementary planning guidance and supplementary planning documents.
- 1.26 Work commenced on the Tewkesbury Borough Plan in October/November 2013. Following this, a Draft Policies and Site Options consultation was undertaken in February/March 2015. Since this time, work has been stalled pending the outcome of the JCS. With the JCS now pending adoption, work has now recommenced on the Tewkesbury Borough Plan.
- 1.27 As a result of the delay, the Tewkesbury Borough Plan is one stage or roughly 6-12 months behind the preparation of the Cheltenham Plan.
- 1.28 The latest Tewkesbury Borough Local Development Scheme (October 2017) outlines the following timetable:
- Preferred Options Consultation – Early 2018
  - Pre-Submission Consultation – Summer 2018
  - Submission to Secretary of State – Summer/Autumn 2018
  - Examination – Winter 2018/19
  - Adoption – Spring/Summer 2019
- 1.29 As with the Cheltenham Plan, the consultations to date on the Tewkesbury Borough Plan have not identified the need for an additional secondary school to the south of Cheltenham, purely due to the timing of the County's findings.
- 1.30 Like the Cheltenham Plan, there is the opportunity to pursue an allocation for a secondary school site to the south of Cheltenham within the Tewkesbury Borough Plan (on land within Tewkesbury Borough). However, the timetable for the Tewkesbury Borough Plan, in the context of the timing of the secondary education need is far less desirable than then Cheltenham Plan.

## 2.0 Sequential Test

### INTRODUCTION

- 2.1 This Sequential Test is a simple decision-making tool designed to assess the planning merits of each site identified through the County's aforementioned site search process and through discussions with TBC and CBC.
- 2.2 The aim will be to ascertain and recommend the most appropriate site to take forward in planning terms and bearing in mind the immediacy of the need in this instance.

### GEOGRAPHICAL AREA

- 2.3 The County have already confirmed that Cheltenham's need for a new secondary school is most acute to the south of the town.
- 2.4 As a result, the sites identified through the process are all located to the south of Cheltenham.

### IDENTIFICATION OF SITES

- 2.5 The main considerations were as follows:
  - The County do not own a site outside the Green Belt large enough to meet the requirements of a 6 FE school (approx. 7 Hectares).
  - If any land identified for the delivery of a 6 FE school is not owned by the County, the County will need to acquire any land through negotiation or through the use of Compulsory Purchase Order powers.
  - At this stage all landowners within the search area will have their own aspirations for their sites which may be contrary to the County's identified school need.
  - No detailed technical investigations have been undertaken at this stage for the options considered, therefore more detailed work would be required at a later stage to establish the deliverability of any identified site regarding design, layout, access, transport, flooding, ground conditions etc.
  - The site area requirement is based on the construction of a 2 storey building, should this not be appropriate for any identified site then the site area requirement may be greater.

2.6 As mentioned, the County have identified the sites below through a number of means:

- A review of the County's own land ownership within the area of search
- Advice received from land agents in relation to land outside the County's land ownership
- Discussion with TBC and CBC in relation to potential sites.

