

| Number | Responder | Q/A |
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| Q5.0.10 | HBD Golden Valley Limited / CBC | <p>Q: Can each developer advise on when they hope to commence development and over what time period you estimate your build to be.</p> <p>A: We hope to start on site in the spring of 2025 and develop on a phased basis over approximately 15 years. The residential component is likely to be developed out by year 10.</p> |
| Q5.0.12 | HBD Golden Valley Limited / CBC and the Applicant | <p>Q: Para 3.2.5 of the Funding Statement [APP-036] GCC is to confirm their approach to the application of JCS policy INF7 following the Cabinet meeting in December 2023. (i) What is latest position? (ii) Is this position/approach agreed with the other Councils? (iii) Is this approach agreed with the Interested Parties who are the prospective developers of the allocated sites?</p> <p>A: Minutes of the 27 March 2024 Cabinet confirm their approach as :</p> <p><i>1. Arrangements for direct implementation or financial contributions towards the provision of infrastructure and services required as a consequence of development, including its wider cumulative impact, and provision where appropriate for its maintenance, will be negotiated with developers before the grant of planning permission. Financial contributions will be sought through the S106 and CIL mechanisms as appropriate</i></p> <p><i>2. Where, having regard to the on- and/or off-site provision of infrastructure, there is concern relating to the viability of the development, an independent viability assessment, funded by the developer and in proportion with the scale, nature and/or context of the proposal, will be required to accompany planning applications. Viability assessments will be undertaken in accordance with an agreed methodology and published in full prior to determination for all non-policy compliant schemes. Where necessary the JCS authorities will arrange for them to be independently appraised at the expense of the applicant.</i></p> <p>In respect of Point 1 we have submitted our transport modelling showing the effect of our development on motorway junctions and requested that our contributions reflect that impact but have not received a response from GCC or the DCO team.</p> <p>In respect of Point 2 we have submitted a viability report to the LPA in support of our application and this is being reviewed by an independent assessor appointed by the LPA.</p> |
| Q5.0.13 | HBD Golden Valley Limited / CBC and the Applicant | <p>Q: i) What is the latest position in respect of the GCC Local Developers Guide? ii) What Status do you consider it currently to have?</p> <p>A: The GCC Local Development Guide (June 2024) is currently in draft and undergoing public consultation until the end of July. It will ultimately replace the 2021 version. It is not intended to be part of the development plan, nor a supplementary planning document. It is therefore a material consideration in the determination of planning</p> |

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| | | <p>applications, with the local planning authorities responsible for determining what weight it has in the decision-making process. Whilst it is in draft, the weight to be ascribed to it is presumably quite low.</p> |
| <p>Q5.0.16</p> | <p>HBD Golden Valley Limited / CBC and the Applicant</p> | <p>Q: (i) The funding for the scheme has a significant reliance on Section 106 funding associated with (future) development. Please can you explain the specific mechanism for how this will be secured at the appropriate time to support the proposed construction (including programme) of the scheme. (ii) Can the house builders also respond to this question but also give an indication of the timing of the likely commencement of development and the prospective build programmes as far as you can at the present time. (iii) There would appear to be a tension between the NPPF requirements on developers to provide mitigation to address infrastructure needs associated with their development, and how the current proposal responds to those needs? Can each party explain their position on this matter and provide an explanation of how they consider this might be resolved.</p> <p>A: (ii) Programme of development see Q5.0.10</p> <p>(iii) HBD Golden Valley Limited / CBC are supportive of improvements to J10 of the M5. Any contributions towards the scheme however must be compliant with CIL regulation 122. Regarding HBD/CBC's two planning applications:</p> <p>Southern Parcel (23/01874/OUT):</p> <ul style="list-style-type: none"> • The scheme is not required to deliver the Southern Parcel as there is sufficient capacity on the A40 following recent upgrades to absorb it without materially impacting J10. Therefore, a contribution is not necessary to make the development acceptable in planning terms. • Few vehicles from the Southern Parcel will use J10 given the inclusion of a bus gate within the masterplan that prevents private vehicles traveling north through the allocation. Therefore, a contribution would not be directly related to the development. • The Southern Parcel is also employment-led delivering around 1m sqft of non-residential floorspace. As per the adopted CIL Charging Schedule for Cheltenham – which has a nil rate for employment – non-residential uses cannot support contributions. Therefore, a contribution would not be fair or reasonably related in scale and kind to the development. <p>Northern Parcel (23/01875/OUT):</p> |

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| | | <ul style="list-style-type: none"> • The scheme may be required to deliver the Northern Parcel, alongside other cumulative developments. Therefore, a contribution may be necessary to make the development acceptable in planning terms. • Some traffic from the Northern Parcel might use J10 and therefore benefit from the scheme. If so, a contribution would be directly related to the development. • Subject to an agreed charging methodology, a proportionate contribution based on impact is required to ensure that is fair and reasonably related in scale and kind to the development. <p>In short, contributions towards the scheme can only be justified if they pass the legal tests as set out in Regulation 122(2) of the Community Infrastructure Levy Regulations 2010. It is HBD/CBC's position that no contribution can be sought from the Southern Parcel, and a proportionate contribution might be sought from the Northern Parcel (subject to evidence of impacts).</p> <p>There are also other sources of funding that GCC can explore to fill any residual funding gap once appropriate contributions have been secured from developments. Delivery of new homes and economic growth are at the top of the new Labour Government's agenda, so it would not be unreasonable to assume that additional funding and support for important infrastructure schemes such as this would be forthcoming.</p> |
| Q5.0.17 | HBD Golden Valley Limited / CBC and the Applicant | <p>Q: In the Funding Statement [APP-036] paragraph 3.3.1 the Applicant indicates there is transport modelling that demonstrates relative benefit for each of the sites. (i) Can the Applicant explain whether this an established and agreed approach as this would appear to contradict both the RRs from Persimmon and St Modwen, but also the Funding Statement which indicates the approach is still the subject of consultation and is yet to be agreed? (ii) Can each of the housebuilders clarify their position on this matter?</p> <p>A: The Applicant has a simplified methodology for assessing impact of development on the motorway and therefore the degree of reliance on the Scheme. We as the Golden Valley Developers (HBD/SMH/NEMA) have constructed an accurate traffic model which has incorporated the detailed comments received from GCC. The relative impacts that the model demonstrates are summarised in Q5.0.16 above.</p> <p>We have yet to receive any feedback from GCC or the Applicant on the model outputs.</p> |
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