

Cheltenham Borough Council Planning Committee Minutes

Meeting date: 29 May 2025

Meeting time: 3.00 pm - 4.40 pm

In attendance:

Councillors:

Frank Allen, Glenn Andrews, Adrian Bamford, Garth Barnes (Chair), Barbara Clark, Jan Foster, Tony Oliver, Dr Steve Steinhardt, Simon Wheeler and Suzanne Williams

Also in attendance:

Paul Instone (Consultant Planning Officer), Tracey Birkinshaw (Director of Community & Economic Development), Chris Gomm (Head of Planning), Cheryl Lester (Legal officer), Karen Hanchett (Gloucestershire Highways Officer) and Ewan Wright (Senior Housing Strategy & Enabling Officer)

1 Apologies

Apologies were received from Councillor Dobie.

2 Declarations of Interest

Councillor Allen declared that he had attended a meeting with Swindon Parish Council discussing Elms Park in summer 2024. He did not express a position at the meeting and was not predetermined on the item.

3 Declarations of independent site visits

The following Councillors attended the site during Planning View:

- Councillor Allen
- Councillor Bamford
- Councillor Barnes
- Councillor Clark
- Councillor Foster

- Councillor Oliver
- Councillor Steinhardt
- Councillor Wheeler

Councillor Andrews confirmed that he had attended the site independently.

4 Public Questions

There were none.

5 Planning Applications

6 16/02000/OUT - Elms Park, Tewkesbury Road

The Planning Officer introduced the report as published. He confirmed that as a cross-boundary planning application Tewkesbury Borough Council had resolved to accept the officer's recommendation with one amendment earlier in the day. Tewkesbury Borough Council's Planning Committee had resolved that the word cooking should be inserted into condition 49 – Energy Supply condition, to read "*No dwelling hereby permitted shall be connected to mains gas supplies for any purpose of domestic hot water or space heating or cooking.*" This resolution was now recommended to Committee to ensure consistent planning conditions. He outlined the additional representations, clarifications, corrections and additional changes including to conditions 4a, and 54 provided to Committee in the update report in advance of the meeting.

There were four public speakers on the item: an objector, the applicants' representative, a parish council representative , and a ward member.

The objector addressed the Committee and made the following points:

- They are the owners of Fairfield, which has been their family home for more than 30 years and is identified in the submission being considered as third-party land. This was not discussed with them prior to submission. They believe that they are being misrepresented and take strong exception to their property's inclusion without their consent. They require that it be removed from the application, including under the label of third-party land.
- They received a representation from the applicants in 2009, inviting them to enter into an option agreement, as well as an agreement under which they would promote the property. They declined both and advised that whilst they had no issue with the property being developed at some future time, they had no interest in participating in such development themselves. Their position was, and remains, simply to sell the property at a time that suits them and relocate. They were told a head of terms would be drafted to reflect that. They are not property developers, and do not want to participate in any

development activity. They were approached again in 2015 and communicated that their position regarding the property had not changed.

- Between the two visits, they were invited into the Tewkesbury Council offices to discuss development interest. At the meeting they informed the council that whilst they would cooperate with preparation of development plans in general, they would not support any request for development approval that included their property whilst they owned it. Today's request for approval has caused alarmed. They have confirmed no change to their position upon email request on a number of occasions since.
- They have also been approached by several land agents over the years and have responded in the same way to all of them.
- They found out about today's planning submission a week ago, when a neighbour phoned to alert them that their property was specifically identified in the supporting document. They obtained a copy and read through it with increasing alarm. When they spoke to the planning officer, they made him aware of their concerns. He informed them he was producing an update to his document and would attempt to address the concerns, but they have not seen the update.
- They realise that the property is small and may be considered insignificant. But, if the generators of the document had wanted to include it in their submission, they should have talked to them about it first. It is their family home, and they do not consent to its inclusion.
- They added that they had applied to speak at the Planning Meeting that was held in Tewkesbury, but the request was denied.

