

# Cheltenham Borough Council Planning Committee

**Meeting date:** 29 May 2025

**Meeting time:** 3.00 pm

**Meeting venue:** Council Chamber - Municipal Offices

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## **Membership:**

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

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To find out more about Planning Committee or to register to speak, please click [here](#).

**Please note:** the deadline to register to speak is 10.00am on the Wednesday before the meeting.

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**Contact:** [democraticservices@cheltenham.gov.uk](mailto:democraticservices@cheltenham.gov.uk)

**Phone:** 01242 264 246



# Agenda

**1 Apologies**

**2 Declarations of Interest**

**3 Declarations of independent site visits**

**4 Public Questions**

**5 Planning Applications**

**5a 16/02000/OUT - Elms Park, Tewkesbury Road (Pages 3 - 298)**

[Planning Application Documents](#)

**6 Any other items the Chairman determines urgent and requires a decision**



## Committee Report

<b>APPLICATION NO:</b> 16/02000/OUT		<b>OFFICER:</b> Mr Paul Instone	
<b>DATE REGISTERED:</b> 7th October 2016		<b>DATE OF EXPIRY:</b> Extension of time agreed until 30 <sup>th</sup> May 2025	
<b>DATE VALIDATED:</b> 7th October 2016		<b>DATE OF SITE VISIT:</b> 28th May 2025	
<b>WARDS:</b> Swindon Village Severn Vale South		<b>PARISHES:</b> Swindon Village Uckington	
<b>APPLICANT:</b>	Bloor Homes And Persimmon Homes		
<b>AGENT:</b>	LRM Planning		
<b>LOCATION:</b>	Elms Park Tewkesbury Road Cheltenham		
<b>PROPOSAL:</b>	Outline application for up to 4115 new homes providing a range and choice of mix and tenure, including affordable housing (C3) and elderly persons accommodation (C2/C3 up to 200 units), 24 ha of employment generating uses including 10 ha B1 business park (up to 40,000 sqm), a hotel (C1 up to 200 rooms), and mixed use centres providing retail uses and community facilities (A1 - A5 up to 6,150 sqm, D1/D2 up to 3,000 sqm), a transport hub and public transport inter change, primary and secondary school education (D2), new areas of green infrastructure including areas of play sports hub, woodland planting, allotments and habitat at creation, creation of new means of access onto Tewkesbury Road and Manor Road, new footways and cycleways, and energy and drainage infrastructure.		

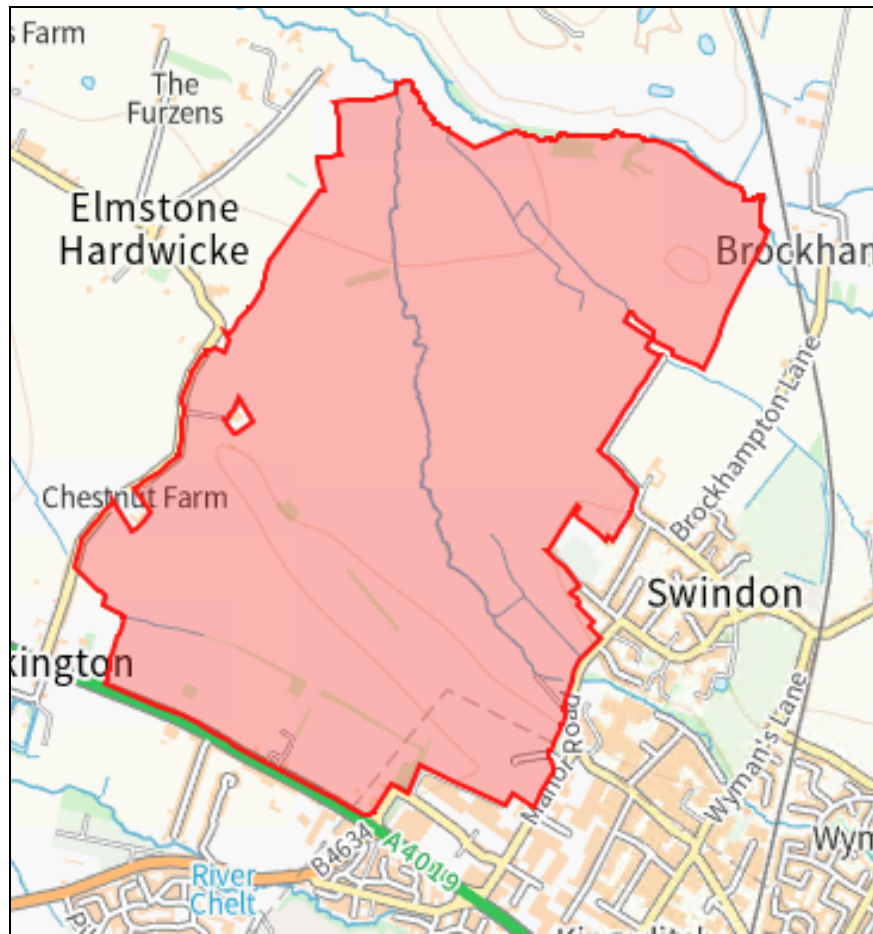
### **RECOMMENDATION:**

To delegate authority to the Head of Planning to permit the application subject to:

- A) the conditions as set out or substantially similar as may be agreed under delegated authority given to the Head of Planning; and
- B) completion of a S106 obligation to deliver the infrastructure and other mitigation, as set out in this report at paragraphs 8.506 and 8.510, and for alterations to s106 heads of terms as may be agreed under delegated authority given to the Head of Planning in consultation with the Chairman and Vice Chairman of the Planning Committee.
- C) In the event that the S106 agreement remains unsigned nine months after this resolution, that the application is reviewed by the Head of Planning in consultation with the Chairman and Vice Chairman of the Planning Committee, and if no progress is being made delegated authority is given to the Head of Planning to refuse the application in the absence of an agreed S106 Agreement



**Site Location**





## Executive Summary

1. This Executive Summary summarises the longer detailed report to enable readers to more easily and rapidly become acquainted with the large body of application material, considerations, and the subsequent conclusions drawn.
2. The application site extends to 251ha, and is located to the west of Cheltenham built up area and includes land within both Tewkesbury Borough and Cheltenham Borough administrative areas. The site falls wholly within an area of land allocated for development in the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2017 (JCS) in Policy A4 which is a Strategic Allocation.
3. The application site does not incorporate all of the land included within JCS Strategic Allocation A4, but includes the majority of the land parcel.
4. The application is submitted in outline with all matters reserved besides means of access off Tewkesbury Road and Manor Road. In summary the application comprises:
  - Up to 4115 new homes providing a range and choice of mix and tenure, including 35% affordable housing.
  - As part of these 4115 new homes the provision of up to 200 elderly persons accommodation units.
  - A hotel providing up to 200 rooms.
  - 24ha of employment generating uses including a 10ha business park.
  - Two mixed use centres providing town centre uses and community facilities providing up to 6,150 sq m of A1-A5 use classes.
  - Up to 3,000 sq m of community and health care facilities (Use Class D1/D2 which includes, inter alia health centres, halls and meeting places for local community, and gymnasiums) within the mixed used centres.
  - Primary and Secondary School education (1no. secondary school and 2no. primary schools).
  - A transport hub and public transport interchange.
  - New areas of green infrastructure including areas of play, sports hub, woodland planting, allotments and orchards, areas of habitat creation, footpaths, cycleways, creation of drainage and energy infrastructure.
  - Creation of new means of access onto Tewkesbury Road and Manor Road.
  - Demolition of buildings along Tewkesbury Road.
5. The application is supported by Parameter Plans which establish the principles of the outline planning permission for land use, access, density, green infrastructure and phasing. These plans would direct future reserved matters applications. The specific details of how the developments will come forward will need to be determined through subsequent reserved matters applications and condition discharges. Construction is likely to take place over the next 15 to 20 years.
6. The application is supported by a comprehensive package of supporting documents including an Environmental Impact Assessment which assess the effects and impacts of the proposed development, as well as the opportunities and benefits it would create.
7. Applications of this scale and complexity give rise to many issues and matters for consideration. Since the applications were validated a considerable amount of work from



the local authorities, statutory agencies and the applicants' team have gone into the assessment and evolution of the submitted material. This has been to ensure the scale of impacts, as well as opportunities and mitigation needs arising from the developments is properly understood.

8. The main considerations include the following:

- The housing which would be delivered on this site would contribute to Cheltenham's housing land supply and not Tewkesbury's in accordance with the policies of the JCS. Cheltenham Borough Council cannot currently demonstrate a five year supply of deliverable housing sites. Cheltenham's latest published figure is 2.52 years. The applicant must therefore be determined under the provisions of the 'tilted balance' in paragraph 11(d) of the NPPF.
- There have been extensive discussions regarding the affordable housing mix to be provided in the application which is specified in paragraph 8.30, and includes for 70% social rented. This is a substantial benefit of the proposed development.
- There would be substantial economic benefits from the development through the construction and occupation phases, as well as off-site employment and increased spend in the economy. These are considered a substantial benefit of the proposed development.
- There have been extensive discussions regarding the community infrastructure that is necessary, directly related and reasonably related in scale and kind to the development proposals. The contributions would be secured via legal agreements and include, but are not limited to, a secondary school, 2 no. primary schools, 2no. community buildings, a general medical practice surgery, a sports hub, allotments and a network of MUGA's and LEAPS.
- The application proposes a substantial open space network and green infrastructure represents 45% of the application site area, totalling 113 hectares. The majority of this green infrastructure has been designed around the key habitats and features of the site as well as seeking to sensitively incorporate, enhance and extend the features of value including the River Swilgate, Hyde Brook and Swindon Brook corridors where the majority of woodland and hedgerows are present. The conditional framework will also ensure that the landscaping framework of the site will achieve ecological benefits and ensure that species are appropriately protected.
- During the determination of the application there have been extensive discussions between the applicants, Highways England and County Highways Authority on a package of measures to mitigate the impact of the development on the highways network. 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. In accordance with the planning obligation tests, it is therefore necessary for this application to make a proportionate planning obligation contribution to the M5 J10 All Movements Improvement Scheme to make the development acceptable in planning terms. This report identifies that the Elms Park application is required to provide a



£20m planning obligation contribution in staged payments towards the £71m shortfall to the M5 Junction 10 scheme. It is also necessary to impose Grampian planning conditions to restrict the quantum of development that can be delivered in advance of the different phases of the Junction upgrade in order to control severe impacts on the highways network.

- The Report includes a detailed analysis of the harms and benefits of the proposed development including assessments of landscape and visual impact; arboriculture; ecology and biodiversity; accessibility and highways; drainage and flood risk including foul drainage; designated heritage assets and the historic environment; ground conditions and contamination; odour, noise and air quality; residential amenity; loss of Best and Most Versatile agricultural land; and, loss of mineral resources.
9. Unsurprisingly a development proposal of this scale will give rise to various issues and concerns and create tensions and conflict with other policy interests. As such, a considerable amount of time has gone into reviewing, assessing, and evolving the submission documents to understand and shape the mitigation that is required to ensure that new homes, employment uses alongside all other components of this development proposal, are capable of being sustainable development.
  10. A comprehensive schedule of planning conditions are recommended to be imposed on the planning permission, to mitigate the impacts of the development and to ensure the delivery of sustainable development which complies with the requirements of Policy A4 of the JCS when read as a whole.
  11. There have also been lengthy discussions with consultees around the content of planning obligations that are necessary to make the development acceptable in planning terms, directly related to the development; and fairly and reasonable related in scale and kind to the development to achieve this.
  12. Providing the development delivers the obligations and complies with the proposed conditions set out within this Report, the application is considered acceptable and complies with the policies set out within the Development Plan when read as a whole.
  13. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. Section 70(2) of the Town and Country Planning Act 1990 provides that the Local Planning Authority shall have regard to the provisions of the Development Plan, so far as material to the application, and to any other material considerations. The National Planning Policy Framework is a material consideration in planning decisions.
  14. Subject to the imposition of planning conditions and securing the planning obligations set out in this Report (allowing for post committee negotiations as specified in this report), officers consider the proposals accord with the Development Plan. There are no material considerations which indicate that application should be determined other than in accordance with the Development Plan.
  15. It is the case that paragraph 11(d) of the NPPF is engaged. Officers conclude that in accordance with footnote 7 and paragraph 11(d)(i) of the NPPF, there are no policies in the NPPF that protect areas or assets of particular importance which provide a strong reason for refusing the development and that there are no adverse impacts of the development which would significantly and demonstrably outweigh the benefits, when assessed against



the policies in the NPPF taken as a whole. The application is recommended for approval subject to the imposition of conditions and completion of planning obligations.

16. As such the Committee Report recommends that Delegated Authority be given to the Head of Planning subject to the provisions set out in the Recommendation of this Report.



## 1. The Proposal and Summary of the Application

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Full application details are available to view online at:

<http://publicaccess.tewkesbury.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=OD8EPFQD0AJ00>

<https://publicaccess.cheltenham.gov.uk/online-applications/>

- 1.1 The application site comprises land within both Tewkesbury Borough and Cheltenham Borough administrative areas with that part of the site broadly located to the west of Sainsbury's on Tewkesbury Road and the west of River Swilgate being located in Tewkesbury Borough, and the land to the east in Cheltenham Borough. Separate planning applications have been submitted to both Tewkesbury and Cheltenham Borough Councils which have been ascribed the reference number 16/02000/OUT.
- 1.2 In accordance with the requirements of Planning Practice Guidance for applications that relate to land in more than one local authority area, the applicants have submitted identical planning applications to each local planning authority, each local planning authority will be determining the applications separately and independently. This report is the same report for each Planning Committee and officers across Cheltenham and Tewkesbury have worked collaboratively throughout the assessment of this application.
- 1.3 The application is submitted in outline with all matters reserved besides means of access off Tewkesbury Road and Manor Road. The application is for a mixed uses development and the principal components are summarised below.
- 1.4 In September 2020, the Government published amendments to the Town and Country Planning (Use Classes) Order 1987 as amended. For any application submitted before 1st September 2020, the Use Classes in effect when the application was submitted are required to be used to determine the application, and therefore amendments have not been sought to the Description of Development to reflect the amendments to the Use Class Order from September 2020.
- 1.5 In summary the application comprises:
  - Up to 4115 new homes providing a range and choice of mix and tenure, including 35% affordable housing.
  - As part of these 4115 new homes the provision of up to 200 elderly persons accommodation units (Use Class C2 Residential Institutions and Use Class C3 dwelling houses) is sought through the Description of Development. Through subsequent negotiations it been agreed that the planning obligation shall secure up to 150 elderly persons accommodation units; with up to 90no. units to be provided as affordable extra care (55+) retirement living accommodation and up to 60no. units being provided as 'care ready accommodation'.
  - A hotel providing up to 200 rooms (Use Class C1: Hotels, boarding and guest houses).
  - 24ha of employment generating uses including a 10ha (Use Class B1 Business) Business Park providing up to 40,000 sq m of floorspace.



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- Two mixed use centres providing town centre uses and community facilities providing up to 6,150 sq m of A1-A5 use classes (Shops, financial and professional services, cafes, restaurants, pubs/drinking establishments and takeaways).
- Up to 3,000 sq m of community and health care facilities (Use Class D1/D2 which includes, inter alia health centres, halls and meeting places for local community, and gymnasiums) within the mixed used centres.
- Primary and Secondary School education (1no. secondary school and 2no. primary schools).
- A transport hub and public transport interchange.
- New areas of green infrastructure including areas of play, sports hub, woodland planting, allotments and orchards, and areas of habitat creation.
- Footways and cycleways.
- Creation of new means of access onto Tewkesbury Road and Manor Road as explained further below.
- Creation of drainage and energy infrastructure.
- Demolition of buildings along Tewkesbury Road.

**1.6** The application is supported by an Illustrative Masterplan, Concept Block Plan and Play Strategies Plan which indicates how the quantum of development could be delivered. The application is also supported by a

- Land Use and Access Parameter Plan,
- Density Parameter Plan,
- Green Infrastructure Parameter Plan and
- Phasing Parameter Plan.

**1.7** Outline planning permission is sought for the proposed development to be carried out in substantial accordance with the Land Use and Access Parameter Plan, a Density Parameter Plan, and Green Infrastructure Parameter Plan. Planning permission is sought for development in general accordance with the Phasing Parameter Plan, a detailed phasing strategy and sequencing for construction is recommended to be secured by planning condition.

**1.8** These Parameter Plans seek permission for the following parameters of development (summarised)

- In total approximately 98 hectares of land is identified for residential development (including the care village) to provide up to 4115 new homes. The Density Parameter Plan shows there will be a higher density of development (40dph plus) in the southern part of the application site reducing to a lower density of development (30-40dph) in the north and north west of the site.
- A 10ha Use Class B1 Business Park is to be located to the west and north of Gallagher Retail Park which presently fronts Tewkesbury Road to the east of the application site. This could provide up to 40,000 sq m of floorspace.



- One new Neighbourhood Centre and one new Local Centre as explained further below.
- The larger mixed use Neighbourhood Centre is to be located to the west of the Business Park which could include employment, retail, a hotel, community uses (including General Practice Medical Centre (GP Surgery) to include clinical rooms, and space for community services such as District Nurses, health visitors, community midwives, physiotherapists; and provision of a dental suite), residential uses and associated infrastructure.
- To the north west of the mixed use Neighbourhood Centre is a further mixed use area for education and residential uses. The Illustrative Masterplan and Concept Masterplan indicate that a Secondary School and Primary School with associated playing pitches would be located in this mixed use area.
- A flexibility zone is also shown for residential and community uses on the Land Use and Access Parameter Plan to the north of the Neighbourhood Centre to allow for flexibility during the determination of pursuant reserved matters applications.
- To the north-west of Swindon Village is a further mixed use Local Centre which could include a primary school, employment, retail and community uses, residential and associated infrastructure. The Illustrative Masterplan and Concept Block Plan indicate that a further Primary School and a community mixed uses would be located in this area.
- In the south western part of the application site, to the north west of Cheltenham West and Community Fire and Rescue Station, is an area which would accommodate a Transport Hub/Park and Ride. The recommended planning conditions state that this facility shall provide not less than 350 car parking spaces. The Land Use and Access Parameter Plan also allows for the residential uses to be provided in this area, to allow for future flexibility if necessary.
- A hotel which could provide up to 200 rooms is shown to be located in the southern mixed use Neighbourhood Centre on the Land Use and Access Parameter Plan.
- The Play Strategies Plan indicates that the sports hub would be located in the western part of the site, although the location and layout of this facility would be secured by planning condition.

**1.9** The Phasing Parameter Plan shows that the development will be built out broadly in three phases, starting within the southern part of the site from Tewkesbury Road to the south, followed by the north east parcel of the site, and then the north west parcel. It is recommended that exact details of phasing and sequencing are secured by planning condition, but the Phasing Parameter Plan secures a sequential form of development that will facilitate the delivery of key infrastructure in the first phase including the main Neighbourhood Centre (including GP Surgery and community centre), the secondary school, one of the primary schools, and the sports hub.

**1.10** Areas of retained and proposed green infrastructure are shown on the Green Infrastructure Parameter Plan and green infrastructure represents 45% of the application site area, totalling 113 hectares. Retained green infrastructure includes green corridors running through the centre of the site adjacent to River Swilgate and Swindon Brook along



retained existing Public Rights of Ways. Notable areas of open space are also proposed in the south western and northern part of the site. In addition to the west of Swindon Village an area of open space is proposed which accords with Policy G11 of the CP and the CP Proposals Map which designates an area extending to 21.6ha to the west of Swindon Village as Local Green Space.

- 1.11** A network of NEAPS, MUGAS and LEAPS are proposed within these open spaces to serve both the new and existing population. The Green Infrastructure Parameter Plan also allows for the provision of a sports hub in the south west corner of the site which would include a pavilion, cricket pitch, 3G pitch, four tennis courts, and 2 youth football pitches as shown on the Play Strategies Plan. It is envisaged that the sports hub would be located in the south western corner of the site, but the Green Infrastructure Parameter Plan allows for flexibility in the location of the sports hub as Design Codes, detailed phasing plans and reserved matters applications are submitted pursuant to the outline planning permission. Further details of the sports hub are set out within this committee report.
- 1.12** The application is also accompanied by an Environmental Statement as the proposed development constitutes EIA (Environmental Impact Assessment) development in accordance with the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011 and 2017. The Environmental Statement has been updated as appropriate during the determination of the application and assesses a range of social, environmental and economic issues.
- 1.13** The application is also supported by various plans; as well as technical documents which are reviewed and explained, as appropriate, in the following sections of this Report.

## **2. Site Description**

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- 2.1** The application site is situated within the administrative boundaries of both Tewkesbury Borough and Cheltenham Borough Councils and extends to 251 hectares. The site's boundaries are defined broadly by:
- Hyde Brook / Wingmoor Farm Landfill site to the north;
  - Gallagher Retail Park, Kingsditch Industrial Estate and Swindon Village to the east;
  - A road known as The Green, and the villages of Elmstone Hardwicke and Uckington to the west; and
  - Tewkesbury Road (A4019) to the south.
- 2.2** The land is predominantly in mixed agricultural use, with a former garden nursery use located in part of the south of the site bounding Tewkesbury Road. There are presently various buildings within the application site, comprised mainly of those associated with the nursery that front Tewkesbury Road and private residences which have been predominantly vacated. These buildings are proposed to be demolished.
- 2.3** A number of Public Rights of Way are situated within the application site, generally extending northwestwards from Swindon Village. Dog Bark Lane is a road used as a public path (restricted byway).
- 2.4** Also within the application site are four watercourses: River Swilgate, Hyde Brook, Swindon Brook and Leigh Brook
- 2.5** Overhead power lines cross the south eastern corner of the application site (66kv and 132kv). These are to be retained.



- 2.6** A high pressure gas main runs north-south along the site's western edge and within the south-western part of the site and the applicants may divert this pipeline to accommodate the sports hub, which is explained further below.

### North West Cheltenham Strategic Allocation (JCS Policy A4)

- 2.7** The application site falls wholly within an area of land allocated for development in the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2017 (JCS) in Policy A4. JCS Policy A4 is a site-specific policy for the North West Cheltenham Strategic Allocation and allocates a large area of land (falling within both Cheltenham and Tewkesbury Borough Council administrative areas) for development which is expected to deliver:

- i. Approximately 4,285 new homes;
- ii. 10 hectare B-class office park;
- iii. 13 hectares of predominantly non B-Class employment generating land for local centre(s) including the provision of an appropriate scale of retail, healthcare and community facilities to meet the needs of the new community;
- iv. New primary and secondary education schools and facilities;
- v. A green infrastructure network of approximately 100 hectares which will conserve the River Swilgate and Hyde Brook corridors, protecting important trees and hedgerows where appropriate, and contribute to water quality enhancements;
- vi. Protection to key biodiversity assets including through the development of a Biodiversity Management Plan;
- vii. Adequate flood risk management across the site and ensure that all more vulnerable development is located wholly within flood zone 1;
- viii. A layout and form of development that respects the landscape character and separation of the villages of Brockhampton, Elmstone Hardwicke, Swindon Village and Uckington;
- ix. A layout and form that respects the character, significance and setting of heritage assets that may be affected by development;
- x. A layout and form that respects areas of high landscape character and visual sensitivity, including key views into the site from the surrounding key visual and landscape receptors;
- xi. Primary vehicle accesses from the Tewkesbury Road, secondary access from Runnings Road / Manor Road, and public transport only access to Swindon Village via Quat Goose Lane;
- xii. Measures necessary to mitigate the traffic impact of the site, including the use of travel plans to encourage the use of more sustainable transport modes;
- xiii. High quality public transport facilities and connections within and adjacent to the site, including a multi-use transport hub with circa 350 parking spaces;
- xiv. Safe, easy and convenient pedestrian and cycle links within the site and to key centres, providing segregated links where practical;
- xv. Take into account of the indicative Local Green Spaces identified on the Policies Map with consideration of the special features of that area which make it suitable for this designation.

- 2.8** The application site does not incorporate all of the land included within JCS Strategic Allocation A4 and excludes allocated land to the north west (to the east of Elmstone Hardwicke) and the north east (to the north of Swindon Village). The land to the north west which is excluded from the application site is shown to be green infrastructure and other supporting infrastructure in the JCS Proposals Map Indicative Site Layout and the land to the north east is shown to be housing and related infrastructure, green Infrastructure and other supporting infrastructure as well as a green buffer/local open space.



- 2.9** The land to the north east of the application site is currently subject to outline application (23/00354/OUT) for the erection of up to 165 residential units, including provision of vehicular and pedestrian access, green infrastructure and associated works, which is currently pending determination. This application site is solely within the administrative boundary of Cheltenham Borough Council. Vehicular access to this land parcel would be obtained as part of Phase 2 of the development proposals.
- 2.10** Within the application site itself, full planning application (ref: 20/00759/FUL) has been permitted by Cheltenham Borough Council for 266 dwellings with new vehicular and pedestrian access off Manor Road, attenuation basin and ancillary infrastructure. This planning permission comprises land in south east corner of the current application site which is shown on be residential and green infrastructure uses on the Land Use and Access Parameter Plan which is proposed to be approved as part of this application. As such full planning permission 20/00759/FUL is compatible with the current outline application.
- 2.11** Should planning permission be granted for the current application proposal, officers will need to fully consider the planning obligation implications of the overlapping sites, allowing for a discount in planning obligations for s106 monies which are already committed, or paid for through the full planning permission. Notwithstanding these considerations, officers are of the opinion that the two planning applications are compatible and capable of being implemented alongside each other and at different times, this is supported by JCS policy SA1: Strategic Allocations Policy.

### 3. Relevant Planning History

Application Number	Proposal	Decision	Decision Date
TBC ref: 13/00004/SCO CBC Ref: 13/00185/SCOPE	Response to Request for an Environmental Impact Assessment Scoping Opinion under Regulation 10 of the Town and Country Planning (Environmental Impact Assessment) (England) Regulations 2011	Contents of EIA Scoping Adequate	26 <sup>th</sup> April 2013
<b>Cheltenham Borough Council applications</b>			
20/00759/FUL	Erection of new residential development (Use Class C3), new vehicular and pedestrian access off Manor Road, attenuation basin and ancillary Infrastructure. Elms Park, Tewkesbury Road, Cheltenham.	Permit	2 <sup>nd</sup> June 2023
23/01397/DISCON (previous 266 dwellings consent)	Discharge of conditions 3 (CTEMP), 4 (site levels), 7 (foul water drainage), 8 (site contamination investigation), 12 (archaeological works), 13 (arboricultural method statement), 23 (street design), 33 (badger survey) and 35 (CEMP) of planning permission 20/00759/FUL	Discharged	23 <sup>rd</sup> July 2024
24/01861/DISCON (previous 266 dwellings consent)	Discharge condition 3 (Site Waste Management Plan), 5 (Sustainable Drainage Strategy), 6 (SuDS Management and Maintenance Plan), 10	Pending Consideration	



	(Pile Method Statement), 18 (Landscaping Scheme), 26 (Electric Vehicle Charging Points), 27 (Cycle Storage), 29 (Fire Hydrants), 36 (External Lighting), 37 (External Materials), 38 (Window Details), 39 (Hard Landscaping), 40 (Boundary Treatments), 42 (PV Panels) and 43 (Air Source Heat Pumps) of planning permission 20/00759/FUL.		
24/02048/DISCON (previous 266 dwellings consent)	Discharge of condition 30 (Homeowner Information Pack) of planning permission 20/00759/FUL.	Discharged	20 <sup>th</sup> January 2025
25/00628/DISCON (previous 266 dwellings consent)	Discharge of conditions 4 (Site Levels), 23 (Street Design), 24 (Street Tree Planting) and 28 (Future Road Management and Maintenance) of planning permission 20/00759/FUL.	Pending Consideration	
24/00073/FUL	Temporary (12 months) vehicular construction access from Manor Road in order to construct Phase 1 of the Swindon Farm, North West Cheltenham development approved under 20/00759/FUL	Permit	15 <sup>th</sup> March 2024
23/00354/OUT	Outline application for the erection of up to 165 residential units, including provision of vehicular and pedestrian access, green infrastructure and associated works. Appearance, landscaping, layout and scale are matters reserved for future consideration. Home Farm Quat Goose Lane Cheltenham Gloucestershire GL51 9R	Pending Consideration	

#### 4. Consultation Responses

**4.1** Since submission of the planning application in 2016, this application has been subject to a number of different consultations with consultees and the public. Full copies of all the consultation responses are available online at <https://publicaccess.tewkesbury.gov.uk/online-applications/> and <https://publicaccess.cheltenham.gov.uk/online-applications/>, this should be read alongside this report.

**4.2** For brevity, this section summarises the most recent and relevant aspects of consultee responses.

#### **4.3 Uckington Parish Council – Object.**

- The application results in the loss of open countryside.
- The proposal will result in the loss of agricultural land and the loss of land for food production.
- The proposals are largely car dependent and it is not accepted would satisfactorily manage the increased volume of traffic.
- The increase in traffic will increase noise and air pollution on the local roads.
- Updated air quality, noise and vibration reports should be provided and associated Health Assessment Reports be provided to assess the impacts of the nearby landfill sites. There is a history of complaints from the landfills and the residential amenity of future residents would be impacted by the landfills.
- The Parish have misgivings about the Agricultural Land Classifications Report. The



Report states that the land is Grade 3 but the Parish Council consider that the site contains Grade 1 land (adjacent to Tewkesbury Road). The NPPF states that local planning authorities should seek to use lower quality land ahead of higher quality.

- Higher density residential development is proposed along Tewkesbury Road, but this would be more vulnerable to higher air and noise pollution.
- A controlled emergency access is proposed off Elmstone Hardwicke Lane which is considered unnecessary and could potentially create a dangerous junction.
- Do not consider that there is a requirement for the proposed public transport, pedestrian and cycle access by the former Baptist Chapel on Elmstone Hardwicke Lane.
- Not persuaded how wildlife and environmental assurances can be met.
- The application lacks credible and adequate proposals to deal with drainage and storm water. The flood risk analysis is restricted to considering on-site impacts and not implications to flood risk to the surrounding area which has suffered from flooding and is effected by clay soils.
- The proposal seeks to utilise surrounding existing sports facilities which are already at capacity.
- In the amended Description of Development is unclear what 'energy infrastructure' actually amounts to.
- The final Land Use and Access Parameter Plan shows an area identified as 'Mixed Use Residential and Transport Hub' and it is unclear how this would work in practice (Officer Note: this zone is intended to provide flexibility should the requirements for the Park and Ride alter).
- Opposed to the location of the Park and Ride Transport and its access. The location of the facility and the access would have a substantial impact on existing dwellings on the A4019 as well as the protected Poplar trees.
- The existing orchard known as 'Perry Orchard' should be retained in entirety and not reduced to three trees as proposed.
- Concerned at sheer volume of anticipated traffic, associated noise pollution, air quality issues and absence of proposed mitigation.

#### 4.4 Swindon Parish Council – Object.

- Disappointed with the lack of engagement from developers in addressing the concerns of the community.
- The application proposes the possible formation of a Community Representation Organisation (CRO). We would expect any CRO to be established before the development commences and include existing residents, including representatives from Swindon Parish Council, alongside other affected Parishes as well as councillors from Tewksbury and Cheltenham Borough Councils.
- There are inconsistencies between this outline application and application 20/00759/FUL (Elms Park Phase 1A).
- Swindon Village is not a 'suburb' as stated in the applicant's D&A Statement and the proposed housing character within the vicinity of Swindon Village should reflect a more rural setting.
- The development should not have any 3 storey units along Dog Bark Lane and Swindon Village and buildings should be less dense and be of more rural character.
- Development nearest Swindon Village Conservation Area should not exceed the lowest density.
- There must be integration between different schemes in the Strategic Allocation and notably CBC application 23/00354/OUT for 165 dwellings at Home Farm.
- The plans to upgrade the A4019 Tewkesbury Road are welcomed as are the plans to make primary access to the development off Tewkesbury Road.
- Concerns about initial access off Manor Road which suffers congestion. Clarification is



sought about whether Manor Road will be used for construction access to this current application.

- The Parish Council's position is that no development within the scope of this outline proposal should proceed until the main access point(s) from Tewkesbury Road are in place.
- The Parish Council consider traffic calming measures should be provided in Swindon Village and would support engagement with GCC and the applicant on this.
- The application does not adequately access the impact on the wider road network and will provide a significant impact on the local road network.
- Clarification is required on the size of the transport hub. Car and electric bike charging points, secure bike parking and non-standard cycles should also be provided in the hub.
- Dog Bark Lane has immense heritage, natural and cultural value and plans to 'modify' the lane present concerns. The Lane is a well-used bridleway and there are no clearly stated plans to maintain access for horse riders.
- There are inconsistencies between the DCO consultation Tewkesbury Road upgrade proposals and the proposed scheme. The cycle and footways should be presented in the proposed plans.
- The upgrade to Tewkesbury Road will result in the loss of commercial areas within the application site. The outline application should reflect this.
- The Parish support the Grampian condition restricting the occupation to the number of houses before the upgrade to J10 are completed.
- Well-designed electric vehicle charging points should be provided at central locations and on-street.
- Existing TPO trees on site should be retained and protected during construction works.
- The Swilgate is an integral part of the landscape and should be enhanced for both wildlife and amenity.
- Swindon Village has no street lighting and no lighting should be provided on Dog Bark Lane or on the edge of Swindon Village.
- Clarification is required on how the green infrastructure will be managed and maintained.
- The application must demonstrate that there is sufficient capacity at schools and should not be reliant on selective schools.
- The application should provide sufficient capacity of health facilities.
- There should be a commitment to lifetime homes.
- The application fails to recognise and is not aligned with Cheltenham Borough Council's Climate Change Supplementary Planning Document. The application should demonstrate how the development meets both the design principles and requirements in the SPD and achieve an energy balance on the site.
- The Land Use and Access Parameter Plan should be updated to include a secondary vehicle access to the proposed Home Farm development from Elms Park.
- The amended plans submitted in July 2024, increase the size of the hotel from 100 to 200 rooms and there are concerns that this has not been adequately modelled.
- Further details should be provided on capacity and expected vehicle movements from the Transport Hub.
- The Parish Council strongly opposes the removal of a section of the ancient hedgerow along the south east extent of Dog Bark Lane (Officer Note: this was an error in the plans submitted by the applicant in July 2024 and amended plans have subsequently been submitted).
- There is a lack of information on proposed cycle lanes.

#### **4.5 Elmstone Hardwicke Parish Council – Object.**

- Clarification required on how many schools will be built, what vehicles can use accesses, planting and future management of drainage.
- Criminals may use pedestrian and cycle access points into the village.



- Concerned that apartments may overlook housing.
- The size of the scheme is too large especially the commercial elements and schools,
- There are an inadequate number of accesses onto Tewkesbury Road.

### **4.6 Stoke Orchard and Tredington Parish Council – Object**

- The application will result in increases in traffic flows within and around the Parish. The impact of traffic flows is not known as transportation issues have not been resolved and mitigation measures are unknown. Permission should be prevented until all development proposals (including at Ashchurch) have been modelled, and mitigation measures and impacts on the highways network are known.
- The drainage proposals and flood risk assessment are inadequate and not fit for purpose. Land and property downstream would be impacted and compromised by the development.
- The Bridge over the Swilgate at Tredington has 4 times reached the soffit level and in fact reached 300 mm above that level in the past 15 years. The proposed development will worsen the situation and it is the responsibility of the developer to ensure land and property downstream is not compromised, as such, the Parish request a £2,000,000 s106 contribution (or CIL contributions) to provide and fit a new bridge over the Swilgate at Tredington, improvements to River Swilgate, Hyde Brook, Dean Brooks and highways infrastructure.

### **4.7 Bishops Cleeve Parish Council – Object**

- The application conflicts with policy
- The proposal will impact on highway safety, traffic and parking
- The proposal will cause pollution and disturbance
- There is a lack of a co-ordinated approach with major developments in the area, including Tewkesbury Garden Community, the re-routing of the A38, works at J10 of the M5, and the potential new junction between J9 and J10. There needs to be joined up thinking and sequencing to understand how schemes will impact upon one another.
- Have concerns about the pipeline in the western part of the development and the Health and Safety Executive's comments.
- There are no plans for a new hospital and concerned that the Gloucestershire NHS Trust will not be able to cope with increased residents.
- The suburban character of the development is at odds with the rural character of Swindon Village.
- The development create an upsurge in crime but and this will spread to other communities

### **4.8 Leigh Parish Council – Object.**

- Concerned about prematurity of application before adoption of JCS (Officer Note: the site was subsequently allocated in the JCS)
- The application will increase traffic volume and cause congestions on the Tewkesbury Road and the A4019 including at accident blackspots.
- The proposal would increase the potential for flooding further downstream.

### **4.9 Leckhampton and Warden Hil Parish Council – Object.**

- There are currently a number of large scale planning applications under determination within and adjacent to Cheltenham and a major transport and service infrastructure problem is looming.
- The Parish has serious concerns how the local network would deal with these projects during the construction and occupation phases.

### **4.10 National Highways – No objection subject to the imposition of Grampian planning conditions to**



control the quantum of development that can be delivered before the interim M5 junction 10 south bound off-slip Signalised Junction General Arrangement and the M5 Junction 10 All Movements Improvement Scheme are complete and open to traffic. (Officer Note: These conditions are explained further in the highways section of this Report)

- 4.11 County Highways Authority** – No objection subject to the securing mitigation measures and the imposition of planning obligations and planning conditions. The mitigation measures include securing a package of highways works which are explained in this Report, and providing planning obligations towards the M5 Junction 10 All Movements Improvement Scheme, implementation of a public transport strategy and securing Travel Plans. The County Highways Authority also recommend that the quantum of development which can be delivered is restricted until the M5 Junction 10 All Movements Improvement Scheme and A4019 ancillary works (or alternative scheme) is completed, which is also explained further in this Report.

Subject to the imposition of these measures, and others, which are explained in this Report, the County Highway Authority concludes that there would not be an unacceptable impact on highway safety or a severe impact on congestion. They conclude that there are no justifiable grounds on which an objection could be maintained subject to the mitigation proposed, conditions and financial obligations.

- 4.12 Stagecoach-** Concerns initially raised which have subsequently been rectified through liaison with the County Highways Authority and the provision of a planning obligation towards the implementation of a Public Transport Strategy.
- 4.13 Active Travel England** – No comments to make as the application does not fall within their remit due to date of validation.
- 4.14 Environment Agency** – No objection subject to conditions, and the following observations (summarised).
- Since the original application was made, there have been a number of updates to planning policy and guidance. We consider in this instance that the updates do not call into question the principle of development or require wholesale changes. Indeed, we consider that in essence the Flood Risk Assessment (FRA) dated August 2016, and updated, still remains relevant.
  - Although changes have occurred to climate change predictions since the original assessments were undertaken this has only resulted in a minimal further uplift from 35% to 37%. This is deemed minimal and the design mitigation measures are considered to be sufficient.
  - Any river crossing structures should be designed to take into account changes to climate change allowances
  - The Masterplan shows all built development, including all supporting infrastructure such as surface water attenuation features, being located within Flood Zone 1. This is in line with the JCS Policy INF2.
  - In terms of the Environmental Statement, in relation to fluvial flood risk and land contamination we consider the technical documents are still relevant, however we believe the ecology aspects may require updating (Officer Note: updates to some ecology surveys were subsequently undertaken).
  - There was an increase in odour complaints in 2021/2022 from derived from the landfills to the north due to operational reasons and it is recommended that residential and commercial developments are not granted within 50 metres of landfills. The Environment Agency anticipate that there is likely to be an increase in the amount of local complaints regarding noise and odour from future residents of the proposed development.



- 4.15 Lead Local Flood Authority** – No objection subject to the imposition of conditions, which include securing a phased approach to deliver surface water drainage in general accordance with the strategy set out in the Elms Park Flood Risk Assessment August 2016.
- 4.16 Severn Trent** – No objection subject to conditions.
- Severn Trent has identified that improvements may be required to the waste water network and treatment works. Investigations are ongoing to devise a drainage strategy for this area. Consequently Severn Trent request that if the development is permitted, a planning condition is imposed to secure drainage plans, in accordance with the overall Severn Trent drainage strategy, for the disposal of surface water and foul sewage, prior to the commencement of development of each phase.
- 4.17 Natural England** – No objection subject to appropriate mitigation being secured.
- Without appropriate mitigation the application would, in combination with residential and tourist related development in the wider area have an adverse effect on the integrity of the Cotswold Beechwoods Special Area of Conservation and land functionally linked to the Severn Estuary Special Protection Area (SPA) i.e. land at/around Coombe Hill Canal SSSI and the associated Gloucestershire Wildlife Trust (GWT) Coombe Hill Meadows Nature Reserve; and damage or destroy the interest features for which the Cotswolds and Commons and Beechwoods Site of Special Scientific Interest has been notified.
  - In order mitigate these adverse effects and make the development acceptable the mitigation measures identified in the applicants Shadow Habitat Regulations Assessment should be secured.
- 4.18 Ecological Advisor** – No objection subject to conditions.
- The biodiversity net gain briefing note demonstrates that 10% BNG can be achieved on a site wide basis as the development progresses.
  - Updated surveys provided in 2022 confirm habitats on site have not changed significantly.
  - Surveys for species, including protected species have been undertaken for a number of years, and new surveys will be undertaken prior to the commencement of work within the phases of the development and mitigation updated accordingly depending on the survey findings.
  - The recommendations of the Shadow Habitats Regulations Assessment should be implemented to protect the Cotswolds Beechwoods SAC and Coombe Hill Canal SSSI.
- 4.19 Gloucestershire Wildlife Trust** – Concerns raised (summarised).
- The traditional orchard habitat on the site has not been included in BNG metric calculations (Officer Note – this orchard is now proposed to be partially retained).
  - The green infrastructure onsite will be used by people with dogs which may make the BNG calculations assumed in the green infrastructure unachievable.
  - No mitigation is proposed to Leigh Brook watercourse with all enhancement measures focussed on the River Swilgate. The Leigh Brook to the south of the site is likely to be reduced by a length of approximately 20m to accommodate the construction of a new culvert at the upstream extent of the watercourse. Given that the Leigh Brook is where the highest density development will occur conditions should be imposed to improve the overall condition and connectivity of the Leigh Brook.
  - An Appropriate Assessment should be undertaken on the impacts of the Coombe Hill Canal nature reserve, and the Severn Estuary SAC & SPA as a whole. Mitigation should be provided through planning obligations proportionate to the predicted impacts arising from the increased usage arising from the development).



- 4.20 Tree Officers (Joint CBC & TBC Response)** – No objection but concerns remain following additional submissions by applicant (summarised).
- The Tree Officer has concerns about the justification and the detrimental impacts of a proposed new road proposed through the woodland block G93.
  - The Green Infrastructure Parameter Plan should provide more details specifically identifying all the trees that are to be retained, including veteran trees, orchard trees and those protected by a TPO (Officer Note: The Arboricultural Assessment and accompanying Tree Retention Plans are recommended to be approved drawings which will ensure protection of retained trees).
  - Preference for the retention of all trees that with the Perry Orchard (group G63), within an appropriate area of open space.
- 4.21 County Archaeologist** – No objection subject to a phased planning condition being imposed requiring a Written Scheme of Investigation (WSI) for additional archaeological mitigation work (as required) to be submitted prior to the commencement of development for each phase or sub-phase in accordance with the submitted Archaeological Mitigation Strategy.
- 4.22 Historic England** - No objection to the application on heritage grounds.
- There are aspects of the scheme which will need to be considered at reserved matters to assess the impacts upon the setting of designated heritage assets.
  - In determining this application the LPA's should bear in mind the provisions of the NPPF, and the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess and section 38(6) of the Planning and Compulsory Purchase Act 2004 to determine planning applications in accordance with the development plan unless material considerations indicate otherwise.
- 4.23 Tewkesbury and Cheltenham Council Conservation Officers** – No objection
- The development is generally distant from built heritage assets within the Borough and separated by fields and trees. There are no built heritage assets within the development site. Subject to further detailed information at reserved matters stage, the development would have a low impact on the historic built environment. The development would come at the bottom of the 'less than substantial' category. Regarding less than substantial harm, this needs to be weighed against the public benefits.
- 4.24 Tewkesbury Civic Society** – Object (summarised).
- It is a conventional suburban layout which is car dependent and should meet exemplary standards.
- 4.25 Health and Safety Executive** – Do not advise against the granting of outline planning permission if conditions are imposed restricting:
- No more than 30 dwellings, at a density of no greater than 40 dwelling units per hectare, being located within the middle consultation zone of the Fiddington to Uckington gas pipeline.
  - No play areas or sports pitches being located in the inner consultation zone of the Fiddington to Uckington gas pipeline.
- 4.26 Environmental Health (Contamination)** – No objection subject to conditions.
- 4.27 Environmental Health (Odour and Air Quality)** – No objection subject to conditions.



- 4.28 Grundon Waste Management** – No objection.
- 4.29 Tewkesbury and Cheltenham Community Teams** – No objections subject to planning obligations. The teams have extensively advised on community provision, including health and community centre alongside sports provision.
- 4.30 Sports England** – No objection subject to planning obligations and conditions.
- 4.31 NHS Integrated Care Board** – No objection subject to planning obligation to secure a new Primary Care Centre and associated infrastructure.
- 4.32 Gloucestershire County Council Community Infrastructure** – No objection subject to planning obligations to secure on site safeguarded land for the provision of 2no. primary schools and 1no. secondary school and financial contributions to the delivery of these facilities. Off-site financial contributions also requested towards the provision of a new off-site library serving the development.
- 4.33 Gloucestershire Constabulary** – Planning Obligations requested for additional resources and premises costs, and highlighting requirements to design out crime.
- 4.34 Housing Enabling Officer** – No objection subject to a planning obligation to secure the agreed affordable and elderly persons housing accommodation which have been agreed following extensive discussions with the applicants.
- 4.35 Gloucestershire Minerals and Waste** – Concerns raised regarding unnecessary sterilisation of mineral resources and this is a matter for the planning balance. Conditions also requested to secure future waste management arrangements for the occupation phases and a construction phase waste management plan.
- 4.36 Wales and West Utilities** – No objection.
- 4.37 Gloucestershire Ramblers** – Object (summarised).
- The plans indicate a diversion of PROWs around the sports pitches and the historic route should be maintained (Officer Note: the layout of the sports pitches isn't fixed by this application and would be determined at reserved matters stage).
  - Segregation for different users should be provided along Dog Bark Lane.
- 4.38 Cheltenham and Tewkesbury Cycling Campaign** – Concerns raised regarding proposed cycle facilities off site and comments provided on future detailed design.
- 4.39 Gloucestershire Orchard Trust** – The existing Perry Orchard surveyed as G63 should be retained (Officer Note: this orchard was subsequently surveyed and is now proposed to be partially retained as explained in this report).
- 4.40 Save The Countryside Local Community Organisation** – Object on basis of lack of communication, inaccuracies in application, loss of agricultural land, prematurity of application before adoption of JCS, Local Green Space, lack of supporting infrastructure, highways impacts, pollution, odour, air quality, flooding, ecological impacts, and visual impact.
- 4.41 Swindon Village Society** – Object to remove of a section of hedgerow along Dog Bark Lane (Officer Note: this was an error in the plans which has been rectified).
- 4.42 Cheltenham Chamber of Commerce** – Support plans to build a new business park.



## **5. Third Party Comments/Observations**

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Full copies of all the representation responses are available online at <https://publicaccess.tewkesbury.gov.uk/online-applications/> and <https://publicaccess.cheltenham.gov.uk/online-applications/>

- 5.1** The applications have been subject to a number of separate public consultations during the application period by both Cheltenham and Tewkesbury Borough Councils via press notices, site notices and neighbour letters for the planning applications as submitted and amended.
- 5.2** In 2017 Gallagher Retail Park submitted objections that the impacts of the development on operation of the retail park hadn't been adequately modelled. (Officer Note: additional modelling has subsequently been undertaken by the applicant, County Highways Authority and National Highways on a number of occasions comprehensively modelling traffic flows).
- 5.3** In 2017 Spirax Sarco an engineering company with a site at Runnings Road/Manor Lane, raised concerns about the proposed proximity of residential uses to their site and the potential impact on amenity of future residents and the potential impact on future operations of the business. Concerns were also raised regarding highways impact and flood risk. (Officer Note: that part of the site located nearest Spirax Sarco was subsequently granted planning permission for housing and the inter-relationship of uses was considered as part of the determination of planning permission 20/00759/FUL).
- 5.4** Councillor Flo Clucas – Objected in 2016 regarding the size of the proposed Local Green Space adjacent to Swindon Village and inconsistency with the then draft Cheltenham Plan (Officer Note: The Local Green Space has subsequently been amended to reflect the Cheltenham Plan Proposals Map).
- 5.5** In addition, 76 objections have been received by Cheltenham Borough Council and Tewkesbury Borough Council, summarised as follows:
- The speed limit should be reduced along Tewkesbury Road as part of the proposals.
  - Concerns raised about accuracy of the site address in the description of development.
  - The applicant's transport assessments are inaccurate.
  - The proposal will cause gridlock and unacceptable congestion on the road network.
  - Only having three roads out of the site onto Tewkesbury Road is insufficient for a development of this scale and will cause congestion.
  - There is a lack of consideration of the cumulative impact of major development projects in Cheltenham and the cumulative impacts on congestion.
  - Fire engines won't be able to get out of the fire station due to congestion.
  - Future residents would be dependent on cars which would exacerbate congestion.
  - The congestion caused by this development would impact on businesses in Cheltenham Town Centre as people won't travel into the town.
  - As part of the proposals J10 should be turned into two-way junctions to encourage traffic out of Cheltenham rather than through Cheltenham.
  - There is insufficient infrastructure to support this development in the wider area including bus services, transport facilities, schools and health facilities including doctors and hospitals.
  - The proposal would drastically change the character of the area, harm rural character and have an unacceptable landscape impact.



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- The proposal is out of scale to the nearby villages.
- The development will harm the image of Cheltenham.
- The proposal will increase flooding in the surrounding area.
- The proposal will harm wildlife and biodiversity.
- The wildlife surveys do not take account of Gulls from the landfill site which also use the application site.
- The Parish boundaries of Uckington and Swindon Village should be respected and these historical boundaries will be lost.
- The proposal will impact on air quality in the area.
- Insufficient information is provided on the preservation of existing Public Rights of Way on the site, surface materials and segregation of pedestrians and cyclists.
- Brownfield sites and Greybelt sites should be prioritised over the loss of greenfield land.
- The field patterns which would be lost have historic significance and should be retained.
- The scale of the development is out of proportion with the character of Cheltenham and would harm the town's identity.
- The protected Local Green Space around Swindon Village isn't shown adequately on the plans.
- Housing is proposed unacceptably close to Wingmoor Farm and future residents and children at the northern primary school would be impacted by toxic waste and odour, which would impact on public health.
- Light pollution from the development will impact on the surrounding villages.
- The proposal results in the loss of prime agricultural land which should be retained for local food production in the interests of sustainability.
- It is not demonstrated how existing drainage infrastructure would cope with the development.
- The allotments are at areas of clay soil and would be poor quality.
- The Park and Ride is not in a useful location for workers that need their car during the day.
- The Park and Ride is located too close to the gas pipeline which could have catastrophic consequences.
- Part of site is in flood zone 2 and 3 and is at risk of flooding. The flood risk assessment does not provide re-assurance that the proposal won't increase risk of flooding elsewhere.
- There is no information on where water treatment plants and pumping stations would be located.
- The proposed business park will impact on the residential amenity of residents by reasons including noise, traffic and vibration.
- The quality of life for existing residents would be reduced with loss of access to open space.
- The proposed houses will be too expensive and beyond the budget of local buyers and will just attract wealthier people from outside the area.
- The access to the sports pitches and their location will impact on amenity, privacy and parking arrangements for existing residents at Uckington.
- The sports pitches are required to be flat, and this would impact on the character of the western part of the site.
- The sports hub would impact on designated heritage assets in Uckington.
- A health impact assessment should be undertaken for the application at outline stage.
- The gas pipeline within the development causes the potential for explosions within the construction and occupation phases.
- There must be adequate services with the proposal to meet the needs of the development.
- The demolition of existing houses and businesses is not acceptable.
- Reference to the J10 DCO scheme should be included in the application and the



proposal should be compatible.

- The restricted emergency vehicle junction onto Elmstone Hardwicke Lane would be dangerous.
- The high density development near Tewkesbury Road would be subject to noise and poor air quality.
- Significant congestion is being caused by the development of Swindon Farm and works delayed. Careful consideration should be given to the implications of this larger development.
- The size of the hotel and the amount of community uses was increased in 2024 with no reasoning provided and this may mean the building is taller and other land uses will be lost.
- There is a lack of single storey dwellings for elderly people to allow independent living.
- The phasing plan submitted in 2024 will mean development in vicinity of Swindon Village will occur sooner.

**5.6** The following comments were also provided in initial stages of consultation which were relevant prior to the adoption of the JCS

- The application was submitted prematurely before the adoption of the JCS.
- Removing the application site from the Green Belt defeats the objectives of the Green Belt and will create urban sprawl. The site should be retained as Green Belt.