## ASSESSMENT OF IDENTIFIED SITES

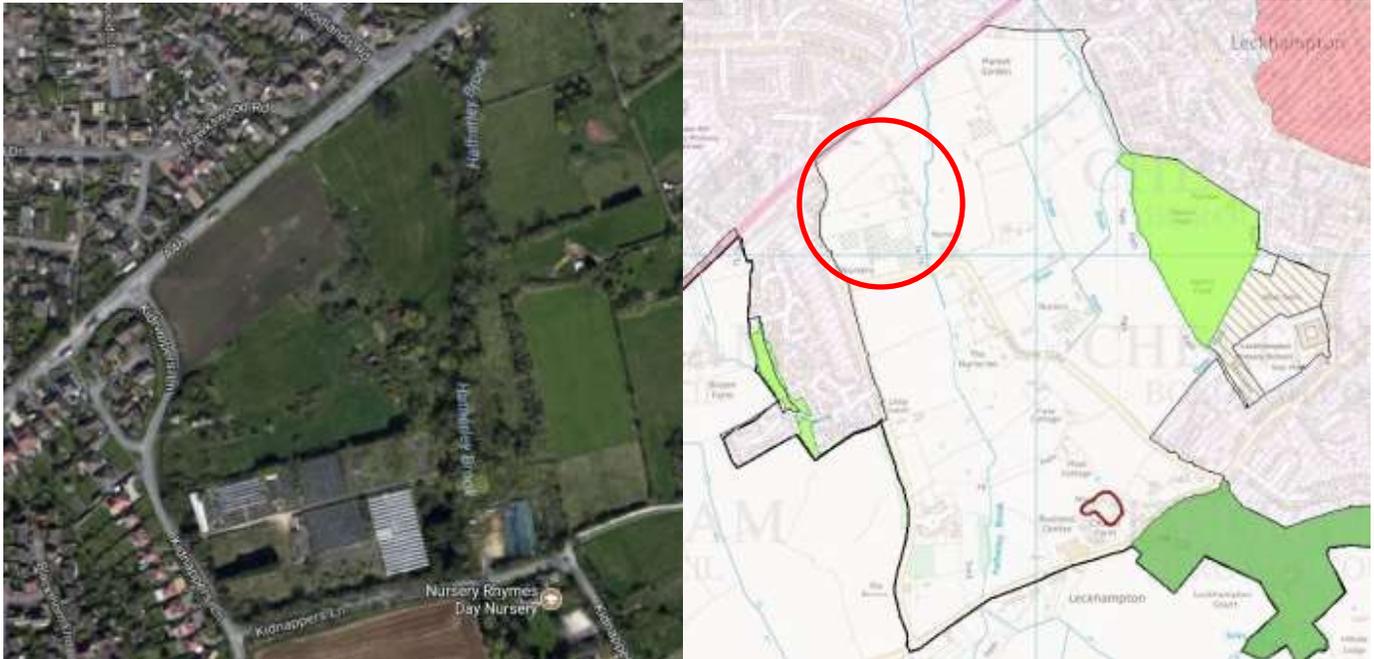
2.7 The identified sites for assessment are as follows:

1. Land South of Shurdington Road, Leckhampton
2. Land at Farm Lane, Leckhampton
3. Land North of Leckhampton Lane (Brizon Farm site)
4. Land at Cold Pool Lane, Cheltenham
5. Land at Chargrove Lane, Cheltenham (Chargrove Triangle site)
6. Land East of Kidnappers Lane, Leckhampton
7. Land North of Leckhampton Lane, Leckhampton

2.8 A map showing the broad locations of the above sites is shown below.



## 1. Land South of Shurdington Road, Leckhampton



Aerial Photo of the site (Source – Google Maps) & Extract from Cheltenham Borough Local Plan Proposals Map

- 2.9 This site is located to the south of Shurdington Road and north of Kidnappers Lane, within Cheltenham Borough. It is formed of open land, within paddock and agricultural use. Part of the site is a former plant nursery, known as Leckhampton Nurseries. The Hatherley Brook bisects the site from north to south, although the site is not within the Flood Zone.
- 2.10 The land is currently owned by the Diocese of Gloucester, although Miller Homes have an option over part of the land at the present time. The site had originally formed part of a wider intended housing allocation, including land owned by Bovis Homes, through the emerging JCS. However, an application for up to 650 dwellings and a mixture of uses (not including a secondary school) was refused and dismissed at appeal in 2016 (Ref – 13/01605/OUT in CBC). The intended allocation was subsequently removed from the JCS and does not form part of the JCS due to be adopted shortly. Miller Homes, are however still promoting the site, including other adjacent landholdings, through the Cheltenham Plan for residential development.
- 2.11 As shown in the Proposals Map extract above, the site is within an area of “white land” in Cheltenham Borough. This means that it is free from significant planning policy constraints at the present time.