The applicants' representative addressed the Committee and made the following points:

- This is a landmark meeting, twenty years in the making. The Joint Core Strategy (JCS) established North West Cheltenham as a fundamental strategic allocation, as such the principle of development at Elms Park is consistent with the development plan. The recommendation for approval is an especially important step on the way to delivering this plan-led new community.
- They thanked officers for their work and for the thorough, accurate and objective report.
- For a project of this scale, it is inevitable that it has taken time to appraise and refine the proposals. Throughout the applicants have had an open mind as to how they could respond to various comments and requests from consultees.
- The housebuilders have committed over £10m to get to this point. Their focus being on fulfilling policy requirements and requests from consultees. Notably, the applicants will provide much of the investment needed to deliver Elms Park and facilitate the delivery of other development parcels. They seek only to ensure that all parts of the allocation contribute their fair and reasonable share to the infrastructure costs. They do not prejudice or compel third party landowners in any way.

- Elms Park will also make a significant contribution to the M5 Junction 10 shortfall funding, and they have been working closely with the Development Consent Order (DCO) team to ensure compatibility with their scheme.
- It is worth noting some of the key elements:
 - Elms Park represents a £2.5Bn investment in the area;
 - It will contribute £300m a year into the sub-regional economy, creating and supporting over 8,000 new jobs, with 30 apprenticeships a year during construction over 20 years;
 - Over 4,000 new homes will be built, providing for a new community of around 9,000 residents, many of whom will already be living in the area;
 - 35% of the new homes will be affordable, to a mix agreed with Housing Enabling Officers;
 - This will include at least 200 bungalows or ground floor maisonettes, along with retirement and extra-care accommodation;
 - Approximately £50m will be spent providing new schools, including a secondary school and two primary schools on-site;
 - Approximately £25m will be spent on Community Infrastructure, including a 6 GP Healthcare Centre, Neighbourhood and Local Community Centres delivered on-site;
 - A Sports-Hub containing new facilities for cricket, football, tennis and an all-weather 3G pitch will be provided on-site along with significant contributions to local rugby and hockey clubs;
 - A Transport-Hub, including a 350 space Park & Ride interchange with new bus services and EV charging stations;
 - Tens of kilometres of new on-site and off-site cycleways and footpaths;
 - New power and water supplies and a completely new foul drainage network;
 - A new Sustainable Urban Drainage network that will clean and control surface water flows, ensuring that the current greenfield run-off rates will be maintained.
- Over 45% of the site will provide new Green Infrastructure, including play spaces, parks, allotments, orchards, new wetlands, grasslands, hedgerows and woodland. This will conserve the key existing habitats for wildlife and provide substantial improvements and new habitats, especially along the River Swilgate corridor. Both developers are committed to the Homes for Nature scheme and its many positive measures for nature conservation. The new green spaces have been designed to buffer the existing villages and ensure that the setting of nearby Listed Buildings and Conservation Area are respected.
- Elms Park will be a sustainable development, built to Future Homes Standards, Zero Carbon Ready and compliant with local climate change guidance.
- Both the applicants are recognised as 5-Star Home Builders Federation (HBF) house builders, ensuring build quality throughout their developments. They

are committed to bringing forward Elms Park as a well-designed, sustainable and healthy place where the new community can thrive.

A representative of Swindon Parish Council addressed the Committee and made the following points:

- They recognise the need for new housing in Cheltenham and believe that North West Cheltenham is a solid option to bring in extra capacity for the growing community.
- It is disappointing that it has taken so long to reach the current point. The JCS period is nearly three-quarters of the way through, and the application has only reached outline permission for what is meant to be the major piece of Cheltenham's housing strategy. The Parish Council recognises the part they have played in this given their desire to shape the development to minimise impact on the local community. They ask the local planning authority (LPA) to consider different engagement models when bringing forward detailed applications for Elms Park and major urban extensions in the future.
- They also highlighted challenges they have faced with engaging on this application. The last time the developers or their agents formally reached out to the Parish Council was over 8 years ago - even though the Parish Council have tried numerous times to reach out to the developers with their concerns and suggestions. They strongly urge the developers and the LPAs to setup a regular engagement forum to allow them to provide input and feedback.
- They are not here to try and stop this development, they recognise the need for it and want to make it a success. The Parish Council believe their local knowledge and knowhow can help achieve this and smooth the development process.
- They would also like to raise issues with the LPA's process. The CBC Planning portal is not fit for purpose; many residents still can't access key documents, an issue that had occurred again that morning.
- The Parish Council hasn't been notified properly about updates to the application, which makes it hard for busy councillors to provide the careful, considered feedback this process deserves. These failures are unacceptable for such an important planning application. They request that this Committee instigate an investigation into what's gone wrong to ensure it doesn't happen again.
- They acknowledged the work of the planning team – especially the planning officer, who has helped bring this application to the current point.
- On traffic and transport: They support the proposed Grampian condition – limiting the numbers to being no more than 260 homes before interim measures at M5 Junction 10 are in place, 1,711 new homes before the full scheme kicks off, and 3,327 dwellings before the scheme is finished. However, these conditions are based on modelling undertaken by Gloucestershire Highways, which falls outside the planning application consultation process. As such, they haven't been able to scrutinise these independently. Traffic modelling is very sensitive to its starting assumptions, and best practice would include sensitivity modelling to look at any potential