## **6. Relevant Planning Policies and Considerations**

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### **6.1 Statutory Duty**

Planning law requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

As the planning applications are within both Cheltenham and Tewkesbury Councils administrative areas, the Development Plan within both administrative areas is relevant to determination of this application.

The following planning guidance and policies are relevant to the consideration of this application:

### **6.2 National Policy/Guidance**

National Planning Policy Framework 2024 (as amended February 2025) (NPPF) and the National Planning Practice Guidance (NPPG).

### **6.3 Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (JCS) – Adopted 11 December 2017**

The JCS applies to both Cheltenham and Tewkesbury Borough Councils administrative areas (as well as Gloucester City) and sets out the strategic planning framework for these areas. Relevant policies are:

- Policy SP1 (The Need for New Development)
- Policy SP2 (Distribution of New Development)
- Policy SD1 (Employment – Except Retail Development)
- Policy SD2 (Retail and City/Town Centres)
- Policy SD3 (Sustainable Design and Construction)
- Policy SD4 (Design Requirements)



- Policy SD6 (Landscape)
- Policy SD7 (The Cotswolds Area of Outstanding Natural Beauty)
- Policy SD8 (Historic Environment)
- Policy SD9 (Biodiversity and Geodiversity)
- Policy SD10 (Residential Development)
- Policy SD11 (Housing Mix and Standards)
- Policy SD12 (Affordable Housing)
- Policy SD14 (Health and Environmental Quality)
- Policy INF1 (Transport Network)
- Policy INF2 (Flood Risk Management)
- Policy INF3 (Green Infrastructure)
- Policy INF4 (Social and Community Infrastructure)
- Policy INF5 (Renewable Energy/Low Carbon Energy Development)
- Policy INF6 (Infrastructure Delivery)
- Policy INF7 (Developer Contributions)
- Policy SA1 (Strategic Allocations)
- Policy A4 (North West Cheltenham)
- Policy A7 (West Cheltenham)
- Policy REV1 (Gloucester and Tewkesbury Housing Supply Review)

### **6.4** Tewkesbury Borough Plan to 2011-2031 (TBP) – Adopted 8 June 2022

The TBP forms part of the statutory Development Plan for Tewkesbury Borough. Relevant policies are:

- Policy RES2 (Settlement Boundaries)
- Policy RES3 (New Housing Outside Settlement Boundaries)
- Policy RES5 (New Housing Development)
- Policy RES12 (Affordable Housing)
- Policy RES13 (Housing Mix)
- Policy RES14 (Specialist Accommodation for Older People)
- Policy EMP5 (New Employment Development (General))
- Policy TOR1 (Tourism Related Development)
- Policy RET1 (Maintaining the Vitality and Viability of the Town, Borough and Local Centres)
- Policy RET3 (Retail Centres)
- Policy RET4 (Out of Centre Development)
- Policy DES1 (Housing Space Standards)
- Policy HER1 (Conservation Areas)
- Policy HER2 (Listed Buildings)
- Policy HER4 (Archaeological Sites and Scheduled Monuments)
- Policy HER5 (Non-Designated Heritage Assets)
- Policy LAN2 (Landscape Character)
- Policy NAT1 (Biodiversity, Geodiversity and Important Natural Features)
- Policy NAT2 (The Water Environment)
- Policy NAT3 (Green Infrastructure: Building with Nature)
- Policy NAT5 (Cotswold Beechwoods)
- Policy ENV2 (Flood Risk and Water Management)
- Policy HEA1 (Healthy and Active Communities)
- Policy RCN1 (Public Outdoor Space, Sports Pitch and Sports Facility Provision)
- Policy RCN2 (New Sports and Recreational Facilities)
- Policy RCN3 (Allotments & Community Gardens)



- Policy COM2 (Broadband Provision)
- Policy TRAC1 (Pedestrian Accessibility)
- Policy TRAC2 (Cycle Network and Infrastructure)
- Policy TRAC3 (Bus Infrastructure)
- Policy TRAC4 (High Frequency Bus Routes)
- Policy TRAC9 (Parking Provision)

### **6.5** Cheltenham Plan – Adopted July 2020 (CP)

The CP forms part of the statutory Development Plan for Cheltenham Borough. Relevant policies are:

- Policy EM1 (Employment Land and Buildings)
- Policy EM3 (Employment Skills Plans)
- Policy D1 (Design)
- Policy L1 (Landscape and Setting)
- Policy HE1 (Buildings of Local Importance and Non-Designated Heritage Assets)
- Policy HE2 (National and Local Archaeological Remains of Importance)
- Policy BG1 (Cotswold Beechwoods Special Area Of Conservation Recreation Pressure)
- Policy BG2 (Cotswold Beechwoods Special Area Of Conservation Air Quality)
- Policy H1 (Land Allocated for Housing Development)
- Policy HM2 (Elderly Care Accommodation)
- Policy SL1 (Safe and Sustainable Living)
- Policy GI2 (Protection and replacement of trees)
- Policy GI3 (Trees and Development)
- Policy CI1 (Securing community infrastructure benefits)
- Policy CI2 (Sports and open space provision in new residential development)
- Policy CI4 (Broadband provision)

### **6.6** Saved policies from the Cheltenham Borough Local Plan 2006 (CBLP)

Saved policies of the CBLP remain The CP remain part of the statutory Development Plan for Cheltenham Borough. Relevant policies are:

- Policy RT1 (Location of Retail Development)
- Policy RT4 (Retail Development in Local Shopping Centres)
- Policy RT8 (Individual Convenience Shops)

### **6.7** Gloucestershire Waste Core Strategy – Adopted November 2012 (WCS)

- Policy WCS1 (Presumption in Favour of Sustainable Development)
- Policy WCS2 (Waste Reduction)
- Policy WCS11 (Safeguarding Sites for Waste Management)

### **6.8** Minerals Local Plan for Gloucestershire – Adopted 2020 (MLP)

- Policy MS01 (Non-mineral developments within Mineral Safeguarded Area)

### **6.9** Gloucestershire's Local Transport Plan 2020-2041 – Adopted 2021 (LTP)

- Policy PD0.1 (Reducing Transport Carbon Emissions and Adapting to Climate Change)
- Policy PD0.2 (Local Environmental Protection)
- Policy PD0.3 (Maximising Investment in a Sustainable Transport Network)
- Policy PD0.4 (Integration with Land Use Planning and New Development)
- Policy PD0.5 (Community Health and Wellbeing)



- Policy PD0.6 (Thinktravel – Influencing Travel Behaviour Change)
- Policy PD1.1 (Gloucestershire's Bus Network)
- Policy PD1.2 (Improving the Quality of Road Based Public Transport)
- Policy PD1.6 (Transport Interchange Hubs)
- Policy PD2.1 (Gloucestershire's Cycle Network)
- Policy PD2.2 (Cycle Asset Management)
- Policy PD2.3 (Active Travel: Safety, Awareness and Confidence)
- Policy PD4.1 (Gloucestershire's Highway Network)
- Policy PD4.4 (Road Safety)
- Policy PD4.5 (On-Street Parking)
- Policy PD6.1 (Gloucestershire's Pedestrian Network)
- Policy PD6.2 (Rights of Way)
- Policy PD6.4 (Pedestrian Safety)

### **6.10 Neighbourhood Plans**

There are no made Neighbourhood Plans of direct relevance.

### **6.11 Supplementary Planning Guidance/Documents**

Cheltenham Borough Council Climate Change SPD (2022).

Cheltenham Borough Council and Tewkesbury Borough Council Golden Valley Development SPD (2020).

Tewkesbury Borough Council Flood and Water Management SPD (2018).

Gloucestershire Waste Minimisation in Development Projects SPD (2006)

### **6.12 Other Relevant Policies/Legislation**

Town and Country Planning (Environmental Impact Assessment) (EIA) Regulations 2017

Human Rights Act 1998

Article 8 (Right of Respect for Private and Family Life)

The First Protocol – Article 1 (Protection of Property)

Planning (Listed Buildings and Conservation Areas) Act 1990

Section 85(A1) Countryside and Rights of Way Act 2000

Cotswolds National Landscape Management Plan 2025-2030

National Design Guide and National Design Code

## **7. Policy Context**

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- 7.1** Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the Development Plan unless material considerations indicate otherwise. Section 70 (2) of the Town and Country Planning Act 1990 provides that the Local Planning Authority shall have regard to the provisions of the Development Plan, so far as material to the application, and to any other material considerations.
- 7.2** The Development Plan currently comprises the Joint Core Strategy (JCS) (2017), the Tewkesbury Borough Plan to 2011-2031 (June 2022) (TBP), and the Cheltenham Plan (2020) and the saved policies of Cheltenham Borough Local Plan 2006 (CBLP), as well as a number of 'made' Neighbourhood Development Plans (none of which are relevant to this application).
- 7.3** The relevant policies are set out in the appropriate sections of this report.



- 7.4 Other material policy considerations include national planning guidance contained within the National Planning Policy Framework 2024 (as amended February 2025) and its associated Planning Practice Guidance (PPG), the National Design Guide (NDG) and National Model Design Code, alongside adopted Supplementary Planning Documents.

## 8. Evaluation

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### ***Town and Country Planning (Environmental Impact Assessment) Regulations (EIA Regulations)***

- 8.1 At the time of submission of the application, the relevant EIA Regulations were the Town and Country Planning (Environmental Impact Assessment) Regulations 2011. Under the provisions of the 2011 EIA Regulations the application is supported by an Environmental Statement.
- 8.2 During the consideration of the planning application, the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 came into force in May 2017; however, Section 76 the 2017 EIA Regulations states that the 2011 EIA Regulations continue to apply where before the commencement of the 2017 EIA Regulations, an applicant has submitted an Environmental Statement or requested a scoping opinion. Under the transitional provisions there is no requirement for the Environmental Statement to comply with the 2017 EIA Regulations.
- 8.3 In May 2022 an Addendum to the Elms Park outline planning application was submitted. The Addendum contained updated drawings, including the proposed Parameter Plans, as well as an addendum to the ecology chapter of the Environmental Statement. Further amendments to the Parameter Plans have also been undertaken. The changes are considered to be minor in all respects and have no bearing on the assessment of environmental effects.
- 8.4 Given the limited and minor nature of the changes to the original application, and in particular to the controlling parameters that the EIA was based upon, it is considered that the conclusions of the Environmental Statement (as amended and updated) remain valid in all respects.

### ***Principle of development***

- 8.5 At the heart of the planning system is the principle of a plan led approach. The Town and Country Planning Act 1990 section 70(2) and section 38(6) of the Planning and Compulsory Purchase Act 2004 makes it clear that decisions need to be in accordance with the development plan unless material considerations indicate otherwise.
- 8.6 Policy SP1 of the JCS identifies the need for new development over the plan period from 2011-2031 and identifies the need for approximately 35,175 new homes and a minimum of 192 hectares of employment land. Of these 35,175 new homes, Policy SP1 criterion 3 identifies there is a requirement for at least 10,917 new homes to meet the housing needs of Cheltenham.
- 8.7 Policy SP1 criterion 2 identifies that the strategy for delivering these identified needs will be achieved by, inter alia, urban extensions to Cheltenham. This spatial strategy aims to locate jobs next to economically active population, increase sustainability, and reduce carbon emissions from unsustainable car use.
- 8.8 In the context of these aims, the JCS spatial strategy is to concentrate new development in and around the existing urban areas of Cheltenham and Gloucester to meet their needs, to balance employment and housing needs, and provide new development close to where it is needed, and



where it can benefit from the existing and enhanced sustainable transport network.

- 8.9** Policy SP2 criterion 1 provides strategic policy setting out the distribution of the new development identified in Policy SP1. Criterion 1 identifies that development will be focussed at Gloucester and Cheltenham, including urban extensions of these areas, to support their economic roles as providers of jobs, services and housing.
- 8.10** Policy SP2 criterion 3 identifies that to meet the needs of Cheltenham Borough the JCS will make provision for at least 10,996 new homes. These homes are to be provided within Cheltenham Borough's administrative boundary and in two cross boundary urban extensions. The application site is one of these strategic allocations urban extensions, known as North West Cheltenham.
- 8.11** Policy SP2 criterion 9 also identifies that employment land will be delivered on these Strategic Allocations to support economic growth in the JCS area, contributing to the overall requirement for of at least 192 hectares of employment land.
- 8.12** Policy SA1 of the JCS identifies the Strategic Allocations when read alongside the JCS Proposals Map. Policy A4 of the JCS provides site specific policy for the North West Cheltenham Strategic Allocation and sets out what the allocation is expected to deliver. The criteria within Policy A4 are considered in detail in the relevant sections of the Report, and include:
- Approximately 4,285 new homes
  - 10 hectare B-class office park
  - 13 hectare of employment generating land for local centre(s) including of an appropriate scale retail, health care and community facilities to meet the needs of the new community
  - New primary and secondary school facilities
  - A green infrastructure network of approximately 100 hectares
  - A multi-use transport hub with circa 350 car parking spaces
- 8.13** The planning application, which forms the majority of the Strategic Allocation A4, includes the development components which are required by JCS Policy A4. By virtue of the scale of the application site, which forms the majority of the Strategic Allocation, the proposals also facilitate a comprehensive scheme to be delivered across the developable area within the Strategic Allocation allowing for infrastructure to be planned comprehensively in accordance with the requirements of Policy SA1 of the JCS.
- 8.14** In regard to the requirements of Policy SA1 of the JCS the application specifically:
- Demonstrates how the comprehensive development of the Strategic Allocation can be delivered across the developable area of the Strategic Allocation and provides the infrastructure needed to deliver the allocation allowing for the sustainable delivering of the allocation in accordance with criteria 4 and 5
  - Retains and enhances areas of local green space within the boundary of the allocation in accordance with criterion 6
  - Plans for and provides infrastructure comprehensively in accordance with criterion 7
  - Provides a comprehensive transport strategy which encourages walking, cycling and the use of public transport in accordance with criterion 8



- 8.15** Officers consider that the application proposals address the strategic ambition of Policy A4 and propose a form of development which is in accordance with Policy A4 and Policy SA1 of the JCS. As set out in the following sections of this Report, it is also considered that the application is in accordance with the spatial strategy and adopted Development Plan when read as a whole.
- 8.16** In terms of the decision-making context for the proposed development, legislation requires that the application is to be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 8.17** The principle of development is therefore considered acceptable and officer's do not consider that there are material considerations which indicate that the application should be determined other than in accordance with the Development Plan.
- 8.18** Notwithstanding that the principle of development is accepted, it is also the case that Cheltenham Borough Council cannot currently demonstrate a five year supply of deliverable housing sites. Cheltenham's latest published figure is 2.52 years (published in January 2025). Whilst it is the case that the housing which would be delivered on this site would contribute to Cheltenham's five year supply it is also the case that Tewkesbury Borough Council cannot either currently demonstrate a five year supply of deliverable housing sites and Tewkesbury's five year supply position is 3.14 years. The principle of this site meeting Cheltenham's housing need was established by the JCS (Policy SP2).
- 8.19** Paragraph 11(d) of the NPPF therefore applies for decision-making which states that permission should be granted unless: i) the application of policies in the NPPF that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination. This is referred to as the 'tilted balance'.
- 8.20** Notwithstanding the above and the site forming part of the strategic allocation, the site specific issues and merits of the proposed development require careful consideration in order to determine whether the proposals are acceptable overall.

### ***Design, Layout and Phasing***

- 8.21** Section 12 of the NPPF sets out that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. It continues by stating that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Planning decisions should, amongst other matters, ensure that developments will function well and add to the overall quality of the area; are visually attractive as result of good architecture, layout and appropriate and effective landscaping; and are sympathetic to the local character, including the surrounding built environment and landscape setting.
- 8.22** The National Design Guide (NDG) addresses the question of how we recognise well-designed places, by outlining and illustrating the government priorities for well-design places in the form of ten characteristics; one of which is the context. The NDG provides that well-designed development should respond positively to the features of the site itself and the surrounding context beyond the site boundary and that well-designed new



development needs to be integrated into its wider surroundings, physically, socially and visually.

**8.23** This advice is echoed in JCS policy SD4 which states the design requirements for the JCS area and sets out the principles that are required to be incorporated into proposals for development. Policy SD4 requires proposals to demonstrate, inter alia, how they will respond positively to matters including the context and character of the site and its surroundings, enhancing local distinctiveness, and address the urban structure and grain of the locality in terms of street pattern, layout, mass and form. The policy states that development should be of a scale, type and density appropriate to the site and its setting.

**8.24** Site specific allocation policy A4 of the JCS builds upon the principles of policy SD4 and includes design guidance specific to the allocation. In terms of design and layout, policy A4 identifies that development proposals are expected:

- To deliver a layout and form of development that respects the landscape character and separation of the villages of Brockhampton, Elmstone Hardwicke, Swindon Village and Uckington.
- To deliver a layout and form that respects the character, significance and setting of heritage assets that may be affected by development.
- To deliver a layout and form that respects areas of high landscape character and visual sensitivity, including key views into the site from the surrounding key visual and landscape receptors.
- To deliver a form of development which provide a green infrastructure network of approximately 100 hectares, which conserves the River Swilgate and Hyde Brook corridors, and protects important trees and hedgerows.
- To take into account Local Green Space as identified on the Proposals Map. In this regard subsequent to the adoption of the JCS in 2017, a Local Green Space to the west of Swindon Village which extends to some 21.6ha was allocated by Policy G11 of the CP (when read alongside the CP Proposals Map) in July 2020. This Local Green Space forms part of, and is incorporated into the application site.

**8.25** The application is submitted in outline and all matters relating to the design and layout are reserved for future consideration. However, the application includes a number of Parameter Plans which would be approved plans should permission be granted. The purposes of these Parameter Plans are to govern the principles of future reserved matters applications and establish the principles of the outline planning permission.

**8.26** Accordingly, the application is supported by the following Parameter Plans:

- Land Use and Access Parameter Plan (21614 BM-M-07 Rev F)
- Density Parameter Plan (21614 BM-M-12 Rev B)
- Green Infrastructure Parameter Plan (21614 BM-M-13 Rev D)
- Phasing Parameter Plan (21614 BM-M-14 Rev B)

**8.27** In addition to these Parameter Plans, the application is also accompanied by a series of supporting documents some of which indicate how the site could be developed, and these documents will also guide future reserved matters application. These documents comprise:



- Design and Access Statement (May 2022)
- Illustrative Masterplan (333100748 BM-M-Ai-18 Rev A)
- Concept Block Plan (21614 BM-M-08 Rev E)
- Play Strategies Plan (21614 BM-M-21 Rev B)

- 8.28** The purpose of the Design and Access Statement is to set out the design rationale for the development, and details how the proposals have evolved, including an assessment of the site's context, identification of constraints and opportunities which leads to the key urban design principles which have informed the Parameter Plans, and an explanation of how the site is proposed to be developed in urban design terms. The Illustrative Masterplan, Concept Block Plan and Play Strategies Plan show how the site may come forward in future reserved matters. Officers consider that these documents demonstrate that the site is capable of providing high quality design which responds to the character of the local area and the site specific policy criteria of JCS Policy A4.
- 8.29** It is recommended that a condition is imposed on the planning permission to secure the detailed phasing and sequencing of the development to ensure the delivery of open market and affordable housing aligns with the sequencing of supporting infrastructure including schools, sports and play facilities, community facilities and on-site transport infrastructure. However, the Phasing Parameter Plan will guide the phasing to be secured by condition and shows a sequencing of development whereby the first phase of development would be the parcel of land in the south of the site immediately to the north of Tewkesbury Road, allowing for construction to commence off Tewkesbury Road access/egress points.
- 8.30** Phase 1 of the development would provide much of key infrastructure proposed in the development, and the Land Use and Access Parameter Plan shows that the secondary school, 1no. primary school, the principal community uses such as a community centre and GP surgery, hotel, park and ride, a new neighbourhood centre, and the business park would be delivered/be capable of being delivered in this phase. It is also envisaged as shown on the Play Strategies Plan that the sports pitches and sports pavilion will be delivered on the south western part of the site within this first phase of development. There has been extensive engagement with the councils' communities teams on these matters.
- 8.31** The Density Parameter Plan shows that southern and eastern parts of Phase 1 will primarily comprise of the highest density development, with dwellings being provided at 40 dph plus and the Design and Access Statement states that the majority of the proposed development within this area will be a maximum of 3 storeys with some dwellings up to four storeys to achieve legibility and street structure. As set out in the recommended conditions, the maximum residential building height would be up to 17metres. Mixed use buildings which would include retail, apartments and community buildings could be a maximum of 4 storeys (18 metres). Employment buildings in the business part could be up to 15 metres and the hotel up to 20 metres. As such, this southern area of the development will comprise the urban core and will create a new frontage along Tewkesbury Road, responding to the more urban context of this part of the application site set against Gallagher Retail Park.
- 8.32** Phase 2 comprises the north east sector of the site and the Land Use and Access Parameter Plan shows that this area will primarily comprise of dwellings and there will also be a primary school and Local Centre, including a community centre, in the north eastern sector. The Density Parameter Plan shows that the majority of this area will be a medium density area with a density range of between 35-45 dwellings per hectare, with the majority of residential dwellings being 2 storeys with some up to 3 storeys to provide legibility. The conditional framework restricts the maximum height of dwellings within this parcel to 13 metres. However, in the most northern part of the Phase 2 sector, to aid the visual transition between open countryside to the north there



would be a lower density of development (30-40 dph) with dwellings restricted to a maximum of 11 metres. The Design and Access Statement identifies that the majority of Phase 2 will primarily comprise a suburban character area with extensive green spaces retained with development blocks structured around open spaces and retained site features. The built form would respond to the surrounding character of this part of the application site, and the built form of Swindon Village with dwellings predominately being semi-detached with a proportion of detached and terrace dwellings in response to the design context, which would be set beyond the Designated Local Green Space

- 8.33** Phase 3 comprises the north western sector of the site and comprises of entirely of residential development. The Density Parameter Plan and Design and Access Statement shows that this sector will transition from a Medium Density Suburban Area (35-45 dph) in the south to a lower density area (30-40 dph) in the north to define the rural edge. This Rural Edge Character Area which would be situated at the north of both Phases 2 and 3 would comprise a more organic arrangement of development blocks which are permeated by large scale areas of open space and dwellings would be predominantly detached with a proportion of semi-detached dwellings set within larger plots. The built form within this area would respond to the rural character and the wider environs to the north and north west of the site and be more informal in character.
- 8.34** As explained above, the Parameter Plans and the Design and Access Statement set out the principles that will guide future reserved matters applications. It is recommended by officers, and it has been agreed with the applicant, that a conditional framework is imposed on the outline planning permission for the submission of a Site Wide Framework Design Code to provide additional information on matters such as street design, public realm design and building design prior to the submission of the first reserved matters. This Site Wide Design Code will set out a more detailed design framework to guide future reserved matters and ensure consistency in place-making for development that will come forward over an extended period of time and may be delivered by a number of different developers. The conditional framework also requires the submission of a more detailed Neighbourhood Design Code for sub-phases of the development which will provide a comprehensive approach to the design ethos of each sub-phase based on the overall design ethos established by the Site Wide Framework Design Code.
- 8.35** It is considered by officers that this two-tier system of design coding informed by the principles of the Outline Parameter Plans and Design and Access Statement will successfully co-ordinate design teams from potentially multiple developers and deliver a coherent and high quality design and layout in accordance with the requirements of NPPF and policies SD4 and A4 of the JCS.
- 8.36** As such, Officers consider that the level of information shown on the Parameter Plans, as well as the Illustrative Masterplan and Design and Access Statement demonstrates that the site is capable of accommodating the quantum of development, and subject to the imposition of conditions to secure a two tier design code framework, it is considered that the proposal and future reserved matters applications would achieve high quality design and comply with the requirements of local and national design policies and guidance.

### ***Landscape and Visual Impact, Green Infrastructure and Open Space***

- 8.37** The NPPF sets out that planning decisions should contribute to and enhance the natural and local environment by, inter alia, recognising the intrinsic character and beauty of the countryside and the wider benefits from natural capital and ecosystem service.
- 8.38** Policy SD6 of the JCS states that development will seek to protect landscape character



for its own intrinsic beauty and for its benefit to economic, environmental and social well-being. Proposals will have regard to local distinctiveness and historic character of different landscapes and proposals are required to demonstrate how the development will protect landscape character and avoid detrimental effects on types, patterns and features which make a significant contribution to the character, history and setting of a settlement area. It also provides that planning applications will be supported by a Landscape and Visual Impact Assessment where the local planning authority requires one.

- 8.39** Policy INF3 of the JCS also states that the green infrastructure network of local and strategic importance will be conserved and enhanced in order to deliver a series of multi-functional, linked green corridors across the JCS area.
- 8.40** JCS Strategic Allocation Policy A4 also identifies that the development is expected to deliver a green infrastructure network of approximately 100 hectares which will conserve the River Swilgate and Hyde Brook Corridors, protecting important trees and hedgerows where appropriate. Policy A4 also states that the layout and form of development should respect landscape character and separation of the surrounding village and respect areas of high landscape character and visual sensitivity including key views into the site from surrounding key visual and landscape receptors.
- 8.41** Policy GI1 of the CP provides that development will not be permitted within designated areas of Local Green Space unless there are very special circumstances which includes 21.6ha of land to the west of Swindon Village which predominantly lies within the application site.
- 8.42** Policy LAN2 of the TBP states that all development must, through sensitive design, siting, and landscaping, be appropriate to, and integrated into, their existing landscape setting. The Policy also advises that all proposals which have potential for significant landscape and visual effects should be accompanied and informed by a Landscape and Visual Impact Assessment (LVIA) to identify the sensitivity of the landscape, and the magnitude and significance of landscape and visual effects resulting from the development, using a suitably robust methodology.
- 8.43** The Tewkesbury Flood and Water Management SPD also provides guidance on how water features, including SUDS features, can enhance the nature conservation and amenity value of sites, and advises that proposed developments should explore opportunities to recreate more natural conditions along watercourses
- 8.44** As an allocated site, the principle of mixed-use development in this location has already been accepted. Nevertheless, it is the role of the planning process to ensure that the form in which development comes forward is acceptable within its context and accords with requirements of the Development Plan including site specific JCS allocation policy A4.
- 8.45** In regard to the landscape policy context, the site does not lie within any nationally or locally designated landscapes. The Cotswolds National Landscape lies over 3.5km away to the east.
- 8.46** The ES contains a chapter on landscape and visual impact, which is informed by a Landscape and Visual Impact Assessment (LVIA). This ES describes and evaluates the proposal for up to 4,115 dwellings and related land uses, as part of the wider allocation, with respect to the landscape and visual amenity of the site and its surroundings. The LVIA identifies the baseline condition of the application site, assesses the potential significant effects and outlines the design and mitigation measures to be incorporated as part of the proposed development.
- 8.47** A green infrastructure framework and supporting Green Infrastructure Parameter Plan has been prepared which encompasses existing landscaping which would be reinforced and enhanced



with new structure planting and the creation of new habitats throughout, also providing connectivity to the site's immediate surroundings and the wider landscape. A Biodiversity Management Plan has also been prepared to ensure that the landscape areas and features at the site will be established and maintained.

- 8.48** In regard to the baseline position, the ES identifies that the site comprises mostly of agricultural land with some dwellings located along Tewkesbury Road (which are to be demolished), along with the dwellings known as Chestnut Farm and Fair Oaks located adjacent to/surrounded by the site to the west.
- 8.49** Although much of the site area is currently occupied by intensive arable farmland, there are areas of local character and features which are of value. Principal landscape and green infrastructure features within the site include hedgerows of high conservation and historic value, woodland belt and mature field trees/veteran trees. The River Swilgate with adjacent trees and hedgerows is a prominent feature within the site running across the site from north-west to the south east with a network of footpaths/old Drove Road including Dog Bark Lane located in proximity. Hyde Brook also runs along the northern boundary of the site. There are also a number of other Public Rights of Way connecting settlements including the Cheltenham Circular Way which connects Swindon Village and Elmstone Hardwicke.
- 8.50** In terms of the topography of the site, there are some localised landforms within the site including hillocks by Hyde Brook and Swindon Village and ridgeline between Swindon Farm and Fair Oaks.
- 8.51** In respect to the site context, it is identified that the site has a relatively restricted visual envelope owing to the interaction of localised variations in topography, existing vegetation (present along watercourses, roads, lanes, railway, hedgerow field boundaries and settlement edges) and existing urban fabric along Tewkesbury Road including Gallagher Retail Park and nearby buildings.
- 8.52** Against this context, a comprehensive visual assessment has been submitted in support of the application to determine the visibility of the proposed development within the surrounding landscape and townscape. A total of 46 viewpoints have been assessed and receptors encompass residents, users of Public Rights of Way, views from highways and people at work. Photomontages from out of the Cotswolds National Landscape have also been provided. Key findings are summarised below:-
- The site has a relatively restricted visual envelope owing to the interaction of localised variations in topography, existing vegetation (present along watercourses, roads, lanes, railway, hedgerow field boundaries and settlement edges) and existing urban fabric.
  - Localised views occur from a relatively limited area to the north and northwest of Uckington where the landscape is slightly more open.
  - Views from beyond the site to the north are restricted by Wingmoor Landfill site.
  - Views from the Public Right of Way by Hyde Brook to the south of the landfill are contained for much of its length due to a combination of hillock and vegetation alongside the watercourse.
  - There are localised views of the site from some properties at the western edge of Swindon Village. Views of the site from wider landscape to the east are effectively



screened due to a combination of localised topography and existing vegetation including field hedgerows, as well as trees and scrub alongside the Great Western Railway.

- Views of the site from Tewkesbury Road are largely restricted due to the presence of existing roadside developments including the Gallagher Retail Park, Kingsditch Industrial Estate, Tewkesbury Road nurseries and residential properties at Uckington village.
- Localised landforms (including hillock by Hyde Brook, Swindon Village and ridgeline between Swindon Farm and Fair Oaks) partially enclose views within the site.
- A range of views are available within the site from the Public Rights of Way network. Along lanes and old drove roads views are largely enclosed by intact, well established thick hedgerows along field boundaries. Elsewhere views from footpaths which cut across the fields are semi-open.
- The framework of field hedgerows (situated within the northern part of the site) along with tree belts and scrub by the watercourses feature in local views within the site. Other prominent vegetation includes mature tree belt situated along a ridgeline to the west of Swindon Farm, Poplar trees by the horticultural nurseries, as well as mature trees by Chestnut Farm and Lodilow Lane.
- Hills and escarpment forming the Cotswolds National Landscape are seen along the far horizon within easterly views. Churches at Swindon Village and Elmstone Hardwicke are local landmarks occasionally visible from within the site and over the wide area.
- Within views from the Cotswolds National Landscape the site itself is barely discernable over 3.5km away and does not form a significant component within the overall view.

**8.53** Having established this baseline position, the planning application proposes a Green Infrastructure framework which informs the Green Infrastructure Parameter Plan. The Green Infrastructure strategy has evolved in response to baseline environmental surveys and assessments and the resulting identification of opportunities and constraints which would ensure the protection and enhancement of existing features of value.

**8.54** It is considered by officers that the Green Infrastructure strategy embraces the most important existing landscape elements of the site and establishes parameters of development that would reduce landscape impact and responds to and respects the principal landscape features of the site. Notable features of the development include:

- The retention of a significant green infrastructure corridor within the centre of the site along the River Swilgate and adjacent Public Rights of Way. This corridor would run through the centre of the development and existing trees and hedgerows would be retained. A network of cycle paths, footpaths and areas for recreation would be provided in this area to serve the proposed and existing communities. The recommended planning conditions require that existing/proposed footpaths provide circular recreational routes of 5km. Existing footpaths including the Cheltenham Circular Walk will be retained and enhanced with new routes extending the rights of way network, to provide attractive recreational opportunities.
- A further green infrastructure zone is proposed adjacent to Hyde Brook in the northern part of site which would be more informal in character and could be partially retained



within agricultural use. The zone also ensures a buffer to the Wingmoor Landfill located further to the north.

- In the south west of the site near Uckington Village a further area of green infrastructure is proposed and the Play Strategies Plan indicates that this area would accommodate playing pitches, a pavilion and a 3G sports pitch.
- In accordance with the requirements of JCS Policy A4 areas of green infrastructure are proposed to the west of Swindon Village, east of Uckington, east of Elmstone Hardwicke, and west of Brockhampton to ensure a layout and form of development which respects the landscape character and maintains the separation of these settlements.
- To supplement these strategic areas of green space, a series of secondary green infrastructure corridors are also proposed which will run through the neighbourhoods connecting to focal destinations and community facilities (such as schools, mixed use areas, playing fields and children's play areas) as well as providing links into the major green infrastructure corridors.

**8.55** Tewkesbury Borough Council's Landscape Officer (LO) has assessed the application and notes the intention to retain existing trees, hedges and incorporating these into the proposed greenspace network (as shown on the illustrative masterplan). The incorporation of the River Swilgate within the linear park, linking to the Hyde Brook, along the northern edge of the site, with a network of green spaces proposed on the outer margins and extending into and through the proposed residential areas is welcomed. Similarly, the general approach is to incorporate the existing Public Rights of Way provision into the development proposals, and to provide new public access links, as part of green infrastructure corridors, promoting public access, landscaped green space, and ecological corridors is supported. The LO concludes that in landscape terms, the scope and content of the outline proposals are appropriate, but these concepts would need to be progressed at reserved matters stage.

**8.56** It is therefore considered that the outline planning application has taken into account the physical characteristics of the site, and its immediate environs. The Parameter Plans have identified a form of development that demonstrate it would be possible to secure a relatively sensitively designed form of development and any significant long-term impacts could be adequately mitigated through future reserved matters applications and planning conditions.

**8.57** To conclude, clearly the development of the site would change the landscape character of the area to the detriment of its current distinctive natural character. However, this is an allocated site, and the principle of development on the site has already been accepted as part of a plan-led approach. Against this context, officers consider that the application proposes a form of development that minimises the impacts on landscape character by being brought forward as a landscape led approach. The proposed development would also establish green infrastructure corridors within this site and establish new landscape and visual receptors to the benefit of existing and existing and future populations. The recommended conditions would ensure that this approach is engrained in the two-tier design Code approach.

**8.58** As such, it is considered the design approach minimises any landscape character harm and accords with the provisions of policies A4 and SD6 of the JCS, policy LAN2 of the TBP and GI1 of CP and guidance on the use of water features in Tewkesbury Flood and Water Management SPD. The key landscape characteristics of the local landscape are respected and retained as necessary, and the proportionate levels of mitigation will be secured via conditions, and through



subsequent reserved matters and planning obligations.

### Arboriculture

- 8.59** Paragraph 187 of the NPPF states that planning decisions should recognise benefits from natural capital and ecosystem services, including trees and woodland. Paragraph 193 states that when determining applications development which results in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists. Paragraph 136 also identifies that trees make an important contribution to the character and quality of urban environments and opportunities should be taken to incorporate trees into development including tree-lined streets and existing trees retained wherever possible.
- 8.60** Criterion 5 of policy A4 also identifies the green infrastructure network expected to be delivered and includes that important trees and hedgerows should be protected where appropriate, including along the River Swilgate and Hyde Brook Corridors.
- 8.61** Policy INF3 of the JCS states that existing green infrastructure will be protected in a manner that reflects its contribution to ecosystem services and the connectivity of the green infrastructure network. Development proposals that will have an impact on woodlands, hedges and trees will need to include a justification for why this impact cannot be avoided and should incorporate measures acceptable to the Local Planning Authority to mitigate the loss. Mitigation should be provided on-site or, where this is not possible, in the immediate environs of the site.
- 8.62** Policy NAT1 of the TBP echoes the requirements of Policy INF3 and also identifies that development resulting in the loss or deterioration of irreplaceable habitat, including (but not restricted to) ancient woodland and ancient and veteran trees, will not be permitted unless there are wholly exceptional reasons, and a suitable compensation strategy exists.
- 8.63** Policy GI3 of the CP states that development which would cause permanent damage to trees of high value (in the CP being healthy trees which make a significant contribution to the character or appearance of a site or locality) will not be permitted and developments may be required to retain existing trees, plant new trees and ensure adequate measures are in place to ensure the protection of trees during construction works.
- 8.64** As stated above, the proposal would provide approximately 113 hectares of green infrastructure and the Parameter Plans demonstrate that the proposals would retain the majority of the site's existing green infrastructure features of value which would be improved and supplemented to provide a diverse range of habitats which support a variety of wildlife, including protected species. It is proposed that the development would predominantly retain existing notable trees and hedgerows providing a robust Green Infrastructure (GI) framework within which to set the new neighbourhoods. The GI Biodiversity Management Plan states that although much of the site is currently occupied by intensive farmland, there are areas of local character and features which are of value. The proposed development has been designed in response to these character areas to enable the protection and enhancement of the following:
- Watercourses and associated green corridors including the River Swilgate and Hyde Brook along with their associated floodplain;
  - Hedgerows, woodland belts and field trees
  - Woodland belts of high conservation value



- Veteran trees, hedgerow trees and field trees

- 8.65** The planning condition framework will ensure that the existing retained hedgerows, woodland and trees would be protected and managed to secure their future survival and to enhance ecological and landscape value. In addition, new habitats would be created and will include suitable native trees and shrub species common to the local area. Long term management plans for the Green Infrastructure would be prepared stating the aims and objectives along with specifications for implementation and aftercare operations. Furthermore, within the area of built form a conditional framework is proposed through a two tier design code to secure green infrastructure, street tree planting and a high quality streetscape within the individual development parcels.
- 8.66** In terms of specific notable trees and hedgerows, the application is supported by an Arboricultural Assessment which undertook an updated survey in 2023 in accordance with guidance contained within British Standard 5837:2012 'Trees in Relation to Design, Demolition and Construction – Recommendations' (BS 5837:2012). It is identified that there are a number of Tree Preservation Orders (TPOs), including Group TPOs which apply to the tree stock on the site. These trees which are protected by TPOs are primarily located within the central green infrastructure corridor, as well as along the northern boundary of site and within the hedgerow corridors which are located between the northern development parcels. There are also a groups of TPO trees to north of where the playing pitches are proposed, as well as groups of TPOs which are excluded from the development parcels in the southern part of the site.
- 8.67** The Green Infrastructure Parameter Plan when read alongside the more detailed Tree Retention and Removal Plan identifies that individual specimens which are subject to TPOs will be retained, and there would be minimal loss of individual specimens within TPO groups, and where trees are to be removed to facilitate development these are lower quality specimens within the wider group.
- In addition, during the determination of the application a small number of veteran/ancient trees have been identified across the site. Four individual veteran specimens (T9, T12, T26 and T119) are located in the central GI corridor and are to be retained and protected amongst wider TPO Groups.
- 8.68** In addition, the applicant has identified that three pear trees amongst a group of eight pear trees should be classified as veteran which are located in the southern development parcel within Group G63. At the request of officers and further to comments received from the Gloucestershire Orchard Trust, the layout has been redesigned to retain all three veteran trees, T176, T177, T181 and the nearby T178 to retain the linear feature created by these three trees. At detailed design stage, these trees will be entered into a Veteran Tree Management Plan which will be produced for the whole site to help manage all veterans trees on site taking account of future land uses around the site. Of those trees that would be removed in Group G63 to facilitate development which were not classified as Veteran and significant decline is identified, cuttings will be taken from the trees proposed for removal (T180 and T182) and grown on at a local nursery to replant into the new orchards which the Design and Access Statement and Concept Block Plan indicate would be located in the north west and south east parts of the site.
- 8.69** The Parameter Plans show that there would be one high quality tree group (G93(A)) which would be effected by the development and is subject to a Group TPO (TPO294). The small woodland block contains mature oak trees, including one large Oak Tree (T121) which is Category A (high value under BS 5837:2012) and is located in the north west part of the site between two development parcels. A new road is proposed through the woodland to link the



proposed areas of residential development to the north and south. At the request of Officers, this access route has been amended to ensure that T121 is retained and no development strays into its Root Protection Area. The Councils' Tree Officers have raised concerns regarding the splitting of the woodland into two halves to facilitate the road access and officers have considered alternative options with the applicant. However, alternative options to facilitate access to the north western development parcel would result in the incursion into strategic green infrastructure corridors, and the loss and severance of ecological connections to the hedgerow on Dog Bark Lane and a reduction in amenity for users of this PRow. The exact access arrangements and layout for this area can be secured through future reserved matters applications to secure the most appropriate layout of development, but the Green Infrastructure Parameter Plan does allow for the severance of Tree Group G93A to facilitate access. On balance, Officers consider that in context of the proposed development as a whole which retains the vast majority of green infrastructure on the site, the severance of this woodland is considered acceptable to facilitate access to a parcel of land which would accommodate in the order of 100 dwellings, on balance this is an important contribution to both facilitating the JCS allocation policy and contribution to meeting Cheltenham's 5 year housing land supply.

- 8.70** Overall it is considered by Officers that the proposed development accords with the requirements of Policy A4 of the JCS. The Parameter Plans and supporting documentation show a form of development which builds upon the green infrastructure within the site, conserves the River Swilgate and Hyde Brook Corridors, and protects the vast majority of important trees and hedgerows, and incorporates them into open space network, capitalising on the use of the green infrastructure to deliver a series of multi-functional spaces in accordance with the requirements of Policy INF3. Whilst some trees and hedgerows would be lost to facilitate the development, taken as a whole, for what is a substantial development, officers consider that the proposal protects green infrastructure in an appropriate manner that reflects its contribution to ecosystem services, in accordance with the requirements of the NPPF, policies A4 and INF3 of the JCS, policy GI3 of the CP and policy NAT1 of the TBP.

### **Ecology and Biodiversity**

- 8.71** Cheltenham and Tewkesbury Borough Councils have a duty under the Conservation of Habitats and Species Regulations 2017 (the Habitats Regulations) and under Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006, to have regard to the conservation of biodiversity in exercising its functions. This duty includes the requirement to have regard to protected species.
- 8.72** In England, Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021) introduced a statutory framework for biodiversity to ensure that the biodiversity gain objective of achieving at least a 10% gain in biodiversity value will be met for development granted planning permission. This application is exempt from this legislation as the planning application was submitted before 12<sup>th</sup> February 2024, however applicable policies in respect of biodiversity net gain and the details on the biodiversity net gain that would be generated by the development are explained below.
- 8.73** Paragraph 187 of the NPPF sets out that planning decisions should contribute to and enhance the natural and local environment by, inter alia, minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures and incorporating features which support priority or threatened species.
- 8.74** JCS Policy SD9 seeks the protection and enhancement of the biodiversity and geological resources of the JCS area in order to establish and reinforce ecological networks that are



resilient to current and future pressures. Improved community access will be encouraged so far as is compatible with the conservation of special features and interest. Policy SD9 confirms that this will be achieved by, inter alia, ensuring European and National Protected Species are protected in accordance with the law, and encouraging new development to contribute positively to biodiversity and geodiversity whilst linking with wider networks of green infrastructure.

- 8.75** Strategic Allocation Policy A4 of the JCS states the proposed development will be expected to protect key biodiversity assets including through the development of a Biodiversity Management Plan.
- 8.76** Policy NAT1 of the TBP states that proposals will, where applicable, be required to deliver a biodiversity net gain across local and landscape scales, including designing wildlife into development proposals, the connection of sites and large-scale habitat restoration, enhancement and habitat re-creation.
- 8.77** Within the reasoned justification paragraphs in respect of policy NAT1 it is set out that the policy should be interpreted and applied in the context of, as was then, the legislative proposals with the expectation that all major developments are to deliver a minimum net gain of 10%.
- 8.78** Policy NAT1 also states that proposals that are likely to have a significant effect on a European or internationally designated habitats site (either alone or in combination with other plans or projects) will not be permitted unless a Habitats Regulations Assessment has concluded that the proposal will not adversely affect the integrity of the habitats site.
- 8.79** Policy NAT 2 of the TBP states that in pursuance of the objectives of the Water Framework Directive the Council will, where practical, seek appropriate opportunities offered by new development proposals to recreate more natural conditions and new habitat along watercourses.
- 8.80** Policy NAT3 of the TBP states that development must contribute, where appropriate to do so and at a scale commensurate to the proposal, towards the provision, protection and enhancement of the wider green infrastructure network. The policy requires proposals for major development to provide a high standard of design for green infrastructure in accordance with established, recognisable standards – including the National Design Guide and Building with Nature Standards.
- 8.81** Policy NAT5 states that that development will not be permitted where it would be likely to lead directly or indirectly to an adverse effect upon the integrity of the Cotswold Beechwoods Special Area of Conservation (SAC) (alone or in combination), and the effects cannot be mitigated. The requirements of the Policy NAT5 are echoed in Policy BG1 and BG2 of the CP.

### Statutory Designated Sites and Mitigation

- 8.82** The application site is located circa 6km from the Dixon Wood Special Area of Conservation (SAC), 9.6km from the Cotswolds Beechwoods SAC and 24km from Severn Estuary Special Protection Area (SPA).
- 8.83** The Coombe Hill Canal Site of Special Scientific Interest (SSSI) and Coombe Hill Meadows and associated Gloucestershire Wildlife Trust Nature Reserve is located approximately 4km from the site. This land is functionally linked to the Severn Estuary SPA.
- 8.84** Cleeve Common SSSI, is located circa 4km north east of the site, Leckhampton Hill and Charlton Kings Common SSSI is located circa 7km to the south east, and Crickley Hill and



Barrow Wake SSSI circa 9km to the south.

- 8.85** The nearest non-statutory site is Wingmoor Farm Meadow County Wildlife Site (CWS), located 0.7km north of the site boundary.
- 8.86** The SAC's and SPA are of international importance and are protected through The Conservation of Habitats and Species Regulations 2017 (The Habitat Regulations) as European sites. The Habitat Regulations require a four stage process which includes screening the likely significant effects. If the Competent Authority cannot screen out a likely significant effect, an Appropriate Assessment is required. The Competent Authority will only agree to plans or projects that will not affect the integrity of a European site.
- 8.87** The application is supported by a Shadow Habitats Regulations Assessment (SHRA) (Including stage 2 - Appropriate Assessment) prepared on behalf of the applicant in March 2022.
- 8.88** The SHRA and Appropriate Assessment identifies that:
- Dixon Wood SAC is designated for the qualifying feature 1079 Violet click beetle. The SAC is a small 13.02 ha woodland. This SAC has been screened out from all ecological pathways due to distance, lack of sensitivity of the qualifying feature, and lack of both recreational draw and public footpaths.
  - Potential and identified impacts are identified on the Cotswolds Beechwoods SAC alone and in combination from recreational pressure. The main potential effects are from recreational pressure on a woodland of this type are erosion of ground flora from trampling or use of vehicles off rights-of-way; compaction of soils causing anaerobic conditions preventing optimal growing conditions; nutrient input from dog-fouling in sensitive areas; disturbance of sensitive animal features; and direct damage to habitats and trees from for example contamination.
  - The Screening in the SHRA does not identify a likely significant effect on the Severn Estuary SPA. However, in the interest of safeguarding the new restoration measures proposed at Coombe Hill Canal SSSI, and taking a precautionary approach, the SSSI should be highlighted within the mitigation measures proposed within the SHRA.
- 8.89** The potential impacts arising from this development on SACs and SPAs arise from increased recreational pressure in combination with other development in the area. To mitigate this impact the Appropriate Assessment identifies a strategy that provides extensive high quality recreational space on the application site to mitigate potential off-site recreational impacts, which include:
- A phased planning condition for a detailed Public Open Space Access Strategy being submitted at reserved matters for approval by the LPAs, that provides the detail for the two primary POS areas that ensures the following is provided:
    - o The main access locations from each development parcel into the primary POS.
    - o Waymarked walking routes at 2.5km & 5km.
    - o Information boards at key locations showing the open space facilities and routes.
    - o Locations of play areas, dog bins and locations and specification of any crossings, surfacing or other access related furniture.
    - o Details of any leaflet or web-based public information for the Site's POS.
    - o An information leaflet with recreational options being provided for each new resident.



- 8.90** Natural England have been consulted on this application as a non-departmental public body with the statutory purpose to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations. Natural England have reviewed the SHRA and the Appropriate Assessment and subject to the mitigation identified (including the above) being secured, either through planning conditions or planning obligations, no objection is raised to the application. Natural England also advise that providing these mitigation measures are satisfactorily secured it is not anticipated the proposed development would damage notified features in the nearby SSSIs.
- 8.91** A conditional framework is proposed to secure all of the mitigation measures identified in the SHRA and it's Appropriate Assessment. Taking into account the Natural England representations set out above and the recommended conditions proposed to be imposed on the planning permission it is concluded that the application would not adversely affect the integrity of the European site and will not impact on Statutory Designated Sites.

On-Site Ecology and Biodiversity

- 8.92** The ES submitted with the application includes a Chapter on biodiversity which confirms that an extended Phase 1 Habitat Survey was undertaken, initially in 2008 and subsequently up-dated in 2009, 2011, 2013, 2014 and 2015, in-line with the Chartered Institute for Ecology and Environment Management Guidance on the Validity of Ecological Reports and Survey Data (CIEEM guidance).
- 8.93** A full ES Biodiversity and Nature Conservation Addendum was subsequently submitted to the Council in April 2022 that included the results of surveys updated in-line with the aforementioned CIEEM guidance within the intervening period including in 2017, 2019 and 2020. Subsequently, a Briefing Note was also submitted, detailing results of some additional survey work completed in 2022/3.
- 8.94** Ecological survey work has also been continued to be undertaken where necessary to keep baseline ecological information current during the determination period, including for protected species. It is identified that there have been no material changes in baseline conditions, in terms of habitats present within the application site and their capacity to support protected, rare or otherwise notable species. The baseline ecological observations of species have remained consistent throughout this period with the exception of badgers, where a decline in general activity has been observed across the application site as a result of a TB local culling programme and activity levels have only recently indicated some population recovery.
- 8.95** It is therefore considered that the baseline ecological data remains current in accordance with CIEEM guidance at the time of determination and the recommended planning conditions will ensure that a rolling programme of ecological survey work is undertaken going forward to ensure that the baseline ecological data remains current and relevant to each respective construction phase and/or reserved matters application and the results used to inform mitigation and detailed design at each stage
- 8.96** The ES and ES Addendum identifies that the majority of the site comprises semi-improved or improved pastoral grassland and intensively managed arable land, bounded by native species hedgerows. In addition to open fields, several watercourses including Hyde Brook, River Swilgate, Swindon Brook and Leigh Brook cross the site and with an associated limited range of riparian habitats. Ruderal vegetation and scrub are also present throughout the site wherever management has lapsed. Several small areas of woodland, mostly following linear features



such as the watercourses, or stands of plantation woodland are also present. In the south of the site are several properties which are vacant.

- 8.97** The ES considers the potential value of each of these 'habitats' and the likely impact on them as a result of the proposed development. The ES similarly assesses (via field surveys) fauna within the site and likewise assesses the likely impacts. These findings are summarised below.

### Bats

- 8.98** A variety of bat species, including the more light sensitive and rare species – barbastelle, lesser and greater horseshoe bat, were recorded foraging/commuting across the site. Therefore there is a requirement for bat sensitive lighting to be secured in corridors of the site to ensure that bat foraging corridors (particularly the hedgerow network and watercourses) are not illuminated (this will also be important for the dormice using the hedgerow network). A condition is recommended to secure ecologically sensitive lighting in these corridors. The buildings along Tewkesbury Road contain a small common pipistrelle bat roost and these buildings will need emergence dusk (or dawn re-entry) surveys for bats to inform a European Protected Species (EPS) mitigation licence prior to demolition. Several trees also have high or moderate roost potential and there is a requirement for dusk emergence (or dawn re-entry) surveys prior to removal, should removal be required. Other trees noted as low roosting potential will need to be inspected by a bat licensed ecologist prior to removal, should removal be required. These surveys will be secured as part of the recommended Construction Ecological Management Plan planning condition and should bats be found to be roosting in any of the trees, then it will be necessary for the applicant to apply to Natural England for a bat EPS mitigation licence for these works.

### Great Crested Newts (GCN)

- 8.99** A total of 36 waterbodies, 3 watercourses, 6 ditches, and 18 ponds, were identified within 500m of the site boundary, 19 waterbodies were identified within the site boundary, which included 2 watercourses and a tributary. Access was granted to 18 (17 on site and 1 off-site) of these waterbodies allowing Habitat Suitability Index (HSI) assessments to be conducted where appropriate, as well as Environmental (Edna) surveys where water was present.
- 8.100** A single male GCN was recorded in a waterbody in 2014. The waterbody was formed in a vehicle wheel rut in a field and has subsequently become defunct. With the exception of this single male recorded on one occasion in 2014, no GCN have been recorded from any waterbody within the application site or wider survey area east of the River Swilgate and South of the Hyde Brook to date. Two waterbodies, one within and in proximity to the western boundary of the site, and one offsite along the western site boundary, were positive for GCN eDNA. None of the waterbodies had a predicted presence of GCN over 55% according to the HSI results.
- 8.101** As it is extremely unlikely that any GCN utilise the areas of on-site habitat beyond 400m of waterbodies with positive Edna results, it is proposed that in the southern part of the development, in an area which broadly correlates with Phase 1 of Phasing Parameter Plan, development will be undertaken in accordance within appropriate precautionary reasonable avoidance methods and the applicant has detailed these measures. For that phase of the development in the north west of the site (Phase 3 on the Parameter Plan) it is advised that a District Level Licence will be applied for. For Phase 2 updated GCN survey data will be reviewed nearer the time of commencement of construction to determine whether a District Level License is required.