- 2.12 It is important to note that, in addition to the JCS and Cheltenham Plan policy context outlined above, the site is also located within the Leckhampton with Warden Hill Neighbourhood Plan area. The Neighbourhood Area was designated on 15<sup>th</sup> September 2015. Since this time, the Parish Council has been progressing the Neighbourhood Plan and in Summer 2017 instructed consultants to help them prepare the plan for consultation (currently anticipated at end 2017/early 2018).
- 2.13 Whilst a draft Neighbourhood Plan document is not yet available, it is understood that there are aspirations for all or part of the "white land" area to be designated as open space between Shurdington Road in the north, Farm Lane in the west, Church Road in the south and Merlin Way in the east.
- 2.14 It is not clear at this stage whether this site is intended to form part of the open space designation. However, it is understood that the adjacent County owned land below (2. Land at Farm Lane, Leckhampton) is earmarked for this designation. As a result, the County have also explored the option of using Sites 1 & 2 in tandem to deliver the necessary land for the secondary school and playing fields.
- 2.15 As an additional option for consideration, the County have also looked at utilising land owned by the Diocese of Gloucester/Miller Homes between Shurdington Road and Kidnappers Lane for the school buildings and County owned land (Site 2 below) for the playing fields, to fit with the proposed open space designation. Whilst Kidnappers Lane splits the site in two, the County consider that appropriate connectivity could be provided between the two elements through a high quality and sustainable design approach.
- 2.16 The County have assessed that it would not be possible to deliver the entire 7ha school site on Site 1, given Miller Homes aspirations for their land under option. It would also be far costlier to acquire the whole 7ha, particularly when there is approx. 6ha of County owned land immediately adjacent to the south.
- 2.17 There is a significant opportunity here to achieve an allocation for these elements of the site through the current Cheltenham Plan process. The site could therefore be delivered in planning terms in time for 2019/20, when the secondary school need becomes significant.
- 2.18 Finally, this site is the closest out of all those assessed to the areas of secondary school place need in the south of Cheltenham.

## 2. Land at Farm Lane, Leckhampton



Aerial Photo of the site (Source – Google Maps) & Extract from Cheltenham Borough Local Plan Proposals Map

- 2.19 This site is located to the east of Farm Lane and to the south of Kidnappers Lane, within Cheltenham Borough. It is formed of open land, within paddock and agricultural use. The Hatherley Brook runs down the eastern boundary, although the site is not within the Flood Zone.
- 2.20 The site is formed of approximately 6ha and is wholly owned by the County. The site did not form part of the now removed Miller Homes/Bovis Homes residential allocation through the JCS and has no relevant planning history.
- 2.21 As with Site 1, the site is within an area of “white land” in Cheltenham Borough. This means that it is free from significant planning policy constraints at the present time.
- 2.22 Given the size of the site, it would not be possible to deliver the necessary 7ha required within its own boundaries. As outlined above, there is also the option to bring this site forward in tandem with Site 1 above. This site could then be used for playing fields, thus meeting the emerging Cheltenham Plan and Neighbourhood Plan aspirations.

### 3. Land North of Leckhampton Lane (Brizon Farm site)



Aerial Photo of the site (Source – Google Maps) & Extract from Tewkesbury Borough Local Plan Proposals Map

- 2.23 This site is located to the east of Shurdington Road and to the west of Site 7. It is formed of open land, within paddock and agricultural use.
- 2.24 The site was subject to a planning application for a residential development of up to 175 dwellings, which was refused in 2014 (Ref – 13/00415/OUT in TBC).
- 2.25 This site suffers from a significant planning policy constraint, in that it is located within the Green Belt. Building a new school in this location would be considered to be “inappropriate development” in the Green Belt. Paragraph 87 of the NPPF states that “*inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances*”.
- 2.26 A new school in this location would clearly impact on the openness of the Green Belt and would run contrary to the purposes of including land within the Green Belt (Paragraph 80 of the NPPF), namely, to check unrestricted sprawl of large built-up areas and to safeguard the countryside from encroachment. The previous application for residential development was refused, in part, on this basis.

- 2.27 The only way that a new school could be developed in this location would either be to demonstrate Very Special Circumstances through a planning application. Such circumstances would need to outweigh the harm through inappropriate development, and any other harm. Alternatively, the site could be allocated through the emerging Tewkesbury Borough Plan. Exceptional Circumstances would be required to remove the land from the Green Belt. The secondary school need argument could potentially demonstrate a very strong case in favour of Exceptional/Very Special Circumstances, although this is far from guaranteed.
- 2.28 Unlike the “white land” sites, this site could potentially have a much greater landscape impact, particularly as the Cotswold AONB is a short distance to the south. Furthermore, on site, Brizen Farmhouse is Grade II Listed and as such, any development would need to consider its setting. The previous application for residential development, was also refused on the basis of landscape and heritage impacts.
- 2.29 This site would meet the necessary location and size requirements for the new school. However, to take this site forward would require the landowner (Newbridge Homes Ltd) to release the full 7ha necessary to provide the school. It is unclear at the present time whether the landowner is willing to sell or whether Compulsory Purchase Order (CPO) powers would be required.