cliff-edge effects. As they don't know if that has been done, they ask the Committee to modify the proposed Grampian condition to limit the total number of new homes to 1,711, until robust evidence can be provided and scrutinised by the public.

- On services: They have serious concerns about the lack of detail on how services like schools and healthcare will be phased. While they support the planning officer's recommendation to attach condition 2 requiring detailed phasing information, the provision of this information needs to be sooner. All detailed information must be provided and committed to before the next full application for the next Elms Park phase because there is no spare local primary school capacity and secondary school capacity, as opposed to within three years.
- On construction: They are also very worried about the impact of construction on residents and the local economy. In Phase 1A alone, the lengthy and unpredictable road closures have caused significant congestion, led to a 20%–30% drop in customers for local businesses, and even forced one local business into administration. Right now, GCC Highways doesn't carry out any impact assessment for these major, planned road closures. The LPA and GCC need to develop an overarching framework for Elms Park that clearly outlines how road closures during construction will be managed, so that the impact on community and local businesses is minimised.
- As a parish they believe there's still a lot to do to fully optimise Elms Park and these issues should be addressed in the detailed full planning applications for each phase. They believe that the current outline application is the best that can be achieved at this point—and it is acceptable with the proposed conditions, along with the changes they have outlined.
- They recognise the urgent need for new homes, and the certainty that this planning application will provide in terms of 5-year land supply, avoiding future speculative applications that sap resources from all local councils. The community needs certainty, and they feel the best way to provide that is to move forward with Elms Park. They look forward to working together to get this right for the community.

Councillor Clucas, as Ward Member, addressed the Committee and made the following points:

- She has been involved in the application since 2013 and has seen the significant work that has been undertaken in relation to the council's housing needs for the 5-year land supply. It is good to see so many interested parties represented today.
- She commented on one aspect of the application in relation to Junction 10 . The report confirms that the redevelopment of the junction and connecting road has not been confirmed by the Government. The £71m funding has also not yet been allocated to the project. In this report developers are being asked to contribute around £20m but this still leaves a significant shortfall.
- If agreed the current conditions will allow around 1000 properties to be built before J10 is finally confirmed. This will treble the size of Swindon Village and

leave inadequate access and egress for those living there. Government statistics from 2021 showed that for every 1000 homes then there were 1200 vehicles. Can the roads cope?