### Dormice

- 8.102** During surveys of suitable habitat in 2017, a single aerial dormouse nest was recorded in hedgerow along Leigh Brook. In 2018, an additional aerial nest was recorded in hedgerow east of Swindon Farm. A dormouse mitigation strategy is submitted in support of the application and the mitigation strategy advises that the applicant intends to apply for a Natural England European Protected Species mitigation licence for dormice for a phased development, which will be informed by up to date surveys and detailed mitigation. Further details will be secured as part of the recommended Construction Ecological Management Plan which is required to be submitted prior to commencement of each phase.

### Badgers

- 8.103** In 2015 badger activity across the site was described as 'changeable' but with areas of highest activity being centred upon Leigh Brook, north of the residential properties along Tewkesbury Road and within a triangle of ruderal and rough semi-improved grassland at the southern end of Dog Bark Lane. Subsequent, extensive surveys for signs of activity and occupation of the site by the species in 2016 and again in 2020 have confirmed a significant reduction in activity across the whole site that includes apparent desertion of setts at these two activity hotspots. This is almost definitely the result of the Elms Park site falling within an active cull zone for badgers. It is recommended, because of the mobile nature of badger populations and the potential for the territorial void now present at the site to become occupied as other local badger populations expand their respective territories, that a comprehensive resurvey to ascertain changes in badger activity be undertaken prior to the commencement of construction of each phase as part of the Construction Ecological Management Plan and that the recommended avoidance, mitigation, compensation measures are implemented accordingly based on the results of the surveys.

### Riparian Mammals

- 8.104** Survey work across the application site has yielded very little evidence suggesting the use of the site by otter or water vole, despite there being suitable watercourses for the support of both species present. Namely, Hyde Brook, River Swilgate, Swindon Brook and Leigh Brook. A single, possible water vole footprint was confirmed from the River Swilgate when surveyed in 2018.
- 8.105** Hyde Brook, the River Swilgate and Swindon Brook are all retained within primary green infrastructure corridors within the proposed development. No potential, likely significant effects are expected to occur as a result of proposals, however, given the transient nature of both water vole and otter populations, updated surveys, avoidance measures, precautionary working methods and mitigation measures as appropriate will be secured through the Construction Ecological Management Plan.

### Birds

- 8.106** Habitats including hedgerows, woodland and semi-improved grassland present on the site provide suitable nesting and foraging habitat for many common and widespread species. Breeding bird surveys were carried out on site during 2016 and 2020 and a total of 64 species were recorded, 17 of which were notable species. Of the 17 notable species 4 were recorded as confirmed breeding on site and five were recorded as probable breeders. Notable red list conservation status species include Dunnock, House Sparrows, Linnet, Mistle Thrush, Skylark, Song Thrush, Starling and Yellowhammer.



- 8.107** The presence of birds has remained relatively consistent on the site within the surveys, and the Construction Ecological Management Plan will require updated surveys, which will be undertaken for each phase of the development and these surveys will inform mitigation and enhancement as appropriate for each phase of development.

### Protection, Mitigation and Enhancement

- 8.108** The ES describes how the proposed development and its design have responded to the baseline ecology assessments and surveys in order to minimise the environmental impacts of, and maximise the environmental benefits delivered, by the proposed development. Against this context, the ES sets out the inherent mitigation measures and enhancements that would be delivered through the Land Use and Access Parameter Plan and the Green Infrastructure Parameter Plan.

### *Inherent Mitigation Measures*

- 8.109** The ES explains how the Parameter Plans have been evolved to take account of the valued ecological resources on site as far as feasible and provide mitigation and enhancement through incorporation and linking into a wider green infrastructure framework with the aim of providing net biodiversity gains. A substantial proportion of the proposed development will be green open space. The majority of this green infrastructure has been designed around the key habitats and features of the site as well as seeking to sensitively incorporate, enhance and extend the features of value including the River Swilgate, Hyde Brook and Swindon Brook corridors where the majority of woodland and hedgerows area present.
- 8.110** This has resulted in a strong structural setting around which the proposed development has been designed, with the majority of the remaining land area to be developed being of significantly lower ecological value. By retaining the river corridors, and associated woodland and trees the development proposals have acknowledged the significance of these features and their value to local wildlife and to local communities. These features are central to the success of future green infrastructure and are recognised as likely to form a crucial role in the success of future ecological enhancement of the site making the proposed development along with new green infrastructure more valuable to wildlife.
- 8.111** The retained habitats will be incorporated within an extensive new network of locally appropriate and diverse habitats to include, grassland, open water, wetland, woodland, hedgerow and broad headlands and scrub, which will create stronger linkages through the site and beyond. The above features are also to be reinforced with appropriate buffer areas and green infrastructure links between development parcels to both create a strong network of habitats and prevent detrimental effects during construction and operational stages of the development.

### *Enhancements*

- 8.112** As well as retaining existing habitats the ES sets out that there would also be a number of enhancements and creation of new habitats and green infrastructure. In summary the proposed mitigation includes:
- Extensive planting of indigenous hedgerows and enhancement to existing, retained hedgerows through 'gapping up' with native woody species;
  - Extensive native woodland planting and enhancements to existing, retained woodland by delineating woodland edges, selective removal of undesirable trees (e.g. sycamore and blackthorn where it becomes invasive) and under planting with



woody species that have additional biodiversity benefits (e.g. night scented, flowering and fruiting species);

- Extensive tree planting throughout the scheme including along primary road infrastructure;
- The creation of extensive areas of species rich, rough tussock and wet/marshy grassland;
- Creation of riparian and aquatic habitat associated with sustainable drainage solutions utilising swales and retention/detention features designed to maximise biodiversity;
- Enhancements to existing, retained ponds to maximise biodiversity and value to a wider range of local wildlife;
- Creation of new ponds specifically designed to maximise biodiversity;
- The design of green infrastructure to maintain green corridors and connectivity for wildlife throughout the scheme;
- Protection and safeguarding of existing retained and newly created habitats for the duration of the construction phase through the implementation of measures outlined within the CEMP; and
- Long term protection and safeguarding of retained and newly created habitats throughout the long-term ensuring the maximum biodiversity gains from green infrastructure through the implementation of an agreed Biodiversity Management Plan.

- 8.113** Following the implementation of the mitigation measures the ES concludes that the likely potential adverse impacts upon valued ecological receptors will be negligible to minor beneficial at the local to district borough level.

### Biodiversity Net Gain

- 8.114** As set out above, this application is exempt from legislation requiring a mandatory 10% gain in biodiversity as it was submitted before 12th February 2024. However, the provisions of the Development Plan, including Policy NAT1 of the TBP still require proposals to deliver a biodiversity net gain.
- 8.115** The application is supported by a Biodiversity Net Gain Briefing Note (BNG Briefing Note) using the Biodiversity Metric 4.0 and using baseline of the Illustrative Masterplan to estimate the likely habitat requirements within the green infrastructure in order to achieve an onsite net gain of 10% for habitats and hedgerows. It is important to recognise that this process is for an extensive site which is at outline stage, for which only high-level parameter plans and/or illustrative concept masterplan can reasonably be provided. Hence assumptions have to be made with regards to replacement planting which can only be confirmed at detailed design. This is a normal approach to similar strategic sites whereby the actual delivery will be confirmed at detailed design and reserved matters stage. It is also the case that the Biodiversity Metric Calculations will likely be updated during the determination period of future reserved matters applications. Closer to commencement of works additional surveys will be required to be completed to update to the standards set by the most current version of the metric at the time of survey.
- 8.116** The BNG Briefing Note identifies the baseline habitats on the site are 598.98 habitat units. The principal contributors by habitat types are grassland which delivers 365 habit units, cereal crops 144 habitat units, broadleaved woodland 35 units, and mixed scrub which deliver 28 habitat units. Across the site the baseline habitat score is an average of 2.4 habitat units per hectare. This would be considered low and is due to the prevalence of low scoring agricultural habitats.



- 8.117** In respect to post development habitats, it is assumed that the existing areas of woodland and scrub are retained in accordance with the Green Infrastructure Parameter Plans. It is also identified that habitats would be created in vegetated gardens in the built area, and habitats would be created around SuDS ponds and in allotments. There are also opportunities for retention/enhancement of higher value (in terms of BNG metric) grasslands in the northern part of the site. Overall, the BNG Briefing Note identified post-intervention opportunities to deliver 655.55 habitat units across the site which would represent an increase of 11.11%, albeit the strategy would be evolved during the lifecycle of the development.
- 8.118** In respect to rivers and streams, it is identified that the total river habitat units present within the baseline of the site is 29.19, and the existing habitats of the river are generally in a 'poor' to 'moderate' conditions. The BNG Report identifies that Hyde Brook will be retained and remain unchanged throughout the scheme, with no enhancements proposed within this watercourse.
- 8.119** In respect to the River Swilgate a number of crossing points are proposed. The outline proposal envisage there would be total of 6 pedestrian / cycle links (including two road crossing), two of which are existing and therefore 4 narrow bridges (less than 10m wide) are likely to be constructed across this River. A number of enhancements to the River Corridor are indicated to be delivered, including:
- Planting of bank top trees within 10m of the watercourse.
  - Bank-face tree richness and riparian vegetation structure will be improved by planting of trees on the bank faces and the richness of bank-face materials will be improved by the introduction of organic, dead, plant material, woody debris, dead wood / logs.
  - The river generally lacks aquatic vegetation within the channel and within the margins. It is identified there is an opportunity to introduce features such as vegetative coils which capture sediments and creating substrate for plant growth which will encourage enhancements, as well as targeted aquatic vegetation planting. This will also contribute to improving the lack of physical features within channel margins by introducing features which are expected to be typical of this river type, creating habitat are refuge areas for a range of fish and crustaceans.
  - Channel bed hydraulic features will be increased by introducing varying in-channel features that will create pools etc. Combined with the actions to plant trees and improve the vegetation structure of the bank top and bank faces these actions will improve the issue of siltation within the watercourse.
- 8.120** The above measures are expected to improve the condition of the River Swilgate from fairly poor to moderate condition for the majority of the watercourse's length within the site boundary.
- 8.121** The Leigh Brook to the south of the site is likely to be reduced by a length of approximately 20m to accommodate the construction of a new culvert at the upstream extent of the watercourse. The remaining length of the watercourse is likely to be immediately adjacent to a road. The condition of Leigh Brook is therefore considered likely to be reduced by the proposed scheme in the upstream from fairly poor to poor condition and downstream to be moderate to fairly poor.
- 8.123** As the proposed development is currently at outline planning application stage the full details of the proposals are not available. It is generally understood that impacts to the watercourses present within the site will be minimised wherever possible but that the development will likely result in the construction of bridges crossing the River Swilgate and a short section of the Leigh Brook being culverted. It is important to note that for work within 10m of the watercourses, the scheme is likely to require consultation with and consent from the Environment Agency. However, the BNG Report does identify that there is an overall opportunity to increase habitat along rivers and streams by 48.71% from 29.19 units to 43.41 units.



- 8.124** In respect to hedgerows, there is a total of 22km of hedgerow across the site. The vast majority of are comprised of native species. Approximately half are associated with a bank or ditch and 25% are associated with trees. In total hedgerows deliver 231.98 hedgerow units pre intervention. For the linear features hedgerows, the BNG metric still currently shows -12.87% loss in habitats. However, this outcome partly results from the level of detail in the Parameters Plans, and it is considered that there are opportunities to increase the outcome of metric via species rich hedgerow planting as further details on landscaping and layout are submitted through subsequent reserved matters applications.
- 8.125** A conditional framework is proposed on the outline planning permission to secure the measures set out in the above, and it would be a requirement for a detailed Biodiversity Gain Plan and Management to be submitted for each neighbourhood, to include management and maintenance and monitoring arrangements, prior to the commencement of development/occupation of each phase. As such it is considered that appropriate BNG will be secured within the development and opportunities enhance ecological networks will be delivered via planning condition.

Conclusions Ecology and Biodiversity

- 8.126** In conclusion, the Councils' ecological advisors have been consulted on this application as well as Natural England and neither object to the application subject to the imposition of conditions.
- 8.127** The application is on an allocated site where the principle of development is accepted. Officers consider the ecological approach within this application, protects and reinforces the existing ecological networks on the site, such that these networks would be resilient to current and future pressures. The planning condition framework also ensure that European Protected Species and Nationally Protected Species will be protected in accordance with the law, and that the potential impacts on national and international designated sites are mitigated.
- 8.128** As such, subject to incorporation of ecological mitigation, compensation, enhancement, and management in line with the recommendations of the submitted Ecological Assessments and ES, it is considered that the impact on ecology would be low. The embedded design measures and the additional mitigation measures have allowed the assessment to conclude that for both the construction and operational phases, that there would in regard to the EIA Regulations, be no significant effects, and indeed there are opportunities for enhancements.
- 8.129** The conditional framework will ensure that opportunities for enhancements to ecological networks and BNG will be delivered at reserved matters stage in accordance with the principles of the BNG Report and associated documents. The submission of Construction Ecological Management Plans for each phase of development, which will be informed by updated species surveys, including for protected species, will also ensure that species are appropriately protected.
- 8.130** The conditional framework will also ensure that the landscaping framework of the site will achieve ecological benefits, and the Framework Design Code submitted pursuant to first reserved matters will require the applicant to further demonstrate how ecological opportunities will be delivered including providing a landscaping framework incorporating Building with Nature Standards in accordance with Policy NAT3 of the TBP. Furthermore, a Green Infrastructure and Biodiversity Strategy and Neighbourhood Green Infrastructure and Biodiversity Management Plan will be required to submitted for each phase of development mitigation, enhancement, management and monitoring arrangement for ecology and biodiversity.



- 8.131** It is concluded that the ecological and biodiversity impacts of the proposed development would be acceptable, and moreover the application has demonstrated compliance with Policies SD9 and A4 of the JCS as well as Policies NAT1, NAT2, NAT3 and NAT5 of the TBP and Policies BG1 and BG2 of the CP.

### ***Accessibility and Highways***

- 8.132** Paragraph 109 of the NPPF states that transport issues should be considered from the earliest stages of development proposals, using a vision-led approach to identify transport solutions that deliver well-designed, sustainable and popular places. This should involve, inter alia, understanding and addressing the potential impacts of development on transport networks, and identifying and pursuing opportunities to promote walking, cycling and public transport use.
- 8.133** Paragraph 115 of the NPPF states that in assessing development proposals it should be ensured that, inter alia, sustainable transport modes are prioritised taking account of the vision for the site, the type of development and its location; and that, any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree through a vision-led approach.
- 8.134** Paragraph 116 of the NPPF confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.
- 8.135** Policy INF1 of the JCS requires that developers should provide safe and accessible connections to the transport network to enable travel choice for residents and commuters. Criterion 2 of Policy INF1 states that where severe impacts that are attributable to the development are considered likely, including as a consequence of cumulative impacts, they must be mitigated to the satisfaction of the Local Planning Authority in consultation with the Highway Authorities and in line with the Local Transport Plan.
- 8.136** Policy A4 of the JCS states that the allocation is expected to deliver measures necessary to mitigate the traffic impact of the site, including the use of travel plans to encourage the use of more sustainable transport modes. Policy A4 also states that development is expected to deliver high quality public transport facilities and connections within and adjacent to the site, including a multi-use transport hub with circa 350 parking spaces; as well as providing safe, easy and convenient pedestrian and cycle links within the site and to key centres, providing segregated links where practical. Under criterion 9 it is expected that the development will deliver primary vehicle accesses from the A4019 Tewkesbury Road, secondary access from Runnings Road / Manor Road, and public transport only access to Swindon Village via Quat Goose Lane.
- 8.137** Policy TRAC1 of the TBP states that pedestrian connectivity should be a fundamental consideration in a design-led process for new major development and pedestrian networks will be protected across the Borough and opportunities sought to extend and enhance them. Policy TRAC2 of the TBP states that cycle infrastructure should be a fundamental consideration in a design-led process for new major development and the protection and enhancement of the cycle network will be sought. Under TRAC1 and TRAC2 proposals will be expected to demonstrate this proportionate to the scale of development. Policy TRAC3 also states that new development should, where appropriate, contribute towards improving bus infrastructure. Policy TRAC3 also states that on strategic-scale developments, including JCS Strategic Allocations, the potential for bus services to move through the site should be explored and, where possible and operationally viable, developments will be required to enable a sustainable service to be



established or routed.

### Means of Access to Application Site

- 8.138** Whilst the application is outline, the application seeks approval for main vehicular accesses and egresses into the site from Tewkesbury Road, and the Land Use and Access Parameter Plan also provides approximate locations of secondary vehicles accesses, emergency access points, public transport access points, as well as pedestrian and cycle access points. The accesses along Tewkesbury Road may be subject to amendment by the Development Consent Order for the M5 Junction 10 scheme.
- 8.139** The access and egress arrangements to the scheme are summarised below and the County Highways have agreed to these arrangements.

#### *Tewkesbury Road/A4019 Accesses*

- Prior to the commencement of development a detail design of an interim access (access C) into the site from the Gallagher Retail Stub is required to be submitted to and approved in writing by the local planning authority. Prior to first occupation of any part of the development this access is to be completed.
- The conditional framework allows for no more than 450 dwellings(or 225 two way movements) to be accessed via the interim access off the Gallagher Retail Park Stub junction (Access C) with it being that.
- The occupation of more than 450 dwellings (or 225 two way movements) on the scheme will not be permitted until either:
  - o Access[es] [A, B and] C (full scheme access) as proposed in Development Consent Order for the M5 Junction 10 scheme have been completed; or
  - o Alternatively the applicant is required to implement an access junction opposite Homecroft Drive which includes a signalised junction (Access A) , and a new access just to the east of the car park serving the Civil Service Sports Association (Access B) and an enhanced access at the Gallagher Retail Stub (Access C). This scenario may be implemented in the event that the Development Consent Order for the M5 Junction 10 scheme is not granted.
- Further, there are to be no occupations of any dwellings or employment floorspace as accessed from each of the relevant junctions (Access A, B and C) until the relevant junction has been completed, save as relevant residential units being constructed under application 20/00759/FUL.
- The details of the Transport Hub park and ride facility off Tewkesbury Road are to be submitted for approval prior to the occupation of 500 dwellings and no more than 1,000 dwellings occupied until the details as approved have been completed and open to traffic (subject to a later date approved in the Neighbourhood Access Strategy (to be approved under other conditions).

#### *Other Accesses*

- 8.140** In respect to other accesses the Land Use and Access Parameter Plan shows the indicative locations of these, and full details will be secured as part of future reserved matters. In



summary, the following is proposed:

- The Land Use and Access Parameter Plan shows a secondary access off Manor Road which has been utilised to deliver the Swindon Farm development. Future reserved matters, phasing plans and design codes submitted pursuant to the outline planning permission will ensure that this access remains secondary in character and function and the principal accesses to the development would be obtained off Tewkesbury Road.
- An access for public transport only as well as pedestrian and cycles off Quat Goose Lane at Swindon Village. The conditional framework will require this to be operational before the occupation of the 300<sup>th</sup> dwelling in Phase 2 as shown on the Phasing Parameter Plan.
- A public transport access point as well as a restricted emergency access is also shown to the north of Uckington Village in proximity to the sports hub. This access point is to allow for future flexibility, and possibly access for public transport vehicles to the sports hub, but there are no detailed proposals for this access at outline stage.
- A further restricted emergency access vehicle point is shown in the north west corner of the corner of the site. Details of this access would be secured as part of future reserved matters and would be provided if necessary to provide access for fire tender vehicles etc in the case of emergencies.
- In addition to the above a series of pedestrian and cycle accesses around the site and shown to provide access to the development parcels and the green infrastructure and PRow network. The details of these access arrangements will be secured pursuant to the outline planning permission as part of the conditional framework.

### M5 Junction 10 All Movement Scheme Mitigation Package

- 8.141** National Highways and Gloucestershire County Highways Authority have stated that the proposal, which results in a net increase in residential units and commercial floorspace, requires a financial contribution for improvements to Junction 10 of the M5 motorway.
- 8.142** The Section 106 tests state the following requirements:
1. The obligation must be necessary to make the development acceptable in planning terms.
  2. It must be directly related to the development.
  3. It must be fairly and reasonably related in scale and kind to the development.
- 8.143** As already noted, the test for refusing on highway grounds is set out within paragraph 116 of the NPPF, "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or if the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios."
- 8.144** Additionally, policy INF1 of the JCS states, "Planning permission will be granted only where the impact of development is not considered to be severe. Where severe impacts attributable to the development are likely, including those resulting from cumulative impacts, they must be



mitigated to the satisfaction of the Local Planning Authority in consultation with the Highway Authorities and in line with the Local Transport Plan.” This requirement to have regard to cumulative impact is reiterated in INF6 and INF7 of the JCS.

- 8.145** M5 J10 is critical to transport operations on the M5 motorway and the locality. The current junction arrangement provides for traffic movements to/from the north only, and the southbound off-slip is susceptible to queuing which blocks back onto the mainline during the AM peak period to the detriment of highway safety.
- 8.146** M5 J10 has been identified for improvement to an ‘all movements’ layout with a grade separated roundabout constructed over the mainline carriageway. The proposal also includes a new West Cheltenham Link Road south of the A4019 to join with the B4634 to the south and A4019 ancillary works. The scheme is being promoted by Gloucestershire County Council and completed the Development Consent Order (DCO) examination in 2024. The Secretary of State Decision is anticipated in June 2025.
- 8.147** As part of the DCO, Gloucestershire County Council presented a funding methodology which apportioned the funding shortfall of the scheme costs between allocated development sites that may come forward at ‘West’ and ‘Northwest’ Cheltenham and in adjacent areas.
- 8.148** The principal components of the M5 J10 improvement scheme is as follows:
- Construction of a new Junction 10 on the M5, including four new slip roads, and demolition of the existing A4019 bridge and construction of a new roundabout over the M5.
  - Realignment and widening of the A4019 with associated footway, shared use paths, private means of access. This includes a bus lane on the A4019 eastbound carriageway from the West Cheltenham Fire Station to the Gallagher Junction.
  - Construction of a new West Cheltenham Link Road south of the A4019 to join with the B4634 to the south.
- 8.149** The proposed M5 Junction 10 scheme will not only mitigate traffic impacts of development on the Strategic Road Network. In addition to this, the A4019 ancillary works enable a significant amount of strategic traffic currently directed to M5 Junction 11, via the A40, Princess Elizabeth Way, Old Gloucester Road, Gloucester Road and from north Cheltenham to utilise the new all movements Junction 10 layout. This redistribution significantly reduces traffic on these local roads and benefits the wider network.
- 8.150** 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.
- 8.151** 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.
- 8.152** In accordance with the planning obligation tests, it is therefore necessary for this application to make a proportionate planning obligation contribution to the M5 J10 All Movements



Improvement Scheme to make the development acceptable in planning terms. The County Highways Authority have developed a funding strategy methodology to ascertain proportionate planning obligations from emerging development proposals that are unable to mitigate their severe cumulative traffic impacts on the highways network and are reliant on delivery of the M5 Junction 10 scheme and the relief it provides in order to fully build out their sites. This funding methodology identifies that the Elms Park application is required to provide a £20m planning obligation contribution in staged payments towards the £71m shortfall to the M5 Junction 10 scheme. The applicants have agreed to this planning obligation. It is considered that this planning obligation contribution is directly related to the highways impacts of the development; and fairly and reasonably related in scale and kind to the development. Therefore the £20m planning obligation contribution to the M5 J10 scheme accords with all of the planning obligation tests.

## Highways Impact and Grampian Apportionment

- 8.153** It is agreed that the implementation of the M5 Junction 10 upgrade will release the capacity to support the JCS growth. In the interim there has been extensive transport modelling undertaken by the developers of the strategic allocations, National Highways and Gloucestershire County Council to understand the capacity that could be accommodated on the network in advance of the delivery of the Junction upgrade.
- 8.154** The assessment by National Highways is that a total of 5,474 new homes could be accommodated before there is severe impact on the Strategic Road Network. However, the modelling that supports this indicates that whilst this level could be appropriate for the Strategic Road Network, impacts are passed onto the Local Highway Network. To understand this impact further Gloucestershire County Council has undertaken further transport modelling which has led to a capacity figure of 1,711 new homes that could be accommodated on the Local Highway Network.
- 8.155** Therefore the assessments conclude that a Grampian condition is required should all currently live planning applications be recommended for approval, limiting development levels within the context of the highway capacity identified.
- 8.156** It is for the LPAs to consider the Grampian as decision taker. The LPAs view is that an approach is needed to steer the consideration of apportionment in order to provide transparency in consideration of all the live planning applications and in the context of the JCS and wider material considerations. The table below is the list of applications the Local Planning Authority is applying the Grampian to.

Site	App ref
<b>NW Cheltenham (Home Farm)</b>	23/00354/OUT
<b>NW Cheltenham (Elms Park) (this application)*</b>	16/02000/OUT
<b>West Cheltenham 443 (HBD southern parcel)</b>	23/01875/OUT
<b>West Cheltenham 576 (HBD Northern parcel)</b>	23/01874/OUT
<b>West Cheltenham 1,100 (St Modwens)</b> (cross boundary application)	22/01817/OUT (Cheltenham BC reference) 22/01107/OUT (Tewkesbury BC reference)
<b>West Cheltenham 365 (Nema)</b>	24/01268/OUT

- 8.157** The LPAs assume that wider development within the authorities will be dealt with separately in



recognition of the strategic importance of the JCS allocations and the priority of Government for delivery of new homes and jobs. Gloucestershire County Council as the Local Highways Authority will need to consider the implications of this, particularly in relation to their funding methodology seeking to address an £71m shortfall in funding for the M5 Junction 10 scheme.

**8.158** Having undertaken extensive review, the LPAs will split the Grampian based on the below table. The key considerations have included:

- Maximising the delivery of new homes through multiple residential sale outlets across the strategic allocations to support shorter term delivery and future supply to support Cheltenham's 5-year housing land supply position.
- Enable choice to the market through the different housing types, sizes and tenures that would be brought to the market.
- Link to triggers that enable key community infrastructure to be developed in line with new homes.
- Recognising the local, regional and UK importance of the delivery of the Innovation Centre to support the cyber and digital tech ecosystem in the context of economic growth and deliver against the National Cyber Strategy (2022).

**8.159** Specifically, this approach accommodates over 1,000 dwellings coming forward at Elms Park and fosters the establishment of one of their local centres to support these residents. The Home Farm planning application (CBC ref: 23/00345/OUT) has not been allocated any dwellings prior to Junction 10 as the development is only acceptable with access through Elms Park and will come forward at a later stage.

**8.160** In the context of West Cheltenham, this strategy allows developments to commence while ensuring a proportionate number of dwellings are available prior to Junction 10, supporting the opportunity to maximise outputs to support the 5- year housing land supply alongside maximising the range of housing types, sizes and tenures. It provides for a significant amount of commercial floor space to be created in the West Cheltenham allocation.

SITE	APP REF	RESI	CLASS E	% RESI	GRAMPIAN 1 LHN		GRAMP 2 SRN	
					RESI LH	CLASS E LH	RESI NH	CLASS E NH
NW Elms Park	16/02000/OUT	3,849	49,150	60.8	1040	7,261	3327.00	43,400
WC St Modwens	22/01817/OUT(CBC) 22/01107/OUT (Tewks)	1,100	1300	17.4	297	500	951	1300
WC HBD NORTH	23/01874/OUT	443	500	7	120	500	382	500
WC HBD SOUTH	23/01875/OUT	576	92,985	9.1	156	25,009	497	43,400
WC NEMA	24/01268/OUT	365	43,785	5.8	99	25,009	317	43,400
Total		6,333	187,720	100	1,711	58,279	5,474	132,000

**8.161** It is important to note there are two conditions, to control severe impacts on the Local Highways Network and the Strategic Highways Network and there are different occupation triggers for



those conditions, based on the respective consultation responses from County Highways Authority and National Highways and the statutory consultees considerations of severe impact and the tests in the NPPF.

- 8.162** The Grampian condition to control severe impact on the Local Highways Network is recommended by the County Highways Authority taking account of the LPA's apportionment strategy, and when allowing for the existing Swindon Farm planning permission (CBC ref: 20/00759/FUL) which is an existing commitment for 266 dwellings, allows for 1,306 dwellings and 7,261sq m of Class E floorspace to be delivered at Elms Park prior to the commencement of the M5 J10 scheme. This condition will cease to be operative once the construction contract for the works have been awarded.
- 8.163** The Grampian condition to control severe impact on the Strategic Highways Network is recommended by National Highways taking account of the LPA's apportionment strategy, and allows for a maximum of 3,327 dwellings which is to include the existing commitment of 266 dwellings under (ref: 20/00759/FUL) and a maximum of 43,400 sq m of Classe E floorspace to be delivered at Elms Park prior to the completion of the M5 J10 scheme.
- 8.164** In addition to the above, the applicants have also proposed an interim scheme for a signalised junction arrangement on the south bound off-slip of J10 of the M5, and National Highways have advised that no more than 260 dwellings on this application can be occupied until this interim scheme is complete and open for traffic. National Highways have advised that this interim scheme is necessary to manage and mitigate operational traffic impacts of the development in the interest of the safe and efficient operation of the Strategic Road Network.
- 8.165** These Grampian conditions are directly supported by INF6 and INF7 of the JCS. The need for the conditions are clearly evidenced, given the conclusions by the Local Highway Authority and National Highways that there will be severe impacts on the operation of the Local and Strategic Road Network if more than the specified number of dwellings and Class E floorspace is occupied before the delivery of the M5 J10 improvement scheme (and the interim scheme).
- 8.166** The conditions are fairly and reasonably related to the developments, specifically dealing with an identified issue arising directly from the proposals and serves the specific planning purpose of preventing unacceptable severe impacts. Such impacts relate to the character of use of the land and are clearly a planning purpose. The conditions are reasonable, precise and enforceable, meeting the tests of conditions.

### Developers Proposed Active Travel and Local Highway Mitigation Package

- 8.167** During the determination of the application there have been extensive discussions between the applicants and the County Highways Authority on a package of measures to mitigate the impact of the development on the Local Highway Network and encourage active travel.
- 8.168** The mitigation package has been agreed on the basis that the M5 Junction 10 scheme addresses the wider cumulative impacts of growth in the area; in particular relieving the Princess Elizabeth Way, Old Gloucester Road and the A40 corridor past GCHQ. Nevertheless, there are significant local highway improvements the developer will be implementing that are complementary towards the overall package around the immediate site area. It will be for the applicant to deliver these works (unless alternative schemes are provided or the schemes are superseded by the M5 Junction 10 DCO) through a suitable legal agreement via sections 278 and 38 of The Highways Act 1980, and the triggers for this these works will be controlled through planning conditions.



**8.169** These works have been agreed with the County Highways Authority, and the principal works are as follows:

### *Tewkesbury Road*

- Eastbound 'In Only' slip road access to Proposed Park and Ride for users.
- 4 way Signal controlled junction with Homecroft Drive.
- 3 way Signal controlled junction near access to Cotswold Area Civil Service Sports Association including Bus Gate priority.
- Dualling between the Fire Station and Hayden Road.
- Active Travel Corridor between the Fire Station and Gloucester Road.
- Bus priority measures between the Fire Station and Gloucester Road.
- Replacement of Princess Elizabeth Way Roundabout with a 4-way signal-controlled junction incorporating bus and cycle priority measures.

### *Kingsditch Lane / Wymans lane*

- Improvements to walking and cycling infrastructure between Tewkesbury Road to Swindon village.

### *Princess Elizabeth Way*

- Improvements to walking and cycling infrastructure between Tewkesbury Road and Grevil Road.

### *New Barn Lane*

- Short shared use cycleway extension to UCAS.

### *Gloucester Road*

- Improved Crossing Facilities to Tesco.

### *A38 Walton Hill (Nr Highfield Farm House)*

- Improvements to walking and cycling infrastructure between Highfield Farm House and Cursey Cottages.

### *Kingfisher Drive Roundabout*

- Cycle priority road markings.

### *Hesters Way / Village Road*

- New Cycleway and junction alterations.

### *Princess Elizabeth Way / Marsland Road*

- Junction Alterations and zebra crossing.

### *Arle Road*

- Additional Speed Tables and road markings



## *New Cycle Routes*

- A series of cycle routes are proposed radiating from the site, these will connect the site to existing or proposed cycle infrastructure enhancing connections within Cheltenham but also towards Tewkesbury (A38) and Bishops Cleeve.

**8.170** The County Highways Authority has been consulted on the application and have considered all of these mitigation measures and consider that they are acceptable and would assist in mitigating the highways impact of the development and encourage active travel.

## Public Transport Strategy

**8.171** The application is supported by a Public Transport Strategy (PTS) which identifies that there are a number of bus routes serving the existing residential areas to the east of the site and along Tewkesbury Road, but there are deficiencies in provision, as in for instance there is currently no direct connection from the development to Cheltenham Railway Station. The PTS identifies that there are a number of options available to enhance public transport infrastructure of bus services to serve the development, and identifies that bus services can be provided within the site

**8.172** The County Highways Authority have been consulted on the application and in consultation with bus operators have requested a planning obligation of £4.25m to allow Gloucestershire County Council to deliver an appropriate public transport strategy. The exact contribution provided for in the s106 may vary once more certainty is known about future requirements as the development progresses. It is considered that this contribution meets the s106 tests insofar that it is directly related to the development, and fairly and reasonably related in scale and kind. It is also necessary and is the most appropriate mechanism to extend and modify existing public transport networks and ensure that credible travel choices are provided for future occupiers by sustainable modes in accordance with the provisions of the NPPF and policies INF1, SA1 and A4 of the JCS.

## Park and Ride

**8.173** In accordance with the requirements of Policy A4 of the JCS, the application also proposes a park and ride facility with 350 parking spaces which the Land Use and Access Parameter Plan shows would be located in the south west of the site with access off Tewkesbury Road. The detailed layout of the proposed park and ride facility will be controlled by planning conditions and it will be required to include the provision of parking, surfacing, lighting, drainage, electric vehicle charging points, shelters, toilets and associated facilities. The conditional framework requires that this facility is operational prior to the 1,000<sup>th</sup> dwelling being occupied. The public transport planning obligation of £4.25m will partially go towards the operation and management of this facility.

## Travel Plans/Travel Plan Monitoring

**8.174** In accordance with the requirements of paragraph 118 of the NPPF and Policy A4 of the JCS, a Travel Plan Framework (TPF) has been submitted in support of the application. The TPF sets out a strategy for reducing car travel for users of the development for residential, commercial, and schools land uses which includes the following measures:

- Improvements of cycle, pedestrian and public transport networks and the provision of bicycle and motorcycle parking.



- The appointment of a Travel Plan Co-ordinator whose role will include overseeing the production of full Travel Plans
  - The marketing of the Travel Plan pack containing information on public transport services, local facilities and pedestrian/cycle routes.
- 8.175** The County Highways Authority have advised that these measures should be expanded on post determination of the planning application and detailed Travel Plans should be provided for the residential, commercial and school elements of the development and measures should be incorporated including the providing free buses for a trial period, provision of fully funded car clubs, establishments of walking and cycling groups, and promotion of car sharing.
- 8.176** The County Highways have recommended that planning conditions are imposed on the application to secure these detailed Travel Plans prior to the occupation of the residential, commercial and school elements of the development, and have requested the following planning obligations:
- £510,638 Commercial Travel Plan Deposit
  - £473,368 Residential Travel Plan Deposit
  - £60,000 Travel Plan Monitoring Contribution
- 8.177** The applicants would implement the detailed Travel Plans which would be secured via planning conditions and these monies should be used to monitor the implementation of the Travel Plans and would act as deposit to mitigate impacts in the event that the Travel Plans did not meet the agreed targets.
- 8.178** It is considered that these contributions meets the s106 tests insofar as they are directly related to the development, and fairly and reasonably related in scale and kind. They are also necessary and the most appropriate mechanism to extend and modify existing public transport networks and ensure that credible travel choices are provided for future occupiers by sustainable modes in accordance with the provisions of the NPPF and policies INF1, SA1 and A4 of the JCS.

### Conclusions on Accessibility and Highways matters

- 8.179** In conclusion, National Highways and the County Highways Authority have been consulted on this application and raise no objection to the application subject to the imposition of planning conditions and securing the planning obligations specified above.
- 8.180** The planning obligations and conditional framework will ensure that there is no unacceptable impact on highway safety, and the residual cumulative impacts on the road network, following mitigation, would not be severe, taking into account all reasonable future scenarios.
- 8.181** In addition the application has demonstrated that sustainable transport modes are prioritised taking account of the vision for the site, the type of development and its location. It is also demonstrated that safe and suitable access to the site can be achieved for all users. Furthermore opportunities have been taken, where appropriate, to extend and modify existing walking, cycling and public transport networks and links, to ensure that credible transport choices are provided by sustainable modes.
- 8.182** As such it is concluded that the impacts of the proposed development on the transport network would be acceptable, and moreover the application has demonstrated compliance with the NPPF, and policies INF1, INF6, INF7 and A4 of the JCS as well as policies TRAC1, TRAC2 and TRAC3 of the TBP.



***Drainage and Flood Risk***

- 8.183** Paragraph 181 of the NPPF states that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment. Paragraph 181 goes on to state that, inter alia, development should only be allowed in areas at risk of flooding where, in the light of this assessment, it can be demonstrated that within the site, the most vulnerable development is located in areas of lowest flood risk.
- 8.184** Paragraph 180 of the NPPF also confirms that where planning applications come forward on sites allocated in the development plan through the sequential test, applicants need not apply the sequential test again.
- 8.185** JCS Policy INF2 advises that development proposals must avoid areas at risk of flooding and must not increase the level of risk to the safety of occupiers of a site, the local community or the wider environment and that the risk of flooding should be minimised by providing resilience and taking into account climate change. It also requires new development to incorporate Sustainable Urban Drainage Systems (SUDS) where appropriate to manage surface water drainage. This advice is reflected within Tewkesbury Borough Council's Flood Risk and Water Management SPD.
- 8.186** Site specific allocation Policy A4 of the JCS echoes policy INF2 and the NPPF and states that the allocation is expected to deliver adequate flood risk management across the site and ensure all more vulnerable development is located wholly within Flood Zone 1.
- 8.187** These requirements are also reflected in Policy ENV2 of the TBP which alongside Policy NAT2 encourage the naturalisation of watercourse and opportunities offered by new development proposals to recreate more natural conditions and new habitat along watercourses.
- 8.188** The ES includes a chapter on flood risk and drainage, which has been informed by a detailed Flood Risk Assessment (FRA) and which considers flood risk, surface water runoff and water quality. The ES and FRA is based on information and data collected from a variety of sources including Environment Agency information, Cheltenham Borough Council's Existing hydraulic model of Wyman's Brook and the Joint Core Strategy Strategic Flood Risk Assessment (Level 2). Where there were gaps in baseline data, additional surveys were undertaken. The scope of the assessment includes a zone of influence beyond the site boundaries assessing watercourses and groundwater flows in the context of the surrounding environment to determine whether the development will detrimentally impact areas further afield.
- 8.189** There are several watercourses that run through the site, including the River Swilgate (referred to as Wyman's Brook up-stream of Manor Road), an unnamed watercourse referred in the ES as Swindon Brook and Leigh Brook. Hyde Brook is located on the northern boundary of the site, with Brockhampton Brook joining Hyde Brook at the north-east corner of the site. These watercourses are designated Ordinary Watercourses, with the exception of the River Swilgate and Hyde Brook which are Main rivers.
- 8.190** In order to assess the existing fluvial flood risk on the site, two separate models were built, one of the River Swilgate system and one of the Leigh Brook. These models were then adopted, reviewed and updated as part of the SFRA level 2 study. The 'worst case' flood extents were then used for assessment within the scheme.



- 8.191** Modelling results indicate that there is flooding from all watercourses through the development site in both the 1 in 100 year (Flood Zone 3) and 1 in 1000 year (Flood Zone 2) events. However, due to the topography of the site, this flooding is largely confined to the river corridor. The majority of the site is located in Flood Zone 1 (less than in 1000 year events).

### Flood Risk Sequential Test

- 8.192** Although the site contains areas in Flood Zones 2 and 3, the site forms the majority of a site which has been allocated in the development plan through a sequential test process. In these circumstances, paragraph 180 of the NPPF confirms that the applicants need not apply the sequential test again.

### Managing Flood Risk and Inherent Mitigations

- 8.193** The ES and FRA note that flooding is experienced within the site from all of the watercourses. However, due to the site topography this is generally contained within the river corridors which are included in Flood Zones 2 and 3 on the Environment Agency's Flood Map.
- 8.194** Due to these known constraints, the Parameter Plans have evolved to provide a layout of development, where no development (with the exception of bridge crossings which is essential development) is proposed within Flood Zones 2 and 3. It is also proposed, and planning conditions will ensure, that buildings will be constructed with a minimum floor level of 600mm above the 1 in 100 annual probability flood level, with an allowance for climate change. This also applies to road levels. Due to the ground levels within the site and the fact development is located outside of Flood Zone 2, minimal ground raising will be required to achieve these requirements.
- 8.195** In 2025, the Environment Agency renewed their published flood risk datasets culminating in the release of a new Flood Map for Planning at the end of March 2025. A review of the latest Flood Zones from the Environment Agency has confirmed that the proposed built development parcels continue to be located outside of Flood Zone 3 and 2, and entirely within Flood Zone 1. The exception to this is two proposed bridge crossings of the River Swilgate; however, the original FRA identifies that any future crossings of the river will be elevated above flood levels to allow for dry access and egress over the floodplain.
- 8.196** The Environment Agency has been consulted on the application and advise that the proposed layout as shown in the Parameter Plans has little impact on the flood zone areas with all built development, including all supporting infrastructure such as surface water attenuation features, being located within Flood Zone 1.
- 8.197** This approach accords with policy requirements to locate development in areas of lowest flood risk and Parameter Plans accord with the requirements of the NPPF and Policy INF2 of the JCS in this regard.

### Surface Water Drainage Strategy

- 8.198** The application is supported by an outline drainage strategy for the site, although the exact requirements and detailed drainage strategy will be secured as part of detailed design work which will be submitted to inform future reserved matters applications.
- 8.199** The outline drainage system has been designed to mimic existing runoff rates and provide a betterment where feasible. This will ensure there is no increase in peak flow rates downstream. To prevent flood risk increasing downstream of the site, construction of the drainage system



(including required flood storage areas) will be completed before infilling of the site. This operation can be phased as appropriate.

- 8.200** The surface water drainage system will be designed to be sufficient to contain and convey the design storm event, and location and operation of the storage areas will be designed to ensure that flood levels are not increased across the site. As the layout and detailed drainage strategy progresses, ground investigations, including further soakaway testing on site, will also be undertaken to confirm the optimum locations for the Sustainable Drainage System components. Where soakaways are proposed a detailed understanding of the groundwater flow mechanisms will be undertaken to ensure there are no adverse impacts on groundwater flooding to properties to the South of Tewkesbury Road.
- 8.201** Furthermore, surface water flows entering the watercourses will be controlled to match existing greenfield runoff by a combination of the use of Sustainable Drainage Systems and on-site storage areas. This will reduce the peak flows and volumes of runoff leaving the site, as well as providing a level of treatment to the runoff to remove any pollutants from entering the watercourses. This system will consist of a combination of source control and control measures including swales and detention basins.
- 8.202** As the development is proposed to be phased over a period of 15-20 years, prior to each phase being constructed the drainage infrastructure will be put in place to ensure that there is no increase in flood risk elsewhere as a result of this development.
- 8.203** The principles of the outline drainage plan have been discussed with the Environment Agency and the Lead Local Flood Authority (LLFA), and both statutory consultees have been consulted on the application and raise no objections.
- 8.204** The LLFA is a statutory consultee for surface water flood risk and management and have no objections to the outline surface water drainage strategy. A conditional framework has been agreed whereby for each Neighbourhood Phase a more detailed Neighbourhood Drainage Strategy is provided in accordance with principles of the overarching Flood Risk Assessment and Outline Drainage Strategy. The conditions then require that a detailed design will be submitted before the construction of each sub-phase of the Neighbourhood Drainage Strategy, and this will provide, for example, pipe sizes, drainage details and construction phase surface water controls. Finally, a SuDS management and maintenance plan will be approved prior to the occupation of each sub-phase, which will describe who will be responsible for maintaining the drainage for the lifetime of the development and how each SuDS feature will be maintained.
- 8.205** Therefore, subject to the imposition of conditions to secure drainage design in accordance with the principles set out above, it is considered that the surface water drainage strategy is acceptable and will manage surface water drainage on site, and will ensure that flood risk is not increased elsewhere

### Watercourses and Bridges

- 8.206** The Flood Risk Assessment and supporting Illustrative Masterplan indicate that four road bridge crossings are proposed, with two located on the River Swilgate and two on Swindon Brook. It is advised that these will be constructed as clear span crossings over the main river channel with soffit levels 600mm above the 1 in 100 design flood level. The position of the bridges has been chosen partly based on flood risk, but also partly based on transport distances and layout of the development.
- 8.207** In addition to the road bridges described above, it is expected the four footbridges and cycle



crossings will be provided over the River Swilgate and one over Swindon Brook. These will be clear span structures and will not impede on any in-bank flows.

- 8.208** The Environment Agency has been consulted on the application and does not object to the principle of these bridges, and as part of reserved matters applications, the Environment Agency's guidance on bridge design will be required to be followed to ensure that the potential impact of the bridges on flow and their liability to blockage will be minimised.
- 8.209** The Parameter Plans also provide a structure of development that allows for appropriate maintenance access to watercourses. As per the requirement of the Environment Agency, a minimum 8m wide corridor has been retained alongside the banks of all watercourses where there would be no built form, beside bridges.
- 8.210** The recommended planning conditions require the submission of Construction Management Plans and these will ensure that during construction, any excavated material will be stockpiled outside of the flood extents and measures will be secured to control any source of pollution from entering any drainage system or watercourses.
- 8.211** The Flood Risk Assessment does identify that there will be a requirement to culvert part of Leigh Brook where the highest density development will occur, including the commercial and retail centres. These works would be subject to consents from the Environment Agency. However, overall the development provides an opportunity to enhance the existing watercourses by removing existing bridges and other obstructions within the watercourses allowing for their ecological condition will be improved. In addition, the removal of debris and rubbish from the watercourses will reduce pollutant levels in the rivers. There is also significant potential to improve the flora and fauna of these watercourses through the removal /reduction of vegetation in some areas and increased planting in others. Through the reduction of agricultural runoff to these watercourses, alongside the inclusion of a drainage system which treats the quality of any runoff, the overall water quality of the watercourses can be improved, and these improvements can be secured through the conditional framework.
- 8.212** Moreover, the recreational value of these watercourse will be increased as a result of the development, with a number of footpaths and public open space areas being provided in proximity. As such the design approach as set out in the Parameter Plans utilises the natural capital of the application site to contribute to place-making within the development.
- 8.213** The Environment Agency and the Councils' ecological advisors have been consulted on the application and raise no objection to this application in respect to impact of watercourses. The conditional framework will secure appropriate design and mitigation in future design and subject to the imposition of conditions the impact on watercourses and the water environment is considered acceptable.

### Conclusions Flood Risk and Drainage

- 8.214** Overall, it is concluded that the proposal complies with policy and guidance with respect to flood risk, surface water drainage, and the water environment. It is concluded that the flood risk and drainage impacts of the proposed development would be acceptable, and moreover the application has demonstrated compliance with policies INF2 and A4 of the JCS, and policies ENV2 and NAT2 of the TBP.

### **Heritage and Historic Environment**



- 8.215** Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a general duty as respects listed buildings in exercise of planning functions. Section 66(1) provides: "In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses." Section 72 of the act refers to the need to pay special attention to the desirability of preserving or enhancing the character or appearance of and building of land in a Conservation Area in the exercise of their duties.
- 8.216** Paragraph 202 of the NPPF sets out that heritage assets range from sites and buildings of local historic value to those of the highest significance and that these assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.
- 8.217** Paragraph 207 of the NPPF states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation
- 8.218** Paragraph 208 of the NPPF goes on to state that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.
- 8.219** Paragraph 210 of the NPPF states that in determining applications, local planning authorities should take account of: a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and c) the desirability of new development making a positive contribution to local character and distinctiveness.
- 8.220** Paragraph 212 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 8.221** Paragraph 213 of the NPPF also states that any harm to, or loss of, the significance of a designated heritage asset (including from development within its setting), should require clear and convincing justification.
- 8.222** Paragraph 215 of the NPPF also states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.



- 8.223** Finally, paragraph 216 of the NPPF also advises that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
- 8.224** Policy SD8 criterion 2 of the JCS sets out that development should make a positive contribution to local character and distinctiveness, having regard to valued and distinctive elements of the historic environment. Criterion 3 of Policy SD8 also echoes the requirements of the NPPF and confirms that designated and undesignated heritage assets and their settings will be conserved and enhanced as appropriate to their significance, and for their important contribution to local character, distinctiveness and sense of place. Criterion 5 also advises that development proposals on Strategic Allocations must have regard to the JCS Historic Environment Assessment (or any subsequent revision) demonstrating that the potential impacts on heritage assets and appropriate mitigation measures have been assessed.
- 8.225** With regard to the Strategic Allocation the JCS Historic Environment Assessment identifies a number of non-designated heritage assets in and around the site and a number of nationally designated heritage assets within proximity to the allocation boundary. As such criterion 9 of Policy A5 of the JCS states that the development should deliver a layout and form of development that respects the character, significance and setting of heritage assets that may be affected by the development.
- 8.226** Policy HER1 of the TBP states that proposals for development in or within the setting of Conservation Area will need to have particular regard to the potential impact on its character and setting. Policy HER2 of the TBP sets out that any development within the setting of Listed Buildings, will be expected to have no adverse impact on those elements which contribute to their special architectural or historic interest. Policy HER4 states that Scheduled Monuments and sites of national archaeological importance will be preserved in situ. Policy HER5 also states that Non-Designated Heritage Assets will be conserved having regard to the significance of the asset and its contribution to the historic character of the area. Proposals affecting a Non-Designated Heritage Asset and/or its setting will be expected to sustain or enhance the character, appearance and significance of the asset.
- 8.227** In regard to non-designated heritage assets, Policy HE1 of the CP states that development proposals that would affect a locally important or non-designated heritage asset, including its setting, will be required to have regard to the scale of any harm or loss to the significance of the heritage asset. Policy HE2 of the CP also states that there will be a presumption in favour of the physical preservation in situ of nationally important archaeological remains and their settings. Development affecting sites of local archaeological importance will be permitted where the remains are preserved a) in situ; or b) by record, if preservation in situ is not feasible.
- 8.228** The ES contains a chapter on Cultural Heritage which is informed by survey work undertaken since 2008. The ES notes that the proposal has the potential to have both physical impacts on surface and below-ground heritage assets and non-physical effects, including visual alterations to the settings of designated heritage assets. The ES notes that there are no World Heritage sites (or nominations for such), within the site or its vicinity. No Scheduled Monuments, Registered Parks, Gardens or Battlefields are located within the site and only one Scheduled Monument ('Moat House') is recorded in the study area being located 150m south of the proposed development site.

### Listed Buildings and Conservation Areas



**8.229** The ES notes that there are no Listed Buildings with the application site itself, but that ten lie within the study area. Based on an initial scoping exercise, the ES goes on to assess the impact on four of the assets in more detail as well as the Swindon Village Conservation Area which is located immediately to the east of the site. The assessment of impact on these heritage assets is based on the Parameter Plans and ES building heights. These designated heritage assets are:

- Grade II\* Listed Church of St Lawrence;
- Grade II\* Listed Church of St Mary Magdalene;
- Moat House Scheduled Monument and associated Grade II Listed Buildings;
- Grade II Listed Uckington Farmhouse and associated Grade II Listed stable block; and
- Swindon Village Conservation Area and associated Listed Buildings.