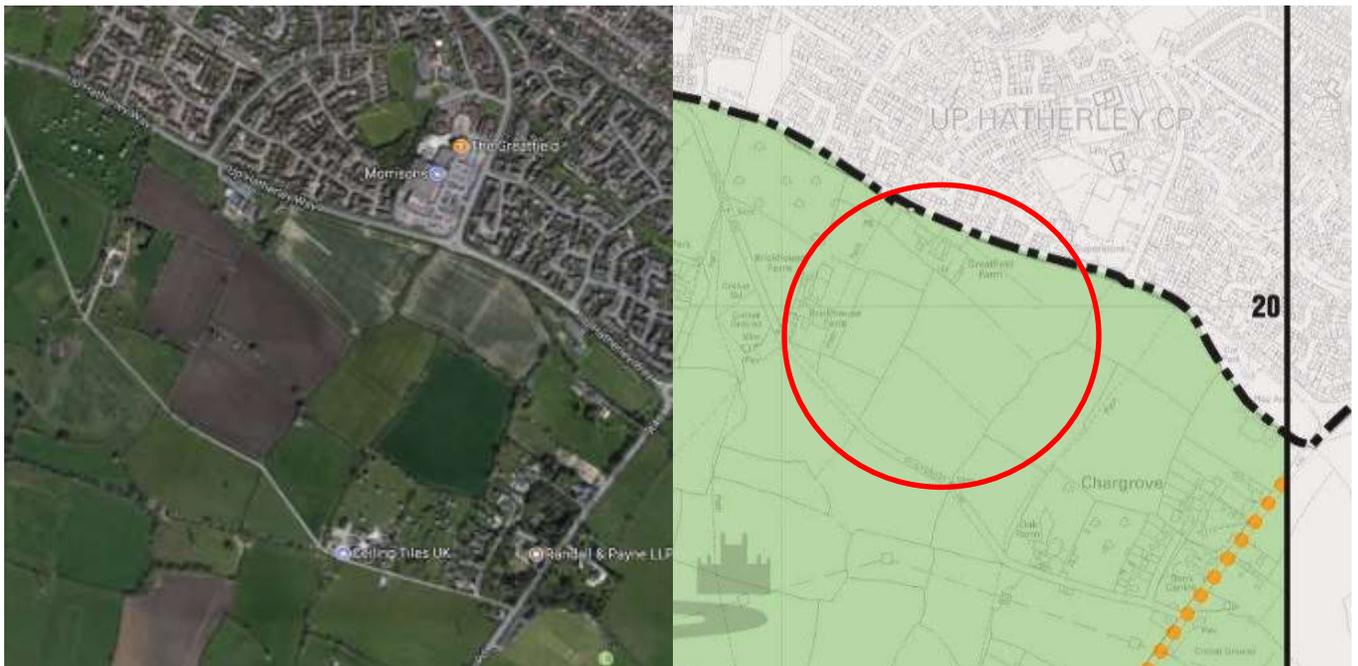
#### 4. Land at Cold Pool Lane, Cheltenham



Aerial Photo of the site (Source – Google Maps) & Extract from Tewkesbury Borough Local Plan Proposals Map

- 2.30 This 8ha site is located to the east of Cold Pool Lane and is currently in use as working agricultural land. The site is located within the Green Belt and is within County ownership.
- 2.31 This site can only be accessed off a rural lane and therefore could raise highways and access issues. The site also slopes significantly from north to south, which could exacerbate the impact of a school development on the surrounding landscape and would also be undesirable in terms of the playing fields.
- 2.32 Significantly, this site is also furthest from the area of immediate secondary school need to the south of Cheltenham.
- 2.33 Given the constraints, it is likely that this site would not be supported by TBC.