- Current access to Swindon Village, the Swindon Farm site, is from Tewkesbury Road, through a new roundabout constructed at the top of Manor Road. Manor Road is a small, very thin local road for residents - it is not a major highway. She understands that the roundabout is deemed to be a temporary structure, and access to the village will again change. Those who have seen the traffic up and down that road will understand the issue residents have had. It has been a nightmare. What about Brockhampton Lane – it is just that - totally inadequate for access to the site for construction vehicles. Quat Goose Lane has been designated through the JCS as a road specifically for local traffic allowing only buses, bikes and local residents to use it so cannot be used for access or egress. This will leave Manor Road. If a serious incident occurs how will emergency services be able to attend?
- The lack of emphasis in this application on emergency service provision is a significant problem. Why has a police station not been included in the community facilities?
- The application before you admits that J10 is needed, and that traffic will be affected. It states that: *“It is agreed by National Highways and the County Highways Authority that the implementation of the Junction 10 upgrade will release the capacity to support the JCS growth.”* And, *“Conversely, both National Highways and the County Highways Authority agree that this application site, alongside other Strategic Allocations (namely West Cheltenham) cannot be delivered without severe cumulative impacts arising on the Strategic Highway Network and the Local Highways Network respectively. This application alongside West of Cheltenham Strategic Allocation applications are unable to mitigate their severe cumulative traffic impacts and they are reliant on delivery of the M5 Junction 10 scheme and the relief it provides in order to fully build out their sites.”* Agreeing to build homes before the confirmation of J10 funding has come forward from developers and the Government is not a supportable position. She asked the Committee to consider deferring the application until the Government has confirmed the funding for J10 , or to a condition preventing building of new homes until such confirmation is forthcoming. This should require government funding to be made, not just promised, indicated or discussed.
- We also must consider emergency service access. With narrow lanes, construction traffic, and no confirmed infrastructure upgrades there is a risk of delays for fire services, ambulances, and police. We risk losing the trust of residents if this is not taken forward.

In response to Members’ questions, officers confirmed that:

- Anyone can put a planning application in for land, regardless of ownership. However, they would not be able to build on the land unless the owner chose to sell it.

- In terms of Junction 10 there are two planning conditions – 19 and 20. Condition 19 is derived from consultation response from National Highways and is to control severe highways impact on the strategic road network. It states that no more than 3,327 dwellings and 43,400sqm of commercial floorspace shall be occupied until Junction 10 works are complete. National Highways believe that this was an appropriate amount of development that could take place before there was severe impact on the network. Condition 20 refers to the local highways network and was requested by the county highways authority who are concerned with the severe impact on local roads. That requires that prior to the commencement of the Junction 10 works, no more than 1,306 dwellings and 7,261sqm of Class E floorspace shall be occupied. That allows development to come forward a bit sooner as it is a prior to commencement trigger. It is about certainty of the contract, so once works on Junction 10 begin there will be a known development timescale for that and funding in place to provide security of works being completed.
- The establishment of a community liaison group would not be provided through a condition but would be a planning obligation. It is fully envisaged that the group and a community development officer will be in place before construction commences. The exact terms and contracts for how the organisations work will be finalised through the S106 agreement. The groups will have an important role in helping existing residents through the construction process, ensuring they are aware of when noisy works are taking place and managing complaints. Those community liaison groups will then be in place as the new community develops and comes forward. We hope that those community liaison groups will then facilitate the groups that take over the community centres, pavilions and sports hub. It will be a long-term project and a mechanism in place from commencement of development and through almost the first decade as the community is built. This will support the aim of creating a sustainable community in terms of social cohesion and a sense of place.
- The planning obligation and heads of terms how the community liaison group will work will be put in place before the permission for the outline agreement is granted and S106 will be advertised online, as required by law. It is anticipated that it will be a year or two before construction starts on site as design codes will need to be agreed and reserved matters applications submitted. There is scope to introduce community engagement mechanisms before any construction commences, we would anticipate Swindon and Uckington Parish Councils will be included in these mechanisms.
- We are currently waiting for the Secretary of State's decision on Junction 10 works. There is an indication that this may be received by the 5 June.
- The objector was not able to speak at Tewkesbury Borough Council as much like Cheltenham Borough Council and so the situation here, there are speaking slots and there is only one for objectors and one for supporters. Somebody had already registered at Tewkesbury Borough Council in the slot to object and so there that slot was taken.