**8.230** The ES identifies that:

- The Grade II\* Listed Church of St Lawrence is located 170m to the east of the proposed development site and the Listed Building is a heritage asset of High Value with considerable evidential value. The proposed development site is not visible, at ground level, from the Church. The church's relationship with its surrounding churchyard and Church Cottage will not be altered and its appreciation from Church Road will remain unharmed. Partial views of the proposed development will be beyond existing residential development to the west. The ES concludes that the proposed development would have a negligible impact on the Grade II\* Church of St Lawrence through loss of its wider agricultural setting.
- The Grade II\* Listed Church of St Mary Magdalene is located to the south of Lowdilow Lane, on the south-eastern outskirts of Elmstone Hardwicke approximately 250 metres from the application site. The Listed Building is a heritage asset of High Value with considerable evidential value. It is identified that the development is very unlikely to be visible at all from the church and village, and not to any more than a glimpsed degree. The more important views to the church, such as from the approach to the south and east, and from within the village, will not be altered. The ES concludes that the proposed development would have a negligible impact on the Listed Building through loss of wider agricultural setting and alteration to appreciation.
- Moat House Scheduled Monument is located approximately 200m to the south-west of the proposed development site beyond Tewkesbury Road and incorporates three Grade II Listed Buildings. The Grade II Listed Moat Cottage is located immediately to the east of the Scheduled Monument, approximately 270m south-west of the proposed development site. The Scheduled Monument extends across an area of approximately 2ha, to the south of Moat Lane. The Scheduled Monument is a heritage asset of High Value with considerable evidential value. The Grade II Listed Buildings are heritage assets of Medium Value. It is identified that the value of this Scheduled Monument is primarily derived from its evidential value, although its historical value also contributes, and its setting enhances this value. The relationship between the Scheduled Monument, and the three Grade II Listed Buildings within the asset, contributes to its historical value by emphasising the continuity of historic settlement at this location, and preserving a relationship that has existed since the construction of the current house in the 17th century. The ES identifies that the proposed development site will be largely screened from the majority of the Scheduled Monument by dense vegetation within the moated site. As such, views of the proposed development from the Scheduled Monument, or its associated Listed Buildings, will not alter the important elements of their setting. The ES concludes that the proposed



development would have a negligible impact on the listed buildings and Scheduled Monument through loss of wider agricultural setting.

- The Grade II Listed Uckington Farmhouse and associated Grade II Listed stable block are located approximately 100m and 70m south-west of the proposed development site respectively. The Grade II Listed Buildings are heritage assets of Medium Value. The proposed development site will be visible to the north and east of these assets, beyond a single intervening hedgerow. The proposed development will therefore alter a large part of the surrounding agricultural landscape, visible from the northern elevation of the farmhouse and the eastern elevation of the stableblocks. This is likely to harm the aesthetic value both assets derive from a relationship with the surrounding agricultural landscape. The immediate agricultural surrounds, however, comprising a single field to the east, will be retained. As such the ES concludes that the proposed development will have a minor adverse impact on these heritage asset(s) through the loss of wider agricultural setting.
- The Swindon Village Conservation Area is located immediately to the east of the proposed development site. There is a single Grade II\* Listed Building and 12 Grade II Listed Buildings within the Conservation Area. As a Conservation Area containing predominantly Grade II Listed Buildings it is considered to be a heritage asset of Medium Value. The ES identifies that the Conservation Area is very strongly defined on all sides by built development: the industrial estates to the south; the railway embankment and housing to the east; and residential development to the north and west. It is identified that the proposed development site is located immediately to the west of Swindon Village Conservation Area and will be highly visible from the western boundary of the asset, and more distantly within views along Church Road from the central part of the area. However, it is the case that the development would do little to harm the 'architectural or historical significance' of the Conservation Area. It would not harm any of its key special interests as defined by the Conservation Area Appraisal, and would only lead to a degree of alteration to views to the west from a small extension of the area on the western side. As such the ES concludes that the proposed development will have a minor adverse impact on the overall significance of the Conservation Area through loss of wider agricultural setting and views towards Elmstone Hardwicke.

**8.231** Historic England has been consulted on the application and have no objection to the application on heritage grounds and consider the outline application is capable of implementation with a negligible impact on the designated assets noted above. It is also advised that at reserved matters stage further detailed analysis (including cross-section photomontages) will be required to ensure that the houses to the east of St Mary Magdalene Church are out of view.

**8.232** The Councils' Conservation Officers have been consulted on the application and raise no objection in respect to listed buildings and the Swindon Village Conservation Area and advise that the development is generally distant from built heritage assets within the Boroughs and separated by fields and trees. As such, the Conservation officers consider overall that the proposal would have a low impact on the historic built environment, coming at the bottom of the 'less than substantial' category subject to further detailed information at reserved matters stage.

### Archaeology

**8.233** With regard to archaeology, the County Archaeologist (CA) originally commented that this part of the Severn Vale is known to contain extensive archaeological remains relating to prehistoric, Roman and Anglo-Saxon activity and settlement, and had concerns that against this background, that highly significant archaeological remains will be present within the proposed



development area, and that such remains would be adversely affected by construction ground works required for this scheme. The CA noted that the ES was based on a limited (desk-based) assessment which was considered out-of-date. Furthermore, the geo-physical assessment was incomplete and would not be capable of predicting all potential remains. The CA also noted that no field evaluation of archaeological potential had been undertaken and therefore it was not possible to identify any appropriate mitigation of archaeological impact. The CA concluded that in advance of the determination of the planning application further information should be provided regarding archaeological impact comprising:

- A report on an up-to-date archaeological desk-based assessment.
- A report on a geophysical survey in areas of proposed development where no survey has been undertaken previously.
- A report on an archaeological field evaluation which should investigate all areas of proposed development.

**8.234** In response to these comments, the applicants undertook additional work. The additional work included further on-site investigation of areas within the site which previous geo-physical surveys and evaluation (as noted above) had identified potential below ground archaeological remains. A total of 57 trenches were excavated in four areas and the archaeological evaluation identified three main areas of archaeological features.

**8.235** In summary the investigations and trenching found evidence of particularly intensive activity dating from the Iron Age through to the 4th-century AD towards the centre of the site. This comprised a dense area of ditched enclosures super-imposed on each other which were subject to frequent maintenance. Datable artefacts were noted to be most common from the Late Iron Age, peaking in the 2nd-century AD. The high quantity of artefactual retrieval from this area indicated a settlement function for these enclosures rather than simple agricultural enclosures. With the exception of two discrete small enclosures, likely representing animal enclosures, there was comparatively sparse activity identified in the northern part of the site.

**8.236** Two smaller areas of ditched enclosures were identified at the southern extent of the site. The majority of dating evidence recovered was Roman, though some material of Late Iron Age/1st-century AD date was recovered.

**8.237** In response to these surveys, a Mitigation Strategy has been submitted in support of the application to include, inter alia:

- Record any evidence of past settlement or other land use
- Recover artefactual evidence to date any evidence of past settlement that may be identified
- Sample and analyse environmental remains to create a better understanding of past land use and economy.

**8.238** The strategy also proposes that further archaeological mitigation will be required in three areas of dense archaeological activity identified in the archaeological evaluation report. It is proposed that the requirement for archaeological mitigation would be secured by a planning condition based on the phased development of the site.

**8.239** The final scope of the mitigation works would be required to be determined in consultation with the County Archaeologist and detailed in Written Schemes of Investigations. The Strategy states that it is likely that the mitigation would comprise a range of archaeological approaches, incorporating excavation, archaeological watching brief and, where necessary, preservation of remains in situ. The techniques used would be dependent on the nature of the archaeology and



the likely impact of the development. Given that the site will likely be brought forward for development over a considerable period of time, it is considered reasonable to view the archaeological mitigation as a staged process which will reflect the development phasing.

- 8.240** It is anticipated that at the end of each phase of the archaeological mitigation programme, the artefacts and environmental samples retrieved will be processed, assessed, conserved and packaged. A post-excavation assessment will be undertaken following completion of all site works and a post-excavation assessment report will be produced. Further post-excavation analysis and publication will be undertaken as determined through consultation with the County Archaeologist and detailed in the WSIs to assess the most appropriate dissemination format for the archaeological assets identified.
- 8.241** Following completion of the mitigation programme (or parts thereof as agreed with the County Archaeologist), an ordered, indexed, and internally consistent site archive would be prepared and deposited in accordance with the relevant guidelines.
- 8.242** The County Archaeologist/Councils' Archaeological Advisors have been consulted on this application and have advised that the Archaeological Mitigation Strategy is acceptable and that prior to the commencement of development of each phase or sub-phase, a Written Scheme of Investigation for the additional archaeological mitigation works, if required, for that phase shall be submitted to the Local Planning Authority for approval in accordance with the principles of the applicant's Archaeological Mitigation Strategy
- 8.243** In summary, the County Archaeologist/Councils' Archaeological Advisors are satisfied that, while further archaeological evaluation and mitigation would be required as a conditional programme of work, there is sufficient information in this regard to determine the outline application. Officers consider that the conditional framework would subsequently ensure that archaeological assets are appropriately protected in accordance with the provisions of the NPPF and policy SD8 of the JCS, policy HE2 of the CP, and policy HER4 of the TBP,

### Non -Designated Heritage Assets

- 8.244** In respect to non-designated heritage assets, there are none on the site which would be impacted by the development. A number of non-designated heritage assets have been identified by the Conservation Officers in proximity to the application site which are not yet included on the local heritage lists which include buildings on the eastern edge of Uckington Village (Post Office Cottage, Landean and Elton Court). The Councils' Conservation Officer concludes that it would be possible to implement the development described in the outline planning application as shown on the Parameter Plans without harm to the setting of the non-designated heritage assets identified if sensitive mitigation such as planting and green buffer is implemented at reserved matters stage.

### Conclusions on Heritage Assets:

- 8.245** It is clear from the above considerations that proposed development would have no physical direct impact on the heritage assets and that the main potential impact would be the adverse impact upon setting. Both Historic England and the Councils' Conservation Officers consider that the outline application is capable of implementation with a negligible impact on the designated assets and the Swindon Village Conservation area subject to a sensitively designed reserved matters applications. These are matters that would ultimately be controlled by the two Local Planning Authorities and it would be for them, following consultation with Historic England, the County Archaeologist, and Council Conservations Officers to ensure that reserved matters applications (including layout and scale) responded to the setting of the heritage assets so that



there would be no unacceptable adverse impact on their setting.

- 8.246** The consequences for the overall planning balance are that a very limited degree of harm would be caused to the settings of Listed Buildings and Swindon Village Conservation. For the purposes of s.66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, even such limited harm should be treated as a matter of considerable importance and weight and great weight should be given to the assets conservation.
- 8.247** In terms of the NPPF the minor harm identified would come at the bottom of the “less than substantial” category in paragraph 215. In weighing the above less than substantial harm against the public benefits of the proposal, as required in paragraph 215 of the NPPF, officers officer consider that, the public benefits of the scheme including the delivery of housing and affordable housing clearly outweigh the identified low level of less than substantial harm to heritage assets.
- 8.248** In respect to non-designated heritage assets it is concluded that it would be possible to implement the development at reserved matters stage without harm to the setting of the non-designated heritage assets located in proximity to the application site.
- 8.249** It is concluded the impact of the proposed development on listed buildings, the Swindon Village Conservation, archaeological assets and non-designated heritage assets would be acceptable, and potential impacts can be further controlled through the subsequent reserved matters applications and the conditional framework. The proposal would accord with the NPPF in this regard, as the less than substantial harm that it would cause to the significance of the setting of listed buildings would be outweighed by its public benefits. It is also the case that the application accords with policies SD8 and A4 of the JCS, policies HER1, HER2, HER4 and HER5 of the TBP and policies HE1 and HE2 of the CP.

### **Ground Conditions and Contamination**

- 8.250** Paragraph 196 of the NPPF states that planning decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. Policy SD14 of the JCS seeks to protect health and improve environmental quality by ensuring, inter alia, no unacceptable risk from existing or potential courses of pollution.
- 8.251** The ES contains a chapter on ground conditions which in summary notes that the site is generally occupied with agricultural land and that the investigations did not identify potential sources of contamination within the site. An off-site source of landfill gases was identified adjacent to the northern boundary of the site, the Wingmoor Farm West landfill. A preliminary assessment of the gas regime at the site indicated that landfill gases were impacting the northern part of the site, in close proximity to the adjacent landfill. An historical car breakers yard was identified at Fayre Oaks, adjacent to the western boundary.
- 8.252** The ES states that mitigation of long term and operational impacts of the development would rely on compliance with relevant environmental permitting and pollution control measures. The preliminary risk assessment did not identify significant contamination at the site that would constrain the development. However, the ES states that this would need to be verified through more detailed ground investigation targeted on proposed end use layout.
- 8.253** The ES states that the identified landfill gas risk is to be mitigated by a buffer zone as generally shown on the Parameter Plans, set at 250m based on Waste Management Paper 27 Landfill Gas Guidance with gas protection measures for the development to be determined through a



more detailed characterisation of the gas regime at the site in accordance with guidelines. It is also recommended that a condition is imposed to secure this 250 metres separation distance as there may be impact on the northern edges of the residential land parcels as shown on the Parameter Plans and dwellings and gardens will be required to be located outside this zone.

- 8.254** The ES concludes that following validation of the mitigation measures the residual effect on ground conditions and contamination from the long term and operation phase is considered to be negligible.
- 8.255** The Councils' Environmental Health Officers (EHO) advisors have assessed the submitted ES and agree that a more detailed assessment of ground conditions would be required as the detail design advances in view of the time since the original intrusive site investigation work and the need for targeted ground investigation work at the site. With regard to the potential risk for migration of landfill gas from the landfill site, the proposed 250m buffer zone to be placed between the northern boundary is considered acceptable, subject to verification through more targeted ground gas monitoring in this area.
- 8.256** The Environment Agency has also been consulted on the application and have also identified that the operational landfills to the north of the site give rise to risks from landfill gas and leachate, as does the former scrap metal yard at Fayre Oaks give rise to a contamination risk. The Environment Agency have also confirmed that these risks of contamination can be controlled by planning condition.
- 8.257** It is recommended that a condition is imposed on the outline planning permission requiring a Phase 1 desktop study to be submitted to and approved in writing by the local planning authorities in respect of potential ground contamination, prior to the commencement of each phase of development, with appropriate remediation strategies to be provided as necessary. The conditional framework also requires that if previously unidentified contamination is identified during construction, development must cease in the affected area until an appropriate remediation strategy is approved.
- 8.258** As such, it is considered that the information submitted in the ES is sufficient at this stage of the development, and identifies the contamination risks, and Parameter Plans and condition avoid development within the areas of risk. The conditional framework will be in place to ensure risks from contamination are managed during the construction and occupation phases, and the proposals are compliant with paragraph 196 of the NPPF and policy SD14 of the JCS in this regard.

### **Odour, Air Quality and Noise**

- 8.259** Paragraph 198 of the NPPF states that planning decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. Policy SD14 of the JCS also states that new development must ensure that there are no unacceptable levels of pollution from, inter alia, air and noise.
- 8.260** The adopted Waste Core Strategy (WCS) also forms part of the Development Plan for the area. Policy WCS11 (Safeguarding sites for Waste Management) provides that existing and allocated sites for waste management use will normally be safeguarded by local planning authorities. Proposals that would adversely affect, or be adversely affected by, waste management uses will not be permitted unless it can be satisfactorily demonstrated by the applicant that there would be no conflict. The Waste Planning Authority (WPA) will oppose proposals for development



that would prejudice the use of the site for waste management.

### Odour

- 8.261** The application is supported by an Updated Odour Assessment (UOA) which was undertaken in 2023, further to comments received from Grundon Waste Management, who operate the Wingmoor Farm Waste Management Site located to the north of the application site. This UOA was required as since the submission of this planning application in 2016, new planning permissions have been granted for Wingmoor Farm East, particularly those related to Antigestion Plant and it was considered necessary that the assessment of potential odour impacts submitted in ES should be reviewed.
- 8.262** The UOA identifies that the principal source of odours close to the application site is the Wingmoor Farm Waste Management site. Wingmoor Farm West is operated by Enovert South Limited (formally Cory Environmental Ltd) which is located north of the application site and to the west of the railway line. Wingmoor Farm to the east of the railway line is operated by Grundon Waste Management Ltd (Grundon) and some smaller waste management companies including Andigestion Ltd.
- 8.263** The UOA undertook an assessment of the complaints records, as well as a series of sniff tests and an assessment of meteorological conditions to assess the effects of these waste management facilities on the proposed development. Account has also been taken of planned future operations at the waste management facilities, including the planned relocation of a proposed compost facility to east of the site.
- 8.264** The UOA has identified a potential for moderate adverse, and thus 'significant' odour effects at the northernmost part of the site. However, the Parameter Plans propose a form of development whereby there is a generally a separation distance of at least 250 metres between the waste site boundary and the nearest residential properties/other land uses; this far exceeds the Environment Agency's suggested distance of 50 metres as set out in their consultation response. The sniff tests have identified that the residential properties beyond the 250 metres separation distance may have potential for odour impacts, but based on available evidence, odour events are considered not of a frequency, duration and/or intensity to result in unacceptable impacts. It is also noted that and over the longer term odour sources from these facilities are likely reduce as operational activity changes
- 8.265** The Councils' Environmental Health Officers have been consulted on the application, and have reviewed the UOA and liaised with applicant's odour consultants on this matter. The Environmental Health Officers have confirmed that they do not object to the application subject to no residential development properties (including gardens) being located within 250 metres of the Wingmoor Farm Waste Management site boundary. This condition is broadly compliant with the Land Use and Access Parameter Plan, but may impact on the northern edges of the residential land parcels. The Environment Agency, Grundon Waste Management and Gloucestershire Minerals and Waste also raise no objection on this basis.
- 8.266** As such, subject to the imposition of conditions, it is considered that the impact from odour arising from the waste management facilities to the north of the site would be acceptable.
- 8.267** In regard to the proposed future uses in the development, a conditional framework is also recommended to provide odour emissions and mitigation measures as part of reserved matters applications to mitigate odour sources from future uses, such as in the business park and in the mixed use centre, to ensure residential uses and other uses such as schools are not unacceptably impacted by future potential odour sources.



- 8.268** Therefore overall it is concluded that the future amenity of occupiers would not be unacceptably impacted by odour and the application and accords with the NPPF and policy SD14 of the JCS in this regard.

Air Quality

- 8.269** The ES submitted with the application notes that the proposed development would lead to an increase in traffic on the roads, which may impact on air quality at existing residential properties. The new residential properties within the site would also be subject to the impacts of road traffic emission from the adjacent road network. The main pollutants are nitrogen dioxide and fine particulate matter. The ES also notes the potential for nitrogen dioxide and dust during construction. No other potential sources of pollutants are identified in the ES that could have significant impacts.
- 8.270** The ES concludes that the additional traffic generated by the proposed development could affect air quality at existing properties along the road network with a change of between -1% and up to 1% in fine particulates and a change of between -2% and up to 4% in Nitrogen Dioxide. This assumes no reduction in vehicle emissions and is a worst case scenario. These impacts are considered to be negligible.
- 8.271** Overall, this is an allocated site where the principle of development is accepted. The impacts from traffic on air quality are judged to be negligible on existing residents, in the worst case scenario. Planning obligations are also recommended to further reduce car use, through Travel Plans and the implementation of a public transport strategy which may also reduce emissions.
- 8.272** In terms of future residents, the ES concludes that the impacts of traffic on the air quality for residents living in the proposed development at the worst-case locations assessed would also be acceptable with concentrations being well below the air quality objectives. Reserved matters applications submitted pursuant to the outline permission will also be able to minimise air quality impacts for future residents through measures such as locating habitable rooms away from busy roads, and delivering layouts which do not create 'street canyons' which can inhibit pollution dispersal.
- 8.273** The overall occupation phase air quality impacts of the development are judged to be negligible. This conclusion takes account of the uncertainties in future projections.
- 8.274** In respect to the construction phase, the construction works have the potential to create dust. It is therefore recommended that conditions are imposed on the outline permission to secure a package of standard mitigation measures to minimise dust emission. Even with these measures in place, there remains a risk that a number of existing off-site properties might be affected by occasional dust-soiling impacts. Any effects would be temporary and relatively short lived, and would only arise during dry weather with the wind blowing towards a receptor, at a time when dust is being generated and mitigation measures are not being fully effective. Overall, the effects during construction are judged to be negligible.
- 8.275** The Councils' Environmental Health Officers (EHO) have assessed the applicants ES in respect to air quality and confirms the methodology used is well established and acceptable, and no objection is raised and no adverse comments are raised on air quality subject to the imposition of conditions.
- 8.276** The ES concludes that the proposed development is consistent with the NPPF and officers consider that the application complies with Policy SD14 and NPPF in this regard, and the



impacts on air quality for existing and future residents, as well as other occupants, would be acceptable.

### Noise

- 8.277** The ES assesses the effects of the proposed development with regard to noise and establishes the baseline conditions currently existing at the site and identifies those sensitive receptors which have the potential to be affected by noise, the proposed mitigation measures to be incorporated into the development required to prevent, reduce or offset those effects, before assessing the potential direct and indirect effects of the development.
- 8.278** The assessment considers the potential effects of road traffic noise upon the future occupants of the proposed new dwellings, and the potential noise associated with proposed non-residential uses and the proposed transport hub. It also assesses the potential effects during the construction of the development upon the noise-sensitive receptors in the surrounding area. Consideration is also will be given to ensuring that noise from the operation of the commercial business uses (principally associated with external fixed plant or deliveries) does not give rise to potential disturbance to either occupants of existing noise sensitive receptors or future residential receptors within the development.
- 8.279** The ES notes that there are a number of existing residential receptors surrounding the site, which may be affected by the construction and future occupation of the development, as follows:
- Dwellings in Swindon Village to the east;
  - Dwellings to the south of the A4019;
  - Dwellings in Uckington to the west; and
  - Dwellings in Elmstone Hardwicke to the west.
- and that those 'receptors' have the potential to be affected by noise from existing surrounding land uses, which include:
- Road traffic principally using the A4019 Tewkesbury Road, to the south;
  - Existing retail and industrial units located to the east of the development;
  - The railway line which runs to the east; and
  - The operation of the existing landfill site to the north.
- 8.280** It is identified that during the construction phase, construction activities have the potential to cause inevitable increases in ambient noise and vibration levels. However, these effects are usually intermittent and temporary and can vary in intensity depending on the type of construction activities occurring at the site. It is recommended that planning conditions are imposed on the outline permission to mitigate these impacts, and as a result, following implementation of the mitigation and control measures it is considered that the potential construction impacts would be minor adverse, temporary and short-term.
- 8.281** In terms of the occupation phase and the impact on existing dwellings, it is identified that that noise would be generated by increased traffic, and that other sources of noise may include the transport hub, sports hub and pitches and proposed employment areas.
- 8.282** An assessment of the changes in road traffic noise levels surrounding the development as a result of the future operation indicates generally very small increases in road traffic noise levels of less than 1 dB(A), which would result in an overall negligible noise impact. Larger increases in road traffic noise levels are anticipated along Hayden Road and Elmstone Hardwicke Lane, of up to 1.8 db(A) with minor adverse impacts.



- 8.283** The proposed Transport Hub would be located adjacent to the A4019 close to Uckington with a separation of distance of approximately 150 metres to the dwellings to the west. The design of the facility has not been progressed at this stage, although it is anticipated that the main operational area would be located within the eastern part of the facility close to the new development access road further increasing separations distances of noise sources. The ES identifies this facility would have a negligible impact on existing receptors through noise, but a conditional framework would also be in place requiring noise conditions and localised mitigation measures to be provided as part of future reserved matters application.
- 8.284** The Play Strategies Plan indicates that the sports hub would be located in the western part of the site, and the nearest pitches would be at least 100 metres from the nearest residential receptors in Uckington. The buffer between the edge of the sports pitches and the surrounding residential properties will ensure that potential adverse effects are minimised for dwellings in Uckington. The dwelling most effected by the sports hub would be Chestnut Farm which would potentially be located in close proximity of the sports hub (the Play Strategies Plan indicates circa 20 metres from the nearest sports pitch). The conditional framework requires noise conditions and mitigation measures for the sports hub to be considered as part of future reserved matters, once further details are known of it's design and location and the inter-relationship with Chestnut Farm will require careful consideration as part of this process. Mitigation measures such as operational times of the sports hub and the pavilion would be considered at this time, as well as potentially physical mitigation measures. With this conditional framework in place it is anticipated that the potential noise impact on existing and future residents on the sports hub would be negligible.
- 8.285** In terms of the business park, the Parameter Plans show that that this land use would be located in the south east of the site near existing noise sources such as Gallagher Retail Park. The Description of Development confirms that these uses would be former B1 Use (prior to the changes to the Town and Country Planning Use Class Order coming into effect in 2020). By definition these are uses which can be carried out in a residential area without causing detriment to area's amenity. External plant associated with these uses, is likely to be the main noise source, and a conditional framework would be imposed for details of noise generating plant and equipment to be agreed by the planning authorities prior to commencement of built development with the business park. The conditions also require noise mitigation measures to be submitted as part of future reserved matters applications for this land use. With this conditional framework in place, it is anticipated that the potential noise impact on existing and future residents from the Business Park would be negligible.
- 8.286** In terms of future residents, the noise survey has identified that dwellings located within 30 metres of the Tewkesbury Road may potentially be adversely affected by unacceptable levels of noise. As a precautionary approach it is therefore recommended that reserved matters applications which include dwellings located within 50 metres of Tewkesbury Road shall be accompanied by a noise survey to identify dwellings that would be at risk of exceeding the noise levels set out in the prevailing British Standard guidance (currently BS8233:2014 "Sound Insulation and Noise Reduction for Buildings) for internal rooms, balconies and private rear gardens. The conditional framework also requires all other dwellings to meet the prevailing British Standards for Noise at the time of the submission of reserved matters. As such this conditional framework will ensure that the noise environment for future residents is acceptable.
- 8.287** The ES also identifies that the Parameter Plans show that the school sites would be located away from the main noise sources surrounding the site, and within the site, and no noise sources have therefore been identified which could potentially effect the operation of the schools.



- 8.288** The conditional framework also requires noise mitigation measures to be submitted as appropriate for the various land uses within the site as part of reserved matters applications which will ensure that the inter-relationships with alternative land uses in respect to noise is acceptable.
- 8.289** The Councils' Environmental Health Officers (EHO) have assessed the applicants ES in respect to noise, and no objection is raised and no adverse comments are raised on noise subject to the imposition of conditions.
- 8.290** The ES concludes that the proposed development is consistent with the NPPF and officers consider that the application complies with Policy SD14 and NPPF in this regard, and the impacts on noise for existing and future residents, as well as other occupants, would be acceptable.

### **Residential Amenity and Inter-Relationship of Dwellings**

- 8.291** In respect of the impact of the development upon residential amenity by reasons including overlooking and overbearing impact, paragraph 135 of the NPPF specifies that planning decisions should ensure development creates places with a high standard of amenity for existing and future users. This advice is reflected in JCS policies SD4 and SD14 which require development to enhance comfort, convenience and enjoyment through assessment of the opportunities for light, privacy and external space. Development should have no detrimental impact on the amenity of existing or new residents or occupants. Policy RES5 of the TBP also sets out the proposals should provide an acceptable level of amenity for the future occupiers of the proposed dwellings. Policy S1 of the CP states that development will only be permitted where it would, inter alia, not cause unacceptable harm to the amenity of adjoining land users and living conditions in the locality.
- 8.292** The Land Use and Access Parameter Plan confirms that there would be significant separation distances between the built form and the majority of surrounding residential properties. The dwelling most likely to be effected by inter-relationships between residential properties is the dwelling known as Fairfield which is encircled by the application site.
- 8.293** The application is in outline and therefore the specific inter-relationship with the dwelling known as Fairfield, as well the relationship of the proposed dwellings with each other, will need careful consideration as part of any future reserved matters application. However, officers consider that subject to the approval of details at reserved matters stage, the residential amenity of existing and future occupiers would be acceptable in regard to matters such as overlooking and over-bearing impact.

### **Affordable Housing and the Needs of Older People**

- 8.294** Paragraph 8 of the NPPF states that the planning system needs to perform a number of roles, including a social role in supporting strong, vibrant and healthy communities, by providing a supply of housing required to meet the needs of present and future generations. Paragraph 66 of the NPPF states that where major development involving the provision of housing is proposed, planning policies and decisions should expect that the mix of affordable housing required meets identified local needs, across social rent, other affordable housing for rent and affordable home ownership tenures.
- 8.295** Policy SD12 requires that within the Strategic Allocations a minimum of 35% affordable housing will be sought. Policy SD11 of the JCS also confirms that housing mix should meet the needs



older people as set out in the local evidence base including the most up to date Strategic Housing Market Assessment.

Policy RES13 of the TBP echoes the requirements of Policy SD12 of the JCS. Policy HM2 of the CP also supports proposals that provide housing choice for older people and special needs housing proposals for older people and advises that this should focus on high-specification care ready accommodation to, inter alia, meet identified needs. Policy HM2 of the CP also states that a proportion of a scheme providing elderly care, or for supported or special needs housing, will normally be required to contribute to affordable housing need.

- 8.296** The applicants have constructively engaged with officers during the determination of the application and have provided an affordable mix which would significantly contribute towards the area's affordable housing needs.
- 8.297** In accordance with the requirement of Policy SD12, the applicant has agreed to provide 35% affordable housing on site, which includes housing for the needs of older people. Whilst the mix of affordable housing is agreed at the time of determination, it is also agreed that the planning obligation should include a review mechanism on the mix of affordable housing due to the anticipated build out of time of the development. This review mechanism will allow for the affordable housing mix to be revisited alongside the submission of future reserved matters applications to take account of potential changes in the affordable housing evidence base over the build out time of development to ensure the provision of affordable housing continues to meet the needs of the Councils' latest evidence base.
- 8.298** Following extensive discussions with the applicant regarding the policy compliant (35%) affordable housing provision on this site (equating to 1,197 affordable homes, after accounting for consented affordable housing provision on Swindon Farm (93 affordable homes) and 150 affordable homes on this site allocated to deliver older persons accommodation (see below for more details), the following general-needs affordable housing mix and quantum has been agreed between the applicants and the Housing Enabling Officers from Cheltenham and Tewkesbury respectively.
- 8.299** This mix includes the delivery of 70% of dwelling as social rented, which will help to ensure that these affordable homes remain genuinely affordable for tenants in perpetuity. Moreover, the delivery of 65no. 4 and 5 bedroom social rented homes is a substantial benefit of the development which will contribute towards addressing acute need for larger affordable homes on both Cheltenham and Tewkesbury's respective housing registers. A total of 8 dwellings would also be provided as assisted living mental health accommodation to assist in meeting specialist needs
- 8.300** In summary the application would provide:

AH Tenure mix- 1197- 35%	Social Rent	Shared Ownership	Totals	%
1 bed 2 person Mental Health maisonette M4(2) NDSS, 50m <sup>2</sup> Ground Floor	4	0	4	0%
1 bed 2 person Mental Health maisonette NDSS, 50m <sup>2</sup> First Floor	4	0	4	0%



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1 bed 2-person maisonette M4(2) NDSS, 50m <sup>2</sup> Ground Floor	68	10	78	7%
1 bed 2-person maisonette NDSS, 50m <sup>2</sup> First Floor	68	10	78	7%
1 bed 2-person flat M4(2) NDSS, 50m <sup>2</sup> Ground Floor	24	0	24	2%
1 bed 2-person flat NDSS, 50m <sup>2</sup> First /Second Floor	48	0	48	4%
1 bed 2-person bungalow M4(2) NDSS, 50m <sup>2</sup>	36	0	36	3%
1 bed 2-person bungalow M4(3)(2)(b) NDSS, 58m <sup>2</sup>	24	0	24	2%
2 bed 4 person house 70m <sup>2</sup>	50	144	194	16%
2 bed 4 person house NDSS, M4(2) 79m <sup>2</sup>	190	20	210	18%
2 bed 3 person bungalow NDSS, 61m <sup>2</sup> , M4(2)	12	0	12	1%
2 bed 3 person bungalow NDSS M4(3)(2)(b), 61m <sup>2</sup>	14	0	14	1%
2 bed 4 person maisonette NDSS, 70m <sup>2</sup> , M4(2) Ground Floor	13	0	13	1%
2 bed 4 person maisonette NDSS, 70m <sup>2</sup> , First Floor	13	0	13	1%
3 bed 4 person house, NDSS, 84m <sup>2</sup>	0	40	40	3%
3 bed 5 person house, NDSS M4(3)(2)(b), 102m <sup>2</sup>	8	0	8	1%
3 bed 5 person house, NDSS, 93m <sup>2</sup>	0	100	100	8%
3 bed 5 person house NDSS, 93m <sup>2</sup> , M4(2)	154	0	154	13%



3 bed 6 person house NDSS, 102m <sup>2</sup>	0	30	30	3%
3 bed 6 person house NDSS, 102m <sup>2</sup> , M4(2)	48	0	48	4%
4 bed 7 person house NDSS, 115m <sup>2</sup>	32	0	32	3%
4 bed 8 person house NDSS, 124m <sup>2</sup>	18	0	18	2%
5 bed 8 person house NDSS, 131m <sup>2</sup>	15	0	15	1%
<b>Totals:</b>	<b>843</b>	<b>354</b>	<b>1197</b>	<b>100%</b>
<b>%</b>	<b>70%</b>	<b>30%</b>	<b>100%</b>	

- 8.301** The Councils' Housing Enabling Officers have advised that this mix complies with policies SD11 and SD12 of the JCS and has due regard to local needs, community cohesion and affordability considerations. Officers consider that the provision of this amount of affordable housing, particularly the provision of social rent units of a larger size, is a substantial benefit of the proposals.

#### Older Persons Accommodation

- 8.302** In addition to the 1,197 general needs affordable housing, following discussions with the applicants, it has agreed that the delivery of older persons affordable housing accommodation should be reduced to 150 units (rather than the up to 200 older persons accommodation set out in the Description of Development), as it is considered that this is more deliverable business model for which there is operator demand. Taken together the 1,197 general needs affordable housing plus the 150 units older persons accommodation would provide 1,347 affordable units. This amounts to 35% of the proposed 3,849 residential units when discounting the 266 committed dwellings at Swindon Farm, which already provide an agreed affordable housing contribution.

- 8.303** Of these older person units, the planning obligation would require:

- Up to 90no. units to be provided as affordable extra care (55+) retirement living accommodation i.e. self-contained flats with assisted living. The Parameter Plans allow for flexibility in the location of this facility, but the Concept Block Plan indicates that the facility would be a care village located immediately to the north of Main Southern Neighbourhood Centre in proximity to shops, the GP Surgery and Community Centre
- Up to 60no. units would be provided as 'care ready accommodation' being accommodation that maybe suitable for a number of different age groups or level of needs outside of general needs allowing flexibility in what the accommodation could be used for to account for changing local demand and demographics, be that physical, mental or age related.

- 8.304** The size of these units and the location of these units will be determined as part of future reserved matters applications, and any changes to this mix in response to market demand will be required to be subject to agreement in writing between the local authorities and the applicant.

- 8.305** In the event that either model of affordable older persons accommodation cannot be delivered at reserved matters stage, it will be requirement of the planning obligation that the residual



affordable housing will be distributed across the site as general needs affordable housing with an agreed mix to maintain the delivery of a policy compliant 35% affordable housing.

- 8.306** Overall, it is concluded that the provision of affordable housing and older persons accommodated is policy compliant and accords with the requirements of policies SD11 and SD12 of the JCS, policy RES13 of the TBP and Policy HM2 of the CP. Officers consider that the provision of affordable housing and older persons accommodation is substantial benefit of this planning application and this requirement can be secured by way of a planning obligation.

### **Open Market Housing Mix**

- 8.307** Policy SD11 of the JCS and RES13 of the TBP requires all new housing development to provide an appropriate mix of dwellings sizes, types and tenures in order to contribute to mixed and balanced communities and a balanced housing market. Housing mix should be based on the most up to date evidence of local housing need and market demand.
- 8.308** The Gloucestershire Local Housing Needs Assessment 2019 – Final Report and Summary (September 2020) (LHNA) provides the most up to date evidence based to inform the housing mix on residential applications, however this evidence base document would be updated during the build out time of the proposed development.
- 8.309** The applicant's DAS sets out the proposals allow for a range of dwellings across the site to be delivered with varying sizes to accommodate a variety of household types. Given the proposal is in outline, it is recommended that a condition is imposed requiring the submission of a housing market mix statement alongside the submission of reserved matters for any phase, or sub-phase of development, which includes residential development, to secure a mix of market housing in broad accordance with the most up to date evidence of the local housing market need and market demand at the time of determination of future reserved matters.
- 8.310** With a development of this scale which is submitted in outline, officers consider that that imposition of a planning condition is the most appropriate mechanism to deliver a balanced housing market on this site, having regard to the latest evidence base at the time of future reserved matters applications. It is therefore considered that subject to the imposition of conditions the application complies with policy SD11 of the JCS and policy RES13 of the TBP, and the conditional framework will facilitate the delivery of an appropriate mix of dwellings sizes and a balanced housing market.

### **Loss of Best and Most Versatile Agricultural Land (BMV)**

- 8.311** The NPPF sets out that planning decisions should contribute to and enhance the natural environment by, inter alia, recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services, including the economic and other benefits of the best and most versatile agricultural land (BMV Land). The PPG advises that this aims to protect BMV agricultural land and soils in England from significant, inappropriate and unsustainable development proposals, and managing soils in a sustainable way.
- 8.312** The applicants ES undertakes an assessment of agricultural/BWV Land and sets out that their assessment was based on Agricultural Land Classification Surveys undertaken in the early 1990's, 2004 and 2009. The grading has been based upon DEFRA guidelines and criteria. This guidance indicates that the factors affecting the grading of agricultural land include climate, site and soil characteristics, and the important interactions between them.



The report states that the land on the site is classified as follows:

- Approximately 3% (7.7 hectares) within Grade 2;
- Approximately 23% (57 hectares) within Grade 3a;
- Approximately 68% (171.1 hectares) within Grade 3b;
- Approximately 4% (10 hectares) Non-Agricultural;
- Approximately 2% (5.7 hectares) were not surveyed.

- 8.313** Agricultural land is graded from Grade 1 to 5, are Grades 1, 2 and 3A as the best and most versatile (BMV). The proposed development would therefore result in a maximum loss of 64.7 hectare of BMV Land which the applicants ES acknowledges would result in irreversible loss of a national resource
- 8.314** However, some of the “best and most versatile agricultural land” (7.5 hectares of Grade 3a land) is located within the northern part of the site, adjacent to the Hyde Brook, and may be retained in an agricultural use. Future use would be determined by the Open Space Management Plan as part of S106 obligations.
- 8.315** It is also the case that the proposal would impact on existing agricultural businesses operating on the site.
- 8.316** The significance of the impact on BMV is considered to be ‘Substantial Adverse’ in the ES. The ES acknowledges that it is not possible to mitigate the loss of this BMV land but identifies that it is likely that any similar sized development on the edge of Cheltenham, to meet Cheltenham’s housing needs in a sustainable location, would involve land of a similar, if not better quality, and accordingly would result in the same level of impact.
- 8.317** Natural England have been consulted on the application and have no objection. With regard to Soils and Land Quality, Natural England note the permanent loss of up to 64.7 hectares of BMV land and comment that in order to safeguard soil resources as part of the overall sustainability of the development, it is important that the soil is able to retain as many of its many important functions and services (ecosystem services) as possible through careful soil management. NE therefore advise that the developer uses an appropriately experienced soil specialist to advise on and supervise soil handling, including identifying when soils are dry enough to be handled and how to make best use of the different soils on site. These measures will be secured by condition as part of the Construction Management Plan(s).
- 8.318** It is of course a material consideration in the determination of the application, that the application site comprises the majority of Strategic Allocation A4 in the JCS and therefore the loss of BMV Land and other agricultural land in this location has already been considered through the plan-making process and the principle of development of this site and the loss of BMV is already accepted. The JCS Inspector found that the Spatial Strategy for focussing growth mainly around Cheltenham and Gloucester was sound and therefore there will inevitably be the loss of large areas of agricultural land to accommodate these large scale urban extensions.
- 8.319** Nevertheless, the loss of BMV is something that weighs against the proposal and must be assessed against the benefits of the development in the overall planning balance. A condition is also recommended in the Construction Management Plan to ensure soil conservation during the development process, in accordance with the recommendations of Natural England.

### Minerals



- 8.320** Paragraph 222 of the NPPF states that it is essential there is a sufficient supply of minerals to provide the infrastructure, buildings, energy and goods that the country needs. However, since minerals are a finite natural resource, and can only be worked where they are found, it is important to make best use of them to secure their long-term conservation. It is therefore necessary for this application to consider the value of the site as a potential mineral resource.
- 8.321** Policy MS01 of the Minerals Local Plan for Gloucestershire 2018-2032 states that non-mineral development proposals within a Mineral Safeguarded Area (MSA) will be permitted provided: that i. they are exempt from safeguarding requirements, or ii. needless sterilisation of mineral resources will not occur; or iii. the mineral resources of concern are not economically valuable; or iv. it is appropriate and practicable to extract minerals prior to development taking place; or v. the overriding need for development outweighs the desirability to safeguard mineral resources.
- 8.322** Policy SD3 of the JCS also states that to avoid unnecessary sterilisation of identified mineral resources, prior extraction should be undertaken where it is practical, taking into account environmental acceptability and economic viability relating both to extraction of the mineral(s) and subsequent implementation of the non-minerals development of the site.
- 8.323** Gloucestershire Minerals and Waste Authority (GMWA) have been consulted on the application and advise that the application site covers several areas that are known to contain potentially economically viable sand and gravel mineral deposits, and identify that large parts of the proposed development falls within designated Mineral Safeguarding Areas as set out in the Adopted Minerals Local Plan. The GWMA also identify that historically, sand and gravel has been successfully worked in nearby localities and used in development projects.
- 8.324** The GMWA therefore originally requested that an assessment of site specific analysis should be undertaken to determine the scale and extent of sand and gravel mineral deposits and it's potential economic viability. The GWMA also advised that this analysis could be used to secure the use of any underlying minerals as part of the development through the conditional framework.
- 8.325** The ES includes an overarching assessment of the value of mineral deposits on the site and preliminary ground investigations undertaken at the site did not indicate a significant mineral resource of quality. The sand and gravel resource is concentrated in a relatively narrow band along Tewkesbury Road, with additional small pockets either side of the River Swilgate. The gravels of the River Terrace Deposits were noted with generally high clay contents and considered to be of low quality. The Cheltenham Sands were encountered in a thin layer 0.4m to 2.5m, which may be considered to represent a local resource but of limited regional significance, with the majority of the resource in the surrounding area already sterilised.
- 8.326** On this basis, the ES concludes that given the limited quality and quantity and potential low economic viability of mineral resources identified at the site, the resources are considered to be of low value.
- 8.327** Against this baseline, officers requested that the applicant provide a Mineral Resource Assessment building on the information in the ES to provide a more detailed assessment of mineral resources on the site to determine the economic viability for extraction/use in construction as requested by the GWMA. The applicant considers that the submission of this information would be unreasonable and they advise that it would be unviable to extract and export minerals during construction due to the associated costs of extracting and then exporting in replacement materials and to do so would potentially have viability implications for the development. It should also be noted that the main area of potential sand and gravel alongside



Tewkesbury Road lies within the development area of the proposed M5 Junction 10 DCO works and would be sterilised by those works. The applicant has also advised that within the Elms Park site, attempting to extract the limited remaining sand and gravel resources would incur significant environmental impacts as well as significantly increased abnormal construction costs that would negatively impact viability and thereby the ability to deliver the package of S106 obligations.

- 8.328** For example, the extraction operations would entail:-soil stripping and stockpiling; extraction operations with potential noise and dust impacts to existing residents; additional HGV movements on the local highway network to export the minerals; the cost of importing replacement clean soils; additional HGV movements to import the replacement soils; placement and compaction operations of the replacement soils; and consequent abnormal piled foundations which will increase construction costs by several thousands of pounds per affected dwelling and result in additional noise emissions during construction.
- 8.329** The GMWA have considered that position of the applicant on this matter, and do not object to the application on this basis, but advise that harm would arise from the loss of mineral resource safeguarding and this harm should be considered as part of the overall planning balance.
- 8.330** The loss of mineral resources and the absence of an assessment of the economic viability for extraction/use of the resource is a matter that weighs against the proposal and must be assessed against the benefits of the development in the overall planning balance, noting criterion (v) of MS01 and also noting the contribution of the proposal to meeting Cheltenham's 5 year housing land supply.

### **Gas Pipeline and Public Safety**

- 8.331** The 7207\_1476 Fiddington to Uckington gas pipeline which is operated by Wales and West Utilities crosses the south western part of the application site and lies beneath the location of the sports hub as shown on the Play Strategies Plan and to the west of the location of the Transport Hub as shown on the Land Use and Access Parameter Plan and in the vicinity of the allotment areas shown on the Illustrative Masterplan. The inner, middle and outer consultation zones of the pipeline currently extend to 32, 88 and 100 metres respectively on either side of the pipeline, and extend across the western edge of entire application site, as well as the area in the south western corner of the site.
- 8.332** The Health and Safety Executive (HSE) is a statutory consultee for certain developments (which includes the type of development proposed in this application), within the Consultation Distance of major hazard sites and pipelines by virtue of the Town and Country Planning (Development Management Procedure) (England) Order 2015.
- 8.333** HSE have identified that most of the development lies outside the consultation zones for the pipeline and therefore caused no concern to the HSE. Regarding allotments HSE do not advise against these within the consultation areas and therefore do not require any planning conditions in respect of the positioning of allotments. However, it was concluded that two development types, outdoor use by the public, and housing, will lie within the consultation zones and that the risk of harm to people at the proposed development site is such that there were sufficient reasons on safety grounds, for advising against the granting of planning permission.
- 8.334** Specifically HSE identified:
- There would be some overlap between the areas assigned to housing and the middle and outer consultation zones of the major hazard pipeline. HSE would advise against



housing in the middle consultation zone unless the number of dwellings is no more than 30, with the housing density being no more than 40 dwelling units per hectare. HSE would not advise against housing within the outer consultation zone

- There is some overlap between the play areas and sports pitches at the south-west corner of the site and the consultation zone of the pipeline. It is considered that these represent outdoor facilities for use by the public where not more than 100 people would gather at one time. HSE advise against the granting of planning permission for such facilities in the inner consultation zone

**8.335** To resolve these risks to public safety, HSE have advised that they would not advise against the granting of planning permission for the outline application if the following conditions were included on the planning permission:

- No more than 30 dwellings, at a density of no greater than 40 dwelling units per hectare, shall be located within the middle consultation zone of the Fiddington to Uckington gas pipeline.
- No play areas or sports pitches shall be located in the inner consultation zone of the Fiddington to Uckington gas pipeline.

**8.336** The implications of these requested planning conditions on the delivery of the layout of development as shown in the Parameter Plans, Illustrative Masterplan, and Play Strategies Plan is that, with the pipeline in situ, or without additional protection/works to the pipeline (such as increasing the thickness of the pipe which may reduce the size of the consultation zones), it may not be possible to locate the sports hub and play areas in the south western corner in a suitable layout which avoids the consultation zones. In respect to the residential areas, the requested planning condition would not be an impediment as the layout of dwellings can be such to meet the requirements of the planning condition.

**8.337** There have been extensive discussions with HSE, Wales and West Utilities and the applicants on this matter. As a consequence, a report has been commissioned on mitigation measures to the gas pipeline for specialist consultants who work on behalf of the HSE. This pipeline assessment considers the impact of diverting the route, upgrading the steel grade and increasing the wall thickness for a section of the pipeline within the area of the proposed development. The pipeline assessment report identifies that options existing to divert the existing pipeline, as well as upgrade the steel and increase the thickness of the pipeline. It is identified that these options have the ability to reduce the inner consultation zone to 3 metres, the middle consultation zone to 3 metres and the outer consultation zone to 5 metres (with slightly larger consultation zones at bends in the pipeline).

**8.338** As the layout is evolved through future reserved matters applications, it will be for the applicant via liaison with the HSE and Wales and West Utilities to agree an appropriate strategy for mitigation measures to the pipeline, and both HSE and Wales and West Utilities will be consulted on future reserved matters applications to ensure the protection of public safety.

**8.339** However, it has been established that there are mechanisms available to the applicant to reduce/amend the inner, middle and outer consultation zones of the gas pipeline to facilitate a form of development which is compatible with the principles of the Parameter Plans, Play Strategies Plan and Illustrative Masterplan, including the provision of the sports hub in the south west corner of the site.

**8.340** As such, the conditions requested by the HSE are reasonable and can be made compatible with



the proposed development. Therefore, subject to the imposition of the conditions recommended by the HSE, the application is acceptable with regard to public safety.

### **Economic Impact including Employment, Retail, Service Provision and Town Centre Uses**

- 8.341** Strategic Allocation Policy A4 criterion 3 of the JCS states that the development is expected to deliver 13 hectares of predominantly non-B class employment generating land for local centre(s) including the provision of an appropriate scale of retail, healthcare and community facilities to meet the needs of the new community. Criterion 1 of Policy A4 also confirms that the allocation is expected to deliver a 10 hectare business park.
- 8.342** The application proposes 24 ha of employment generating uses including 10 ha B1 business park (up to 40,000 sqm), a hotel up to 200 rooms and mixed use centres providing retail uses and community uses (A1 - A5 up to 6,150 sqm, and D1/D2 up to 3,000 sq m). The submitted Land Use and Access Parameter Plan shows the spatial distribution of the retail, community uses, hotel and the business park across the development.
- 8.343** The business park would be located immediately to the north and west of the existing Gallagher Retail Park and along the Tewkesbury Road frontage. A Mixed Use Neighbourhood Centre would be located to the west of the Business Park which would contain employment, retail, community uses, a hotel and residential uses.
- 8.344** A separate Mixed-Use Local Centre is also proposed in the north east of the site and the Land Use and Access Parameter Plan shows that this is to include employment, retail and community uses as well as a primary school.
- 8.345** The Indicative Masterplan and Concept Plans also shows that a number of other smaller scale retail units (corner shops) could be provided at convenient locations through the development, and the Land Use and Access Parameter Plan allows for the provisions of local shops, cafes, restaurants, pubs and drinking establishments to be provided within the residential parcels of the development.

### Economic Impact

- 8.346** Paragraph 85 of the NPPF states that significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. Paragraph 86 also states that planning policies should set out a clear economic vision and strategy which positively and proactively encourages economic growth, including identifying strategic sites for local and inward investment to meet anticipated needs over the plan period.
- 8.347** In this context Policy SP2 of the JCS sets out the JCS will make provision for at least 192ha of B Class employment land, with a 10ha of this B class employment land being distributed to the application site alongside 13 ha of non-B class employment land through Strategic Allocation policy A4. The application site is therefore an important component of the overall economic growth strategy of the JCS.
- 8.348** The ES contains an assessment in relation to the likely impacts of the development as a whole as well as the employment uses. In summary the ES concludes that as well as providing substantial investment in the local construction sector over the anticipated 15 year build period, including for local construction businesses and their employees during the construction phase, the employment element of the proposed development, including the 10ha business park and



other employment generating uses would lead to substantial beneficial impact on the existing and future population through the provision of new jobs.

- 8.349** The assessment estimates that the proposed development will provide 5,250 full time equivalent job opportunities within the site. Primarily these will be fuelled by the 40,000 sq m B1 Business Park delivering high density and high value employment in business, in areas such as technology and professional service activities, which is estimated to deliver 4,000 full time equivalent jobs. In addition, it is estimated that more than 1,200 full time equivalent jobs will be supported through other employment generating uses, and home based businesses, including the retail, service, leisure, community, education and healthcare uses. In addition, to the on-site jobs it is estimated that the proposed development will support an additional 3,510 net full time-additional jobs across Gloucestershire.
- 8.350** These economic benefits from on-site employment through the construction and occupation phases, as well as off-site employment and increased spend in the economy are considered a substantial benefit of the application proposals.

### Town Centre Uses Planning Policy

- 8.351** When fully complete, the proposed development would house around 9000 residents, which would generate additional demand for retail and service uses, which would in part be accommodated within the proposed development.
- 8.352** The application proposes a number of main town centre uses as defined by Annex 2 of the NPPF including retail, leisure uses and a proposed hotel. Paragraph 91 of the NPPF states local planning authorities should apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan. Paragraph 94 of the NPPF also states that when assessing applications for retail and leisure development outside town centres, which are not in accordance with an up-to-date plan, local planning authorities should require an impact assessment to be undertaken for proposals over 2,500 sq m gross in circumstances where there is no locally set floorspace threshold (which is the case for the application site).
- 8.353** Policy SD2 of the JCS echoes these requirement and states that proposals for retail and other main town centre uses that are not designated in local centres and not in accordance with a policy in the JCS will be assessed against the requirements of the sequential and impact tests in the NPPF.
- 8.354** In this case, the application site is allocated in the development plan and criterion 3 of Policy A4 is clear that the strategic allocation is expected to deliver local centres, including the provision of an appropriate scale of retail to meet the needs of the local community and non-B-class employment generating land within those centres.
- 8.355** The Land Use and Access Parameter Plan defines these new centres with a Mixed Use Neighbourhood Centre being located to the west of the Business Park which would contain employment, retail, community uses, a hotel and residential uses, and a separate Mixed-Use Local Centre is also proposed in the north east of the site and the Land Use and Access Parameter Plan shows that this is to include employment, retail and community uses as well as a primary school.
- 8.356** The Land Use and Access Parameter Plan shows that all town centre uses as defined by the NPPF would be located in these newly created local/neighbourhood centres, besides potentially local shops, cafes, restaurants, pubs and drinking establishments within the residential land



parcels. The appropriateness of the location of any potential town centre uses outside of the newly created local/neighbourhood centres (as allowed by the Parameter Plan), will be considered as part of the Framework Design Code as the proposals evolve.