**5. Land at Chargrove Lane, Cheltenham (Chargrove Triangle site)**

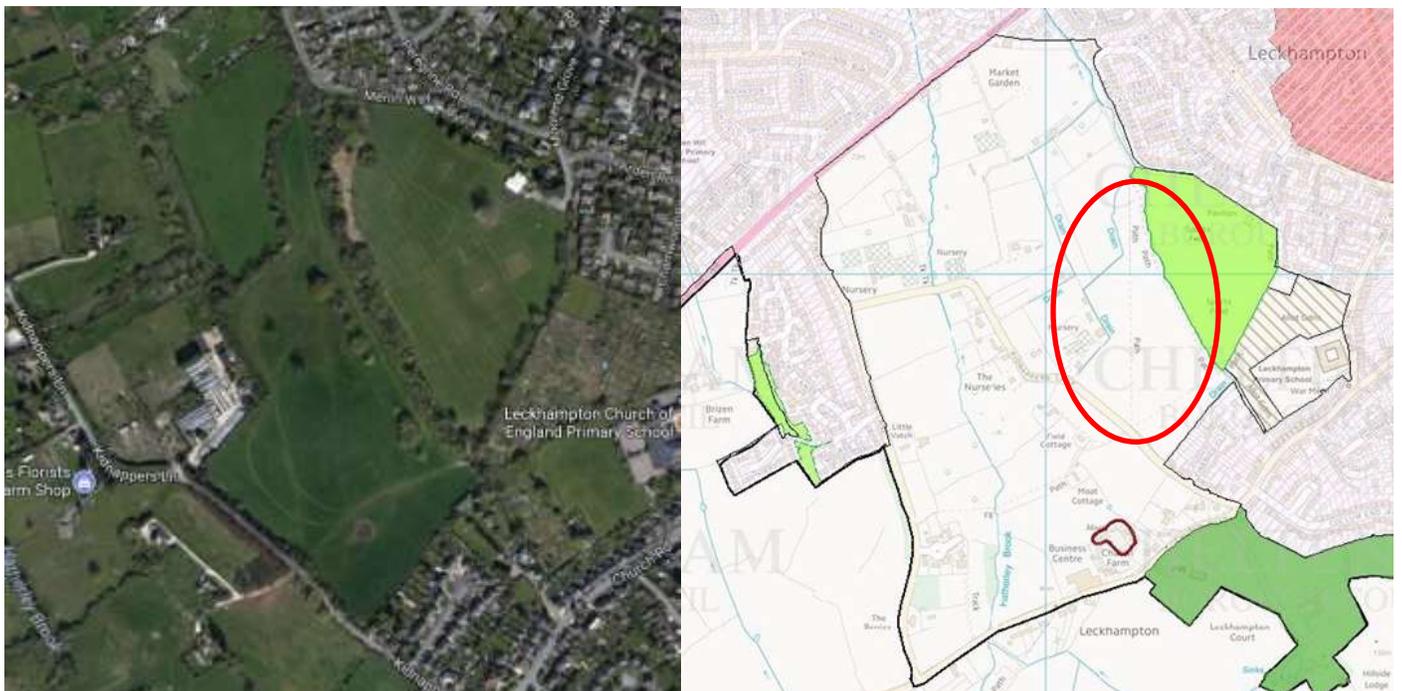


Aerial Photo of the site (Source – Google Maps) & Extract from Tewkesbury Borough Local Plan Proposals Map

- 2.34 This site is commonly referred to as the Chargrove Triangle. It lies between Up Hatherley Way in the north, Chargrove Lane in the south and Shurdington Road in the east. Again, the site falls within the Green Belt and at present in in paddock land and agricultural use.

- 2.35 The site is much closer to the area of secondary school need than Site 4 and would have potentially better highway/access connections to Up Hatherley Way.
- 2.36 The site has a number of landowners and whilst it could be possible to achieve the required 7ha, this would need to be negotiated between several parties. In addition, Redcliffe Homes have a number of option agreements on the land and have recently submitted a planning application to develop the site for up to 500 dwellings and a mixture of other uses, albeit a secondary school is not included (Ref – 17/00924/OUT in TBC).
- 2.37 In addition, it should be noted that in the early stages of the preparation for the JCS, the Chargrove Triangle was considered for allocation for up to 800 dwellings. However, this was subsequently removed, particularly in relation to its Green Belt impact. Similar to Site 4, given the constraints, this site is not likely to be supported by TBC.