- Officers are aware that Members have received letters from the Office of Police and Crime Commissioner (OPCC) regarding the lack of a community police station within the plans. The contents of report and recommendations remain unchanged.
- The land use and access parameter plan specifies vehicle access to the site will be primarily obtained from three access points, all on Tewkesbury Road. These will be opposite Homecroft Drive, opposite the Civil Service Club and the stub by Sainsbury's. The site will be built out from south to north from that point. Trigger points have been identified for when these roadworks need to be in place based on significant traffic modelling.
- Access on Manor Road, serving Swindon Farm, was always intended to be a secondary access rather than a main access to the site. This will be secured through future reserved matters and future design codes. Access from Swindon Village via Quat Goose Lane will be for bus services and emergency vehicle access.
- A construction environmental management plan, as detailed in condition 10, will need to be discharged as part of the application. We would expect that access would not be through residential routes. The county highways authority will be included in the consultation of this plan and will work closely with the street works team to ensure that construction takes place in the most appropriate way. This will include ensuring that construction access is taken from the A road rather than narrow roads in Manor Farm.
- The site is relatively flat but with some landforms and heights above existing levels which will create gradient fluctuations across the site. Carrying out substantial earth movement work creates both ecological and resource implications for the scheme. Topography will also create a sense of place and add interest to the street scene. The highest buildings will be along Tewkesbury Road, which is relatively flat, so there will not be a sudden gradient change.
- Sports England are not financially contributing to the sports facilities but have been extensively involved in the consultation as a statutory body to identify what is required on site. This has included consideration of the modelled demography of the population and the quality of existing facilities in the area. The applicants will be paying for the sports facilities and there is no gap in funding.
- A Member's comment that more objectors should be allowed to speak on a scheme of this size was noted but it was highlighted that this was a point on the constitutions of both the individual councils.

The matter then went to Member debate where the following points were made:

- The principle of development on this site has been established for a considerable time as part of the Joint Core Strategy. The application will provide much needed housing and gives the Committee the opportunity to endorse over 4000 homes to add to the council's 5-year supply, which will hopefully prevent developers challenging the supply and putting in applications that are unsatisfactory.

- A refusal would expose the council to appeal.
- The application will provide 35% affordable homes built to a standard that accords with the supplementary planning document on climate change, including the provision of heat pumps and solar panels. It will provide sustainable, good homes for the people of Cheltenham, alongside opportunities of work, and contribute to the economy. It will substantially increase the population of Cheltenham, making Cheltenham viable and bringing widespread benefits, buying goods and services within the Cheltenham area. Whilst there are issues with the application, as there always are, the Member would be proud to have the scheme as a legacy for the council.
- Also, the contribution to M5 Junction 10 was hugely important.
- Praise was given to the planning officer for the detailed and thorough report and the impressive detail contained in the conditions. The speakers were also thanked for their valuable input.
- That this application marks the start of a new chapter in Cheltenham and was exactly what Cheltenham needs. It proposes a huge number of services, including the provision of schools, GP allocation, the health centre, and dental suite. The community spaces were also praised. Often a lack of community is seen in the modern era, the play areas and sports facilities which will of huge benefit in addressing this. It was positive that many of the services are included within the first phase of development, which will therefore be beneficial to existing communities, as well as the developing communities.
- Concern was raised over traffic ultimately being the big sticking point, with lanes not adequate for the number of vehicles that can be expected to be seen and the uncertainty around the Junction 10 improvement works and Government funding. The importance of the improvement works to alleviate these problems were highlighted and the funding provided through the application to improve the road network through S106 was noted. Traffic mitigation for Swindon Village has been a long running concern. It was trusted that officers would ensure conditions are put in place to stop Swindon Village being used for access during construction. Highways England and the Government were urged to recognise that the Junction 10 works are of national strategic importance.
- The need to improve engagement with local parish councils and ward members was raised and it was noted that the applicants' website was disappointing as it lacked documents and consultation responses.
- Whilst there were reservations around the loss of countryside, the need for housing was felt to outweigh the loss alongside the efforts to maintain a proportion of green space, including the protection of a significant number of hedgerows and trees and the provision of allotments and set back from Swindon Village. The phasing was praised with the infrastructure going in first.
- The housing is needed and 70% of the affordable housing will be social rent and there will be four/five bed houses not just flats.

- The comprehensive nature of the community that was being built – including provision for youth, the elderly, GPs, community spaces, and sports facilities was praised.
- The nature of the landscape around Cheltenham means that there is no other suitable land for a development of this size to be built.

The matter then went to the vote on the officer recommendation to permit subject to conditions and s106 as set out in the report and update report, and including the verbal update to condition 49:

For: 10

Against: 0

Abstentions: 0

Voted UNANIMOUSLY to permit subject to conditions and s106.

7 Any other items the Chairman determines urgent and requires a decision

There were none.