- 8.357** As the town centre uses are to be located in the newly created defined centres in accordance with policy A4, it is not necessary to undertake a sequential test, or impact test in support of the planning application as set out in the NPPF. However, as stated in criterion 3 of policy A4 it is a requirement that the retail provision is of an appropriate scale to meet the needs of the new community.
- 8.358** It is therefore recommended that conditions are imposed on the planning permission to:
1. To restrict the total A1 convenience goods floorspace that can be delivered in the site to 2,400 sq m net sales floorspace area
  2. To restrict the total A1 comparison goods floorspace to 700 sq m
  3. To restrict maximum gross internal floorspace to up to 2,000m<sup>2</sup> for any single retail unit in the principal neighbourhood centre located in Phase 1;
  4. To restrict the maximum gross internal floorspace of up to 400m<sup>2</sup> for a single retail unit in the northern local centre
  5. To restrict the size of any local shop within the residential areas to 280 net sales floorspace
  6. To restrict the total internal gross floorspace for all the permitted A1-A5 uses to not exceed 6,150m<sup>2</sup>.
- 8.359** This conditional framework will restrict the size of any single individual retail unit, as well as the overall quantum of A1-A5 use classes that can be delivered on the site.
- 8.360** The quantum of retail floorspace permitted on the site is informed by retail capacity analysis which has been submitted by the applicant in support of the application which identifies that in 2031 new residents would generate a convenience spend of circa £21.6m for convenience goods and £44.5m for comparison goods. By contrast, based on average sales density trading figures, it is identified that convenience floorspace could have a turnover of approximately £25m and the comparison goods floorspace a turnover of £4.7m based on the maximum floorspace permitted. This analysis demonstrates that the proposed quantum of convenience goods floorspace proposed would broadly correlate with the expenditure generated by the development, and that the comparison goods floorspace would provide for approximately 10% of generated expenditure, with the remaining expenditure being distributed to other retailers within the wider catchment area as well as the internet.
- 8.361** In addition, the conditional framework will facilitate the delivery of retail business models within the development which are of an appropriate scale to meet the needs of the development, by limiting the sizes of stores to that of a small supermarket/limited assortment discounter in the Neighbourhood Centre and 'top-up' convenience retail models in the northern local centre. Furthermore the 280 sq m trading floorspace restriction on local shops within the residential areas restricts the size of units to those defined as 'small shops' under current trading hour laws.
- 8.362** As such it is concluded that the mix and format of retail uses development would be appropriate scale to meet the needs to the development without diverting trade from elsewhere, whilst providing a critical mass to be attractive to residents and also of a size which would be commercially viable to generate developer/retailers interest to facilitate its delivery. The overall quantum of town centre uses floorspace would also be of an appropriate scale to meet the needs of the new community and would be located in newly created defined centres and is in



accordance with the requirements of Policy A4 of the JCS, and therefore town centre uses policy in the NPPF.

### **Energy Strategy and Energy Efficiency**

- 8.363** Paragraph 161 of the NPPF states that the planning system should support the transition to net zero by 2050 and take full account of all climate impacts including overheating, water scarcity, storm and flood risks and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.
- 8.364** Paragraph 164b) of the NPPF goes on to state that new development should be planned for in ways that 'can help to reduce greenhouse gas emissions, such as through its location, orientation and design. Any local requirements for the sustainability of buildings should reflect the Government's policy for national technical standards.
- 8.365** Policy SD3 criterion 1 of the JCS states that development proposals will be required to demonstrate how they will contribute to the aims of sustainability by increasing energy efficiency, minimising waste and avoiding unnecessary pollution of air and harm to the water environment. Criterion 2 advises that all development will be expected to be adaptable to climate change in respect of the design, layout, siting, orientation and function of both buildings and associated external spaces. Criterion 5 states that major planning applications must be submitted with an Energy Statement that clearly indicates the methods used to calculate predicted annual energy demand and associated annual Carbon Dioxide (CO<sub>2</sub>) emissions.
- 8.366** The Cheltenham Climate Change SPD (adopted June 2022) (CCSPD), sets out a strategy for decarbonising buildings over the next decade. The CCSPD sets out a strategy and checklist for new development and identifies that there are opportunities to achieve the CCSPD strategy through measures include siting and orientation of building as well as opportunity to improve the environmental performance of buildings through the inclusion of technologies and features such as photovoltaics, heat recovery, permeable (or minimal) hard surfaces, fabric first design approach, insulation renewable and appropriately sourced materials, alternative heating systems (heat pump) and thoughtful kitchen design.
- 8.367** In the case of this application, it is relevant in the consideration of energy efficiency measures that the application is submitted in outline for a substantial scheme which is estimated to have a delivery timescale of approximately 15 years (being beyond the timeframe of the CCSPD). It is likely that over this build out timeframe Building Regulations and best practice will evolve as will energy efficiency technologies.
- 8.368** The submitted planning application and in particular the Environmental Statement, Design and Access Statement and Sustainability Statement demonstrate how the proposed development will contribute to sustainable development and energy efficiency such that new housing could be net zero. The Design and Access Statement also indicates how future reserved matters applications will respond to orientation to allow for solar gain, prevent overshadowing and achieve glazing to wall ratios to achieve energy efficient design by encouraging solar gain via south facing windows and minimising heat loss via north facing windows. The Design and Access Statement also explains how roof pitches and roof angles can be designed through future reserved matters applications to maximise efficiency of solar opportunities. The Statement also considers the potential for opportunities for low carbon heat sources such as air source heat pumps and communal heating systems.



- 8.369** In respect to the CCSPD Climate Change Checklist, many of the criteria will be considered alongside future reserved applications and the submission of Energy Strategies/Waste Management Plans for each main phase of development as explained below. However, in relation to those matters of relevance to this outline application, it is the case that this is a substantial mixed use development located within a sustainable location in accordance with JCS Strategy to locate jobs and services near the economically active population, thereby reducing carbon emissions. Due to the strategic mixed use nature of this development, in a location with sustainable travel choices, the site will contribute to meeting the housing needs of Cheltenham in a form that will enable sustainable travel choices and reduce propensity for car use.
- 8.370** In addition, the applicant has carried out a flood risk assessment and the detailed drainage strategy will incorporate sustainable urban drainage systems which will be designed through nature based solutions. It should also be noted that as part of the Framework Design Code required by recommended planning condition 6, the application is required to provide a Landscape Framework for the site incorporating Building with Nature Standards. The applicants will also be required to submit bio-diversity net gain plans for each neighbourhood including improvement works proposed to the watercourses.
- 8.371** Whilst matters of energy efficiency, low carbon heating, renewable energy, embodied carbon and waste management, will be secured through the submission of future Energy Statements and Waste Management Plans, the applicant has agreed to a planning condition requiring that no dwelling shall be connected to mains gas supplies for the purposes of domestic hot water or space heating, thus providing a framework for low carbon heat sources independent of the gas network as required by CCSPD.
- 8.372** Given the timeframe for the delivery of this site, it has been agreed with the applicant that a planning condition is imposed on the outline permission, requiring that prior to the submission of each main phase of development as defined on the Phasing Parameter Plan an Energy Strategy be submitted and agreed by the Local Planning Authorities, which as a minimum will demonstrate how the phase will deliver operational net zero as outlined in the CCSPD, or as the case maybe, with the prevailing Building Regulations where these are more ambitious than the CCSPD at the time of submission. The applicant will also for each phase be required by the condition to demonstrate how the phase will deliver a low carbon heating strategy and give consideration to the technologies the development will require, and the energy infrastructure required to meet operational net zero.
- 8.373** Officers consider that given the scale of this application and build out timescale, this condition is the most appropriate framework to delivery energy efficiency and carbon reduction on the site, allowing for evolving best practices and technologies over the delivery timescale. Cheltenham Borough Council's Climate Change Advisor has agreed to this approach. As such, subject to the imposition of conditions , officers consider the application is compliant with the NPPF, Policy SD3 of the JCS as well as the CCSPD.

### Utilities

- 8.374** The application is supported by a Utilities Statement which assesses existing utilities infrastructure and considers how utilities infrastructure would serve the development proposals. The findings are summarised below, for information, detailing how the development would be served, but Committee Members should note that some of these matters are not being approved as part of the planning application and are controlled by other legislation.

### Electricity



- 8.375** There is existing low voltage underground electricity infrastructure running along the south of Tewkesbury Road to the south of the site and also low voltage overhead lines to the north of Hyde Brook to the north of the site. It is advised that a temporary point of connection (POC) to the existing mains electricity network will be at Tewkesbury Road to serve the first 300 dwellings. Thereafter a permanent POC is to be located at the outgoing terminals of Western Power Distribution's High Voltage metering circuit breakers, located at Cheltenham Primary Substation off Hester's Way Road. Details of the required connection works have been provided by Western Power Distribution

### Gas

- 8.376** The gas distribution network in the area is operated by Wales and West Utilities. There is an existing medium pressure underground gas main running along Tewkesbury Road to the south of the site where a connection is possible. The gas POC from the development to the existing gas network could be at Tewkesbury Road. It is advised that there is sufficient capacity in the network. However, the applicant has agreed to a planning condition which states that no dwelling shall be connected to mains gas supplies for the purposes of domestic hot water or space heating.

### Water Supply

- 8.377** Severn Trent Water is the potable water supplier for the area, which is supplied from the Hewitt Reservoirs to the east of Cheltenham
- 8.378** Severn Trent Water have undertaken a study into the likely water demand that would be generated by the proposed development and whether capacity exists in the existing infrastructure to accommodate the demand.
- 8.379** The study identified a daily demand of approximately 1.34 million litres per day (ML/d) and as much as 1.7 ML/d during periods of peak demand. This figure was based on a development of 4,000 dwellings with an estimated population of 10,560.
- 8.380** Severn Trent Water has stated that a temporary connection could be made to the mains pipe to the south of the site at Tewkesbury Road and that this could satisfy the first 642 residential dwellings (or equivalent).
- 8.381** Severn Trent Water has also provided details and associated costs for establishing a permanent POC for potable water supply, which would be a new main which will connect the existing main at Hayden Road to the proposed development at the south west corner of the site.

### Foul Drainage

- 8.382** At present the foul drainage catchment does not have sufficient capacity to serve the entire development. Severn Trent Water are aware of proposed development, as well as other major proposals, within the local area and are currently undergoing a strategic assessment of the required improvements and new infrastructure to serve this site and other strategic developments in Cheltenham.
- 8.383** Ongoing discussions are being held with STW by the applicants to keep them abreast of the development proposals and the proposed phasing of the development.
- 8.384** Severn Trent have been consulted on the application and raise no objections subject to the



imposition of conditions. Severn Trent have identified that improvements may be required to the waste water network and Hayden Treatment Works to accommodate the development. It is advised that investigations are ongoing to devise a drainage strategy for this area.

- 8.385** Consequently Severn Trent have requested a condition be imposed on the outline planning permission requiring that if the development is permitted, that prior to the commencement of development for each of the main phases a Neighbourhood Foul Drainage Strategy be submitted and agreed. The applicant has confirmed that they are satisfied with this approach and are confident that the foul drainage strategy will be agreed with Severn Trent as detailed plans are evolved as part of the future reserved matters.
- 8.386** A conditional framework is proposed on the outline planning permission requiring the submission of Neighbourhood Foul Drainage Strategies prior to the commencement of development of each phase, and Severn Trent will be consulted on these Strategies.
- 8.387** As such, there is no foul water infrastructure constraint to the development proposals, and whilst upgrades to the network will be required, these can be secured through the proposed planning condition framework.

### Telecommunications/Broadband

- 8.388** Off-site BT infrastructure is located along Elmstone Hardwicke Lane to the west of the site and along Tewkesbury Road to the south of the site. The applicant advises that onsite and offsite costs for the fibre communications and Integrated Receiver Systems (IRS) Networks have been determined. A new connection will be established between a POC location at the south west of the site and the existing network to the south west of the site.
- 8.389** In summary, there are no utility constraints that could not be addressed through planning conditions and subsequent reserved matters applications.

### **Open Space, Outdoor Recreation and Sports Facilities and Community Provision**

- 8.390** Paragraph 96 of the NPPF sets out the planning system should enable and support healthy lifestyles and plan positively for the provision of safe and accessible green infrastructure, sports facilities, allotments and layouts that encourage walking cycling. Access to high quality open spaces and opportunities for sports and recreation can make an important contribution to the health and well-being of communities.
- 8.391** JCS Policy INF4 provides where new residential development will create or add to, a need for community facilities, it will be fully met as on-site provision and/or as a contribution to facilities or services off-site. JCS Policies INF6 and INF7 support this requirement. Strategic Allocation Policy A4 also states that the development will be expected to deliver communities facilities to meet the needs of the new community.
- 8.392** Policy RCN1 of the TBP requires the provision of appropriate public outdoor space, sports pitches and built sports facilities to meet the needs of local communities. The policy advises that provision should be informed by the most up-to-date evidence base. Policy CI1 of the CP also requires development proposals to secure infrastructure benefits including green infrastructure and open space and suitably designed and located play, recreation, sports and leisure facilities. Policy CI2 of the CP states that new development will be expected to contribute towards meeting local standards for open space, playing pitches, and built sports facilities.
- 8.393** To inform the determination of this planning application, in 2024 Cheltenham Borough Council



published an evidence base document which calculated indoor and outdoor sports facilities need for both the Elms Park and West Cheltenham Strategic Allocations using a tailored approach for the populations which the development would generate. This Sports Facility Needs Report (SFNR) provides the most up-to-date evidence of the indoor and outdoor sports requirements for the Elms Park planning application in the context of policies RCN1 of the TBP and CI1 and CI2 of the CP.

- 8.394** During the determination of the application, and following the publication of the SFNR there has been extensive liaison between the applicants, Sports England and the Councils' Communities Teams to determine the appropriate provision of sports facilities on the site having regard to the Regulation 122 of the Community Infrastructure Levy Regulations 2010 which states that:
- 8.395** A planning obligation may only constitute a reason for granting planning permission for the development if the obligation is—
- (a) necessary to make the development acceptable in planning terms;
  - (b) directly related to the development; and
  - (c) fairly and reasonably related in scale and kind to the development.
- 8.396** The agreement of the provision of sports, recreational and community facilities has been agreed within this policy and legislative context.

### ***Sports, Play Facilities and Community Buildings***

- 8.397** In consultation with Sports England and the Councils' Communities Teams it has been agreed that the development will provide the following on site sports facilities:
- **A single sports hub** which will provide:
    - o 1 x Cricket Pitch (being 1 x 8 pitch/wicket square) including an area for storage of covers and sight screens.
    - o 1 x cricket non-turf pitch adjacent.
    - o 2 bay cricket net facility and building for ground maintenance equipment).
    - o 2 x Youth Football Pitches (11v11 natural pitches).
    - o 1 x 3G pitch full sized, fenced with sports lighting.
    - o 1 x sports Pavillion to be environmental sustainability designed which will include 2no. sets of officials changing rooms to accommodate 3 per officials per room, and 4no. team changing rooms which associated toilets and shower facilities. The pavilion will also contain a kitchen, club room, storage and lockers as well as appropriate parking and the provision of electric vehicle charging points.
  - **Four tennis courts (minimum of 2 sports-lit)** to be built in accordance with Lawn Tennis Association Guidance.
  - **Sports Hall** - A financial contribution towards the provision of a 6-court sports hall (with appropriate community storage) at the secondary school should a Community Use Agreement for the secondary school be secured in perpetuity. The financial contribution is be defined based in uplift in build costs between a 4 court and 6 court sports hall and is anticipated to be in the order of £2,400,000.
  - In the absence of a Community Use Agreement being secured, the developer shall be required to provide a 4-court sports hall (with appropriate community storage) within the



Mixed-Use Neighbourhood Centre in accordance with Sports England specifications.

- **Outdoor Play and Recreation** – The applicant will be required to provide 2 NEAPS (1 NEAP with a pump track and 1 NEAP with a skate park), 3 MUGAs, and 9 LEAPS, across the site together with outdoor fitness facilities, running trails and cycle paths. The design and phasing of these facilities is to be approved via detailed phasing plan and the submission of a Public Open Space and Access Strategy pursuant to the outline planning permission.

- 8.398** The Land Use and Access Parameter Plan allows for flexibility in the location of these facilities as the layout is evolved via the submission of Phasing Plans, the Framework Design Code and Neighbourhood Design Codes pursuant to the granting of outline planning permission. However, the outline planning application is supported by a Play Strategies Plan which identifies how these facilities may be delivered on the site, and this Plan will inform the subsequent Design Code.
- 8.399** The Play Strategies Plan shows a layout of development whereby the sports hub alongside a NEAP, LEAP and MUGA are located within the south west corner of the site, within Phase 1, facilitating delivery within the early phases of the scheme to meet the needs of residents. The provision of the sports hub which will accommodate a range of different sports, adjacent to a pavilion, will assist in providing a critical mass of users of the pavilion which will assist in its long term viability. Within the south west corner of the site, the landform is generally flatter, the result of which is that less earthworks would be required to accommodate level playing services. As set out elsewhere in this Committee Report, dependent on the final layout of sports pitches and associated infrastructure it may be necessary for the applicants to divert the existing gas pipeline which runs underneath this part of the site. The principle of diverting this gas pipeline has been agreed between the applicants, Wales and West Utilities, and the Health and Safety Executive should it be necessary.
- 8.400** It has been agreed with the applicants that this sports hub should be fully operational before the occupation of 1,000 dwellings. This phasing takes account of the timeframe for agreeing the technical specifications and potentially undertaking the works to divert the gas pipeline and the costs of undertaking those works, as well as the timeframe for laying the sports pitches, building pavilion, and the 3G pitch.
- 8.401** In addition to this sports hub, the Play Strategies Plan also shows a form of development whereby a further NEAP, alongside two further MUGAS and a network of LEAPS will be located within the central green corridor as well in the built up areas. Whilst the location and design of these facilities will be secured subsequent to the granting of outline permission, it is considered that the Play Strategies Plan demonstrates a layout is achievable which would deliver a network of play and recreation facilities within the green infrastructure corridor and in the built up areas which would provide accessible play facilities for residents to enable and support healthy lifestyles and plan positively for the provision of safe and accessible green infrastructure.
- 8.402** As set out above, detailed Public Open Space Access Strategy will also deliver waymarked walking routes with appropriate surfacing at 2.5km & 5km within the areas of open space to provide opportunities for recreational enjoyment and dog walking to provide accessible recreational opportunities for residents. Outdoor fitness facilities information boards, and related furniture will be provided within these routes to ensure the delivering of a high quality recreational environment.



**8.403** In addition to the on-site sports facilities, it has been agreed, having regard to the evidence base provided by the SFNR, that the development will provide the following planning obligations to off-site sports facilities.

- A contribution of £366,000 to meet the needs of the new population towards the development of an Artificial Grass Pitch facility for Hockey at Pates Grammar School which is located some 1.3 miles from the application site. The current pitch at the school has been classed as being poor quality and due to the state of the pitch and the lack of floodlighting, the school is not able to make the pitch available for community use. The school has been in discussions with local hockey clubs to use the school as a base, and the contribution would require a community use agreement to be entered into. Should this proposal not be delivered the planning obligation will include a clause for the contribution to go towards other facilities within the locality.
- A contribution of £321,000 towards the improvement of Rugby Union Facilities at Cheltenham Tigers Rugby Club (2 miles from application site) and Cheltenham North Rugby Club that will provide additional capacity to meet the needs of the new population. The monies would go towards schemes to improve pitch quality, provide additional areas for play, provide flood lights and improve parking. Should these proposals not be delivered the planning obligation will include a clause for the contribution to go towards other facilities within the locality.

**8.404** The applicant has indicated a willingness to enter into a legal agreement to secure these planning obligations. It is considered by officers that it is more appropriate for the development to contribute to these existing off-site facilities rather than provide a single hockey pitch or rugby pitch on site. This is due to the fact that these clubs are club based and the provision of one hockey or one rugby pitch in isolation would unlikely to be successful and remain viable in the longer term, and it is considered that the most appropriate mechanism to plan positively for recreational opportunities for new residents in these sports is to secure monies to increase capacity and the quality of existing clubs in proximity to the application site.

### Allotments and Orchards

**8.405** The planning obligations would deliver two allotments across the application site, of not less than 2.4ha in total, which each measuring approximately 1.2ha. The exact location and phasing of these allotments will be secured through provisions within the planning obligation and as part of the Phasing Strategy and Design Codes but the Illustrative Masterplan indicates that one will be located to the north of Swindon Village allotments and the second to the west of the Transport Hub. This quantum of provision accords with the Cheltenham Borough Council Open Space Study Standards Paper (November 2016) of 0.25ha per 1,000 population. Each allotment would be broadly capable of delivering approximately 44-46 full size (250m<sup>2</sup>) plots or 88-92 half (125m<sup>2</sup>) plots with the remainder of the space occupied by communal areas; paths, drop off points, compost toilet etc. The planning obligation will require the allotments to have toilet facilities, underground utility services/water supply, as well as appropriate roads, paths and vehicle parking/bicycle parking areas. It is anticipated that these allotment facilities will be transferred to Swindon Village and Uckington Parish Councils.

**8.406** The application also proposed the planting of two new orchards, and whilst the exact locations and specifications of these orchards will be secured pursuant to the outline planning permission, the Illustrative Masterplan indicates that these will be provided in the north-west and south west corners of the site.

### Community Centres and Supporting Functions



- 8.407** The planning obligations would deliver two community centres across the site. The main community building would be located in the Phase 1 Main Southern Community Centre. The planning obligations will require the provision of an 800 sq m community centre within the this Neighbourhood Centre to provide a flexible space to include dedicated youth space, a community café, flexible meeting spaces, toilets, and associated parking. It is anticipated that this community centre will be incorporated into a larger mixed use building which will also include a General Practice Surgery of 1,264 sq m, however the planning obligations will allow for flexibility to allow for this provision to be provided in a separate building as detailed proposals progress. Should a Community Use Agreement for the use of the a 6-court sports hall at the secondary school not be forthcoming, it is also likely that the fallback position 4-court sports hall would be provided in this community building, although the planning obligation will allow for some flexibility in the location of this facility.
- 8.408** The planning obligation will also deliver the provision of a second 600 sqm community centre in the phase 2 mixed use local centre in the north east of scheme in proximity to the primary school. Again this would be a flexible shared space(s) facility that can be adapted to suit a variety of uses, and would include co-working space, café, shop, meeting / studio space, youth space, toilets and any necessary ancillary parking.
- 8.409** In addition to these community buildings, the planning obligations will include provisions for a Community Development Officer (for an eight year period). The Community Development Officer's role would at the initial stage involve engaging with surrounding communities; and once the houses begin construction the role would extend to creating a sense of community, including through the development of structures that are resident-led and responsive to local community needs such as the creation of engagement structures and residents forums. The role would also include providing links between the open space management company and residents. The planning obligation will also require the formation of community liaison groups to give guidance, and assist decision making in respect of the specification and delivery of the provision Community Buildings.

#### Conclusions Sports, Play and Community Facilities

- 8.410** The applicants have indicated a willingness to enter into a legal agreement to secure the sports, play and community facilities set out above. These provisions have been agreed following discussions consultees, and officers consider that these provisions will provide high quality open spaces and opportunities for sports and recreation and make an important contribution to the health and well-being of communities. The proposal will provide community and play facilities to meet the needs of the new community, and provide appropriate infrastructure which is necessary, directly related and reasonable related in scale and kind to the development proposals. As such it is concluded that the development is compliant with policies INF4, INF6, INF7 and A4 of the JCS, Policy RCN1 of the TBP, and policies C11 and C12 of the CP as well as Regulation 122 of the Community Infrastructure Levy Regulations 2010.

#### **Education, Healthcare and Libraries**

- 8.411** JCS Policy INF6 relates directly to infrastructure delivery and states that any infrastructure requirements generated as a result of individual site proposals and/or having regard to the cumulative impacts, should be served and supported by adequate and appropriate on/off-site infrastructure and services. The Local Planning Authorities will seek to secure appropriate infrastructure, which is necessary, directly related, and fairly and reasonably related to the scale and kind of the development proposal. Policy INF4 of the JCS



requires appropriate social and community infrastructure to be delivered where development creates a need for it. JCS Policy INF7 states the arrangements for direct implementation or financial contributions towards the provision of infrastructure and services should be negotiated with developers before the grant of planning permission. Policy SA1 sets out that infrastructure should be planned for and provided comprehensively across the strategic allocations site taking into account the needs of the whole Strategic Allocation. Site specific allocation policy A4 also advised that the allocation is expected to deliver primary and secondary education schools and facilities, and healthcare and community facilities, to meet the needs of the new community.

### Education

- 8.412** Gloucestershire County Council as Local Education Authority (LEA) have been consulted on the application. It is advised that the residual 3,849 dwellings (discounting the 266 dwellings which are committed at Swindon Farm) would yield circa 566 secondary (11-16) places. This calculation is based on the assumption that all dwellings are qualifying dwellings. i.e. more than one bedroom, as the final dwelling mix remains unconfirmed until the reserved matters are submitted and approved. The LEA also identify that the Cheltenham Secondary School Planning Area is forecast to be full, as is the catchment school for this location.
- 8.413** Based on the same assumptions as above, it is also advised that the development would yield circa 192 secondary (16-18) places and that there are no surplus of places available.
- 8.414** As such, the LEA advised that there is a requirement to provide a secondary school on the site, and that 7.7ha of safeguarded land is required to be made available for this facility (including sixth form). In addition, the LEA have requested planning obligations towards the delivery of this facility. The maximum contributions that will be sought are **£16,521,458.92** towards Secondary Education (11-16) and **£5,619,543.85** towards secondary education (11-18). This will be the maximum contribution, and the planning obligation will provide for a review clause, which is the mechanism for ensuring the correct contribution is paid based on the actual number of qualifying dwellings (those with two or more bedrooms) being delivered.
- 8.415** The applicant has agreed to these planning obligations requests, and the Land Use and Access Parameter Plan has identified a parcel of land to deliver this facility to the north west of the Mixed Use Neighbourhood Centre. The Local Planning Authorities are currently in ongoing discussions with the LEA regarding the required timescales for the delivering the school, however, as the Secondary School site is located in Phase 1, the flexibility exists to enable the Secondary School to be delivered in the early phases of the scheme. The LEA have also confirmed to the Local Planning Authorities that the secondary school site is of sufficient size to accommodate either a four court sports hall or six court sports hall.
- 8.416** In respect to primary school places impact, the LEA have advised that the residual 3,849 dwellings (discounting the 266 dwellings which are committed at Swindon Farm) would yield a maximum of circa 1,155 primary school places (based on all dwellings being qualifying dwellings). It is advised that there is a small number of surplus places across School Planning Area, which when applied creates an additional demand at 1,085 places for this development.
- 8.417** To accommodate this demand the LEA have advised that there is a requirement to provide a total of 5.4-hectares of safeguarded land for 2 x 2.7-hectare sites for primary schools to meet this additional demand, with a maximum contribution of **£26,151,733.30** towards building those new places, with a review mechanism to be included in the planning obligation.
- 8.418** Again, the applicant has agreed to these planning obligations requests, and the Land Use and



Access Parameter Plan has identified two parcels of land to deliver these facilities; one being to the north west of the Mixed Use Neighbourhood Centre (adjacent to the Secondary School), and one being in Phase 2 in the Local Centre to the north west of Swindon Village. The Local Planning Authorities are currently in ongoing discussions with the LEA regarding the required timescales for these delivery these facilities, however, it is considered that the location of these land parcels in phases 1 and 2 will enable the delivery of the primary schools in an appropriate sequencing framework relative to the delivery of dwellings and the needs that those dwellings would generate.

### Healthcare

- 8.419** The Gloucestershire Integrated Care Board (GICB) have been consulted on the planning application who have delegated authority from NHS England for the commissioning of Primary Care Services. This includes consideration of premises requirements to deliver these services.
- 8.420** The GICB have advised that the delivery of 4,115 dwellings with an average occupancy of 2.2 people per home would lead to 9,053 patients. These patients would generate a requirement of 755sq m GIA of general medical practice services. In addition a general medical practice would require appropriate clinical rooms, changing rooms and changing spaces. As such the total general medical services floorspace requirement is 878sq m GIA. It is also advised that additional space for community services including district nurseries, health visitors, community midwives, physio therapists and a dental suite would also be required. The GICB advise that the total building size required for this development would be a building of some 1,264 sq m GIA with associated parking. The total build costs for this facility as of May 2023 was estimated at £6.63m.
- 8.421** It has been agreed with the applicant that this facility will be provided either as floorspace within a combined Mixed-Use Community Building, or a stand-alone building, or as land and financial contribution in the Mixed-Use Neighbourhood Centre. The final design and location solution for the general medical practice will be agreed as part of the Framework and Neighbourhood Design Codes pursuant to recommended conditions 6 and 7, as well as future reserved matters applications pursuant to the granting of the outline planning permissions.

### Libraries

- 8.422** In terms of libraries, Gloucestershire County Council as library provider have advised that the size of this development is likely to have a significant impact on surrounding libraries. The libraries principally impacted by the proposed development would be Hesters Way Library and Cheltenham Library. Considering the scale of the proposed development and the lack of capacity at these principal libraries serving the development site, it is advised that there is a clear need for additional library floorspace to be provided to mitigate against the impact of the development.
- 8.423** It is advised that based on average household size of 2.4 occupants the additional library capacity required to serve this development would be 277.13sq m. Gloucestershire County Council's Asset Management and Property Services have advised that the build cost of such a facility would be £1,114,893.99 and the cost of fitting out and stocking of this new floorspace would be £754,404.00. The total overall cost of providing new/enhanced library facilities serving the development would therefore be **£1,869,297.99** which amounts to **£485.66 per dwelling**.
- 8.424** There are several options available which would meet the needs of the new community and further investigation into feasibility of each is ongoing but the options include:



- On or off-site provision of a brand-new library
- Expansion and refurbishment of Hesters Way Library
- Due to the physical constraints imposed by the location and heritage status of Cheltenham Library, expansion of the library floorspace is not possible but an option would be for the library to relocate to new premises serving the West Cheltenham strategic allocation, i.e. no further in terms of distance or accessibility but providing larger and more suitable premises to meet the needs of the community

**8.425** Therefore Gloucestershire County Council have requested a contribution of £485.66 per dwelling towards the provision of a new library serving the development or enhancements, including extension or premises relocation, of Hesters Way and/or Cheltenham Libraries, including the improvement of customer access to services through refurbishment of buildings, improvements to stock, IT and digital technology, and increased services. The planning obligation will allow for flexibility in how the library provision will be provided, and the final solution may be determined taking account of cumulative contributions that may be received from other strategic proposals including those currently being considered in the West Cheltenham Strategic Allocation.

**8.426** The applicants have agreed to the principle of the planning obligation request and it is considered by officers that the contribution meets the s106 tests insofar that it is directly related to the size of the development, and fairly and reasonably related in scale and kind for what is a substantial development which will generate a need for new library space.

*Conclusions Education Healthcare and Libraries*

**8.427** The applicants have indicated a willingness to enter into a legal agreement to secure the provisions set out above. These provisions have been agreed following discussions with consultees, and officers consider that these provisions provide appropriate infrastructure which is necessary, directly related and reasonably related in scale and kind to the development proposals. As such it is concluded that the development is compliant with policies INF4, INF6, INF7 and A4 of the JCS, as well as Regulation 122 of the Community Infrastructure Levy Regulations 2010.

**Gloucestershire Constabulary Planning Obligation Request**

**8.428** Gloucestershire Constabulary (GC) are seeking a planning obligation contribution towards the following additional infrastructure:

- Equipping 24 new additional police officers: £341,712
- Police Vehicles: £50,571
- Premises: £1,089,300
- Total £1,482,183.35

**8.429** This planning obligation request does not currently discount the committed 266 dwellings at Swindon Farm, but amounts to a contribution of approximately £360 per dwelling.

**8.430** In requesting these contributions, GC advise that this is a development to be constructed on land which is predominantly free from any development requiring currently minimal amount of policing. On this basis, GC advise that the proposed development would create new additional crime and other incidents to occur, which, will substantially increase the demand for additional



policing over and above what is currently necessary in the proposed development area. GC also advise that the most updated crime and incident records (which is what is used to calculate incidents) indicate that this type of development will increase the policing demand and lead to a further 1,449 incidents per year in addition to traffic incidents which will require a police response.

- 8.431** GC advise that the requested mitigation is conservatively calculated accounting for additional demand over and above what the government grant allocation and additional council tax income will generate. GC have stated that without the requested contribution the police would be unable to provide adequate policing to the proposed development and the existing community.
- 8.432** As set out above, planning obligations may only constitute a reason for granting planning permission if they meet the tests that they are necessary to make the development acceptable in planning terms. They must be:
- necessary to make the development acceptable in planning terms;
  - directly related to the development; and
  - fairly and reasonably related in scale and kind to the development.
- 8.433** Paragraph 96 of the NPPF states that planning decisions should aim to achieve healthy, inclusive and safe places which, inter alia, provide safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion.
- 8.434** Criterion 1 of policy INF6 of the JCS also advises that where infrastructure requirements are generated as a result of individual site proposals and / or having regard to cumulative impact, new development will be served and supported by adequate and appropriate on- and / or off-site infrastructure and services. In identifying infrastructure requirements, development proposals will also demonstrate that full regard has been given, where appropriate, to implementing the requirements of the Joint Core Strategy Infrastructure Delivery Plan.
- 8.435** Criterion 2 of Policy INF6 also identifies that where need for additional infrastructure and services and / or impacts on existing infrastructure and services is expected to arise, the Local Planning Authority will seek to secure appropriate infrastructure which is necessary, directly related, and fairly and reasonably related to the scale and kind of the development proposal. This includes at criterion xi for safety and security including emergency services. Criterion 3 of Policy INF6 states that priority for provision will be assessed both on a site-by-site basis and having regard to the mitigation of cumulative impact, together with implementation of the JCS Infrastructure Delivery Plan.
- 8.436** In this regard, JCS Infrastructure Delivery Plan, identifies that development growth in the JCS area would generate requirements for police property infrastructure and non-property infrastructure (including patrol cars and protective equipment). At page 100 of the Infrastructure Development Plan it is noted that funding will be sought from developers through S106 Planning Obligations or CIL.
- 8.437** Criterion 4 of Policy INF6 states the planning permission will be granted only where sufficient provision has been made for infrastructure and services to meet the needs of new development and/or which are required to mitigate the impact of new development upon existing communities.
- 8.438** It is primarily a matter of planning judgement for the Councils in the first instance as to whether



it considers the relevant tests have been satisfied on the evidence provided. Officers acknowledge the scale of this application site and that it will result in an increase of population and a built up area in an area that was previously undeveloped.

- 8.439** The applicants have advised that there may be opportunities to provide new police premises within the application site, possibly within the mixed-use community centre.
- 8.440** However, although GC have provided some details in respect of the methods GC has used to calculate the contributions requested, these are considered to be generic in nature lacking in background detail including as regards the extent (or otherwise) of surplus/existing provision in the area and the extent (or otherwise) this could provide towards the additional policing and resources demand arising from the development. It is therefore not considered by the officers that these have been shown to be necessary in planning terms to mitigate the impact of the development, or that they are directly related to the development, fairly and reasonably related in scale and kind to the scheme and necessary to make the development acceptable in planning terms.
- 8.441** It is therefore considered that these requests do not comply with the CIL regulations tests.

### Land Ownership and Planning Condition

- 8.442** The application site currently comprises a number of landowners, which includes the applicants who own much of the north eastern sector of the site, as well as Gloucestershire County Council who own the southern and north western sectors. However, there are two areas that are neither within the control or ownership of the applicants nor Gloucestershire County Council, to the east and south of the dwellings known as Fairfields (Third Party Land).
- 8.443** The Parameter Plans submitted in support of the outline planning application show a layout of development which would allow for the delivery of the principal supporting infrastructure including the schools, sports hub and community buildings without reliance on the Third Party Land. Those parts of the application site which are within the Third Party Land are shown in the Parameter Plans as either providing housing and/or green infrastructure.
- 8.444** National Planning Practice Guidance (PPG) provides guidance on the use of planning conditions. The PPG advises that:

‘A positively worded condition which requires the applicant to enter into a planning obligation under section 106 of the Town and Country Planning Act 1990 or an agreement under other powers, is unlikely to pass the test of enforceability.

A negatively worded condition limiting the development that can take place until a planning obligation or other agreement has been entered into is unlikely to be appropriate in the majority of cases. Ensuring that any planning obligation or other agreement is entered into prior to granting planning permission is the best way to deliver sufficient certainty for all parties about what is being agreed. It encourages the parties to finalise the planning obligation or other agreement in a timely manner and is important in the interests of maintaining transparency.’

- 8.445** The PPG goes on to state that:

‘However, in exceptional circumstances a negatively worded condition requiring a planning obligation or other agreement to be entered into before certain development can commence



may be appropriate, where there is clear evidence that the delivery of the development would otherwise be at serious risk (this may apply in the case of particularly complex development schemes). In such cases the 6 tests should also be met.'

**8.446** The PPG also states:

'Where consideration is given to using a negatively worded condition of this sort, it is important that the local planning authority discusses with the applicant before planning permission is granted the need for a planning obligation or other agreement and the appropriateness of using a condition. The heads of terms or principal terms need to be agreed prior to planning permission being granted to ensure that the test of necessity is met and in the interests of transparency.'

**8.447** In the circumstances of this case, officers consider that 'exceptional circumstances' exist to justify the imposition of a planning condition requiring no development to take place on the Third Party Land, unless and until all parties with a legal or equitable interest in that land have been joined as parties to the Section 106 Agreement on the basis of which this permission is granted, and the title to such land has been properly deduced to the Local Planning Authority.

**8.448** These exceptional circumstances exist as this is a large complex strategic development site for which the applicants have not completed a full land assembly in respect of the application site. It is one that has already taken a significant amount of time to reach this stage and it is considered to be evident that there would continue to be further delays as regards the development should all landowners, including landowners of the Third Party Land, be required to enter into the s106 obligations before the planning permission is issued. Officers consider that there would be a serious risk to the delivery of the development of the planning permission and thus the requirements of the Strategic Allocation in the JCS.

**8.449** However, the Councils also need to be satisfied that no part or parcels of the development will come forward without the appropriate mitigation necessary in respect of those parts or parcels; and further that the development comes forward in a satisfactory manner.

**8.500** As such officers consider that in respect of the application that it is necessary, relevant to planning and the development permitted, and reasonable in all other respects, to impose a planning condition restricting development to take place on the Third Party Land, until all parties with a legal or equitable interest in that land have been joined as parties to the Section 106 Agreement. Such a planning condition would also be enforceable and precise and would therefore meet the six condition tests and allow development in respect of the remainder of the application to proceed.

**8.501** The Local Planning Authorities have received representations from a Third Party landowner contesting the imposition of a negatively worded planning condition, and advising that they consider exceptional circumstances do not exist and that the land is available for development and that they are willing to enter into a planning obligation.

**8.502** Officers have carefully considered these representations and consider that the exceptional circumstances do exist for the imposition of the planning condition preventing development on the Third Party Land under the application, until all parties with an equitable or legal interest in that land have been joined as parties to the Section 106 Agreement. The wording of the condition has been agreed with the applicant as advised in the PPG.

### ***Section 106 obligations and Ongoing Discussions***



- 8.503** The Community Infrastructure Levy (CIL) Regulations allow local authorities to raise funds from developers undertaking new building projects in their area. Whilst the Councils do have a CIL in place, infrastructure requirements specifically related to the impact of the development will continue to be secured via a Section 106 legal agreement. The CIL regulations stipulate that, where planning obligations do not meet the tests, it is 'unlawful' for those obligations to be taken into account when determining an application.
- 8.504** These tests are as follows:
- a) necessary to make the development acceptable in planning terms.
  - b) directly related to the development; and
  - c) fairly and reasonably related in scale and kind to the development.
- 8.505** JCS Policy INF6 relates directly to infrastructure delivery and states that any infrastructure requirements generated as a result of individual site proposals and/or having regard to the cumulative impacts, should be served and supported by adequate and appropriate on/off-site infrastructure and services. The Local Planning Authority will seek to secure appropriate infrastructure which is necessary, directly related, and fairly and reasonably related to the scale and kind of the development proposal. Policy INF4 of the JCS requires appropriate social and community infrastructure to be delivered where development creates a need for it. JCS Policy INF7 states the arrangements for direct implementation or financial contributions towards the provision of infrastructure and services should be negotiated with developers before the grant of planning permission. Financial contributions will be sought through S106 and CIL mechanisms as appropriate.
- 8.506** Discussions on the proposed section 106 planning obligations are ongoing and have reached an advanced stage, which is considered good practice in terms of a scheme which gives rise to the need for mitigation in one form or another, over many years. The proposed section 106 obligations are set out in this report and include financial contributions towards:
- Affordable housing and older persons housing
  - M5 Junction10 Improvement scheme
  - Travel Plan Deposit and Monitoring Contribution
  - Implementation of Public Transport Strategy
  - Education facilities
  - Libraries facilities
  - General Practice Medical Facility
  - Community buildings
  - Sports hall (either standalone or enhanced provision in secondary school)
  - On-site sports, open space and play facilities
  - Off-site sports facilities
  - Allotments and orchards
  - Community stewardship measures
  - Waste and Recycling facilities
- 8.507** The agreed planning obligation monies are specified in this Report, however, officers seek delegated authority to continue negotiating the planning obligation monies to take account of factors such as the consented 266 dwellings in the Swindon Farm planning permission (CBC ref 20/00759/FUL) (in respect of which planning obligation monies have already been entered into), which have not in all instances been taken into account from consultee planning obligation requests.



- 8.508** Discussions are also ongoing with the applicant regarding the future management arrangements of the site including for public open space, sports facilities, allotments and community buildings. A number of options are being considered including private management companies and stewardships schemes, and these discussions will continue to progress. Officers also seek delegated authority to continue these negotiations on future management arrangement and complete the planning obligations following the outcomes of these discussions.
- 8.509** Officers are seeking delegated authority for the completion of a S106 obligation to deliver the infrastructure and other mitigation, as set out at paragraph 8.506, and for alterations to s106 heads of terms as may be agreed under delegated authority given to the Director of Growth in consultation with the Chairman and Vice Chairman of the Development Management Committee.
- 8.510** Specific matters which will be progressed through Delegated Authority pursuant to a positive committee resolution, include:
- Allowance for discount mechanism for the planning obligation monies to take account of factors such as the consented 266 dwellings in the Swindon Farm planning permission (CBC ref 20/00759/FUL) (in respect of which planning obligation monies have already been entered into.
  - Agreement of the future management arrangements of the site including for public open space, sports facilities, allotments and community buildings.

## **9. Conclusion**

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- 9.1** The application proposal forms the majority of the North West Cheltenham Strategic Allocation and is a critical element of the adopted JCS spatial strategy. The delivery of this site has substantial benefits in delivery housing supply, including affordable housing, within the plan period up to 2031 and beyond. The proposals would also give rise to substantial economic benefits from on-site employment through the construction and occupation phases, as well as off-site employment and increased spend in the economy.
- 9.2** Unsurprisingly however, a development proposal of this scale will give rise to various issues and concerns and create tensions and conflict with other policy interests. As such, a considerable amount of time has gone into reviewing, assessing, and evolving the submission documents to understand and shape the mitigation that is required to ensure that new homes, employment uses, alongside all other components this development proposal, are capable of being sustainable development.
- 9.3** This has included lengthy discussions with consultees around the content of planning obligations that are necessary to make the development acceptable in planning terms, directly related to the development; and fairly and reasonable related in scale and kind to the development to achieve this.
- 9.4** Having had careful regard to both advice from National Highways and Gloucestershire Highways, the Councils have set out their approach in respect of the level of development across the strategic allocations that can be accommodated in advance of delivery of M5 Junction 10. There is still uncertainty regarding the delivery and the Examiners recommendation on the DCO is expected early June. The Cheltenham, Gloucester and Tewkesbury Community Infrastructure Levy (CIL) Joint Committee has committed up to £10m CIL to meet the current shortfall in funding. The current shortfall, taking this into account sits at £71.39m. The Councils are in continued engagement with Gloucestershire County Council on



this matter, including the role development plays in contributing to reducing this shortfall.

- 9.5** A comprehensive schedule of planning conditions are also recommended to be imposed on the planning permission, to mitigate the impacts of the development and to ensure the delivery of sustainable development which complies the requirements of Policy A4 of the JCS as well as the spatial strategy when read as a whole.
  - 9.6** Providing the development delivers the obligations and complies with the proposed conditions set out within this Report, the application is considered acceptable and complies with the policies set out within the Development Plan and the spatial strategy when read as a whole.
  - 9.7** Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. Section 70(2) of the Town and Country Planning Act 1990 provides that the Local Planning Authority shall have regard to the provisions of the Development Plan, so far as material to the application, and to any other material considerations.
  - 9.8** Subject to the imposition of planning conditions and securing the planning obligations set out in this Report (allowing for post committee negotiations as specified in this report), officers consider the proposals accord with the Development Plan. There are no material considerations which indicate that application should be determined other than in accordance with the Development Plan
  - 9.9** However, it is also the case that paragraph 11d of the NPPF is engaged. Officers conclude that in accordance with footnote 7 and paragraph 11di of the NPPF, there are no policies in the NPPF that protect areas or assets of particular importance which provide a strong reason for refusing the development.
  - 9.10** The application must therefore must also be determined in accordance with paragraph 11(d)(ii) of the NPPF, i.e. planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.
  - 9.11** As the application accords with the Development Plan, and there are no adverse impacts of the development which would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole, the application is recommended for **approval subject to the imposition of conditions and completion of planning obligations**
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## 10. Conditions

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### General

#### Condition 1 Reserved Matters

No part of the built development hereby permitted on a development parcel shall be commenced on a particular phase or sub-phase (as referred to in Condition 5) until full details of the access, layout, scale, appearance and landscaping within the parcel (hereinafter called “the reserved matters”) have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

*Reason: The application is in outline only and the reserved matters referred to in the foregoing condition will require further consideration.*

#### Condition 2 Time Constraints

Application for approval of the reserved matters for the first phase as identified by the Detailed Phasing Plan required under condition 5 shall be made to the Local Planning Authority no later than the expiration of three years from the date of this permission and the last application for reserved matters approval shall be made no later than fifteen years beginning on the date of this permission.

*Reason: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.*

#### Condition 3 Implementation Constraints

Each phase or sub-phase of the development hereby permitted as approved under condition 5 shall be begun not later than two years from the date of approval of the associated reserved matters approval for that phase or sub-phase.

*Reason: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.*

#### Condition 4 Approved Drawings and Quantum of Development

##### Condition 4a – Approved Drawings

The development hereby permitted shall be carried out in substantial accordance with the details shown on the following submitted Parameter Plans:

- Land Use and Access 21614-BM-M-07 (F)
- Density Plan 21614-BM-M-12 (B)
- Green Infrastructure 21614-BM-M-13 (D)

In relation to the retention of trees shown on the Green Infrastructure Parameter Plan, this should be cross-referenced and comply with Table 3 in the Arboricultural Assessment December 2023 by FPCR and accompanying Tree Retention Plans (dwgs 3313-T-06 revB; 3313-T-07 revB; 3313-T-08 revB; 3313-T-09 revB).

And the following submitted Access Plans (unless superseded by the implementation of similar



accesses included as part of the M5 Junction 10 DCO works).

- Access Drawings 1041-101 (B) / 1041-102 (A) / 1041-114 (A)

*Reason: In order to define the permission, to ensure that the development takes place in accordance with the principles and parameters contained within the Environmental Statement, to protect green infrastructure and to ensure safe and suitable access to the site.*

## Condition 4b Building Heights

Building Heights shall not exceed the heights set out in the table below which reflects the areas set out on the Density Parameter Plan (ref: 21614-BM-M-12 (B))

Area	Residential	Mixed Use	Primary School	Secondary School	Employment
Higher Density	Up to 17m	Up to 18m; Hotel up to 20m	Up to 12m	-	-
Medium Density	Up to 13m	Up to 15m	Up to 12m	Up to 15m	-
Lower Density	Up to 11m	-	-	-	-
Business Park	-	-	-	-	Employment buildings: up to 15m
Note: Building heights are measure from finished floor level					

*Reason: In the interests of visual amenity and to ensure high quality design.*

## Condition 4c Residential Quantum

No more than 4,115 dwellings shall be constructed on the site pursuant to this planning permission.

*Reason: To define the scope of the permission.*

## Condition 4d Non Residential Uses

The total gross floorspace of B1 Use Classes shall not exceed 40,000 sq m, the C1 use hotel shall not exceed 200 bedrooms, the C2 Use elderly persons accommodation shall not exceed 200 rooms, the total gross floorspace of A1-A5 uses shall not exceed 6,150 sq m gross, and the total gross floorspace of D1 and D2 uses shall not exceed 3,000 sqm gross as defined by the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any statutory instrument revoking and reenacting that Order with or without modification).

*Reason: To define the scope of the permission.*

## Condition 4e levels

The reserved matters application for each phase or sub-phase submitted pursuant to condition 1 shall include details of existing and proposed ground levels and ground floor slab levels relative to Ordnance Datum of the buildings within that phase or part of a phase. The



development shall be carried out in accordance with the approved details.

*Reason: In the interests of residential amenity and the visual amenity.*

### **Phasing**

#### **Condition 5 Phasing Strategy**

The development shall be built out in general accordance with the submitted Phasing Plan (20614 BM-M-14B). Prior to or alongside the first reserved matters application a phasing strategy and sequencing for the construction of the development as a whole shall be submitted to and approved in writing by the local planning authority.

The Phasing Strategy shall be in general accordance with the design principles of:

- Parameter Plan 01 - Land Use and Access 21614-BM-M-07 (F)
- Parameter Plan 02 – Density Plan 2164-BM-M-12 (B)
- Parameter Plan 03 -Green Infrastructure 21614-BM-M-13 (D)
- Parameter Plan 04 – Phasing Plan 2164-BM-M-14 (B)
- Play Strategies Plan 21614- BM-M-21 Rev B
- The principles and objectives of the Design and Access Statement, dated 20<sup>th</sup> May 2022

Except where the requirements of other planning conditions require otherwise.

The Phasing Strategy shall include plans/ diagrams, sequencing, supporting text and rationale setting out:

- (i) The number of and boundaries for each Neighbourhood Phase.
- (ii) The sub-phases, development parcels, green infrastructure phases and infrastructure phases within each Neighbourhood.
- (iii) Approximate number of market and affordable homes to be provided for each phase or sub-phase.
- (iv) Approximate quantum of non-residential development in each phase or sub-phase.

Any subsequent amendment to the approved Phasing Strategy shall be submitted to and approved in writing by the Local Planning Authority in the form of a revised Phasing Strategy.

The development shall be carried out in accordance with the approved Phasing Strategy, including any approved amendments.

*Reason: To ensure there is a clear and phased framework for both the development and for the submission of applications for Reserved Matters approvals and so that the development is carried out in a sustainable and coherent manner.*

### **Design**

#### **Condition 6 – Framework Design Code**

Prior to the submission of the first reserved matters application, a site wide Framework Design



Code shall be submitted to the Local Planning Authority for approval. The Design Code shall generally accord with:

- The Development Principles and Concept Framework Plan (Pages 94-95 of the Design and Access Statement, May 2022) (DAS).
- sections 'Illustrating the Quality of Design' and 'Character Areas' of the DAS;
- the Green Infrastructure framework plan [pages 126-127 of the DAS]; and
- the Ecological Constraints and Opportunities Plan (ECOP) [ref: FPCR Figure 1 dwg: 3313-E-01C]

The Design Code shall provide a comprehensive approach to the development of the site and shall include the relevant information required by the National Model Design Code at a proportionate level of detail and the following information:

- Landscape Framework incorporating Building with Nature Standards
- Movement and Connectivity Framework
- Open Space and Play Space Framework incorporating the requirements of para 5.22 of the Shadow Habitats Regulations Assessment prepared by FPCR dated March
- Character Area Outlines
  - Function
  - Layout and Design
  - Landscape Features
  - Architecture
  - Materials
- Compliance Checklist

All subsequent reserved matters applications should be supported by a statement of compliance outlining how they comply with the principles set out in the Design Code.

*Reason: To provide a detailed framework to achieve high quality, well-designed places and ecological enhancement/mitigation.*

### **Condition 7- Neighbourhood Design Codes**

Prior to or alongside the first reserved matters application for each Neighbourhood as defined on the Phasing Strategy Plan pursuant to condition 5, a Neighbourhood Design Code (NDC) shall be submitted to and agreed in writing by the Local Planning Authority. Each NDC shall follow the principles approved in the Framework Design Code pursuant to condition 6.

The NDCs shall provide, where relevant, details and guidance in respect of:

(a) Residential Areas: Including information on character areas, densities, block types, building types, clustering of affordable housing, the palette of materials, architectural details, building heights, building lines and boundary treatments.

(b) Neighbourhood or Local Centre (as applicable): Including Information on design, form, character, scale, public realm and palette of materials.