**6. Land East of Kidnappers Lane, Leckhampton**



Aerial Photo of the site (Source – Google Maps) & Extract from Cheltenham Borough Local Plan Proposals Map

- 2.38 This site is located to the east of Kidnappers Lane. The playing pitches off Moorend Grove form a border to the eastern boundary of the site and to the south lies The Vineries. It is formed of open land, in paddock and agricultural use.
- 2.39 The site is formed of approximately 7ha and is owned by Bovis Homes. This land formed part of the now removed Miller Homes/Bovis Homes residential allocation through the JCS, although it is not clear what the intentions of Bovis Homes for the site are at the present time.
- 2.40 Although the site would meet the 7ha requirement, it would need to be purchased in its entirety, at significant cost to the County.
- 2.41 As with Sites 1 & 2, the site is within an area of “white land” in Cheltenham Borough, close to the area of need and free from significant planning policy constraints at the present time. Similar to Site 2, the likely aspirations for this site within the emerging Cheltenham Plan and Neighbourhood Plan is for it to form open space. As a result, there is unlikely to be support to build the required new school buildings in this location.

**7. Land North of Leckhampton Lane, Leckhampton**



Aerial Photo of the site (Source – Google Maps) & Extract from Tewkesbury Borough Local Plan Proposals Map

- 2.42 This site is located to the west of Farm Lane and to the north of Leckhampton Lane. The site is in close proximity to but not adjacent to Site 2, which lies to the east.
- 2.43 The site has long been identified as a housing allocation through the Tewkesbury Borough Local Plan and Redrow Homes (the landowner) achieved planning permission for a scheme of 377 dwellings in 2016. This scheme is currently being constructed.
- 2.44 As with Sites 1, 2 & 6 this site would be locationally suitable to meet the stated secondary education needs, as “white land” would be largely free from planning policy constraints.
- 2.45 Whilst there is the potential to use part of this site, in concert with the land at Site 2, it is far less attractive than Site 1 owing to the juxtaposition of the sites.
- 2.46 However, the main issue with using this site is the fact that the landowners are now developing their permitted scheme and are unwilling to release any land for secondary school use.

## 3.0 Summary and Recommendations

- 3.1 Following an analysis of the planning policy context and sites identified by the County we can make the following recommendations.
- 3.2 Firstly, given the immediacy of the identified secondary school need and the statutory obligation of the County to address this as soon as practicable, it would be most desirable for the County to work on securing an allocation through the Cheltenham Plan, rather than the Tewkesbury Borough Plan. This is due to the fact that the Cheltenham Plan is between 6-12 months in advance of the work on the Tewkesbury Borough Plan. This does not necessarily rule out seeking an allocation through the Tewkesbury Borough Plan, but this should be considered a backup option in our view.
- 3.3 Secondly, the focus of site selection should be on those sites that:
- Meet the 7ha requirement
  - Are located closest to the area of secondary school need
  - Are free or largely free from planning policy constraints
  - Are within County ownership
- 3.4 Apart from Sites 2 & 6, all sites would meet the 7ha size requirement. In addition, Sites 1, 2, 3, 6 & 7 would be closest to the areas of the most acute secondary school need.
- 3.5 All of the identified sites within TBC (with the exception of Site 7) are located within the Green Belt, which represents a significant constraint to development. This, coupled with the extra time required to achieve an allocation through the Tewkesbury Borough Plan and other site-specific issues, make Sites 4 & 5 undesirable. It appears that Site 7 can be ruled out, purely on the basis that it is under development for residential use. The only site that could be worth further consideration is Site 3.
- 3.6 In contrast, all of the identified sites within CBC are currently free from any significant planning policy related constraints. This relates to Sites 1, 2 & 6. The key to unlocking one or more these sites will be to work with CBC and the Parish Council to achieve an allocation through the Cheltenham Plan and support through the Neighbourhood Plan. Particular consideration should be given to the aspiration to allocate Sites 2 & 6 as open space. Site 6 would be less desirable than a combination of Sites 1 & 2 in this regard.

- 3.7 It goes without saying that there are significant financial and time benefits in using land already within County ownership. The only identified sites reviewed within County ownership were Sites 2 & 4. For the reasons outlined above, it is clear that the use of Site 2 would be more desirable than Site 4. All other sites would require reaching an agreement with the landowner(s) or the enactment of CPO powers, both of which could take time and would be financially significant.
- 3.8 In conclusion, and taking all issues into account, it is clear that the stand out site(s) which would meet all the necessary requirements would be the use of Site 1 – School Buildings and Site 2 – Playing Fields. This site would have the fewest planning constraints out of all those assessed in this report, would fit the school site size/needs requirements, is majority owned by the County, could be delivered as an allocation swiftly through the Cheltenham Plan and could meet the aspirations for open space in the emerging Neighbourhood Plan. It should therefore be considered to be the most appropriate site to take forward.



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