(c) Business Park (as applicable): Including Information on design, form, character, scale, and palette of materials.

(d) Streets: including information on the hierarchy, nature and form of streets, cycleways and footways; cross sections; character; materials, permeability and street landscaping where



possible.

(e) Non-Vehicular Movement: Including information on the framework and hierarchy for pedestrians, cyclists and horse riders, rights of way, desire lines, and connectivity, materials, landscaping and surveillance.

(f) Parking: Information on car, lorry and cycle parking standards for residential, employment, commercial, leisure and schools.

(g) Landscape: including information on landscaped areas and green infrastructure including amenity spaces; public open space; parks and play areas, street furniture; conservation of flora and fauna; and biodiversity mitigation measures.

(h) Drainage: details of surface and foul water drainage.

(i) Crime Prevention: Information on all residential, commercial, employment, leisure and public areas.

(j) Fire Hydrants: A scheme for the location of one fire hydrant within 90m of an entry point to a building and not more than 90m apart.

(k) Electricity Sub Stations: details of the location and type of electricity sub stations.

(L) Foul Pumping Stations: details of the location and type of foul pumping stations.

Thereafter Reserved Matters applications shall be brought forward in accordance with the principles of the approved design codes unless agreed otherwise with the Local Planning Authority.

*Reason: To provide a detailed framework to achieve high quality, well-designed places, ecological enhancement/mitigation, satisfactory means of drainage thereby preventing the risk of flooding, and appropriate parking provision.*

### **Condition 8 Neighbourhood Strategies and Plans**

Prior to or alongside the first reserved matters application for each Neighbourhood as defined on the Phasing Strategy Plan pursuant to condition 5, the following Neighbourhood Strategies shall be submitted to the Local Planning Authority for approval:

- a. Surface Water Drainage Strategy in accordance with condition 12;
- b. Foul Drainage Strategy; in accordance with condition 15
- c. Access and Movement Strategy; in accordance with condition 17
- d. Green Infrastructure and Biodiversity Strategy in accordance with condition 30
- e. Occupation Waste Management Plan in accordance with Condition 33

In Neighbourhood 1, the Green Infrastructure and Biodiversity Strategy must accord with the provisions set out at paras 8.4 and 8.5 of the Ancient & Veteran Tree Assessment (FPCR July 2024).

Thereafter Reserved Matters applications shall be brought forward in accordance with the principles of the approved strategies unless agreed otherwise with the Local Planning Authority.

*Reason: To provide a detailed framework to achieve high quality, well-designed places, ecological enhancement/mitigation and tree protection measures, satisfactory means of*



*drainage and thereby preventing the risk of flooding, safe and suitable movement/transport networks, and waste minimisation and resource efficiency measures.*

### **Condition 9 Reserved Matters Applications**

Reserved Matters applications for built development shall accord with the relevant approved Neighbourhood Design Code and Neighbourhood Strategies unless agreed otherwise in writing with the Local Planning Authority. Applications shall include, where applicable, details of:

- i. Layout and scale;
- ii. Existing and proposed ground levels;
- iii. Existing and proposed finished floor levels;
- iv. Surface water drainage;
- v. Foul water drainage;
- vi. Access;
- vii. Car parking;
- viii. Soft and hard landscaping including play spaces and planting plans;
- ix. Written specifications for planting
- x. Ecological mitigation measures;
- xi. Appearance including elevational treatments and materials;
- xii. Boundary treatments;
- xiii. Waste storage;
- xiv. External lighting;
- xv. Noise conditions and mitigation measures;
- xvi. Odour emissions and mitigation measures;
- xvii. Electric Vehicle charging points;
- xviii. Fire Hydrants; and
- xix. A Public Open Space and landscaping scheme demonstrating compliance with paragraph 5.22 of the Shadow Habitats Regulations Assessment prepared by FPCR dated March 2022.

*Reason: To provide a satisfactory and well planned development and to define the information required as part of future reserved matters applications.*

### **Construction**

### **Condition 10 Construction Environmental Management Plan**



No development shall take place within a phase or sub-phase, including demolition works, until a Construction and Environmental Management Plan (CEMP) for that phase has been submitted to and approved in writing by the Local Planning Authority. The Plan shall be based upon Appendix C1 of the submitted Environmental Statement (August 2016), the Ecology Report- ES Addendum prepared by FPCR dated March 2022, the Clarification and Further Information Document prepared by FPCR dated 22<sup>nd</sup> June 2017, The Outline Dormouse and Reptile Mitigation Strategy prepared by FPCR dated 2017 and the Great Crested Newt Survey Report and Mitigation Strategy prepared by FPCR dated June 2023, together with prevailing British Standards and best practice guidance where relevant. The CEMP shall be informed by updated protected species surveys (including for bat roosting features, badgers, great crested newts, dormice, birds and hedgehogs) along with updated mitigation measures. All works shall be carried out in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.

The CEMP shall include or be accompanied by, details of the following where relevant:

- Protected Species protection measures
- Tree and hedgerow protection measures
- Construction Operations and Access detail including:
  - Construction vehicle routing;
  - Measures to ensure that vehicles leaving the site do not deposit mud or other detritus on the public highway;
  - Details of site operative parking areas, material storage areas and the location of site operatives' facilities (offices, toilets etc);
  - The hours that delivery vehicles will be permitted to arrive and depart, and arrangements for unloading and manoeuvring.
  - Details of any temporary construction accesses and their reinstatement.
  - A highway condition survey and timescale for re-inspections.
- Demolition works
- Nuisance mitigation measures including:
  - Noise and vibration
  - Mitigation of the impacts of lighting proposed for the construction phase
  - Hours of working
- Pollution control measures including measures for controlling leaks and spillages, managing silt and pollutants
- Soil handling measures, including moisture conditions, storage and re-use of soils on-site

*Reason: In the interests of safe operation of the adopted highway, protection of residential amenity and protecting biodiversity and soils during the construction phase. A pre-commencement condition is required to ensure that the construction phase mitigation measures are acceptable and measures in place before development begins.*



### **Condition 11 - Construction Waste Management Plan**

Prior to the commencement of phase or sub phase of development, as defined by condition 5, a Construction Waste Management Plan shall be submitted to and approved in writing by the Local Planning Authority for that phase. The objectives of the management plan shall be to ensure all waste arising from demolition and construction works are managed in a sustainable manner, maximising the opportunities to reduce, reuse and recycle waste materials. The management plan for the relevant phase shall also detail the compliance and assurance requirements to be maintained on the site during all phases of works including site-preparation and remediation. The management plan for the relevant phase shall include as a minimum the following information: -

- a) Classification of all waste including hazardous waste according to current legislative provisions;
- b) Performance measurement and target setting against estimated waste forecasts;
- c) Reporting of project performance on quantities and options utilised;
- d) Measures to minimise waste generation;
- e) Opportunities for re-use or recycling;
- f) Provision for the segregation of waste streams on the Site that are clearly labelled;
- g) Licensing requirements for disposal sites;
- h) An appropriate audit trail encompassing waste disposal activities and waste consignment notes;
- i) Measures to avoid fly tipping by others on lands being used for construction;
- j) Measures to provide adequate training and awareness through toolbox talks; and
- k) Returns policies for unwanted materials.

The relevant phase shall thereafter be carried out in accordance with the approved Construction Waste Management Plan for that phase.

*Reason: To ensure the effective implementation of waste minimisation and resource efficiency during construction phase. A pre-commencement condition is required to ensure that the construction waste management measures are acceptable and measures in place before development begins.*

### **Drainage and Flood Risk**

#### **Condition 12 - Surface Water Drainage**

Surface water drainage shall be brought forward in general accordance with the strategy set out in the Elms Park Flood Risk Assessment August 2016 Final v2 (as submitted at Appendix H1 of the Environmental Statement) as referred to on pages 132 and 133 of the Design and Access Statement (May 2022). The Neighbourhood Drainage Strategy to be submitted pursuant to Condition 8 shall accord with prevailing policy current at the time of its submission and shall include details of the following:

- a. discharge rates;
- b. points of discharge;
- c. methods of attenuation;
- d. measures to manage water quality;



- e. Sustainable Drainage System (SuDS); and
- f. other matters particular to that phase

No building or dwelling shall be occupied until the surface water drainage scheme for that parcel has been implemented in accordance with the approved details.

*Reason: To ensure the development is provided with a satisfactory means of drainage and thereby preventing the risk of flooding.*

### **Condition 13 Detailed Drainage Strategy**

No phase or sub-phase as defined by condition 5 shall commence on site until a detailed surface water drainage design showing details of pipework, gradients, attenuation and Sustainable Drainage System (SuDS) has been submitted to and approved in writing by the Local Planning Authority. This should be in accordance with the relevant Neighbourhood Drainage Strategy and include a detailed design and a full risk assessment for flooding during the groundworks and building phases with mitigation measures specified for identified flood risks. The detailed drainage design must incorporate the use of SuDS to manage the flood risk to the site to manage the water quality for the lifetime of the development. The approved scheme for the surface water drainage shall be implemented in accordance with the approved details before the development is first put in to use/occupied.

*Reason: To ensure the development is provided with a satisfactory means of drainage and thereby preventing the risk of flooding. A pre-commencement condition is required as any works on site could have implications for drainage, flood risk and water quality in the locality.*

### **Condition 14 - SuDS Management and Maintenance**

No phase or sub-phase or development parcel as defined by condition 5 shall be brought in to use or occupied until a SuDS management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime, has been submitted to and approved in writing by the Local Planning Authority. The approved SUDS maintenance plan shall be implemented in full in accordance with the agreed terms and conditions.

*Reason: To ensure the continued operation and maintenance of drainage features serving the site and avoid flooding.*

### **Condition 15 - Foul Drainage**

Prior to the commencement of development for each of the main phases (Neighbourhoods) of development (as defined on drawing 20614 BM-M-14A), pursuant to condition 6, a Neighbourhood Foul Drainage Strategy for that phase shall be submitted to the Local Planning Authority. Thereafter, reserved matters applications for each sub-phase or development parcel shall include detailed foul drainage proposals to be in accordance with the Neighbourhood Foul Drainage Strategy unless otherwise agreed in writing with the Local Planning Authority unless otherwise agreed in writing with the Local Planning Authority. No dwelling shall be occupied until the foul drainage scheme for that parcel has been implemented in accordance with the approved details.

*Reason: To ensure suitable foul drainage is provided to serve the proposed development. A pre-commencement condition is required as any works on site could have implications for*



*drainage, flood risk and water quality in the locality.*

### **Condition 16 - Finished Floor Levels**

Finished floor levels for the proposed development shall be set at a minimum of +600mm above the 1 in 100 annual probability flood level with allowance for climate change as defined in the Elms Park Flood Risk Assessment August 2016 Final v2 (as submitted at Appendix H1 of the Environmental Statement).

*Reason: To prevent risk of flooding.*

### **Access and Movement**

#### **Condition 17 - Access Strategy**

Access to and through the site shall be in general accordance with the Access and Movement Strategy on Pages 113, 115 and 117 of the Design and Access Statement (May 2022). The Neighbourhood Access Strategy to be submitted pursuant to Condition 8 shall include details of temporary and permanent public transport measures, footpaths and cycleways, as well as details of restricted or emergency accesses. Thereafter, reserved matters applications for each sub-phase or development parcel shall include detailed proposals to be in accordance with the Neighbourhood Access Strategy.

*Reason: To define the permission to ensure safe and suitable movement/transport networks and in the interests of highway safety.*

#### **Condition 18 - M5 Junction 10 southbound off-slip signalisation**

No more than 260 dwellings of the development 16/0200/OUT hereby permitted shall be occupied unless or until the improvement scheme identified for M5 Junction 10, as shown on PJA drawing reference 2314-A-0100 Rev P2, titled 'M5 junction 10 SB Off-slip Signalised Junction General Arrangement' is complete and open to traffic.

*Reason: To manage and mitigate operational traffic impacts in the interest of the safe and efficient operation of the Strategic Road Network.*

#### **Condition 19 – Strategic Road Network Capacity**

No more than 3,327 dwellings and 43,400sqm of Class E floorspace of the development hereby permitted shall be occupied unless or until the 'M5 Junction 10 All Movements Improvement Scheme' (Housing Infrastructure Fund major improvement scheme) is complete and is open to traffic.

*Reason: To manage and mitigate operational traffic impacts in the interest of the safe and efficient operation of the Strategic Road Network.*

#### **Condition 20 - Local Road Network Capacity**

Prior to the commencement of the 'M5 Junction 10 All Movements Improvement Scheme' (Housing Infrastructure Fund major improvement scheme) works, no more than 1,306 residential units and 7,261sqm of Class E floorspace, or their trip generation equivalent quantum, shall be occupied. This condition will cease to be operative once the construction contract for the works has been awarded.



*Reason: To restrict impact and harm on the Local Highways Network until suitable mitigation is delivered.*

### **Condition 21 – Temporary Access Arrangements**

Prior to commencement of development a detail design of the interim 4-way roundabout access from the Gallagher Retail stub to the site should be submitted to and approved in writing by the local planning authority. Prior to first occupation of the development served by this access, the access shall have been completed in accordance with the approved details.

*Reason: In the interests of Highway Safety. A pre-commencement condition is required to ensure that safe and suitable access is obtained prior to vehicle movements on the highway.*

### **Condition 22 - Temporary Access Capacity**

No more than 450 occupied dwellings or a total of 225 two-way traffic movements in any hour shall be accessed via Access C (known as the Gallagher Stub / junction with Hayden Lane) until either of the following works have been completed, unless otherwise agreed in writing by the local planning authority:

- the approved highway works as shown on • 1041 – 101B and • 1041-102A; or
- the M5 J10 All Movements Improvement Scheme (Housing Infrastructure Fund major improvement scheme) proposals in relation to A4019 Access C have been completed.

*Reason: In the interests of Highway Safety.*

### **Condition 23 Junction Improvements**

No more than the number of dwellings or employment floorspace indicated in the third column of Table 1 below to be constructed pursuant to this permission shall be occupied until the improvements to the junctions, highways or walking and cycling infrastructure shown in the first column of Table 1 below have been completed substantially in accordance with the corresponding drawings listed in the second column. For the avoidance of doubt, the number of residential dwellings exclude those units being constructed at Swindon Farm.

<b>Table 1: Highway Improvement Works</b>		
<b>Junction, highway or walking and cycling infrastructure</b>	<b>PJA Drawing No.</b>	<b>No. of Dwellings / Employment Floorspace (m<sup>2</sup>)</b>
<b>Access A:</b> New western signalised access at the Tewkesbury Road/Homecroft Drive junction, or M5 Junction 10 All Movements Improvement Scheme (Housing Infrastructure Fund major improvement scheme)	1041-101B	First dwelling or any floorspace accessed from this junction
<b>Access B:</b> New eastern signalised access in the vicinity of No. 9 Tewkesbury Road, incorporating bus priority measures,	1041-101B	First dwelling or any floorspace accessed from this junction



and with carriageway widening on Tewkesbury Road between the western and eastern junctions, or M5 Junction 10 All Movements Improvement Scheme (Housing Infrastructure Fund major improvement scheme)		
<b>Access C:</b> New four-arm access roundabout at the stub end of the Gallagher Retail Park access and active travel links to Tewkesbury Road and signal junction upgrade, or M5 Junction 10 All Movements Improvement Scheme (Housing Infrastructure Fund major improvement scheme)	1041-102A	First dwelling or any floorspace accessed from this junction
<b>Access D:</b> Improvements to the Runnings Road/Manor Road signalised junction and site access roundabout; or access works in respect of permission 20/00759/FUL	1041-114 A	First dwelling or any floorspace accessed from this junction unless superseded by alternative arrangements.
Kingsditch Lane / Wymans Lane walking and cycling infrastructure	1041-109 / 110	Prior to the occupation of 1,040 dwellings and 7,261m <sup>2</sup> of employment floorspace (B1).
Princess Elizabeth Way walking and cycling infrastructure	1041-111	Prior to the occupation of 2,000 dwellings and 13,500m <sup>2</sup> of employment floorspace (B1)
Evesham Road walking and cycling infrastructure	1041-112revA	Prior to the occupation of 2,750 dwellings and 13,500m <sup>2</sup> of employment floorspace (B1).
Arle Area cycling network improvements	1041-113	Prior to the occupation of 1,040 dwellings and 7,261m <sup>2</sup> of employment floorspace (B1).
A38 Walton Hill walking and cycling infrastructure	1041-115	Prior to the occupation of 2,750 dwellings and 13,500m <sup>2</sup> of employment floorspace (B1).
A4019 Tewkesbury Road Corridor	1041-103	Prior to the occupation of 1,040 dwellings and 7,261m <sup>2</sup> of employment floorspace (B1).
A4019 Tewkesbury Road Corridor	1041- 104 / 105 / 106revA	Prior to the occupation of 2,000 dwellings and 13,500m <sup>2</sup> of employment floorspace (B1).

*Reason: In the interests of highway safety and to encourage sustainable travel and healthy communities.*

**Condition 24 – Old Gloucester Road/B4063 Bamfurlong Lane Junction**



Prior to the commencement of construction of Neighbourhood 3, as shown on plan 2164-BM-M-14(B) or as approved under Condition 5, proposals for the improvements to this junction shall be submitted to the Local Planning Authority for approval. Thereafter, the approved junction works shall be implemented in full prior to the occupation of the 300<sup>th</sup> dwelling hereby approved in Neighbourhood 3. Note that these works may become superseded if the M5 Junction 10 All Movements Improvement Scheme (Housing Infrastructure Fund major improvement scheme) are completed.

*Reason: In the interests of highway safety and capacity.*

### **Condition 25 - Quat Goose Lane Access**

Prior to the occupation of the 300<sup>th</sup> dwelling hereby approved in Neighbourhood 2, as shown on plan 2164-BM-M-14(B) or as approved under Condition 5, the pedestrian, cycle and bus only access to Quat Goose Way shown on plan 21614-9401 (L) shall have been completed and open to traffic and/or pedestrian use, unless a later date is approved in the Neighbourhood Access Strategy prepared pursuant to Condition 8.

*Reason: To encourage sustainable travel and healthy communities.*

### **Condition 26 - Transport Hub**

Prior to the occupation of the 500<sup>th</sup> dwelling, details of the Transport Hub (park and ride) facility including car park of not less than 350 spaces shall be submitted for approval to the local planning authority. The approved details shall have been completed and open to traffic and pedestrian use prior to the beneficial occupation of the 1,000<sup>th</sup> dwelling, unless a later date is approved in the Neighbourhood Access Strategy prepared pursuant to Conditions 8 and 17.

*Reason: To reduce vehicle movements and promote sustainable access.*

### **Condition 27 - Occupation Restrictions**

No development parcel shall be occupied or brought into use until the carriageway(s) (including surface water drainage/disposal, vehicular turning head(s) and street lighting) providing access from the nearest public highway to that development parcel have been completed to at least binder course level and the footway(s) to surface course level.

*Reason: To ensure safe and suitable access to and within the site can be achieved for all users.*

### **Condition 28 - Travel Plans**

Travel Plans are to be provided prior to occupation of each phase or sub-phase of built development at the site in accordance with the following:

#### **Condition 28a Residential Travel Plan**

Prior to first occupation of each (Neighbourhood) phase, details of a residential travel plan shall be submitted to and approved in writing by the local planning authority. Prior to first occupation of each phase this travel plan shall be implemented in accordance with the approved details. The Travel Plan shall use Modeshift STARS residential to carry out this process and include mechanisms for monitoring and review over the life of the development and timescales for implementation.



*Reason: To reduce vehicle movements and promote sustainable access.*

**Condition 28b Commercial Travel Plan**

Prior to first occupation of each commercial use, details of a commercial travel plan for that use shall be submitted to and approved in writing by the local planning authority. Prior to the occupation of each use, the relevant travel plan shall be implemented in accordance with the approved details. The Travel Plan shall use Modeshift STARS commercial to carry out this process and include mechanisms for monitoring and review over the life of the use and timescales for implementation.

*Reason: To reduce vehicle movements and promote sustainable access.*

**Condition 28c Primary School Travel Plan**

Prior to the first occupation of each primary school, details of a school travel plan shall be submitted to and approved in writing by the local planning authority. Prior to first occupation of each school this travel plan shall be implemented in accordance with the approved details. The Travel Plan shall use Modeshift STARS schools to carry out this process and include mechanisms for monitoring and review over the life of the school and timescales for implementation.

*Reason: To reduce vehicle movements and promote sustainable access.*

**Condition 28d Secondary School Travel Plan**

Prior to first occupation of each phase of the secondary school, details of a travel plan shall be submitted to and approved in writing by the local planning authority. Prior to first occupation of each phase this travel plan shall be implemented in accordance with the approved details. The Travel Plan shall use Modeshift STARS schools to carry out this process and include mechanisms for monitoring and review over the life of the school and timescales for implementation.

*Reason: To reduce vehicle movements and promote sustainable access.*

**Archaeology**

**Condition 29 - Additional Archaeological Mitigation Works**

Prior to the commencement of development of each phase or sub-phase, a Written Scheme of Investigation (WSI) for the additional archaeological mitigation works, if required, for that phase shall be submitted to the Local Planning Authority for approval. The WSI shall be in accordance with the approved Archaeological Mitigation Strategy (Cotswold Archaeology report 'Elms Park Cheltenham Gloucestershire Archaeological Mitigation Strategy' ref CA4932 dated June 2018). Thereafter the works required by the WSI for each phase or sub-phase shall be completed prior to the commencement of development of the relevant sub-phase.

*Reason: To advance understanding of any heritage assets. A pre-commencement condition is required as it is important to agree a programme of archaeological work in advance of the commencement of development, so as to make provision for the investigation and recording of any archaeological remains which may be present.*



## **Green Infrastructure**

### **Condition 30 Green Infrastructure and Biodiversity Strategy**

The Green Infrastructure and Biodiversity strategy submitted for each of the main phases (Neighbourhoods) of development (as defined on drawing 20614 BM-M-14B), pursuant to condition 6 Landscape and Green shall be in general accordance with the strategy set out on pages 126 – 131 of the Design and Access Statement (May 2022), the Green Infrastructure and Biodiversity Management Plan (GIBMP August 2016), the Ecological Constraints and Opportunities Plan (ECOP) [ref: FPCR Figure 1 dwg: 3313-E-01C] and demonstrate compliance with paragraph 5.22 of the Shadow Habitats Regulations Assessment prepared by FPCR dated March 2022. The Green Infrastructure and Biodiversity Strategy (NGIBS) shall include details of the phased delivery of the principal open spaces defined in the DAS and GIBMP applicable to that phase. It shall set out the improvement works proposed to the watercourses and a Neighbourhood Environmental Constraints and Opportunities Plan. It shall also include relevant ecological mitigation measures having regard to the Environmental Statement (August 2016), the Outline Dormouse and Reptile Mitigation Strategy [FPCR October 2017 Rev A] and the Framework Bat Mitigation Strategy [FPCR October 2017]. Thereafter, reserved matters applications for each sub-phase or development parcel shall include detailed proposals to be in accordance with the Neighbourhood Green Infrastructure and Biodiversity Strategy unless otherwise agreed in writing with the Local Planning Authority.

*Reason: To define the permission, and to protect and enhance ecology and biodiversity, and protect protected species.*

### **Condition 31 Green Infrastructure Management and Maintenance**

Prior to the occupation of development within each phase, a Neighbourhood Green Infrastructure and Biodiversity Management Plan (NGIBMP) for that phase informed by the applicable Green Infrastructure and Biodiversity Strategy shall be submitted to the Local Planning Authority for approval. The NGIBMP shall be in general accordance with the submitted GIBMP (Appendix I9 of Environmental Statement dated May 2016) and include details of:

- Design Objectives;
- Management and Maintenance arrangements; and
- Monitoring Programme.

The management plan shall be carried out as approved unless agreed otherwise in writing by the Local Planning Authority.

*Reason: To protect and enhance biodiversity.*

### **Condition 32 Biodiversity Gain Plan**

Prior to the commencement of development for each Neighbourhood, a Biodiversity Gain Plan (BGP) pursuant to the relevant NGIBS required by Condition 30 shall be submitted to the Local Planning Authority for approval. The BGP shall be in general accordance with the submitted Biodiversity Net Gain Plan (FPCR drawing 3313-E-35A) and Biodiversity Net Gain Briefing Note (FPCR July 2023).

*Reason: To protect and enhance biodiversity. A pre-commencement condition is required is it is important to ensure biodiversity protection and enhancement measures are agreed and in place prior to construction works commencing.*



## **Waste Minimisation**

### **Condition 33 – Waste Management Plans**

Pursuant to Condition 8, each Neighbourhood shall be accompanied by an occupation waste management plan. The occupation waste management plan must set out the details for waste and recycling storage for all types of residential and /or non-residential development. All occupation waste management plans submitted for a phase that include non-residential development must also specifically set out: -

- a) details of an awareness-raising programme on delivering sustainable waste management and reduction practices for all tenants and operators of non-residential development;
- b) details of a scheme of litter prevention for all non-residential development; and
- c) where relevant, details of how the provision for the delivery of supplies and goods and the collection of waste materials will support packaging minimisation and enable commercial waste recycling to take place.

The relevant phase shall thereafter be carried out in accordance with the approved occupation waste management plan for that phase.

*Reason: To ensure the effective implementation of waste minimisation and resource efficiency measures throughout the occupation of the development.*

### **Condition 34 – Recycling and Refuse Storage**

Applications for reserved matters for built development within sub-phases or development parcels shall include details of the proposed design and location of recycling and refuse storage arrangements in accordance with the Occupation Waste Management Strategy for that Neighbourhood pursuant to Condition 33. The recycling and refuse storage facilities shall then be provided in accordance with the approved scheme, unless agreed otherwise in writing by the Local Planning Authority.

*Reason: To ensure the effective implementation of waste minimisation and resource efficiency measures throughout the occupation of the development.*

## **Amenity**

### **Condition 35 - Noise – Residential**

Noise levels within the dwellings hereby approved shall not exceed those set out in BS8233:2014 “Sound Insulation and Noise Reduction for Buildings” (or other document which may replace or modify it). Noise levels measured from enclosed outdoor private amenity areas (balconies and gardens) should attain the 50dB(A) desirable criteria and not exceed the upper limit recommended within BS8233:2014 being 55dB(A).

To verify the above requirements for each phase or sub-phase each reserved matters application submitted pursuant to Condition 5 which includes dwellings shall be accompanied by a noise survey to identify dwellings that would be at risk of exceeding the above noise levels and measures to mitigate these risks.

*Reason: In the interests of residential amenity and to protect the noise climate of future residents.*



**Condition 36- Noise - Tewkesbury Road**

Reserved matters applications which include dwellings located within 50 metres of Tewkesbury Road shall be accompanied by a noise survey to identify dwellings that would be at risk of exceeding these limits in condition 35. The noise survey shall identify those measures necessary to achieve the noise levels set out in condition 34 at the affected properties, and such measures shall be approved in writing by the Local Planning Authority prior to construction of the dwellings. The approved measures shall be completed and post completion testing to verify that the noise level requirements of Condition 35 have been met shall be carried out. Prior to post completion noise testing being undertaken the developer shall submit for the written approval of the local planning authority a noise testing methodology. If the post completion testing shows that the limits set out in Condition 35 are exceeded, details of further mitigation to reduce noise levels to the required limits shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the approved measures shall be completed prior to the relevant dwellings being first occupied.

*Reason: In the interests of residential amenity and to protect the noise climate of future residents.*

**Condition 37 - Noise – Industrial / Commercial**

Prior to the installation of noise-generating plant and equipment associated with the non-residential use classes, a noise attenuation scheme to attenuate the noise emanating from noise-generating plant, equipment, fans, air conditioning units, ventilation equipment or similar equipment, shall be submitted to and approved in writing by the Local Planning Authority. The plant and equipment shall be installed and operated in accordance with the approved details and implemented prior to the use commencing and shall thereafter be maintained and operated in accordance with the approved scheme.

*Reason: In the interests of residential amenity and to protect the noise climate of existing and future residents.*

**Condition 38 - Lighting Scheme**

Prior to the commencement of built development for a sub-phase or development parcel within or adjacent to the relevant strategic dark corridors identified on the Environmental Constraints and Opportunities Plan [ref: FPCR Figure 1 dwg: 3313-E-01C], a lighting scheme demonstrating that the requirements of the relevant dark corridor will be achieved shall be agreed in writing with the Local Planning Authority and thereafter development carried out in accordance with the approved scheme.

*Reason: In interests of biodiversity and to protect protected species. A pre-commencement condition is required as it is important to ensure biodiversity protection measures are agreed and in place prior to construction works commencing.*

**Condition 39 – Odour Emissions**

Reserved Matters applications for development that may give rise to noxious odours, for example but not limited to cooking odours from commercial kitchens, should include details of a scheme to minimise emissions, to be agreed in writing by the Local Planning Authority, and thereafter the development is to be built out in accordance with the agreed scheme.

*Reason: In the interests of residential amenity.*



## **Retail**

### **Condition 40 - Retail Floorspace**

The A1 net sales floorspace permitted herein shall be restricted to the following maximum quantum:

- i. A1 convenience floorspace of up to 2,400m<sup>2</sup>
- ii. A1 comparison floorspace of up to 700m<sup>2</sup>

The convenience floorspace permitted under (i) above shall be further restricted as follows:

- a. A maximum gross internal floorspace of up to 2,000m<sup>2</sup> shall be permitted for a single retail unit in the principal Neighbourhood centre located in Neighbourhood 1;
- b. A maximum gross internal floorspace of up to 400m<sup>2</sup> shall be permitted for a single retail unit in the secondary Local centre located in Neighbourhood 2.

The maximum floorspace of any local shop, located outside of the Neighbourhood and Local Centres shall be restricted to 280 sqm net internal trading area.

The total internal gross floorspace for all the hereby permitted A-class uses (A1-A5 inclusive) shall not exceed 6,150m<sup>2</sup>.

*Reason: To ensure an appropriate scale of town centre uses and to protect the vitality and viability of defined centres.*

## **Housing**

### **Condition 41 - Housing Mix**

Applications for the approval of the reserved matters for any phase, sub-phase, or development parcel which include residential development shall include the submission of a Housing Mix Statement for the open market housing to the local planning authority for its written approval. It will set out, in respect of that phase, how an appropriate mix of dwelling sizes and types will be provided in order to contribute to a mixed and balanced housing market to address the needs of the local area, including the needs of older people, as set out in the local housing evidence base, including the most up to-date Strategic Housing Market Assessment for the area at the time of the submission of the relevant reserved matters. The development shall be implemented in accordance with the approved Housing Mix Statement.

*Reason: To ensure that an appropriate housing mix is delivered to contribute to the creation of mixed and balanced communities.*

### **Condition 42 - Homeowner Information Packs**

Prior to the occupation of the first dwelling in each phase, a Homeowner Information Pack (HIP) that should be in general accordance with the submitted Shadow Habitats Regulations Assessment (FPCR March 2022) shall be submitted to the local planning authority for approval. The approved HIP shall then be provided to each dwelling in that phase.

*Reason: To achieve the recommendations of Shadow Habitats Regulations Assessment (FPCR*



*March 2022) and to protect internationally, nationally and locally designated ecological sites.*

### **Condition 43 – Gas Pipeline (dwellings)**

No more than 30 dwellings, at a density of no greater than 40 dwelling units per hectare, shall be located within the middle consultation zone of the Fiddington to Uckington gas pipeline.

*Reason: In the interests of health and safety.*

### **Condition 44 – Landfill Stand-Off**

No residential development properties (including gardens) shall be located within 250 metres Wingmoor Farm Waste Management site boundary.

*Reason: In the interests of health and safety and residential amenity.*

### **General Environment and Sustainability**

#### **Condition 45 - Development along River Swilgate**

There must be no new buildings, structures (including gates, walls, and fences) or raised ground levels within 8 metres of the top of any bank of the River Swilgate inside or along the boundary of the site, unless agreed otherwise in writing by the Local Planning Authority.

*Reason: To maintain access to the watercourse for maintenance or improvements and provide for overland flood flows.*

#### **Condition 46 - Ground Conditions**

Prior to the commencement of development for each phase, a Phase 1 desktop study shall be submitted to and approved in writing by the local planning authority in respect of potential ground contamination. Thereafter if further site investigations or remediation works are deemed to be required these shall be undertaken in full and validation reports submitted to the local planning authority for approval. The development shall take place in full accordance with any recommendations (including agreed timescales) set out within the approved remediation strategies. If during development, contamination not previously identified is found to be present within a development parcel, then no further development shall be carried out in the affected area out until a remediation strategy has been submitted to and approved in writing by the local planning authority, detailing how this contamination shall be dealt with. Thereafter the approved remediation strategy shall be implemented, and the development completed accordingly.

*Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. A pre-commencement condition is required as it is important to ensure protection measures are agreed and in place prior to construction works commencing.*

#### **Condition 47 - Storage of Materials**

There shall be no storage of materials including soil within that part of the site liable to flood as shown dark blue on the plan on page 5 of the Short Technical Report supplied by AW Water Engineering dated September 2017.



*Reason: To ensure that there will be no increased risk of flooding to other land/properties due to impedance of flood flows and/or reduction of flood storage capacity*

**Condition 48 - Energy Strategy**

Prior to the commencement of development for each phase of development (as defined on drawing 20614 BM-M-14B, an Energy Strategy for that phase shall be submitted to and approved in writing by the local planning authority. The Energy Strategy shall demonstrate:

- How the phase will deliver operational net zero as outlined in the Cheltenham Climate Change SPD adopted June 2022 or Building Regulations where these are more ambitious.
- How the phase will deliver a low carbon heating strategy and give consideration to the technologies the development will require, and the energy infrastructure required to meet operational net zero, including the extent and location of renewable energy generation required to balance the projected energy use intensity of the buildings on or off site

Thereafter the approved Energy Strategy for each phase shall be implemented and the development completed accordingly.

*Reason: To ensure that the development contributes towards the mitigation of climate change. A pre-commencement condition is required as it is important to ensure sustainability measures are agreed and in place prior to construction works commencing.*

**Condition 49 – Energy Supply**

No dwelling hereby permitted shall be connected to mains gas supplies for the purposes of domestic hot water or space heating.

*Reason: To ensure that the development contributes towards the mitigation of climate change.*

**Sports Pitches**

**Condition 50 – Gas pipeline (Sports Pitches)**

No play areas or sports pitches shall be located in the inner consultation zone of the Fiddington to Uckington gas pipeline.

*Reason: In the interests of health and safety.*

**Condition 51 - Sports Pitches Construction**

No development shall take place on any sports playing fields unless and until:

- a) A detailed assessment of ground conditions of the land proposed for sports pitches as has been undertaken (including drainage and topography) to identify constraints which could affect playing field quality; and
- b) Based on the results of this assessment to be carried out pursuant to (a), a detailed scheme to ensure that the playing fields will be provided to an acceptable quality (including appropriate drainage where necessary) shall be submitted to and approved in writing by the Local Planning



Authority after consultation with Sport England.

The works shall be carried out in accordance with the approved scheme within a timescale to be first approved in writing by the Local Planning Authority after consultation with Sport England.

*Reason: To ensure that site surveys are undertaken for new playing fields and that any ground condition constraints can be and are mitigated to ensure provision of an adequate quality playing field.*

### **Condition 52 – Sports Pitches Noise and Lighting**

Reserved matters applications for the grassed and artificial sports pitches and the accompanying pavilion building shall be accompanied by noise and lighting assessments that assess the impacts on nearby sensitive receptors, including residential properties and protected species, and included mitigation measures where appropriate.

*Reason: To protect the residential amenity of existing and future residents.*

### **Condition 53 – Sports Pitches Management and Maintenance**

Prior to the occupation of the 500<sup>th</sup> residential dwelling, a scheme for the management and maintenance of playing field drainage, including a management and maintenance implementation programme, shall be submitted to and approved in writing by the Local Planning Authority. The playing fields shall thereafter be managed and maintained in accordance with the approved scheme.

*Reason: To ensure that new facilities are capable of being managed and maintained to deliver facilities which are fit for purpose, sustainable and to ensure sufficient benefit of the development to sport.*

### **Miscellaneous**

### **Condition 54 - Liability for Planning Obligations**

No development (including demolition, ground works and site clearance) shall take place on land comprising Third Party Land Parcel A as shown edged red on plan BM-M-13, or Third Party Land Parcel B as shown edged red on plan BM-M-14, unless and until all parties with a legal or equitable interest in that land have been joined as parties to the Section 106 Agreement on the basis of which this permission is granted, and the title to such land has been properly deduced to the Local Planning Authority.

*Reason: To provide a mechanism so these parts of the development do not come forward without the appropriate mitigation necessary in respect of those and that the development comes forward in a satisfactory manner. A pre-commencement condition is required as development cannot commence on the stated land parcels until a planning obligation is in place.*

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## **11. Informatives**

- 1 In accordance with the requirements of the NPPF the Local Planning Authorities have sought to determine the application in a positive and proactive manner by offering pre-application advice, publishing guidance to assist the applicant, and publishing on the Councils' websites relevant information received during the consideration of the application thus enabling the applicant to be



kept informed as to how the case was proceeding.

- 2 The development hereby approved and any associated highway works required, is likely to impact on the operation of the highway network during its construction (and any demolition required). You are advised to contact the Highway Authorities Network Management Team at

[Network&TrafficManagement@gloucestershire.gov.uk](mailto:Network&TrafficManagement@gloucestershire.gov.uk)

before undertaking any work, to discuss any temporary traffic management measures required, such as footway, Public Right of Way, carriageway closures or temporary parking restrictions a minimum of eight weeks prior to any activity on site to enable Temporary Traffic Regulation Orders to be prepared and a programme of Temporary Traffic Management measures to be agreed.

- 3 The development hereby approved includes the carrying out of work on the adopted highway. You are advised that before undertaking work on the adopted highway you must enter into a highway agreement under Section 278 of the Highways Act 1980 with the County Council, which would specify the works and the terms and conditions under which they are to be carried out. Contact the Highway Authority's Legal Agreements Development Management Team at

[highwaylegalagreements@gloucestershire.gov.uk](mailto:highwaylegalagreements@gloucestershire.gov.uk)

allowing sufficient time for the preparation and signing of the Agreement. You will be required to pay fees to cover the Councils costs in undertaking the following actions:

- i. Drafting the Agreement
- ii. A Monitoring Fee
- iii. Approving the highway details
- iv. Inspecting the highway works

Planning permission is not permission to work in the highway. A Highway Agreement under Section 278 of the Highways Act 1980 must be completed, the bond secured and the Highway Authority's technical approval and inspection fees paid before any drawings will be considered and approved.

- 4 The development hereby approved includes the construction of new highway. To be considered for adoption and ongoing maintenance at the public expense it must be constructed to the Highway Authority's standards and terms for the phasing of the development. You are advised that you must enter into a highway agreement under Section 38 of the Highways Act 1980. The development will be bound by Sections 219 to 225 (the Advance Payments Code) of the Highways Act 1980. Contact the Highway Authority's Legal Agreements Development Management Team at:

[highwaylegalagreements@gloucestershire.gov.uk](mailto:highwaylegalagreements@gloucestershire.gov.uk)

You will be required to pay fees to cover the Councils cost's in undertaking the following actions:

- I. Drafting the Agreement
- II. Set up costs
- III. Approving the highway details
- IV. Inspecting the highway works

You should enter into discussions with statutory undertakers as soon as possible to coordinate the laying of services under any new highways to be adopted by the Highway Authority. The



Highway Authority's technical approval inspection fees must be paid before any drawings will be considered and approved. Once technical approval has been granted a Highway Agreement under Section 38 of the Highways Act 1980 must be completed and the bond secured.

- 5** You are advised that multiple Traffic Regulation Orders (TRO) are required to introduce the development and off-site improvements proposed, these will be incorporated as part of the Section 278 agreement. You must submit a plan to scale of an indicative scheme for a TRO, along with timescales for commencement and completion of the development. Please be aware that the statutory TRO process is not straightforward; involving advertisement and consultation of the proposal(s). You should expect a minimum of six months to elapse between the Highway Authority's TRO Team confirming that it has all the information necessary to enable it to proceed and the TRO being advertised. You will not be permitted to implement the TRO measures until the TRO has been sealed, and we cannot always guarantee the outcome of the process. We cannot begin the TRO process until the appropriate fee has been received. To arrange for a TRO to be processed contact the Highway Authority's Legal Agreements Development Management at:

[highwaylegalagreements@gloucestershire.gov.uk](mailto:highwaylegalagreements@gloucestershire.gov.uk)

The cost of implementing any lining, Team signing or resurfacing required by the TRO is separate to the TRO fees, which solely cover the administration required to prepare, consult, amend and seal the TRO

- 6** The applicant is advised that species must be protected in accordance with the law and the appropriate licenses for works must be obtained.
- 7** The Health and Safety Executive recommend consulting the operator (Wales and West Utilities) about proposed uses in close proximity to the gas pipeline as they are likely to have a legal interest (easement, wayleave, etc.) in the vicinity of the pipeline, and would need to be notified about changes such as:
- the erection of any building whether temporary or permanent.
  - fencing, ditching and the planting of trees.
  - anything that materially raises or lowers the depth of the cover of the pipeline.



<b>APPLICATION NO: 16/02000/OUT</b>		<b>OFFICER: Mr Chris Gomm</b>
<b>DATE REGISTERED:</b> 7th October 2016		<b>DATE OF EXPIRY :</b> 6th January 2017
<b>WARD:</b>		<b>PARISH:</b> SWIND
<b>APPLICANT:</b>	Bloor Homes And Persimmon Homes	
<b>LOCATION:</b>	Elms Park Tewkesbury Road Cheltenham	
<b>PROPOSAL:</b>	Outline application for up to 4115 new homes providing a range and choice of mix and tenure, including affordable housing (C3) and elderly persons accommodation (C2/C3 up to 200 units), 24 ha of employment generating uses including 10 ha B1 business park (up to 40,000 sqm), a hotel (C1 up to 200 rooms), and mixed use centres providing retail uses and community facilities (A1 - A5 up to 6,150 sqm, D1/D2 up to 3,000 sqm), a transport hub and public transport inter change, primary and secondary school education (D2), new areas of green infrastructure including areas of play sports hub, woodland planting, allotments and habitat at creation, creation of new means of access onto Tewkesbury Road and Manor Road, new footways and cycleways, and energy and drainage infrastructure.	

## REPRESENTATIONS

Number of contributors	<b>122</b>
Number of objections	<b>111</b>
Number of representations	<b>6</b>
Number of supporting	<b>4</b>

7 Rushworth Close  
Cheltenham  
Gloucestershire  
GL51 0JR

### Comments: 18th October 2016

The map of the area surrounding Swindon Village does not show the LGS that was submitted to the Inspector and which was supported in her response. It was also supported by Cheltenham Council and is in the Draft Cheltenham Plan. The LGS is bigger than that shown in the application and should be the agreed size on the application.

I am also concerned that, though the Inspector reduced the numbers of houses in this area by 500, there appears not to have been a reduction on the application.



69 Church Road  
Swindon Village  
Cheltenham  
Gloucestershire  
GL51 9RE

**Comments:** 6th November 2016

This land is green belt and should be protected as agricultural land to produce food. There is brownfield land that should be developed in preference to the large area of land that cannot ever be replaced. There are wild habitats and old trees that will never be replaced.

The main concern is the lack of improvements to the transport infrastructure and chaos that will ensue. the roads that are already congested to such a degree that it can take an hour to get to the M5 to go south from Swindon village! There is already gridlock at peak times around the Kingsditch industrial estate and this will be much, much worse if these houses are built.

The maps do not include the agreed local green space around Swindon village which is extremely important and should definitely NOT be allowed for any development.

9 Green Pippin Close  
Gloucester  
Glos  
GL2 0PA

**Comments:** 29th November 2016

New affordable housing is desperately needed for this area - especially to support the enlarged workforce needed to attract and support new and existing industry.

This is an intelligent proposal which is accessible to Gloucester - to benefit both communities.

14 Flint Road  
Cheltenham  
Gloucestershire  
GL51 3JE

**Comments:** 2nd November 2016

Cheltenham and the surrounding areas will be extremely badly affected if the proposal to construct an urbanised area upon an existing protected greenbelt is successful. In order to protect, and maintain order and acceptable living standards and space in, Cheltenham, this must not go ahead. The dire implications of destroying the greenbelt environment must be considered, and so far, they have not been. This includes the destruction of



wildlife habitats and an increase in harmful pollution which will spread throughout Cheltenham and the surrounding areas.

33 Rivelands Road  
Cheltenham  
Gloucestershire  
GL51 9RF

**Comments:** 7th November 2016

I would like to object to these plans on the following basis:

1. There has been a number of comments made regarding the local green space that has been 'agreed' to remain outside of the application area. The developer attempts to make reference to this on drawing 9926 however the 3 areas indicated still remain on the submitted proposals. The drawing gives the impression of 'giving-up' much more than is actually the case; One of the hatched areas (in the middle) is outside the development boundary and should not be included at all, the northern most area has been shown as being considered as green space since the proposals were released in 2013!, therefore the only concession made is the southernmost area, which is an area of steeply sloping ground and therefore difficult to build on in any case.

These areas should be removed from the planning application and indicated as outside the site boundary.

Presumably a further consideration will be given to applying a similar approach to Phase 4 if this is ever to be considered?

2. There is nothing in the proposals to address the current strains on the traffic situation in the adjacent areas. All roads around Gallagher and Kingsditch retail parks and Swindon Village ward are chaos at peak times. This development will massively increase traffic on the surrounding roads both during the Construction phase and particularly in Operation, not only from the potential additional circa 8000+ new residents but also visitors and employees using the new proposed facilities; hotel, schools, sports facilities and additional retail outlets.

The developer makes reference to the transport hub and the use of a 'hierarchy of routes' to control movement of traffic within the development but there is no reference to how the additional pressure on the surrounding areas will be controlled.

Scenarios used and considered for any assessments of traffic within the area are based on 2011 figures and are therefore significantly out of date particularly given the recent changes to the available retail facilities in the area attracting more and more visitors over the last 5year period.

It is hard to accept that traffic will be reduced along Swindon Road as a result of the development as is suggested in the Environmental Statement made by the developer, and it would be interesting to understand the parameters input into the model to arrive at this conclusion. In addition the report suggests that in certain aspects the modelling used in the assessment criteria is 'questionable' it is interesting that this approach is taken



when it suits the outcome of the report yet using figures over 5yrs out of date is not 'questionable'!

The whole section on Transport is full of speculation and not backed up by up to date relevant hard facts and therefore surely must be questioned as to its accuracy.

The current traffic problems in this area is very real and it would be irresponsible (to say the least) to allow a significant development such as this to proceed without prior major investment in Town infrastructure planning and improvement. The information presented by the developer is clearly erroneous and cannot be relied upon as an accurate assessment of the current of expected condition.

3. The impact of the proposed development on Swindon Village itself has not been fully considered and must be given higher emphasis. If development must proceed then the area proposed as surrounding local green space must be increased to maintain this important heritage and character. And maintain a much needed resource for the local community and local environmental diversity.

To achieve this the development boundary should be further restricted on its eastern boundary to the west of the village and increase the green belt provision in line with national planning policy.

4. The land proposed for development is established agricultural land and should be given importance as such. As Britain looks to become much more self-sufficient over the coming years, prime agriculture land close to existing centres should be protected as a valuable resource.

5. The proposals do not satisfactorily deal with the increased pressure a development of this size would have on the existing drainage infrastructure. The developer suggests that all provisions have been considered and will be dealt with however until specific details are proposed then the application should be refused as incomplete.

6. There are a number of brownfield sites in and around Cheltenham and Tewkesbury such as the Ashchurch site that are surely much more suitable for development prior to destroying much valued and important Green belt land. This must be taken into consideration and the proposal should therefore be rejected until these opportunities have been exhausted.

7. In light of all the above any development of this scale should be refused. Applications of this scale should not be considered until a full appreciation of the impact of such developments have been considered and suitably planned for with all infrastructure upgraded in preparation to minimise the impact not reactively instigated. The Joint Core Strategy has not yet been agreed and even in itself does fully address these issues. It is clear to all that at present this area cannot support this level of development.



The Old Rectory  
Church Rd  
Swindon Village  
GL51 9RE

### **Comments:** 27th July 2022

#### Timing of the consultation period

The public has been given very little time during the holiday season to review the application to make a comment. Some documents are showing as unavailable to view. Please consider an extension to this deadline.

Note- This happened previously when developers timed their application for the Christmas holiday period.

#### Sustainability

These plans need to address specifics rather than using vague terminology. Need to describe heating/ insulation/ water saving/ use of rainwater/ public as well as personal EV charging points etc to meet CBC net zero by 2030 target.

#### Highways/ Transport

No homes should be built until the change to M5 J10 and the Tewkesbury Road access and road widening are ready. There are safety concerns due to the impact on already overstretched roads in the area.

There are already significant pinch points including Swindon Rd bridge , Swindon Lane level crossing( and consequent traffic jams when gates are down on Wyman's Lane) and leaving the village via Manor Rd especially when the staff working at the light industrial estate leave work.

GCC highways have no concerns that Swindon village becomes a rat run. We disagree. The plans show no provision to link A4019 to Bishops Cleeve. Essential to avoid north bound traffic from this proposed development passing through Stoke Orchard/Elmstone Hardwick.

#### Cycleways

Please take note of the comments from the cycle campaigners, especially around safe design at junctions and roundabouts and routes to schools.

#### Phases

There should be a 'Housing Requirement Review' after completion of each Elms Park phase to reassess need.

The Home Farm proposal (previously Phase 4) should only be considered after all Elms Park development phases have been completed and a post-phase 3 housing requirement review. The narrow roads in Swindon Village cannot be used for construction vehicles and traffic from 180 new homes.

#### Ownership of green spaces



All existing local green space, public footpaths and bridleways should remain in place. Ownership of this land must be clearly defined.

### Health care

Dental services and primary care provision are mentioned but what additional resource and capacity will be provided for our already overstretched secondary care and the emergency services?

### Education

The local schools are full and cannot meet demand for the new estate, therefore new schools should be built as priority. Pates Grammar School is mentioned but is not relevant as admission is selective without a catchment area.

### Housing

There must be adequate provision following all legal requirements as a minimum for social housing, and for disabled persons.

The homes must be built to a high standard using best quality materials and designed for minimal environmental impact. Each need sufficient outside space for parking cars and bicycles alongside communal space for enjoyment of the outdoors.

### Wildlife / countryside

The detailed planning application must include specific measures on how to manage the wildlife population to the remaining green areas. The proposal will result in a 13% loss of hedgerows. There must not be any negative impact on trees, and Trees with Protection Orders must be identified. The natural character of Dog Bark Lane must be maintained. An additional separate recreational cycle path is needed whilst leaving Dog Bark Lane as it is.

### **Comments:** 7th November 2016

I understand that there is a real need for new housing nationally and locally but a single development of this scale clearly has a major impact. I have looked at the public documents and object to the development because of the following points.

1. I am opposed to allowing building on designated greenbelt land. There have been brownfield sites identified which should be used in the first instance. This is a legal requirement. By allowing this breach of greenbelt land in Gloucestershire it will set a precedent for elsewhere in the UK.
2. The acceptance of a local green space for Swindon Village is welcome but has not been shown correctly on the plans.
3. I am very concerned at the traffic implications from an expected population of over 8,000 of having one primary access onto Tewkesbury Rd, near the Park and Ride, and a "secondary" access with mini roundabout onto Manor Rd. Since the expansion of the retail parks and Spirax on Runnings Rd, there are times where the traffic from Manor Rd



is at a standstill. (Weekdays 4.30-6, weekends during shopping hours peaking over lunch times.) PE way is often stop start already.

4. If cars are unable to get onto Tewkesbury Rd, people may choose to drive through Swindon Village especially if heading in the Bishops Cleeve direction. The roads in the village are winding and narrow and two wide vehicles cannot pass each other in several places.

5. If the M5 junction 10 was made four way this would help to alleviate congestion from PE Way and Tewkesbury Rd. If there was an access on the north west side of the site, this would also divert some traffic.

6. The Park and Ride is not helpful for many workers who use their cars during the day, or work beyond the designated stops.

7. We are all aware of the strain on the NHS services and although I see there is provision for elderly care, and primary care in the site, I have found nothing addressing the impact of this new town on the hospitals.

Green Acre Nursery  
Tewkesbury Road  
Uckington  
Cheltenham  
Gloucestershire  
GL51 9SW

**Comments:** 30th October 2016

I have lived on one of the county council smallholdings for 31 years and have witnessed first hand the increase in traffic flow and congestion on the A4019 outside my holding. It used to be a problem entering and exiting my property just at peak times but now it is virtually at any time during the day.

This proposal should not even be considered until there are definite plans to improve the road and make junction 10 of the motorway a two way junction. Anyone who thinks that this road would be anything less than a nightmare with the addition of traffic from over 4000 homes should come and live where I do and experience it as it is now let alone what it is likely to be.



2 Whitethorn Cottages  
Dark Lane  
Swindon Village  
Cheltenham

**Comments:** 31st October 2016

I am writing to express my extreme dismay at the prospect of the building of "ELMS PARK new town of 4100 houses".

I live on Dark Lane in Swindon Village. As such, I use the existing infrastructure (e.g. roads, shops etc.) in the area on a regular basis, and note that many of these are already insufficient at peak times. Adding an extra 4000 odd houses and a hotel, even with additional roads and shops being put in, will make this unbearable. At rush hour and for a good part of the weekend, Manor Road and Runnings Road already have stand-still traffic.

Aside from the inadequate access, I am extremely upset that so much of our green land is going to be lost. This is not only a lovely area with public footpaths that I use frequently, which I understand will be destroyed, but the areas around this part of Swindon Village are a haven for wildlife. I have frequently seen rabbits, deer and other animals, and have even seen a nesting pair of birds of prey in the fields near Wingmoor Farm. Their habitat will be destroyed with this influx of houses.

I understand that there is a small section of land that has been designated 'Local Green Space', but could not find this on the application documents. This needs to be included on the plans, and assurances given that this will not be built on if the development is to go ahead (hopefully it won't!).

The area in question is prime greenfield land, and could be used to help grow local produce. I believe that if such developments are necessary, this land should only be built on once all the available brownfield land in Cheltenham has been taken up.

I await with interest and trepidation the outcome of this application. I believe that if it is successful it will completely change the character of the area, causing the loss of local wildlife habitats and public footpaths, and making the area completely hellish to get around. I can only hope that you do not ruin my home by allowing it.



33 Rivelands Road  
Cheltenham  
Gloucestershire  
GL51 9RF

**Comments:** 31st October 2016

I have numerous concerns about these plans.

Firstly I highly disagree with the amount of proposed housing that is suggested and feel it is still unjustified. If this quota of housing needs to be met then it should be dispersed into smaller sites throughout Cheltenham, Gloucester AND Tewkesbury and not just lumped in to one site to tick a box.

Having lived in Cheltenham for a number of years I have seen the gradual local improvements to this area particularly from a retail point of view and as a consequence the traffic has got considerably worse year on year. It simply cannot cope with any further development or an increase in population without firstly improving the infrastructure.

It is naive to think that the transport infrastructure in and around Manor Road, Tewkesbury Road, Runnings Road, Kingsditch and Gallagher retail parks can cope with this proposed development with minor infrastructure changes. It is already struggling, especially at peak times and weekends. Traffic is often at a standstill. Not only is this a strain on the transport infrastructure but people are also being drawn away from Cheltenham town centre and as a result the smaller high street shops and retailers are suffering which is a real shame.

I am a firm believer that brownfield sites should be looked at first and there are many pockets of land and sites throughout Cheltenham, Tewkesbury and Gloucester that are derelict and offer redevelopment opportunity that wouldn't result in destroying vital green belt land where deer and other wildlife reside, where agriculture is already thriving and where traffic is already a problem. Not to utilise these brownfield sites first is very wasteful and ignorant.

Furthermore, in light of the recent Brexit vote should we not be forward thinking enough to realise that this already established agricultural land is a precious commodity now as we should be looking to locally source more of our own produce for years to come.

Cheltenham has a reputation for its Cotswold charm, rural setting and beautiful town centre shopping. This proposal would destroy vital pockets of green belt with an unsightly, massive housing estate and the commercial/retail development would increasingly detract people away from the town centre and congest the roads.

It is a shame that so much green land is still being earmarked for development and I strongly think a proposal of this magnitude should be reconsidered and be substantially scaled down. The map on the application does not show the Local Green Space around Swindon Village that was agreed to be included in the Cheltenham Plan so this needs to be amended.



Orchard End,  
Lowdilow Lane  
Elmstone Hardwicke  
Cheltenham  
GL51 9TH

**Comments:** 3rd November 2016

Original email, 25th October

I note in today's Public Notices of the Gloucestershire Echo (Page 38) a PLANNING APPLICATION 16/02000/OUT Elms Park, Tewkesbury Road, Cheltenham.  
I am objecting to this description as no part of the development site is on TEWKESBURY ROAD, CHELTENHAM.

The correct description is Elms Park, Tewkesbury Road, Uckington.

Will you please correct the address of the site of this Planning Application and the Public Notice.

Response from TBC , 31st October  
Thank you for email.

We have discussed your concerns with the Council's Legal Team. The application site covers a very large area with approximately half the site falling within Cheltenham's administrative boundary. It would be very difficult therefore, to give such a cross-boundary application a comprehensive description of development.

Given the above, and the fact that the site has been well advertised and relates to an allocated housing site (and has been for many years) in the Joint Core Strategy, it is considered people will be aware of which area the proposal relates to.

The Council do not consider it necessary therefore to correct the address of the site of this Planning Application and the Public Notice.

2nd email, 1st November

Thank you for the response to my email. I accept that you have taken advice from your legal team and are not prepared to correct the error in the description of the site location.

We already note that there very many assumptions and errors have been made in this outline planning application. It cannot be left to the Reserved Matters stage. There seems to be confusion between settlements and civil parishes. Namely this application covers the Civil Parishes of Swindon Village and Uckington, and not ELMSTONE HARDWICKE.

There are errors in the names of highways, eg The Green, Uckington, and Junction 10 on the A4019 is described as taking traffic from the M6 motorway. Also the River Chelt corridor is not on this application site.

We hope that these errors will be corrected as assumptions cannot be made.



1 Swindon Hall  
Church Road  
Swindon Village Cheltenham  
Gloucestershire  
GL51 9QR

**Comments:** 2nd November 2016

To whom it may concern,

I'm 17 years old, and I have lived in Swindon Village since I was born. Clearly, therefore, I know the village well, which not only has a lot of history associated with the buildings, but with the land surrounding it too. Knowing that this is about to be changed forever really upsets me, angers me even. I would like to say simply that I do not support in any way whatsoever the plans proposed and having spoken to neighbours and family members too, I know not a single person who would like the plans to go ahead.

Please take this into account over the next few days. Building on a green belt is not a decision that should be taken lightly!  
Thank you

**Comments:** 2nd November 2016

This goes against everything the government say they want to do- new houses? Yes- but on a green belt? Are we not meant to be saving these areas? I'm still only young, 17, compared to most who are probably opposing this; but I do not want to grow up in a world where year on year we have less green space. I appreciate the need for housing, and the cost of building on brownfield sites. But the long term cost of building here is surely more substantial.

I need not state every argument opposing the build as I'm sure they've all already been said, but I thought it was important that it be known that everyone I have spoken to is against the development.

2 Swindon Manor  
Manor Road  
Swindon Village  
Cheltenham  
Gloucestershire  
GL51 9TP

**Comments:** 7th November 2016

I wish to formally lodge my objection to the proposed new town to be known as Elms Park....my key area of concern is that the proposal is to build on land that is of prime agricultural use and has long enjoyed Green Belt Status to prevent coalescence of the urban developments of Cheltenham and Gloucester . This is in direct conflict with the



Government's stated official policy of prioritising brownfield sites . I do not object to development per se but it should be mandatory for our councils to ensure that appropriate locations are selected in accordance with national policies/law. The size of the proposed development is undesirably huge and will inevitably , in the long term, result in the coalescence of Cheltenham and Gloucester as other development takes place on the Gloucester side.

Other areas of major concern are :

The potential for traffic chaos on the Tewkesbury Road and likely knock on effect as far as the Lower High Street ,the three nearby retail and industrial estates and Princess Elizabeth Way . Local traffic infrastructure is already inadequate with frequent gridlocks experienced at rush hour and weekends... the proposal to create three main access routes together with no expansion of Junction 10 of the M5 to two way cannot make sense without a perfectly formed Transport Infrastructure Plan.

The proximity of Wingmoor Farm with its toxic waste processing raises serious human health issues notwithstanding that the operators ' s maintain there is minimal/no risk. I know that this has previously been the subject of debate and feel that public concern cannot so easily be dismissed out of hand.

Finally, I note that the map in the Planning Application does not show the Local Green Space around Swindon Village that was recently agreed to be in the Cheltenham Plan. The LGS is not now available for development of course and the Application should be amended accordingly

I shall be grateful if you will acknowledge receipt of this email, thankyou.

10 Manor Court  
Swindon Village  
Cheltenham  
Gloucestershire  
GL51 9SD

**Comments:** 27th July 2022

Firstly I know this housing has to go ahead although I would prefer not so many ! But realistically we have been given hardly any time to get together to discuss with Swindon residents - 143 documents !

With in recent years, the emphasis being on climate change, I have become much more - as many others also, involved in doing everything I can to help change the worrying situation and really hope the Council will be able to ensure green infrastructure is monitored - for example the hedgerows on this site are ancient and full of birds and other wildlife. I can see on the plans hedges but don't know if the existing ones will be ripped out and new less valuable ones substituted.? Also apparently only 6 trees have TPOs ? There are hundreds of beautiful trees that surely could be saved ? Any new trees planted are of course welcome but they do not help the carbon issue until they are matured which takes some years and indeed new trees actually add to the carbon problem while they are young. We must therefore keep as many many existing trees as possible. I realise



## Page 141

our hedgerows are overgrown but please do not take them out entirely, just trimmed back is what is needed. Build the houses etc around and with nature.

We are so glad our green space around the main centre of Swindon Village has been saved by tireless campaigning of 'Save our Countryside'. Our village has wonderful history and it is important that big developments such as Elms Park do not take that away by merging (as what has happened in Bishops Cleeve).

Access with transport must be via Tewkesbury Road when this has been upgraded along with the improvement of the M5 junction 10. It would be crazy not to have this in place before the building on this site. Manor Road gets incredibly busy at times already. Our roads in the Village cannot cope with heavy traffic so please please ensure this is not allowed.

Street lighting is not permitted in our Village and this encourages wildlife so as bats which I enjoy watching especially lately with the warm summer nights. We must do all we can to help wildlife remain in their homes too.

There is still much I need to learn about the consequences of this Elms Park Development and wish I had more time. We all have busy lives and what with it being holiday time it seems unfair to give us only until 28th July !

6 Manor Court  
Swindon Village  
Cheltenham  
Gloucestershire  
GL51 9SD

### **Comments:** 27th July 2022

#### General comments

I have concerns about the actual numbers of houses being built as on one part of the new plans it says 4115 and further on in the plans it states 4285 therefore confirmation of the number of houses would be useful

It is my understanding there will be some fields or greenbelt around Swindon Village I note from the plans it is not there or if it is it is not easily seen can this be confirmed that there will be Greenland around the village as apparently agreed previously

I find there are some contradictions within the plans such as the type of school or schools being built I do think the plans need to be less contradictory and The builder more honest about what they are actually going to do

On page 20 of the plan it states Swindon and not Swindon Village again these are small mistakes but Swindon and Swindon Village are very different areas I feel this needs to be changed or confirmed to stop any confusion

Also on the plans it states the primary entrance will be on the main Tewkesbury Road however from the plans I presume there will be two primary entrances from the Tewkesbury Road as the entrances they show have very different buildings surrounding them



I understand there is a secondary entrance on Manor Road however it is also my understanding that building plans are being looked at to commence with 250 houses in that area however I also have the understanding that 1000 houses can be built before the changes to the Tewkesbury Road making it into a proper carriageway need to be done there for having thousand houses which could equal 2000 cars or more coming out onto Manor Road which cause absolute carnage and chaos especially at peak times of travel as at present at peak times there are queues from the traffic from the traffic lights by The food warehouse right through to Ryan Higgs Road and Swindon Road there also is on occasions especially at school hours queues coming back along Manor Road blocking entrances causing residents to be unable to easily exit the village area

Generally having a secondary access point to Elms Park at Manor Road is likely to cause several concerns a more congestion in the village including more traffic coming through the village when there is continued queues on Swindon Road putting residents at further risk especially around narrow bends within the village area

Increased traffic through Swindon village and Runnings Road Manor Road at peak times will also cause environmental harm due to car pollution of static traffic from engines which may in the long-term cause increased health problems to local residents

Overall it is my opinion looking at the plans and the traffic having a secondary access on Manor Road which causes a lot of concerns in relation to increased traffic especially as Bishops Cleeve continues to have large amounts of construction of houses and these people do use Swindon Road as a cut through

The plant building area by Manor Road is raised and therefore will also have an effect on the landscape which could also cause further flooding on Manor Road due to there being possibly not enough drainage within the new estate and overflow of the stream

The plan is mention sustainable transport and this will be promoted however will the council add increased bus services and new routes to the local towns and cities to encourage residents and people to use this instead in relation to the cycle path will there be a cycle path all the way through to Cheltenham or just literally within Elms Park which again will not encourage people to cycle as stated

I have concerns about the traffic buildup from McDonald's roundabout through to Cheltenham as there are already queues in relation to people using McDonald's but also these areas of concern are from my understanding not up for the grading and upgrading therefore it is likely to cause further traffic into Cheltenham and hence further pollution to the environment in these areas as well

When considering transport and vehicle usage I believe the council and the planners should consider the continued large construction of homes at Bishops Cleeve as mentioned earlier this has a great effect on transport using the roads around Swindon Village itself and also using Swindon Village as a rat run when the queues are extensive on the other main roads



64 River Leys  
Cheltenham  
Gloucestershire  
GL51 9SA

**Comments:** 4th November 2016

Re: Elms Park proposed development. Two points:

#### 1. TRAFFIC

The developers did themselves no favours by failing to measure local traffic densities, and therefore failing to demonstrate that the existing system will be able to cope with the extra pressures. Traffic volume on back streets, such as Village Road, has substantially increased in the past 2 years.

I see however, that the latest submissions take a different approach. A large file labelled 'Transport' is more than half filled with accident reports. It seems that the competence of a road network is nowadays measured not in vehicles-per-hour but rather in accidents-per-year!

Anyway, by including within that file statistics for Princess Elizabeth Way, there is a tacit admission that Elms Park will have a knock-on effect all around West Cheltenham.

Even without professionally analysed statistics, it's not difficult to make a realistic guess at the effect Elms Park will have. Try this. Of vehicles leaving the development on a journey of 2 miles or more, what proportion will be heading towards the already overloaded Kingsditch gyratory? Maybe 70%. On the other hand:

Build a new main road between Uckington and Bishop's Cleeve and the proportion might drop to 60%. Alternatively:

Create a 4-way interchange at Junction 10, then the proportion might drop to 50%. Better still:

Do both things and the proportion might drop to 40%; but also, so many local journeys would divert, that Kingsditch might actually experience a nett drop in traffic!

I know that local Planners with a long memory will sense a nightmare returning from 20 or so years ago, when there were plans for a North West Relief Road. But surely the biggest objection to that prospect, back then, was that the land to the southeast of such a road would become in-filled with development. Now, it looks like that will happen anyway.

Therefore, please JCS, get the processes underway to get those two highway changes made (regardless of national policy). And, make sure that Elms Park's layout is going to be compatible.

#### 2. HISTORY

Please also get the layout to respect the parish boundary between Swindon and Uckington. It is, in any case, the present-day boundary between two Boroughs, but it is also a historic context dating back well over 1,000 years. The current proposal shows the field north of Swindon Farm-house assigned into a parcel for commercial use along with



the adjoining land in Uckington. How hard is it to retain a hedge? (Watch out also for the public footpath across that field).

P.S. For your information, I repeat below the submissions I made to the JCS in April 2015, giving more detail about the concerns in Point 1. Above. There seems to have been no acknowledgement of these issues, and no progress on this front. Perhaps you could at least take note of the closing sentence!

### Part 6

A single issue, specific to the North-West Cheltenham proposals, which is: TRAFFIC! Page 22 of the DPD at the end of para.2.33 has "Ambition 3" (Strategic Objective 7), expressing a hope not to increase traffic locally. But there is nothing realistic about that hope, nor any indication of what to do about it afterwards if the ambition is not achieved (i.e. in the event of grid-lock). (It may be said that some increase in traffic is inevitable following new development, but I'll offer an alternative in part 7 below).

I'm referring specifically to the Kingsditch Gyratory. The fact that Kingsditch is not within the development area itself has been treated as sufficient reason to ignore it as an issue. (Would you apply the same logic to the watercourses, that the effect downstream is irrelevant?) The Sustainability Appraisal Report (SA) of May 2014 (para.7.135) admits that the A4019 is an issue. The DPD admits that including traffic as a factor will always be a spanner in the works, but then passes the buck to the developer to sort it out! (See para 5.2.5 INF1 points 1ii, 1iii & 2, also INF2 points 1i & 2). Para 5.2.8 says "a site-wide travel plan ... is a useful tool," but it doesn't say whose job is it to produce one! The developers' Elms Park map is quite detailed and specific, but a developer can only guess at the traffic impact on surrounding areas, and can't do much about it anyway. Therefore I declare that the DPD is not positively prepared and is therefore not sound. The SA admits that it has had its teeth removed regarding traffic (pp.122,123) whilst the DPD has also evaded the issue, and has therefore not researched or presented any statistics or evidence about knock-on effects. Meanwhile it implies that the developer is under obligation to resolve something over which they have almost no control (i.e. access and traffic-flow)!

I would be interested to know if Kingsditch is one of the five AQMA locations in Gloucestershire mentioned in 5.2.9 with high pollution levels? Also, have any surveys been done recently on traffic flow in streets around Kingsditch? Although the Gyratory is a clever piece of engineering (despite its dodgy road-signs and markings), the surrounding streets seem to be getting busier (viz Manor, Runnings, Kingsmead, Village, Hayden, Arle and Swindon Roads respectively).

### Part 7

Solution 1: Drop North-West Cheltenham from consideration (with obvious resolution of all my issues).

Solution 2: There is a realistic and practical alternative. It may need yet more heavy consultation, but it is pretty obvious! It would be to create a completely new highway from the M5 junction 10 to Bishop's Cleeve. (That's all of 3 miles; alternatively, start from Uckington, that's just 2½ miles). Access to the new estates would be from this highway, as well as from existing roads (which latter would in turn become quieter rather than busier).

I'm sure the residents of Brockhampton would have something to say about this, but it does make perfect sense, especially if it's part of ongoing development. (I know that linking directly to junction 10 would also affect farmland stated to be excluded from all proposals, as well as perhaps needing national intervention).



The SA para.0.11 says "Without the JCS there is less likely to be any co-ordinated delivery of improvements to the transport infrastructure." Well, if the JCS has any teeth at all, it should be able to take a long-term view of traffic problems and make some bold policies accordingly. Unfortunately the SA completely brushes it aside (see para.7.117) as somebody else's problem, whereas the DPD passes the problem to the developer. Come on. If this development is going to be done, at least do it thoroughly! In fact, the DPD should not only build the above by-pass into any plans for North-West Cheltenham, it must legally therefore also state what the developer would have to do if the by-pass proposal got cancelled at the last minute. There you are, precisely! More work for someone to do, I think.

### Addition to question 46

The JCS seems to include no proposals to build distributor roads for the new housing estates. Is this because the Councils cannot afford to build roads? Or is it because even the three authorities combined don't have enough clout to persuade the government agencies to pay for this? Either way, how can the JCS be a coherent plan, consistent with its own aims, if it approves new housing without simultaneously approving new highways?

[As an example of what I mean, for Northwest Cheltenham, a distributor road linking Uckington with the Bishops Cleeve Bypass would work. Or even merely making the M5 junction 10 into a four-way junction. Or both.

I have elaborated more on this query at questions 146 and 188 later on in the hearing. References, explained there, include the Sustainability Appraisal Report (SA) of May 2014 para.7.135; pp.122,123; para.0.11; and para.7.117. The DPD para.2.33 Ambition 3 Strategic Objective 7; para 5.2.5 INF1 points 1ii, 1iii & 2, INF2 points 1i & 2; and para 5.2.8].

### Addition to questions 146 & 188

A new housing development causes more traffic around the locality: the only exception would be if access is via a new distributor road that is a through-route. Why does the JCS feel that traffic concerns should be the responsibility of the housing developer, when in fact the local authorities themselves are in the ideal position to do something about it, (all the more so if they join forces)?

[References, described below: the Sustainability Appraisal Report (SA) of May 2014 para.7.135; pp.122,123; para.0.11; and para.7.117. The DPD para.2.33 Ambition 3 Strategic Objective 7; para 5.2.5 INF1 points 1ii, 1iii & 2, INF2 points 1i & 2; and para 5.2.8].

A fuller version of this query follows.

As an example of what I mean by a distributor road, for Northwest Cheltenham, a new highway linking Uckington with the Bishops Cleeve Bypass would work. Or even merely making the M5 junction 10 into a four-way junction. Or both. The Sustainability Appraisal Report (SA) of May 2014 (para.7.135) admits that the A4019 is an issue.

The remaining remarks here apply to the whole JCS, not just Northwest Cheltenham. Page 22 of the DPD at the end of para.2.33 has "Ambition 3" (Strategic Objective 7), expressing a hope not to increase traffic locally. But there is nothing realistic about that hope, nor any indication of what to do about it afterwards if the ambition is not achieved (i.e. in the event of grid-lock).

The DPD admits that including traffic as a factor will always be a spanner in the works, but then passes the buck to the developer to sort it out! (See para 5.2.5 INF1 points 1ii,



1iii & 2, also INF2 points 1i & 2). Para 5.2.8 says "a site-wide travel plan ... is a useful tool," but it doesn't say whose job is it to produce one!

The SA admits that it has had its teeth removed regarding traffic (pp.122,123) whilst the DPD has also evaded the issue, and has therefore not researched or presented any statistics or evidence about knock-on effects. Meanwhile it implies that the housing developer is under obligation to resolve something about which they have no data, and over which they have almost no control (i.e. access and traffic-flow)!

The SA para.0.11 says "Without the JCS there is less likely to be any co-ordinated delivery of improvements to the transport infrastructure." Well, if the JCS has any teeth at all, it should be able to take a long-term view of traffic problems and make some bold policies accordingly. Unfortunately the SA completely brushes it aside (see para.7.117) as somebody else's problem, whereas the DPD passes the problem to the developer. Come on. If these developments are going to be done, at least do them thoroughly!"

To phrase the query once more very briefly: How can you set about approving new housing without simultaneously approving new highways?

154 Village Road  
Cheltenham  
Gloucestershire  
GL51 0AE

### **Comments:** 15th November 2016

I am writing to voice my concerns about the proposal of the huge amount of houses to be built on the green space around Swindon Village. I live on Village Road and have done so for the past 10 years. The traffic load now as opposed to when I first moved here is horrific and the area unrecognisable in terms of the amount of buildings and businesses. I have to think about the time of day whenever I leave my house to do something as I know how grid locked all the roads are around here.

How can anyone even contemplate adding to this huge mess by adding over 4,000 homes which would be well what, at least the same amount of cars and probably more, all in that region, all trying to get to the same place at the same time. We have homes and businesses all located in this area and the infrastructure is at breaking point.

How dare you guys even consider allowing these money monsters to build when they now say that the southbound facility at exit 10 will not be done and that was one of the main conditions. Stop being such sell-outs!

Where does any of this end, the bar is dropping so low we will end up living in a giant carpark and the very thing this planet and all life depend on, is the thing you all seem hell-bent on destroying "NATURE"!! I haven't even touched upon the displacement of the wildlife!! So not only do we have culling and hunting but now their homes are gone for ever.



I just wished someone in your team was an environmentalist who could get you to listen before its too late and shame on anyone of you who is in agreement with this plan, you will be part of historical decision to destroy one of the largest green spaces in this country! What proud day for you all.

Grange Cottage  
32 Church Road  
Swindon Village  
Cheltenham  
Gloucestershire  
GL51 9QS

**Comments:** 8th November 2016

Please register my comments on the Elms Park Planning Application.

1. Unacceptable incursion into green-belt

The new town is a massive incursion into green belt when existing brown belt land within the existing greenbelt boundary has not yet been developed.

2. Traffic problems

PE way and nearby road are often severely congested at peak times. This new town will clearly lead to a likelihood of gridlock at peak times.

3. Lack of information in cycling infrastructure

The cycling strategy on page 44 mentions that the principal streets will have 3m separated cycle lanes, but I cannot find what the definition of what the principal streets are.

4. Wingmoor farm water disposal site

The Wingmoor farm site disposes of the most hazardous waste. The furthest North extend of Elms Park extends very close to this site, within the recommended distances of N miles, this would seem potentially dangerous to public health. Research published by the governments Planning Inspectorate shows 33% higher anomalies for residents living within 3km of 21 European hazardous waste sites. See <https://infrastructure.planninginspectorate.gov.uk/document/2743795>.



11 Arden Road  
Cheltenham  
Gloucestershire  
GL53 0HG

**Comments:** 8th November 2016

My main concern with this application is that the transport infrastructure is totally inadequate. The Highway Authorities have failed miserably to show how they can possibly cope with the additional 4115 extra houses. The Authorities put the cart before the horse, and propose a huge number of houses without indicating how they can provide the infrastructure. It is at the moment, "Pie in the Sky" as far as transport infrastructure is concerned. They have come up with nothing elsewhere that really works.

The Highway Authorities cannot keep playing the card, "All be catered for - we can alter the signalling system". Nobody believes them.

The traffic volume around the Kingsditch Industrial Estate at main travel times already creates bottle necks. It already verges on the "severe"

Where is the Local Green Space around Swindon Village that was agreed to be included in the Cheltenham Plan? The area needs to be removed from the planning application as it is not allowed for development.

Finally, this is good quality agricultural land - so it is imperative to use up all the brown field sites before encroaching on this land.

Greenroofs  
Tewkesbury Road  
Uckington  
Cheltenham  
Gloucestershire  
GL51 9SL

**Comments:** 26th October 2016

I strongly object to the highways proposal put forward for this application. I have spoken to various transport consultants and agree with them. How can a site of this scale and volume ( a new town in Effect ) have 3 main roads in and out of the site all coming onto the Tewkesbury road and within 200 yards of each other. It is absolutely ludicrous and needs to be addressed as the volume of traffic will cause total gridlock within this area.

I am assured by Bruce Simmonds from Gloucestershire Highways that traffic flow surveys etc will need to be obtained and will be robustly challenged but I strongly believe that this cannot be satisfied with the volume coming from this development. Also how is the fire engine going to cope from there new fire station. This needs seriously rethinking and several others roads added to avoid this congestion which will have absolutely nowhere to go.



9 Stantons Drive  
Swindon Village  
Cheltenham  
Gloucestershire  
GL51 9RL

**Comments:** 8th November 2016

Concerns regarding the proposed development at Swindon Village:

1. The proposed development ,on completion, will be bordering on the toxic waste disposal site at Stoke Orchard. This waste is trucked in from all over the UK and there is no obvious control or monitoring of this site. IF there is seepage which finds routes to the development, the consequences for residents could be very harmful. Similarly, any windborne contamination would adversely affect the development area and particularly the propsed new primary school at the north end of the development. Already, noxious fumes are generated by the landfill tip when the waste pools are stirred twice weekly.

If the planners give consent, they must be prepared to accept responsibilty for their decision if, in the future, there is any evidence that the planners were negligent in their consideration of the possible dangers. I would remind the committee of the historical examples of Corby and Methyr Tydfil.

2. The impact of (at least) an additional 5000 cars will cause a total gridlock at rush hours. Without access to the M5 south at Junction 10, traffic will be forced to use Princess Elizabeth Way to access the M5 at J11. This at a time when approximately 700 schoolchildren are walking to primary and secondary schools on this road. Already (and I travel this twice a day) traffic ignores pedestrian crossings with central refuges on PE Way unless governed by traffic lights. With a huge increase in traffic there will be long tail-backs on Tewkesbury Road, Kingsditch Lane, Swindon Lane, Manor Road, Runnings Road and Swindon Road because the roundabout at the end of PE Way cannot cope with volume of traffic.

3. The latest development plan has ignored the Local Green Space that was included in the agreed Cheltenham Plan. This land should not be included in any development plans. What else is going to be ignored?

8 Stantons Drive  
Swindon Village  
Cheltenham  
Gloucestershire  
GL51 9RL

**Comments:** 20th October 2016

Scale of development is far too large and number of houses can't be supported by current or proposed infrastructure. The development right up to the boundaries of existing properties is far too intrusive and level of noise and disruption would be unpractical. These plans will forever lose the open spaces and personality of areas such as Elmstone



Hardwicke and Swindon Village. Proposals will in effect turn the whole area into a massive sprawl of quasi commercial/retail mass housing development which will mean Cheltenham loses more of

12 Stantons Drive  
Swindon Village  
Cheltenham  
Gloucestershire  
GL51 9RL

**Comments:** 3rd November 2016

With reference to the planning application for the above I would like to express my disappointment at the sheer volume of houses being built and the loss of so much green belt in the area and the effects that will have on wild life.

Being a resident of Swindon Village the effects will be greatly felt, traffic in particular will see the village used as an even greater rat run than it is now. Large heavy industrial vehicles regularly use the village as a short cut as there are no restrictions in place and cars speed through at an alarming rate. Also getting in and out of the village via Manor Road/ Runnings Road and Wymans Lane can prove difficult depending on the time of day due to the sheer volume of cars using these roads.

Although a swath of green has been proposed to surround the village there has been no official confirmation and there is no provisions made on any of the plans submitted. This leaves me feeling very uncertain about its future. This swath is particularly important to villagers as it provides a much needed buffer and will help to preserve the integrity of the village.

14 Stantons Drive  
Swindon Village  
Cheltenham  
Gloucestershire  
GL51 9RL

**Comments:** 7th November 2016

I strongly object this development because of the following reasons:

- the Joint Core strategy has not been officially approved, so this planning application is premature and has no legal standing.
- the land this development is planned on is agriculture land with Green Belt status. We would not only lose valuable farm land but also a huge area of Green Belt land. All areas of brownfield land should be used up first, before green belt is being built on. This is a government policy and should be followed.
- the transport infrastructure for this area is already weak and at its limits. The plans show no adequate solution for the increased amount of traffic this huge development would



bring. Tewkesbury Road, Kingsditch and in Swindon Village would not be able to cope with this.

- where is the local Green Space around Swindon Village that was agreed in order to keep a green buffer around the village? The map does not show this space which has been allocated by Cheltenham Council. This needs to be corrected and changed in the planning application as development on this area is not allowed.

- a big part of the the land proposed for development is far too close to the waste site at Stoke Orchard and this could cause causing serious health concerns.

- I truly believe that this development which is basically a "new Town" on the footsteps of Cheltenham is completely out of proportion. It would change the character of this area completely for all the residents who chose to live in a semi rural environment. All the green fields, nature, wildlife and the green belt status will be lost forever for the population of Cheltenham and area.

I also don't believe that there is demand for such a big housing project. The answer - again should be to explore the brownfield sites first and then build on green fields, if needed, step by step.

13 Stantons Drive  
Swindon Village  
Cheltenham  
Gloucestershire  
GL51 9RL

**Comments:** 9th November 2016

Summary:

I am writing with respect to the above planning proposal and I wish to object strongly to development in this location for the following reasons:

1. The proposed development is on land designated as Green Belt. This in direct conflict with the Government's policy on protection of Green Belt as set out in chapter 9 of the National Planning Policy Framework (NPPF).
2. The proposed development is in an area containing Zone 3 (High risk of flooding) according to the Flood Map for Planning, provided by the Environment Agency (EA). The Flood risk assessment (Appendix H1) does not provide sufficient assurance that the proposed development will not pose an increased flooding threat either to the proposed development or existing neighbouring properties/infrastructure.
3. Statements regarding proposed water treatment plants and pumping station are included in the documentation but there is no indication as to where these would be located.
4. Insufficient time given for interested parties to comment on the proposals.



### Details:

#### Green Belt Development

5. Development on Green Belt land is acceptable in only very special circumstances. The planning proposals do not provide sufficient detail relating to the very special circumstances in relation to this development.

6. Government policy on protection for the green belt is set out in chapter 9 of the National Planning Policy Framework (NPPF) and states:

"The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence."

"As with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances."

7. On 18 July 2016, the new Secretary of State for Communities and Local Government, Sajid Javid, was asked in Parliament if he would "guarantee" during his tenure as Communities Secretary "there will be no dilution whatever to the vital protections of the Green Belt". He replied stating that the Green Belt is "absolutely sacrosanct" and added "It was in the Conservative Party manifesto and that will not change. The Green Belt remains special. Unless there are very exceptional circumstances, we should not be carrying out any development on it." Gavin Barwell, the new Housing and Planning Minister, said that most development on the green belt is "inappropriate" and that "The Government is committed to the strong protection and enhancement of Green Belt land. Within the Green Belt, most new building is inappropriate and should be refused planning permission except in very special circumstances."

8. The Campaign to Protect Rural England (CPRE) has analysed the Government's brownfield registers pilot scheme, and in their report dated November 2016 state that there is still capacity for over 30,000 homes on brownfield sites in the SW region:  
<http://www.cpre.org.uk/resources/housing-and-planning/housing/item/download/4714>

#### High Flood Risk

9. Swindon Village is surrounded by areas of flood plain to the North and East. Areas of the village are already exposed to flooding during heavy rainfall, and Manor Road still floods regularly, despite recent attempts to prevent this happening. Although the planning proposal states that development will not be directly on land designated by the EA as Zones 2 or 3, Appendix H1 Flood Risk Assessment (FRA) does not provide a sufficient level of assurance that the development will not increase the flood risk to existing neighbouring properties. It also does not provide assurance regarding the flood risk to the new development, and the Environmental Statement (non-technical summary) even states there will be a risk of drowning. It is also unclear from the EA Flood Map for Planning whether recently produced data has been used in the flood mapping, as it is not possible to determine the age of the data used.

10. The following statement was made in the Environmental Statement (non-technical summary):



P22. "A Moderate/Substantial Adverse risk of drowning in the watercourses and water storage areas"

11. The following statements were made in APPENDIX H1 Proposed Development - Elms Park Flood Risk Assessment:

(iv): "The completeness or accuracy of this information is not guaranteed by BVL." "we cannot guarantee that during the lifetime of this development flood risk may not exceed that stated in this report" Comment: No assurance of accuracy.

p.22 7.6.2: "At the centre of the site, around the location where the public footpath crosses the River Swilgate, floodwaters are not confined on the left bank and floodwaters are predicted to encroach onto the floodplains on both banks" Comment: Proposed housing is close to this river.

p.23 7.6.5: "There is a small amount of flooding from the right bank upstream of Lowdilow Lane which encroaches onto the site. There will however be no flooding within this development area" Comment: This statement is contradictory. "The largest area of flooding from Leigh Brook is predicted along Lowdilow Lane itself where water backs up behind the road culvert, spilling onto the road ...towards the A4019. It should be noticed however that this flooding is outside the site boundary". Comment: Development could adversely affect existing road flooding directly adjacent to the proposed site.

p.23 7.78: "The results above show that the model is relatively insensitive to the hydrological and hydraulic uncertainties" Comment: This suggests that the Sensitivity Testing is unreliable.

p.23 7.79: "finished floor levels (and road levels) will be designed to be a minimum of 600mm above the 1 in 100 design flood levels (including an allowance for climate change)" Comment: an acknowledgement of flood risk.

p.25 8.1.8: "under certain flood events the bridge structures could be partially or totally submerged and they will need to be designed to withstand these forces". Comment: There are NINE proposed bridges over the floodplain area and the FRA is already acknowledging that cycle and footpaths could be submerged.

p.29 8.2.11 "on the majority of this site, any water that does enter the ground will be held in the upper sandy layers and topsoil, as little will be able to penetrate the clay layers below"

p.37 10.2.1 "the majority if the site is underlain by Lias Clay deposits which will contain an insignificant amount of water and will only allow limited groundwater flow through them"

p.38 10.2.3 "the one soakaway test that was attempted failed due to rapid inflow of groundwater" "it has been assumed that limited parts of the development areas nearer Tewkesbury Road only could drain to soakaways" Comment: Rapid inflow of water suggests already saturated ground with limited drainage.

p.50 11.1.1 "there are not believed to be any existing groundwater flooding issues on site" Comment: my property overlooks fields within the proposed development and we can see that flooding occurs during heavy rainfall.



p.51 12.1.4: "Construction workers, plant and construction materials may be at risk of flooding from extreme flood events"

p.48. 10.6.6: "this will generally consist of one of several culverts". Comment: See Cheltenham Borough Council Strategic Flood Risk Assessment 11.6.2 "Further culverting and building over of culverts should be avoided. All new developments with culverts running through their site should seek to de-culvert rivers for flood risk management and conservation benefit"

12. M Griffiths, Uckington Parish Council, has previously provided comments relating to flooding issues in North West Cheltenham. See:

[http://consult.gct-jcs.org/consult.ti/consult\\_draft\\_jcs/viewRepresentation?repid=3632309](http://consult.gct-jcs.org/consult.ti/consult_draft_jcs/viewRepresentation?repid=3632309)

13. The severe flooding of 2007 resulted in significant flooding in many areas of Swindon Village, including Manor Road, Church Rd (including Swindon Village Primary School) and Hyde Lane. This photograph shows the impact of flooding in Swindon Village at Hyde Lane junction with Church Rd. The FRA provides no assurance that the risk to flooding from such a massive development can be accurately predicted.

[http://www.bbc.co.uk/gloucestershire/content/image\\_galleries/july\\_floods\\_gallery.shtml?30](http://www.bbc.co.uk/gloucestershire/content/image_galleries/july_floods_gallery.shtml?30)

Additional Facilities not shown on maps

13. The following statements were made in APPENDIX H1 Proposed Development - Elms Park Flood Risk Assessment but the locations are not on any of the maps provided. It can therefore be assumed that these will be located on green space areas.

p.50 11.3.4 "There is an aspiration to include an on-site facility to treat foul water on site"

p.50 11.3.2 "As the development progresses into Phase 2 a pumping station will be required to take the foul drainage from the Northern parts of the site"

Insufficient time for feedback

With such a large-scale development, and volume of accompanying documentation relating to the planning proposal, the deadline for comments is unacceptable, bearing in mind the potential impact of this development on the local environment. As full-time working individuals, it has not been possible to review all the documentation and respond in the amount of time that has been given. The comments provided here are based on only a few of over 70 documents that are listed.



43 Dark Lane  
Cheltenham  
Gloucestershire  
GL51 9RN

**Comments:** 25th July 2022

Letter attached.

**Comments:** 8th November 2016

Letter attached.

37 Dark Lane  
Cheltenham  
Gloucestershire  
GL51 9RN

**Comments:** 11th April 2025

Dear Mr Gomm

Many thanks for your communication of the 31st. March 2025 advising of revised plans and/or additional information regarding the above application.

I have been attempting to find the revision you mention to no avail, with all of the existing documents on the site not being available!

If the application is regarding access at the bottom of Quat Goose Lane for vehicles again, then I really need to know, as any vehicular access there would cause mayhem for us local residents. I know it is so said for public transport/pedestrians and cyclists only, but how on earth will you stop any cars from using it?

Please advise me with some urgency as to where and under what heading I can find this application, as replies need to be in by 30th April 2025.

Thanking you in advance of your prompt reply.

Regards

**Comments:** 12th August 2024

Dear Planning Committee

Reference: Parameter Plan 01 of 30/7/2024 - Land use and access.

Whilst access for public transport is possibly desirable for this new estate, (we already have a service up and down Dark Lane, although very lightly used, and so for it to carry on around Elms Park wouldn't make much of an impact to the village), I must object to it happening at the end of Quat Goose Lane.



## Page 156

Cycle and pedestrian access yes, but for buses to use this access, it has to be a two lane fully made-up road, and what will happen, every Tom, Dick and Harry will use it as a rat run out of and onto the estate.

It won't matter how many signs you put up, they will be ignored, and I suggest you know that would be the case.

Drivers regularly ignore speed limit signs, no left or right turn signs, and a raft of others, this would be no different to them I'm sure.

I also suggest that this is the same scenario for the access near to the Uckington Baptist Church, but this is just an observation as I have no specific knowledge of the area around there!

Further more to this, it looks to me as though this is another attempt by developers to get an access to the Home Farm estate by the back door!!!!

That application was, quite rightly recently refused.

If however, you can guarantee 100% that only public transport/buses can get through, maybe some sort of 'pop up' bollard system is available to them, then this objection I am happy to retract.

Regards

\*\*\*\*\*

Trails End  
Stantons Drive  
Swindon Village  
Cheltenham  
Gloucestershire  
GL51 9RL

**Comments:** 29th October 2016

I object for the following reasons:

1. This application for development on Greenbelt land is premature - the Joint Core Strategy has not been agreed yet. Greenbelt land rules still apply and this prime agricultural land should not be developed.
2. The proposal does not acknowledge the need for brownfield land to be developed first. The developer should take all steps with the Joint Core Strategy team to develop sites already clearly identified as suitable for development before considering this greenbelt land site.
3. Transport infrastructure is inadequate and modelling evidence is inaccurate.

Such an enormous development should not be undertaken without prior expansion of the M5 motorway junction to North and South Operation. There are serious constraints already in the surrounding area of Swindon Village - Wymans lane is constrained by a level crossing, Swindon road already struggles with the narrow railway bridge and there



is a height restriction railway bridge on Hyde lane. These all cause congestion today without the thousands of additional cars that the development will bring.

The development proposal suggests that there will be limited impact due to a park and ride facility, and main access routes onto Tewkesbury Road. But in reality the additional vehicles moving to and from the area across town will cause gridlock towards the lower high street, Princess Elizabeth Way, Swindon Village and the Kingsditch industrial estate.

4. The design statement does not show all the Local Green Space around Swindon Village that was agreed to be included in the Cheltenham Plan.

The Local Green Space land should be removed from the planning application as its not allowed for development.

The Government Inspector for the Joint Core Strategy overruled the Statement of Common Ground and asked for a larger area of Local Green Space, demanding a reduction of 500 houses. So the volume of housing in this application should be reduced accordingly.

5. Much of the land proposed for development is far too close to the waste (including toxic waste) site at Stoke Orchard causing serious health concerns.

29 Dark Lane  
Cheltenham  
Gloucestershire  
GL51 9RN

**Comments:** 14th August 2024

I wish to voice my objections to the proposed changing of phase 2 and 3 of the Elms Park development as described below :

I have been unable to ascertain the justification for of the benefits of the change of order if phasing 2 and 3 as against the original agreed plan.

In the absence of any strong reasoning the agreed phasing should remain.

One of the residents concerns over the change in phasing is that developers are hoping to 'piggy back' on the Home Farm development and somehow obtain agreement, in complete disregard to the current agreed plans, to obtain 'temporary' construction access through village?

This must not happen.

There is no safe or sensible access for construction traffic through the existing village; both Dark Lane and Quat Goose Lane are too narrow (there are already regular instances of the service bus being unable to proceed via the parked vehicles in Dark Lane).

The original agreed plan provides for only footpath and bus access between the new development and the existing village (in effect a barrier or curtain between both); there should be no relaxing of this position either temporarily for construction traffic or subsequently for local traffic.



The proposed new Junior School in the proposed phase 2 (currently the agreed phase 3); appears unnecessary close to the existing village boundary rather than being conveniently located towards the centre of the proposed Elms Park development. The proposed location seems likely to encourage the residents of the Elms Park development to drive rather than walk to the new school, as it will be convenient only to those living near the exited village.

Whilst the plans appear very vague, there does seem to be an increase in size of 'mixed use local centre' in the proposed phase 2 (currently the agreed phase 3); if this is the case, what justification is there for changing from the agreed plans?

Again the vague plans highlight 'green infrastructure' in the proposed phase 2 (currently the agreed phase 3); what are these likely to entail in each area?

Of course, there needs to be strong guarantees and enforcement to ensure the developers complete the new local amenities (schools, playgrounds, retail units etc.) in a timely manner and not postpone, delay or avoid their responsibilities.

Another concern is the increased security risks and the diminution in the value to our properties caused by development both during and after completion; is any compensation to be offered to existing residents?

As I understand it, one of the existing conditions on the Elms Park development, imposed by the Highways Authority, is that a maximum of 1100 houses can be built (encompassing Elms Park, the Cyber Park and others) before the proposed improvements to Junction 10 are complete. This condition must remain as the existing road infrastructure is already at saturation point.

The existing Elms Park development plans have been agreed after many years of negotiations between developers, planners, local and County Councils. To amend them now at the whim of developers who wish to renegotiate the agreement is inequitable unless existing local residents (many of whom object to the Elms Park development in all its manifestations) are able to likewise renegotiate and insist that the land be returned to Greenbelt.

25 Dark Lane  
Cheltenham  
Gloucestershire  
GL51 9RN

**Comments:** 13th August 2024

Much time and effort has gone into the final approved plan for this development dating back to the original submission in 2016.

The phasing of the development is fundamental to that agreement and the applicant 8 years later to submit this application should be of concern to National Highways who have placed certain constraints on the original proposal.

This application requires very detailed examination at committee

.



### **Comments:** 24th July 2022

This is a cross boundary planning application.

These comments apply to Tewkesbury and are for the attention of Tewkesbury Borough Council Development Services and Councillors.

It should be noted that the vast majority of this development site drains into the River Swilgate which flows into Tewkesbury. In the event of a repetition of the rainfall of July 2007 this development will make a contribution to flooding in and around Tewkesbury town at a time when the Severn and Avon are in flood.

Tewkesbury Borough Council can protect their residents by objecting to this application.

### **Comments:** 24th July 2022

- 1) Construction of M5 junction 10 upgrade must be completed and operational before any of the phases of this massive development commence.
- 2) The plans show no provision to link A4019 to Bishops Cleeve. Absolutely essential to avoid north bound traffic from this proposed development passing through Stoke Orchard/Elmstone Hardwick.
- 3) Highway improvements, such as full dual carriageway, protected cycle lane and footpath to the whole length of Tewkesbury Road from Princess Elizabeth Way to Coombe Hill junction must be completed before work commences.
- 4) The plan lacks sustainability in that there is no mention of construction of properties to 'Passivhaus' standards which truly represent efficient construction reducing future greenhouse gas emissions and fuel poverty for owners.
- 5) The building designs still do not reflect 'Regency Cheltenham' in terms of style and quality of design. I see no provision for adequate personal transport parking ie cars, motorcycles, bicycles etc with each property.
- 6) There is no mention anywhere of provision for equestrian users in this locality. There are many and they appear to have been overlooked/ignored.
- 7) There are severe shortages of healthcare provision within the county. I would mention maternity services missing from Cheltenham, overloaded A&E at Gloucestershire Royal, closure of care home provision by the County Council, lack of NHS dental provision. This development can only serve to exacerbate these and other issues.
- 8) There is a presumption against street lighting in Swindon Village and Elmstone Hardwick. There must not be any development with street lighting.
- 9) There is a risk of flooding from any development and no amount of modelling by 'experts' can predict how this development will affect the River Swilgate and River Chelt.
- 10) There is no provision within these plans to deal effectively with the water consumption and sewage generated by this new 'city' of up to 4115 accommodation units and leisure/employment/school facilities.

### **Comments:** 6th November 2016

- 1) The land subject to this application is Green Belt, and therefore should remain subject to protective planning controls.
- 2) This application can therefore only be regarded as speculative.



- 3) There has been no request from local residents to develop this area so one must draw the conclusion that this application about property speculation by developers not about benefits to residents.
- 4) The building of a massive favela adjacent to a Regency town is ill conceived. This proposal equates to a development the size of a small city
- 4) The proposals massively fail to address existing traffic chaos and lack of full motorway access required by this scale of residential and industrial development.
- 5) There is a failure to fully address the flood risk to Tewkesbury.

23 Dark Lane  
Cheltenham  
Gloucestershire  
GL51 9RN

**Comments:** 16th August 2024

I echo all the comments from 29 Dark lane.

The traffic and safety concerns need to be paramount and the reversal of the plans does not do this. When a serious accident happens it will be the council who will be under scrutiny for allowing it to happen and be found at fault.

The government have said that infrastructure should be in place before building is allowed.

21 Dark Lane  
Cheltenham  
Gloucestershire  
GL51 9RN

**Comments:** 28th July 2022

I object on the grounds that

Current plans are not aligned with original plans where access was from Tewkesbury Road. Roads through the village would be unable to support the increased flow of traffic from the new development. No road in the village would escape this flow which would most likely continue from 6am to after 10pm. The village would become a rat run for access to and from Bishops Cleeve, town centre and the retail park and M5 junction. The narrow roads and the single track of Brockhampton Lane would make it extremely dangerous. Moving out of the village at key times, particularly 4-6pm is at a snails pace already. When the train barriers are down on Swindon Lane added to heavy flow of traffic coming from Bishops Cleeve (which causes slow moving traffic moving towards McDonalds roundabout) drivers choose to cut through the village at the Hyde Lane junction. This just adds to the chaos on Manor road where the traffic is also at a standstill. This is without the added traffic which will be generated from the houses being built on the other side of Dog Bark Lane.



## Page 161

There are no real options to walk or cycle due to the lack of cycle paths to town, retail park or Bishops Cleeve. Crossing the road near Simply Gym or Evans Cycles is very dangerous due to the fast flowing traffic

My concerns

Destruction of the quiet village life.

Loss of access to footpaths and countryside for leisure purposes. Dog walking/ horse riding /walking

Destruction of the wildlife natural habitat, agricultural land, and green belt

Air and noise pollution

Light pollution if the surrounding areas are to have street lights

Loss of the view of the Malverns due to the height of the new development

Flooding due to run off, in particular the Manor Road bridge area and the stream midway down Brockhampton Lane often impassable.

Lack of local services, to support the new homes, which are already at capacity levels

Hospital services

GP / District nurse services

Dentists

Schools

11 Dark Lane  
Cheltenham  
Gloucestershire  
GL51 9RN

### **Comments:** 24th July 2022

I object to the extra 4000 + houses. Adding the houses, schools etc will put more pressure on the infrastructure that exists.

The traffic around and through the village is already at full capacity and very often at a standstill at rush hour and weekends.

I object to the proposed bus route at the end of quat goose lane.  
It will encourage people to park in that area.

I object to the green belt that will be lost. Swindon Village is a haven for wildlife. We have Deer, Foxes, Nesting birds to name a few. Their habitat will be destroyed.

I worry the green belt will be built on in the future using the excuse of infilling.

We have minimal lighting in the village and with all the proposed sports fields etc on the development I object to the lighting and noise that will be emitted from the facilities.



Have we enough capacity with our existing hospitals Cheltenham and Gloucester to support a development of this kind.

3 Dark Lane  
Cheltenham  
Gloucestershire  
GL51 9RN

**Comments:** 7th November 2016

This proposal is completely against the wishes and interests of the residents of Swindon Village, as expressed on innumerable occasions over the past few years. We do not want the green space, that we love and that distinguishes our village, destroyed to satisfy the greed of developers and their stooges in the Council.

What is the point of all the talk about consultation, if the wishes of the residents are then just going to be ignored? Perhaps you think it conveys an impression of respectability on the process? Well, you couldn't be more wrong - you're not fooling anybody. It's perfectly clear what's going on here with this grubby deal.

St Leonards  
Tewkesbury Road  
Uckington  
Cheltenham  
GL51 9SW

**Comments:** 8th November 2016

Question - looking at Proposed Access A document, can you clarify are you proposing to reduce the verge in front of 33, St Leonards & the Fire station thus actually making the existing parking/bus lane before Homecroft Drive a formal road & extending it by removing part of verge or is this diagram inaccurate?

**Comments:** 8th November 2016

Access - the Tewkesbury Rd already suffers from congestion particularly at rush hour times. The proposed access to this development further increases traffic to Tewkesbury Rd as it is the main artery to Elm Park.

I believe it would be sensible to

1) ensure additional access routes for motor traffic

2) as part of this development making Jct10 a two way junction to encourage traffic out of Cheltenham instead of through Cheltenham



14 Chapel Lane  
Woodmancote  
Cheltenham  
GL52 9HT

**Comments:** 8th November 2016

Whilst not commenting on the merits or otherwise of this housing development I am concerned that the proposal provides only a superficial and inadequate level of detail regarding the preservation and form of the various Public Rights of Way associated with this site which will be modified and routed through the development.

It is noted that the documentation refers to ensuring footpaths are included, however it should be a condition of the development that Rights of Way are maintained as green corridors of specified with, of appropriate surface - i.e. not tarmac and that cycles and pedestrians are adequately separated.

Failure to ensure that appropriate conditions are imposed on the developer will no doubt run the risk of the Rights of Way being established as fenced-in alleys through the housing estate. Such developments do not support the objective of encouraging walking for pleasure, exercise and commuting.

My objection is therefore that the requirements of the Rights of Way have not been specified as part of the plan and must be included before any approval is granted.

11 Homecroft Drive  
Uckington  
Cheltenham  
GL51 9SN

**Comments:** 15th November 2016

Letter attached.



Brook House  
Brockhampton Lane  
Swindon Village  
GL51 9RS

**Comments:** 21st November 2016

I am astonished that this proposal is being considered.

There has been so much development in this area over the years and still extensive development is taking place as I type. What is on the table now is little short of an outrage. Nobody wants this development to take place. We have been marching against it for years. This is not a democratic planning proposal.

I object for the following reasons:

Impact on biodiversity.

There is abundant wildlife in this area. Little owls nest in my garden and there is a profusion of butterflies amongst many other species. This habitat will be destroyed.

Flooding.

We have a history of high levels of flooding in this area which will be made worse by this together with the large solar farm that is being constructed.

Vehicular traffic. As it stands roads are in gridlock at rush hour and other times. This is made far worse with events such as the races and festivals. There is no realistic provision for what will be an extra 8000 cars on the roads. This will have an adverse effect not just in the locality but in Cheltenham as a whole. The town will be choked. It appears full access at the nearest motorway junction will never take place so adding to the congestion.

Healthcare.

All local doctors' surgeries are rammed with patients and hospitals are already overwhelmed. A&E is seeing three times as many people daily as it was five years ago. This is a very dangerous situation.

Emergency services.

Are these going to be upgraded to the appropriate level? Will this be adequately policed?

Such massive developments should never be considered when local amenities are already overloaded. The whole character of the district will be adversely affected.

Areas of decay should first be considered for upgrading rather than overdeveloping an area of beauty. I realise that this does not present a quick fix that is being sought but as it has been said, once it's gone it's gone.

Brook House  
Brockhampton Lane  
Cheltenham  
GL51 9RS

**Comments:** 2nd November 2016

I am 18 years old, and have lived here for over 10 years now. Since moving here there has been a constant threat of development, and a constant fight against it. It absolutely



baffles me that both local councils and developers are willing to even consider a development of such scale in this location. I am both angered and saddened by it, and cannot express how strongly I object to this development.

The local roads are unable to cope with current levels of traffic, and I highly doubt any improvements made will be sufficient to cope with the additional traffic created by this development. No solid plans exist to make junction 10 of the M5 two way. There is not sufficient infrastructure to support what is essentially a small town.

This development will drastically change the character of the area surrounding Swindon Village, Elmstone Hardwicke, Uckington and Brockhampton, damaging the relative rurality the settlements enjoy. Local walkers and runners are provided with a fantastic area right on their doorsteps. Furthermore, removing this area from greenbelt defeats the entire objective of allocating greenbelt space - to prevent urban sprawl and the joining of neighbouring settlements.

As a local, I am also fully aware of the issues the area suffers with flooding - my village has flooded countless times while I have lived here, and I fear the impact of such a large development on the current situation, and also the potential for damaging floods within the new development. Having seen the drainage assessments attached to this application, I feel that vast underestimations have been made with regards to the severity and regularity of flooding events in the area.

I appreciate the need for additional housing in Cheltenham, but I believe this allocation to be wholly inappropriate. Cheltenham is a town on the up, but a development of such scale will permanently damage its image.

Please consider the views of locals here, as I do not know of a single person who supports this proposal. We are supposedly living in a democracy after all.

24 Church Road  
Swindon Village  
Cheltenham  
Gloucestershire  
GL51 9QP

**Comments:** 6th November 2016

It is with utter despair and strong objection that I write in response to this planning application.

I agree wholeheartedly with previous comments, namely...

1) Traffic. The roads in and around Swindon Village/Tewkesbury Road are already unable to cope with the increased volume of traffic since the introduction of the retail park. This proposed development could result in a further 6000-8000 vehicles attempting to use the same infrastructure resulting in utter chaos. Before any new housing were considered there should be definite road and motorway access improvements.

2) Green belt. The area outlined is protected Greenbelt land. The agreement was that these belts ensured that there was no urban sprawl or merging of towns and villages. Natural habitats and prime agricultural land should be preserved. Bridlepaths and



footpaths which run throughout the area should also be preserved and this is not clearly indicated in the plans.

3) Local Green Space. Local Green Space surrounding Swindon Village which had been agreed have not been shown in the plans.

4) Brown Field Sites. This proposed development is far too large (the size of a town) for one area. Smaller developments, preferably on Brown Field Sites would be far more appropriate.

In summary, it is wildly unreasonable to consider that this size of development could be feasible with the current transport infrastructure. The decimation of Green belt land sets a dangerous precedent.

Rydal  
Quat Goose Lane  
Cheltenham  
Gloucestershire  
GL51 9RP

**Comments:** 26th July 2022

I am new to the area, and work full time, and as such would need far more time to assimilate all the data submitted. It is very confusing.... what was the application before and how have the previous questions been addressed?

It is clear that there are still outstanding issues which are concerning: traffic, wildlife, school provision, flooding, access, sustainability, lighting, green belt vs brown belt discussions....

It feels to me that developers have found a convenient chunk of land and are now trying to push things through... why else give so little time?

I feel it is important to state that I am, on principle NOT a NIMBY... I recognise that the country needs developments and while I would not be happy (who would?) on the personal impact, that is not what is driving my response. It needs to be a lot clearer and the concerns properly addressed.

43 Quat Goose Lane  
Cheltenham  
Gloucestershire  
GL51 9RP

**Comments:** 11th November 2016

These are some of the concerns my family have for the new plans for Elms Park

1. Transport infrastructure is inadequate 3 main access routes onto Tewkesbury road, and no change to the M5 junction. There will be gridlock towards the lower high street, Princess Elizabeth Way and the Kingsditch industrial estate. If you drive round the area



now it is chaos not just peak times you are queuing down Princess Elizabeth Way in the middle of the day we certainly don't want any more congestion on the roads.

2. The land is prime agricultural land in use with Green Belt Status. Considering Brexit we expect a higher requirement for locally produced food. This should only be developed when all the brownfield land that is available in Cheltenham has been used up.

3. The map does not show the Local Green Space around Swindon Village that was agreed to be included in the Cheltenham Plan. This should be corrected. This space should be removed from the planning application as its not allowed for development.

4. Much of the land proposed for development is far too close to the waste (including toxic waste) site at Stoke Orchard causing serious health concerns. I wouldnt buy a house so close the the site.

5. Also we have wild deer badgers foxes that's just in one field next to us where will all the wild life go?

Please could you consider all these points we do not want this proposal.

52 Quat Goose Lane  
Cheltenham  
Gloucestershire  
GL51 9RP

### **Comments:** 7th July 2022

As far as I can remember we have been fighting development in Swindon Village. I'm 30.

The infrastructure just cannot cope a development of this size. The retail park now mimics the village in size.

As other concerned residents have mentioned, how will the developer:

1. Deal with flooding in the area.
2. Manage the local wildlife, newts, bats and hedgehogs which live in the area.
3. Support Swindon Village primary school? Does it plan to add another school?
4. Contamination. The land proposed is dangerously close to the landfill in Stoke Orchard. Surely this will make the owners of these new houses ill with the fumes? I can smell them from Swindon Village sometimes.

Furthermore, when the developer goes over its build quota (as happened with the Cherry Tree development in Worcester) and pays the secretary of state a backhand, we will go public with the scandal.

We look forward to hearing from you.



54 Quat Goose Lane  
Cheltenham  
Gloucestershire  
GL51 9RP

**Comments:** 8th November 2016

Letter attached.

56 Quat Goose Lane  
Cheltenham  
Gloucestershire  
GL51 9RP

**Comments:** 27th July 2022

EXTENSION REQUESTED - the consultation portal has been frequently inaccessible and consultation period is during peak holiday season for local residents.

I object to this planning proposal on several counts as detailed below. Furthermore, I have lived in Swindon Village for 10 years and have received no information on how this proposed development has been reviewed or adapted in light of Brexit, Covid and a cost of living crisis. It MUST be a commitment that plans and volume are reviewed and adjusted before each phase of a development in line with the updated JCS and local plans.

#### ACCESS AND TRANSPORT

Access and increased transport on local roads has been a significant concern from the outset of this proposal. Concerns in this area have not been sufficiently addressed nor have the concerns from previous consultations been adequately addressed. While the multiway plan for M5 J10 has been approved, no building in relation to this development should take place prior to the M5 works being completed. To do so will increase the number of vehicles on already congested roads e.g. via PE way. Any vehicular access (construction and residential) associated with the development of Elms Park AND ALL ASSOCIATED phases should be via Tewkesbury Road only. GCC highways have not provided sufficient response to local concerns that Swindon Village will be used as a shortcut. This must be addressed prior to approval.

A proposal of reduction in active travel is not a realistic solution when the average number of vehicles per home in the UK exceeds 1.3 per household.

#### INTEGRITY OF SWINDON VILLAGE

The proposed development would have significant impacts on the existing community and area of Swindon Village. Currently, the village has no street lighting in most streets, as a deliberate tactic to reduce light pollution and encourage wildlife. Light pollution from Elms Park would significantly reduce the impact of this. 'Innovative' is not specific enough to guarantee that the lighting in Elms Park will not impact on bordering communities. Full details should be provided, and perhaps motion sensor lighting should be suggested. The development will inevitably involve the destruction of many hedgerows and trees. Developers should be obliged to save as many mature hedgerows and trees as is possible, and ensure the impact on wildlife is measured and mitigated. Planting new trees is not a substitute.



Swindon village is traditionally a farming community and areas covered by the development are both greenbelt and prime agricultural land. Areas of land should only be released for development once all other available land has been exhausted.

### IMPACT ON OTHER LOCAL SERVICES, SPECIFICALLY EDUCATION

As a parent, local Headteacher and school governor, I am well aware of the shortfall in school places in the Cheltenham area. Swindon Village Primary School is at its published admissions number and local secondary schools are becoming harder to access for secondary age pupils in Swindon Village. The reference to Pates as a local secondary school is farcical considering that it is a high selective grammar school. There MUST be a commitment to the building of schools as phase 1 of the development prior to housing developments in order to ensure that local children have access to local education. This was a significant failure in the expansion of the Bishops Cleeve area which placed unreasonable demands on existing provision. The allocation of 106A to existing settings must not be considered as an alternative to the building of new schools.

### SUSTAINABILITY

In an era where global warming and climate change are inevitably having a significantly detrimental impact upon the planet, all new homes MUST adhere to the Cheltenham target of net zero by 2035. New homes must rely only upon green energy sources and be equipped with EV charging points for each home. Plans do not currently outline HOW the net zero target will be met.

**Comments:** 6th November 2016

We object to this plan on the following grounds:

#### 1. Green Space of Swindon Village:

The map does not show the Local Green Space around Swindon Village that was agreed to be included in the Cheltenham Plan. This should be corrected. This space should be removed from the planning application as its not allowed for development.

#### 2. Transport:

The roads around the area outlined for development in this plan are already unfit for purpose.

**THIS PLAN DOES NOT ADDRESS TRAFFIC ISSUES FOR THE SURROUNDING AREA AND ONLY SEEKS TO REDUCE THE IMPACT OF THE NEW DEVELOPMENT THROUGH PROVISION OF PUBLIC TRANSPORT AND CYCLE WAYS.**

The reality is that with such a proposed increase in homes and most households owning at least one vehicle there will be unmanageable traffic heading into Cheltenham Town and through Swindon Village. The transport infrastructure proposed is inadequate without addressing the wider need of the area.

#### 3. Transport:

Following on from point 2, we have a specific concern about traffic and safety within Swindon Village. The proposed junction onto Manor Road will inevitably be used as a short cut by new residents and business users who are travelling to or from North Cheltenham, Bishops Cleeve, Winchcombe, etc, taking them through Swindon Village to Wyman's Lane as many people travelling to Kingsditch already do. This takes vehicles



through narrow roads, past a pre-school and a Primary School on Church Road which are already exceptionally congested at peak times.

4. The proposed new bus lane at the end of Quat Goose Lane:

Part of the development of the plan was to protect the green space and character of Swindon Village. However, this bus lane builds a new road through the agreed protected green space around the village. By placing a bus lane at this point in the plan, parents of the proposed primary school nearby will use Quat Goose Lane and Swindon Village to park and walk their children to school through the cut through. Parking here will clearly be more attractive than making the journey to fight the traffic on Manor Road and through the new development. This is a direct and detrimental impact on Swindon Village caused by the bus lane.

5. PHASING PLAN:

(Linked to document 16\_02000\_OUT-PHASING\_PLAN-759674.pdf). This map shows a 'Phase 4' in yellow, which is not part of this proposal or this consultation. As this is not currently being consulted on, or proposed, it should not form part of the evidence base for this consultation. More importantly I would not expect to see roads within 'phase 3' designed with a 'phase 4' extension in mind. It is clear from the 'Revised illustrative master plan' that the roads within phase 3 are designed in exactly the same way as drawn in the initial phasing plan featuring 'phase 4'. If a fourth phase is envisaged, the public should be made aware and have chance to comment before the current plan is agreed. It would be dishonest (perhaps illegal?) to solicit for agreement on a plan, knowing that it is not the full extent of what is actually planned.

6. This application is for development on Greenbelt land. Brownfield land outlined in the SHLAA document must be developed prior to this application being approved.

7. The Joint Core Strategy has not yet been agreed. Surely Councillors are obliged to agree a strategy before agreeing such large-scale development?! Agreement to this plan prior to the JCS would be a massive failure.

8. Light pollution from the new development would greatly impact on the distinctiveness of Swindon Village itself. The village currently has minimal street lighting. Erection of street lighting for the new development would greatly impinge on the unique character of the village.



Colmans Farm  
Elmstone Hardwicke  
Cheltenham  
GL51 9TG

**Comments:** 24th November 2016

Our family is sad and upset today having seen the plans to build an enormous housing estate (Elm Park) next to our small village. It will destroy the village that several generations of my wife's family have farmed.

This is also a very practical issue. We have friends who'll be forced to move their businesses and farming may become untenable for others.

The roads have already started to fill up with cars from the new homes in Stoke Orchard and Bishops Cleeve. So we cannot understand how it will be possible to develop new transport capacity without many years of severe disruption to Cheltenham commuters.

Flooding is a major issue round here too, how is it possible to mitigate when they'll be less trees and so much water running off concrete? Many of Tewkesbury's flooding issues are caused by developing across such land in the 1990s, we really don't want to repeat those mistakes.

Ecologically, there is a rich abundance of wildlife in the fields, woods and hedgerows that will be built on. Wild deer, rare species of bats, insects and amphibians live on the land too (such as Great Crested Newt). They will not remain if there's so many buildings, cars, light and noise.

Our domesticated animals such as dogs, cats, geese, chickens and horses will also be put at further risk with increased traffic. Many of these roam free and we don't have pavements on our country lanes.

One of the most heart breaking things is to know that my son won't be able to see the beautiful night sky once this is built. One of his first words was star and it's still his most used. He points up at the moon every night, but I'm sad to say that the light pollution will inevitably bleach out the peaceful and epic views, as we've seen happen in Bishops Cleeve.

I do recognise the need for affordable housing, my wife and I have struggled too, finding building our own place on the family farm the best option. However for mass development, there are still untapped brownfield sites that don't involve the end of rural life for Uckington, Elmstone Hardwicke and Swindon Village.

It is also worth noting that the prices Bloor and Persimmon charge for this kind of housing will be beyond the budget of young local buyers who need the housing most. They start at at least £280,000 for a two bedroom house. It is more likely to attract wealthier people from outside the area than solve the housing issues in the county.

I just hope we can demonstrate what a big impact this important decision will have on Cheltenham and its surroundings.



21 Homecroft Drive  
Uckington  
Cheltenham  
Gloucestershire  
GL51 9SN

**Comments:** 19th July 2022

I am finding very difficult to understand how no reference to the new proposal for the Tewkesbury Road has not been included in the new application. The Highways Gloucester/ Highways England plan for the Tewkesbury Road is to make it a duel carriageway, with new junctions being created along it to enter Elms Park. I think Cheltenham planning need to check what is going on. How can you comment on something that is not going to happen because it is out of date.

**Comments:** 29th November 2016

Within the acceptance of this plan are the council proposing to reduce the speed limit of the Tewkesbury Road from the existing 50 mph to a lower 40 mph. Suggest the 40 mph should start from the west side of Uckington Village, then continue to join the existing 40 mph stretch at the Civil Service Sports Club entrance into Cheltenham.

Brook House  
Brockhampton Lane  
Brockhampton  
Cheltenham  
GL51 9RS

**Comments:** 29th November 2016

I am astonished that this proposal is being considered. There has been so much development in this area over the years and still extensive development is taking place as I type. What is on the table now is little short of an outrage. Nobody wants this development to take place. We have been marching against it for years. This is not a democratic planning proposal.

I object for the following reasons:

Impact on biodiversity. There is abundant wildlife in this area. Little owls nest in my garden and there is a profusion of butterflies amongst many other species. This habitat will be destroyed.

Flooding. We have a history of high levels of flooding in this area which will be made worse by this together with the large solar farm that is being constructed.

Vehicular traffic. As it stands roads are in gridlock at rush hour and other times. This is made far worse with events such as the races and festivals. There is no realistic provision for what will be an extra 8000 cars on the roads. This will have an adverse effect not just in the locality but in Cheltenham as a whole. The town will be choked. It



appears full access at the nearest motorway junction will never take place so adding to the congestion.

Healthcare. All local doctors' surgeries are rammed with patients and hospitals are already overwhelmed. A&E is seeing three times as many people daily as it was five years ago. This is a very dangerous situation.

Emergency services. Are these going to be upgraded to the appropriate level? Will this be adequately policed? Such massive developments should never be considered when local amenities are already overloaded.

The whole character of the district will be adversely affected. Areas of decay should first be considered for upgrading rather than overdeveloping an area of beauty. I realise that this does not present a quick fix that is being sought but as it has been said, once it's gone it's gone.

Orotava  
Lowdilow Lane  
Elmstone Hardwicke  
Cheltenham  
GL51 9<sup>TH</sup>

**Comments:** 29th November 2016

I wish to object most strongly to this planning application for the following reasons:

### Disproportionate Scale of Development

Whilst I am cognisant of the fact that more houses are required, to deposit a development of >4000 houses, which equates to a small town, in this rural idyll is scandalous and completely destroys the special character of the area. I believe the villagers of Uckington, Swindon Village and Elmstone Hardwicke would not be averse to a much smaller development, which had a `green` buffer surrounding it to lessen the impact on theirs, and others, daily lives. The proposed scale of urbanisation is far too excessive for one site to accommodate in full, and credence should be given to other authorities absorbing the shortfall within smaller and thus less intrusive, locations.

### Destruction of Wildlife Habitat

I understand the size of the planned development is circa 620 acres and, if allowed to go ahead, would see the complete destruction of a precious rural resource and wildlife habitat. I have seen deer, rabbits, bats, buzzards, foxes, butterflies, dragonflies etc. all thriving in this green corner of England and to destroy such an environment is, I'd suggest, bordering on criminal. Once these creatures lose their natural habitat of fields, ditches, trees and hedgerows, they will automatically have to seek alternative green space and will be lost to local life forever. The few token green spaces proposed by the developers should be seen as nothing more than a sop to appease the many people who are adversely affected by this for their lifetime.

### Quality of Life

In this fast-paced, digital age it is imperative that people have access to a green space, traversed with ancient footpaths, in which to walk, run, cycle, horse-ride etc. and to enjoy the associated health benefits. Most people living in the Uckington, Swindon Village,



Elmstone Hardwicke triangle are never more than, at most, a ten minute walk away from green fields and the chance to enjoy unspoilt countryside. Villagers are being forced to absorb and cope with the development's inevitable surge in traffic movements at all times of the day, due to not only housing, but also the servicing of industrial, retail, commercial, elderly person units and hotel vehicular requirements. Such an increase in traffic movements can only adversely affect the lives of local folk and increase stress levels existentially.

### Green Belt

According to the National Planning Policy Framework, Green Belt serves five purposes:

- o to check the unrestricted sprawl of large built-up areas;
- o to prevent neighbouring towns merging into one another;
- o to assist in safeguarding the countryside from encroachment;
- o to preserve the setting and special character of historic towns; and
- o to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

This planning application, in its current format, seems to transgress these considerations, and to propose that 'special circumstances' exist which justifies the development is erroneous. No mention is made of the existing Strategic Housing Land Availability Assessment document which identifies Brownfield sites and parcels of land that should be built upon first, thus reducing considerably the proposed housing intended on Greenbelt, and in particular this development. It should further be noted that St Mary Magdalene within Elmstone Harwicke enjoys a particularly rural setting and this should be preserved by a green buffer comprising many fields.

### Prime Agricultural Land

Much of the proposed development represents a considerable incursion on prime, Grade One Agricultural land and as such it should be preserved for generations to come. This precious commodity should continue in its present format, given that it may contribute to future farming and food production requirements. In light of the Brexit vote, amongst other things, it may well become incumbent upon the UK to become more self sufficient in feeding itself and thus we need to protect such a finite resource.

### Air Quality

The current transport infrastructure in this area is woefully inadequate and unable to cope with the existing volumes of traffic at both peak and non-peak times. The resultant impact is large volumes of traffic sitting in stationery queues along Princess Elizabeth Way, Tewkesbury Road and Kingsditch Lane to name but a few affected thoroughfares. Residents consequently have to endure traffic pollution and very poor air quality. The proposed urbanisation can only exacerbate this situation and more people will be exposed to high levels of pollution. Furthermore, the application proposes housing be situated far too close to the local landfill site and toxic fly ash treatment facility, with the obvious health concerns this raises.

### Flooding

Most of the land within this proposed application consists of heavy clay - a key feature which prompted the siting of the current landfill site since the clay it sits on helps to seal the tip. Due to the numerous watercourses in the vicinity, including the River Swilgate, Hyde Brook & Leigh Brook, and the nature of the soil type, there is regular surface flooding from pluvial and fluvial sources. A large-scale development of this nature within



such an area considered to be a flood risk will have huge repercussions for the future displacement of water, both existing and proposed.

### Light Pollution

At present it is possible to derive great pleasure and satisfaction from the privilege of being able to enjoy the sky at night. The resultant light pollution from residential, retail and commercial properties would be such that this particular pleasure would be lost forever.

### Traffic

The existing infrastructure for traffic flow, together with that proposed within this planning application is woefully inadequate. At an average 1.2 cars per household (ONS statistic) the proposed housing provision could produce an extra circa 4900 cars, alongside traffic associated with the retail, industrial, commercial and schooling provisions can only result in complete chaos with only 3 exits along a 100 yard section onto the A4019 proposed from the site, which is surely unsustainable without major and very costly roadwork to mitigate the situation. The traffic requirements for the area need to be considered in a wider context: currently traffic egressing Southbound at the M5 Junction 10 is already queuing dangerously back on to the motorway and the junction is also acknowledged as particularly dangerous, traffic is already constrained along the single carriageway Princess Elizabeth Way (exacerbated by the 2 way only M5 junction 10), the single carriageway Kingsditch Lane, by the height restricted bridge at Hyde Lane, by the narrow railway bridge at Swindon Road, by lengthy road closures at the level crossing in Swindon Lane and the heavily signalised A4019 and roundabout. The proposed Park & Ride is situated in totally the wrong place, and would be better served by being located nearer to the M5, thus saving cars traversing the length of the A4019 to enter the facility. In addition, there is a need for a much greater capacity than just 250 cars. Empirical evidence would suggest that car users are extremely difficult to persuade in using alternative travel arrangements, generally centred around reluctance based on inclement weather, lack of workplace changing/ shower facilities, impractical distances, public transport not servicing their location etc. In addition to gridlock along most arterial routes due to the influx of thousands of vehicles, I believe that the villages of Elmstone Hardwicke, Uckington and Swindon Village will all suffer a disproportionate increase to traffic usage along local, country lanes as a `rat run`.

The Cedars  
Tewkesbury Road  
Uckington  
Cheltenham  
GL51 9SL

**Comments:** 10th November 2016

Letter attached.



2 Whitethorn Cottages  
Dark Lane  
Swindon Village  
Cheltenham  
GL51 9RW

**Comments:** 2nd November 2016

I wish to object the above planning application regarding the development of Elms Park in the North-West suburb of Cheltenham. I have taken time to study the 70+ documents that have been posted on the Cheltenham Borough Councils Website. I also know the areas well that the proposed plan is based on. Please take a few moments to read my letter below.

My main concern with the development is the impact that this will have on the villages of Swindon Village and Brockhampton. One of my favourite features is that you are usually no more than 5 minutes' walk from open fields and greenbelt. A network of footpaths allows Elmstone Hardwick, Stoke Orchard and Bishops Cleeve to be accessible via foot. This green space is also home to wild life, such as Deer and Birds of Prey who could not exist without the surrounding greenbelt. Development of this land will result in a change destroying the habitat for these creatures as well as impacting the life style of people who live in Swindon Village to enjoy the rural surroundings. Gone will be the days that I can come home from work and go for a relaxing walk into the Greenbelt that surrounds my home.

An increase in traffic in the area is also a concern. Having studied the plans, I feel that they will not provide any relief to issues that currently exist from the increased popularity of the Gallagher Retail Park. Currently traffic reaches a standstill trying to exit Swindon Village via the Wymans Lane and Manor Road routes on Friday, Saturday and Sunday afternoons.

Light pollution from a new development would be another impact on the village. The current no street light policy in the village makes a very interesting sky at night. Something else that could be sadly lost.

In summary, this development will have a huge impact on Swindon Village unfortunately changing it forever. The effect would change the character of the neighbourhood. This would result in the village becoming somewhere where I would not want my family to live and grow up.

I hope you understand my objections above. This has been a very upsetting letter to write understanding that the place I grew up has only several years left before it will be destroyed for ever.



The Old Rectory  
Church Road  
Swindon Village  
GL51 9RE

**Comments:** 6th November 2016

I am strongly against this plan, as the developers seem to have completely ignored any issues raised over the years of this campaign, and the reaction against the designs may not be so strong if they had shown any intention towards addressing the issues. These issues include the infrastructure; especially the lack of southbound motorway access and the access routes to the development. Cheltenham as a town is not designed for these extra 4000 families to arrive in such a short space of time, and significant investment towards preparing appropriate bus routes, commercial facilities and simply roads would go a long way in preparing for the build; preventing the problems before they happen rather than cause further inconvenience later. The sheer scale of the build is also unwarranted, considering the number of potential brownfield sites further in the town centre.

Our greenfields are a habitat to many species of wildlife, with local historic significance, and should be protected much more strongly, being viewed as something other than a potential building site.

I am not opposed to the building of this many homes in Cheltenham, but this is not an appropriate building site or scale considering its current state.

Whiterose  
Stantons Drive  
Swindon Village Cheltenham  
Gloucestershire  
GL51 9RL

**Comments:** 26th July 2022

I believe that the road infrastructure surrounding this site is not able to handle the number of vehicles. There needs to be much better provision of cycle paths for getting into town, better ways of dealing with the large amount of traffic heading into and returning from Cheltenham. In addition, there should be a much higher ratio of affordable homes given the cost of living crisis. Also there needs to be better coordination with the other developers who are working on adjacent sites. Finally, the sustainability of the houses and site needs significant improvement. On the plus side, the development has respected the Local Green Space that was decided in the JCS which is excellent, and I hope that the developers will work with the local community to maximise the benefits of this area.

**Comments:** 28th October 2016

I object for the following reasons:

a) The Local Green Space area around Swindon Village, although welcome, is too small. It should be at least as big as the JCS Inspector and Cheltenham Borough Council require, and preferably much larger. Note that the Inspector overruled the Statement of



Common Ground and asked for a larger area, demanding a reduction of 500 houses. There is no reduction on this plan.

b) I strongly object to the planned bus route through Swindon Village. Buses struggle to get through the narrow village roads as it is, and any increase in frequency or size of buses could lead to major traffic issues.

c) The scale of the development is too large, and the local infrastructure cannot cope with the extra cars, particularly around the retail parks, Princess Elisabeth Way, and the bridge on Swindon Road. The transport modelling evidence base is severely lacking.

d) The design should be modified to avoid prime agricultural land.

e) The number of houses represents a small town, but there is no obvious town centre with shops, parking and restaurants. The danger is that residents will use the existing retail parks, which are already severely overcrowded.

f) There is nothing in the phasing document to show how brownfield sites across Cheltenham will be developed first before green belt.

Trails End  
Stantons Drive  
Swindon Village Cheltenham  
Gloucestershire  
GL51 9RL

**Comments:** 29th October 2016

My reasons for objection are:

1. This application is for development on Greenbelt land. I understand that there is a policy that states brownfield land must be developed first. There is a document known as the SHLAA that lists suitable for development. These must be developed before this application can be approved.

2. Transport and traffic congestion is a major concern. The M5 motorway junction 10 must be made 2 way before any development can proceed. There are already huge issues with traffic congestion in the area of Swindon Village - from the retail park all through the route to Bishops Cleeve and Town centres. Wymans lane is often at a standstill due to a level crossing that can close the road at Swindon Lane for 10 minutes regularly. Plus the narrow bridge on Swindon road causes congestion today without the thousands of additional cars.

I do not have any confidence that the park and ride will be used by all the residents instead of a car therefore the additional cars cause gridlock on Tewkesbury Road, the Lower High Street, Princess Elisabeth Way, Swindon Village and the Retail Parks.

3. The Local Green Space land around Swindon Village, which was agreed by the inspector should be removed from the planning application as its not allowed for development.



4. Some of the housing development is far too close to the toxic waste site at Stoke Orchard causing serious health concerns.

37 Quat Goose Lane  
Cheltenham  
Gloucestershire  
GL51 9RP

**Comments:** 7th November 2016

In line with the above referenced planning application, we would like to make the following comments to raise our concerns:

1. The land is prime agricultural land in use with Green Belt Status. Considering Brexit we expect a higher requirement for locally produced food. This should only be developed when all the brownfield land that is available in Cheltenham has been used up.
2. Transport infrastructure is completely inadequate 3 main access routes onto Tewkesbury road, and no change to the M5 junction. There will be gridlock towards the lower high street, Princess Elizabeth Way and the Kingsditch industrial estate. There is already chaos in this area at peak times.
3. The map does not show the Local Green Space around Swindon Village that was agreed to be included in the Cheltenham Plan. This should be corrected. This space should be removed from the planning application as its not allowed for development
4. Much of the land proposed for development is far too close to the waste (including toxic waste) site at Stoke Orchard causing serious health concerns.

We thank you for your consideration and look forward to hearing from you.

43 Quat Goose Lane  
Cheltenham  
Gloucestershire  
GL51 9RP

**Comments:** 28th July 2022

We strongly object to the extra 4000 + houses. Adding the houses, schools etc will put more pressure on the infrastructure that exists. The traffic around and through the village is already at full capacity and very often at a standstill at rush hour and weekends. We object to the proposed bus route and access at the end of Quat Goose Lane. The road is far too narrow to drive buses. We have a specific concern about traffic and safety within Swindon Village. The proposed route will inevitably be used as a short cut by new residents and business users who are travelling to or from North Cheltenham, Bishops Cleeve, Winchcombe, etc, taking them through Swindon Village to Wyman's Lane as many people travelling to Kingsditch already do. This takes vehicles through narrow



roads, past a pre-school and a Primary School on Church Road which are already exceptionally congested at peak times.

The impact of an additional 8000 cars will cause a total gridlock at rush hours. Without access to the M5 south at Junction 10, traffic will be forced to use Princess Elizabeth Way to access the M5 at J11. This at a time when approximately 700 schoolchildren are walking to primary and secondary schools on this road. Already (and I travel this twice a day) traffic ignores pedestrian crossings with central refuges on PE Way unless governed by traffic lights. With a huge increase in traffic there will be long tail-backs on Tewkesbury Road, Kingsditch Lane, Swindon Lane, Manor Road, Runnings Road and Swindon Road because the roundabout at the end of PE Way cannot cope with the volume of traffic. I truly believe that this development which is basically a "new Town" on the footsteps of Cheltenham is completely out of proportion. It would change the character of this area completely for all the residents who chose to live in a semi rural environment. All the green fields, nature, wildlife and the green belt status will be lost forever for the population of Cheltenham and area.

The land this development is planned on is agriculture land with Green Belt status. We would not only lose valuable farmland and wildlife, but also a huge area of Green Belt land. All areas of brownfield land should be used up first, before green belt is being built on. This is a government policy and should be followed.

There are a number of brownfield sites in and around Cheltenham and Tewkesbury such as the Ashchurch site that are surely much more suitable for development prior to destroying much valued and important Green belt land. This must be taken into consideration and the proposal should therefore be rejected until these opportunities have been exhausted.

We are all aware of the strain on the NHS services and although I see there is provision for elderly care, and primary care in the site, I have found nothing addressing the impact of this new town on the local hospitals.

### **Comments:** 18th November 2016

These are some of the concerns my family have for the new plans for Elms Park

1. Transport infrastructure is inadequate 3 main access routes onto Tewkesbury road, and no change to the M5 junction. There will be gridlock towards the lower high street, Princess Elizabeth Way and the Kingsditch industrial estate. If you drive round the area now it is chaos not just peak times you are queuing down Princess Elizabeth Way in the middle of the day we certainly don't want any more congestion on the roads.
2. The land is prime agricultural land in use with Green Belt Status. Considering Brexit we expect a higher requirement for locally produced food. This should only be developed when all the brownfield land that is available in Cheltenham has been used up.
3. The map does not show the Local Green Space around Swindon Village that was agreed to be included in the Cheltenham Plan. This should be corrected. This space should be removed from the planning application as its not allowed for development.
4. Much of the land proposed for development is far too close to the waste (including toxic waste) site at Stoke Orchard causing serious health concerns. I wouldnt buy a house so close the the site.



5. Also we have wild deer badgers foxes that's just in one field next to us where will all the wild life go?

Please could you consider all these points we do not want this proposal.

6 The Orchards  
Uckington  
Cheltenham  
GL51 9SS

**Comments:** 30th November 2016

I am writing to strongly object to the above proposal to build a huge concrete development on Green Belt land.

No building of this type and scale should take place when there are brownfield sites that have been locally identified and can be redeveloped to provide any necessary housing. The proposed site should remain for agricultural use only, in order to produce food for the local market.

I am particularly concerned about a question mark that has been placed (literally, with a sticker) on map drawing 9303 at The Orchards, Uckington, directly opposite current private housing. At a previous public consultation we were assured that NO ACCESS would be granted from this side to the sports pitches and changing rooms. This question mark looks suspiciously like the assurances of our PRIVACY has been brought into doubt, but the plans are inconsistent as other maps did not show this. e.g. map drawing 9403. I wonder how many other assurances and promises are now in doubt, and are local people aware of these discrepancies?

PLEASE RESPOND DIRECTLY: Is there or is there not a plan to create access to the sports pitches and changing rooms at The Orchards, Uckington?

Traffic is already chaotic on Tewkesbury Road, from the M5 Junction 10 sliproad right into town, and on Princess Elizabeth Way. I fail to see how a development of 4115 houses, a large business park, a hotel, two schools and a sports hub (etc etc) is going to help?

A transport hub will only compound the problem even further by encouraging even more commuters from outside the area to come and use the buses / park and ride / other facilities.

I am concerned about the light and sound pollution that this development will cause. The surrounding villages and areas are little communities of people who love where we live. From my own perspective, sports pitches will be floodlit and matches cause shouting, neither of which is pleasant to live near.

I feel that this planning application is flawed and should not be approved. There are too many gaps of missing information and too many things that will be 'clarified later'. Our local parish councillors have tried really hard to keep us as well informed as possible, but I feel that the information coming from the planners and developers has been sporadic



and inconsistent, and poorly timed, giving local residents little opportunity to consider and give our opinions and objections.

Please find somewhere else to build your homes, and leave our countryside as it is.

Morris Hill Crossing  
Swindon Lane  
Cheltenham  
GL50 4PE

**Comments:** 14th February 2017

Written on behalf of Swindon Parish Council.

Swindon Parish Council objects to this development on the basis of, amongst other factors, loss of Green Belt and agricultural land, inadequate and outdated information regarding traffic and inadequate exploitation of existing Brown Field sites. Detailed comments are to follow.

The planning portal states that "This case cannot be consulted on since its consultation expiry date has already passed". The Parish Council has been assured that extra time is available but no firm date has been given. The statement will deter people and organisations from submitting comments.

**Comments:** 2nd December 2016

These comments are made in a personal capacity rather than representing the view of Swindon Parish Council.

(1) This development would largely take place in what is currently Green Belt. The National Planning Policy Framework places great emphasis on the permanence of our Green Belts. Removal of this designation to facilitate large scale development would be an act of vandalism that could never be undone.

(2) The traffic situation in north west Cheltenham is chaotic at present and would be made much worse if this development were to go ahead. At peak times traffic backs up from GCHQ to the Tewkesbury Road (down Princess Elizabeth Way) and from the M5 junction 10 into town along the Tewkesbury Road. The thought and research that has gone into traffic management in the area is totally inadequate and based on out of date information.

(3) One of the "core planning principles" of the National Planning Policy Framework is to encourage the reuse of previously developed (brownfield) land. The Borough Council have not done enough to bring brownfield sites forward. Building on the Green Belt is the lazy, unimaginative option.



Linton  
The Green  
GL51 9SR

**Comments:** 8th December 2016

Letter attached.

Old Cart Barn  
Uckington  
Cheltenham  
GL51 9SR

**Comments:** 23rd December 2016

I write in response to the application for Outline Planning Consent at "The Elms".

The timescale for making comments in relation to this application has been unrealistic given the voluminous documentation that has been produced, and I trust that in the circumstances the comments below will be read and taken into account.

#### The Position Generally

There appears to be an assumption in the planning statement for this proposed development that Cheltenham's future needs cannot be met on previously developed land in and around the town and that green belt development is necessary in order to support the town's growth. Two points arise from this: firstly, It is not clear what Cheltenham's future development needs are and how they would be assessed and, secondly, account has not been taken, it seems, of the fact that there are currently many developments, both proposed and in progress in and around the area, particularly in relation to housing, which are contributing to growth. Whereas it is accepted that there is a national shortage of housing and therefore steps need to be taken to enable the shortage to be addressed, restrained growth would be far more appropriate and have far less adverse impact on the town and its environs than the massive development that is proposed.

It should be recognised as extremely important that Cheltenham and the surrounding area continue to form part of an area of outstanding natural beauty currently protected by the green belt. This makes Cheltenham the desirable town that it currently is to live and work in and a magnet for tourists. The proposed development, bringing with it an increased population of between 10,288 and 14,403 people - according to Sport England - is a disproportionate response to the need for sustained but limited growth in the area. Any amendment to the green belt boundary should be constrained accordingly.

It is acknowledged in the application that there need to be very special circumstances to justify development in the green belt area. Cheltenham has to bear its share of responsibility for provision of housing as part of a national requirement. In the particular circumstances of Cheltenham, this does not constitute very special circumstances outweighing the harm caused to the green belt in this location. The presumption in favour of sustainable development is therefore not met. It may be that the government's overall objective in relation to housing is to boost significantly its supply, but this could be met in



a controlled way by the development of brownfield sites and limited areas elsewhere without the need for granting permission to develop an area the size of a small town.

### Uckington

The developers recognise that the operation of the sports hub, which is to be located to the north of Uckington in the western area of the proposed development, has the potential to impact upon the amenity of existing residents of Uckington and future occupants of the dwellings that are proposed to be built adjacent to the facilities. It is said that landscaped buffer zones will be provided between the pitches and the dwellings. However, the currently proposed separation between the village and the development is demarcated by Leigh Brook which flows broadly east to west at the northern end of Uckington village. This is very close to the Grade II listed buildings of Uckington Farm and the former stable blocks which are stated to be of "medium heritage value".

Sport England has commented to the effect that most major sports require flat open plateaus upon which to play. To enable this to be achieved would seem to require an alteration to the topography of the area bounding the village as the land currently slopes down to Leigh Brook. This would have an adverse impact upon the Northern part of the village and the listed buildings already mentioned.

Another consideration in relation to the playing fields is the requirement for the provision - for access and management reasons - of not only car parking for clubs that would be using the facilities, as well as the school, but also other associated facilities such as for catering, social events and appropriate storage, including maintenance machinery. There are also potential adverse effects associated with the operation of the facility such as increased noise, traffic and visual impact. These aspects would largely negate the purpose and deemed effect of providing playing fields as a buffer zone between the development and the northern part of the village. An additional concern is that the proposed changing facilities would be bound to lead to a substantial increase in traffic flow along The Green, which lane is ill equipped to deal with increased flow as is the junction between it and Tewkesbury Road.

Any permission that is granted for development in the area should exclude the field forming part of Chestnut Farm that lies closest to Uckington village and this is for the reasons set out above. If this were done there would be a proper buffer zone between the development and the village. The number and size of the proposed playing fields appear to be excessive in any event as there are numerous suggested areas demarcated for this purpose to the east and north of Chestnut Farm.

Much has been said and written about the increased traffic problems if the development is to proceed. The Transport Assessment uses an outdated modelling agreement which is now some 8 to 10 years old. Therefore the current model is not sufficiently robust to provide reliable information. It appears unrealistic to expect that the potential environmental effects resulting from the increase in traffic will be "not significant" provided that certain measures are implemented. On any view the measures shown in the application are wholly inadequate to address the problems which are likely to be revealed by an updated modelling agreement.

The traffic along The Green/The Orchard at Uckington is anticipated to increase by 153% in the 2031 afternoon peak hour compared to 47% in 2026 - an increase of between 4-5 vehicles per minute during the peak hour. Contrary to what is asserted there is significant pedestrian movement along the lane (dog walkers) and the lane forms part of a cycle



route for clubs avoiding main roads. The lane is narrow with a significant number of bends and any increase in traffic is to be avoided.

It is recognised in the application that during the occupation phase the driver delay would be "substantial adverse" at the junction with Tewkesbury Road. This recognition does not include any comment about the dangers of exiting this junction, which are substantial. Considering the often long delays and danger experienced currently by drivers exiting that junction from early morning until late evening, any increase in traffic flow along the lane is unacceptable.

The lane should be protected, as far as possible, from the impact of any development if the character of this part of Uckington village is to be preserved. Of particular importance is that there should be no ability for any form of mechanised transport to be able to access the lane from any new development.

For the above main reasons - there are many others - I object to the application.

Newcroft Cottage  
7A Homecroft Drive  
Uckington  
Cheltenham  
Glos

**Comments:** 7th December 2016

Letter attached.

3 The Row  
Tewkesbury Road  
Uckington  
Cheltenham  
GL51 9SW

**Comments:** 19th December 2016

Letter attached.

The Old Dairy  
The Green  
Uckington  
Cheltenham  
GL51 9SR

**Comments:** 9th February 2017

Please find comments on the proposed application.



1. The application pack is littered with discrepancies. For instance, the parking area for the playing fields is shown on some maps, but not all. This type of error, leads to confusion and an inability to comments accurately as which version is correct ?
2. The number of new access points onto the A4019 are excessive and with each signal controlled will make travelling along this road tortuous and grid-locked. The knock-on effect to the M5 and all other adjacent routes will be significant.
3. The traffic heading east on the A4019 is regularly nose-to-tail with the queue extending on the hard-shoulder of the M5 and also on the A4019 before the M5 junction. The nose-tail extends at least as far as Kingsditch.
4. The ability for emergency vehicles to traverse the A4019 will be severally impaired especially as the road will likely be grid-locked or at least congested.
5. Has the access from The Green turning right onto the A4019 been considered as it is already difficult and this development will make it much worse.
6. The impact of water run-off from the site has not been fully assessed. The area to be developed is regularly sodden and The Green has surface water in several areas, several inches deep at times. Where is the assessment of the impact ? One particular concern is the balancing pools and water tributaries may impact the water levels for miles around due to underground connections i.e. the balancing pools acting as feeders for these other areas.
7. The access for users of the playing fields has not been documented. There is no on-road parking and no parking adjacent. Based on : 6 pitches 3 matches Sat & Sun 12 players/side 2 players/car Assume 2/3 simultaneously present gives :  
 $6 \times 3 \times 12 \times 2 / 2 \times 2 / 3 = 144$  cars
8. The comment that Cheltenham needs an impressive approach is true, but this development and its nose-to-tail traffic is not the answer. What could be better than England's green and pleasant land ?

3 Sayer Court  
Cheltenham  
GL52 7SR

### **Comments:** 9th February 2017

Please, if Tewkesbury Borough Council has any say at all in the proposed and ridiculously large development of 'Elms Park' North West Cheltenham, seriously consider the propostris size of the development and bear in mind the results. The traffic on Tewkesbury Road alone in the mornings is bad enough already but adding a further 4,115 new builds to the mix?.... insane - Consider the environment, a healthy infrastructure and pollution to name but a few. Housebuilders may offer 'pay-offs' in the hope of all these factors being overlooked for these huge developments but please, as a concerned and considerate citizen of Tewkesbury Borough, the size of this development has to be seriously reduced. A further 4,115 new houses confined to that area is ridiculous.



The Grange  
The Green, Uckington  
Cheltenham  
GL51 9SR

**Comments:** 23rd December 2016

Transport:

1. The creation of over 4,000 new homes, a hotel, and industrial units will create a great deal of additional traffic, both local and from further afield. The developers have proposed no additional relief roads to cater for this increase in volume. The only mitigating factor appears to be a 'transport hub'. This is understood to be a Park and Ride facility which will be inadequate to prevent with the thousands of additional traffic journeys per day. The planning authority should require the developers to provide adequate new roads to relieve the pressure on the A4019 Tewkesbury Road, Manor Road, Runnings Road, Kingsditch Lane, Wymans Lane, and Princess Elizabeth Way. These roads around the Kingsditch Industrial Estate become very busy at peak times during the week and are gridlocked for much of the weekend.

2. The current proposals show several access points to the proposed Elms Park development from the A4019 Tewkesbury Road which, under the current proposals, is expected to absorb the additional traffic. At peak times, traffic currently backs up on to the M5 motorway southbound as the A4019 is unable to cope with existing traffic volumes. The various access points to Elm Park appear to be governed by traffic lights. These junctions, together with the additional traffic generated by the proposed development as outlined in point 1 above, can only exacerbate the existing problems on the M5. As above, I believe the planning authority should require the developers to revise their planning to address this issue adequately. The proposed 'transport hub' is nothing like a complete solution.

3. If the plans are approved in their current form the increase in traffic on the A4019, and in particular its stop-start nature, will increase pollution in the area. The local authority should undertake a study to determine the likely effect on the local communities and require the developers to take any mitigating actions necessary.

4. The overloading of the transport infrastructure outlined in points 1 and 2 above will discourage people from the north and west of Cheltenham from making journeys into the town centre. The local authority should undertake a study to determine whether the stated benefits of the proposed development would be reduced or even eliminated by the adverse effects on businesses and shops in the centre of the town.

5. The A4019 currently experiences high volumes of traffic at peak times. The proposed Elm Park development is likely to overwhelm the existing infrastructure as described above. Currently residents joining the A4019 from The Green and Moat Lane have difficulty getting out of these roads, particularly if joining the opposite carriageway. The situation will become intolerable unless the planning authority requires the developers to re-plan their approach to transport.

6. The current plans show football pitches and changing facilities having access from The Green. These facilities are shown to have limited parking available north of the existing houses at the southern end of The Green. There are no proposals to widen or improve



The Green to facilitate the additional traffic that these proposed facilities will generate. Inevitably it will not be possible to accommodate all cars in the car park during busy periods (for example, Sunday afternoons during the youth football league season) leading to cars parking on verges and pavements along The Green. This will increase risk both to drivers and pedestrians. If these leisure facilities are to be built then access should be from the proposed Elm Park development and not from The Green, which should remain unaffected.

### Gas main:

1. There is a high-pressure gas main running from the A4019 Tewkesbury Road across to The Green and up towards Elmstone Hardwick. The current plans show site access and the creation of sports facilities across the area on top of and immediately adjacent to the main. The potential for damage to the main during construction work cannot be ignored. The local authority should require the developers to limit all development to the area east of this high pressure main, which would therefore become the western boundary to the development.

### Development of recreation facilities on The Green:

1. The current plans show the construction of changing facilities to service the football pitches adjacent to the Green. If the development goes ahead this building should be sited to the north of the pitches and away from the existing houses at the southern end of The Green to avoid undue noise and inconvenience to local residents.

### Flooding Risk:

1. The southern end of The Green is identified by the Environment Agency as being subject to pluvial flooding. This is caused by run-off from the fields to the east of The Green overwhelming the existing brooks and ditches, flowing westwards on to The Green, and then south down the road to the vicinity of the Village Hall where it collects and renders the road hazardous to all but 4x4s and larger vehicles. This happens at some point every year. As recently as 2007 the Grade II listed barns (now known as Old Cart Barn, The Stables, The Grange) and nearby gardens were themselves flooded. The creation of new housing on agricultural land will lead to increased run-off from land less able to absorb rain water. Climate change models indicate that extreme weather events are becoming more common and that flooding such as that affecting Gloucestershire in 2007 and 2008 will occur more frequently. The local authority should ensure that the developers' plans for mitigating the increased risk of flooding do not exacerbate existing problems and are based on up to date scientific models.

2. The current plans show attenuation ponds adjacent to property containing Grade 2 listed property (Old Cart Barn, The Stable, The Grange) on The Green. In the absence of any further detail it is assumed that these are effectively sumps to collect rain water which has overwhelmed Elm Park's proposed drainage systems. While these ponds might help alleviate flooding in the proposed Elm Park development, situating them adjacent to The Green and existing houses merely moves the problem by increasing the risk of flooding to the local community should the attenuation ponds themselves become overwhelmed, particularly given the way in which rainwater run-off currently flows as described above.

### Further consultation:

1. The current plans are not detailed so it is not possible to comment fully on the proposals. There should be full consultation at each stage of the approval process. It is obvious that in general developers' objectives are not necessarily aligned with those of



the local authority or the local communities which they serve. It is therefore likely that the developers will endeavour to increase the density of housing at the expense of green space and communal facilities over time. This should be resisted by the local authority as the detrimental effects on the lives of the existing local communities, particularly with regard to pollution, transportation, and the disruption caused by the extended development period are already severe.

2. It is unclear whether the joint strategy has taken account of brown field developments within Cheltenham, Tewkesbury, and Gloucester and the extent to which such developments could reduce the number of houses proposed for Elm Park.

2 Trafalgar Street  
Cheltenham  
GL50 1UH

**Comments:** 3rd March 2017

Letter attached.

Orchard End  
Lowdilo Lane  
Elmstone Hardwicke  
GL51 9TH

**Comments:** 28th July 2022

Dear Mr Jones,

I received a letter on 6th July, alerting me to amendments and a 'significant amount of new and revised material prepared by the applicant '.

I have been invited to make a further representations to the latest information by 27th/28th July.(?)

I wish to point out that, your internet connections to the documentation via either the TBC or CBC portal, seemed to be regularly unavailable, adding to the difficulties.

I would also like to comment that this has not allowed me to study the documents in great detail, and I also notice that some Consultees have also commented that they wish for longer to study the new amendments

I also wish to comment that I feel that the application should be for a change use from agricultural land, as there is a huge area of land to be developed ,and therefore this should be reflected in the documents.

I notice that more emphasis has been give to green spaces,but I am also disappointed that this huge development, effectively a new town, has not been designated a Garden Town/Community, which would reflect the huge contribution this agricultural farmland and market gardens has made to food production, and agriculture over many years.



The best quality agricultural land along the Tewkesbury Road is not being retained.

There has been no ongoing engagements with local stakeholders and communities since 2015.

I wish to confirm that I wish for the comments I made to the original application in 2016 , should be taken into account along with the comments I am making to these latest revisions.

Comments on the Revised Planning Proposal 16/02000/OUT

At the present time alot of the reports are still unavailable, especially in relation to the Transport Assessment Addendums.

Therefore I find this Outline Application is UNSOUND

### TRANSPORT

A Transport Hub is proposed to focus improved bus services into Cheltenham,with priority measures and bus lanes.

This is to be applauded BUT it will only be completed and open to the public, after the occupation of the 500th dwelling.

This should be a priority at the commencement of the development to encourage residents, to use public transport, and therefore reduce car useage on Tewkesbury Road

These proposed designs do not align with the proposed M5 Junction 10 4-Way designs, for their dualling of Tewkesbury Road. In fact their designs do not give any priority to the bus services and connectivity to Cheltenham town in their designs.

Also there has been changes to land use 'ensuring that part of the frontage on to Tewkesbury Road will be for

RESIDENTIAL USE'.This is absolute rubbish, as current residents on Tewkesbury Road will tell you their lives,

are blighted by noise, air pollution, and light pollution from the current traffic on this busy strategic part of the local network.

The traffic volume will increase with the development of Elms Park, and altering the M5 Junction 10, 4 way.

**THIS NEEDS TO BE REDESIGNED FOR FUTURE RESIDENTS TO INCORPORATE PROTECTION FROM NOISE, AND AIR POLLUTION**

I would also like to point out that Tewkesbury Road, is regularly closed through major incidents. As all of the Elms Park site exits are on to Tewkesbury Road, how will residents etc get to and from their homes and businesses when the road is closed etc?

### HEALTH AND ENVIRONMENT QUALITY

JCS policy SD14 and TBC Policy ENV1 seeks to protect and improve environment qualities,

By building over actively farmed agricultural land this will exacerbate conditions that affect human health.



## Page 191

I wish to remind officers that the whole of the proposed site is in close proximity to both the Wingmoor Farm Landfill sites, East and West, as well as two water treatment works, Brockhampton and Stoke Orchard.

The application site is to the south of these sites, which are at present fields. Therefore standing in the middle of an open field to do a 'sniff' test, 2018, does not replicate the conditions that would apply to a resident in their own home.

There are only a small number of houses in the hamlet of Elmstone Hardwicke, adjoining the site. But our complaints continue to be registered over many years, with the Environment Agency. They include problems with flies, seagulls, odour, noise and air pollution.

You have noted that there are more complaints coming from the north side at Bishops Cleeve, because this is where all the new homes have been built, making new residents' lives intolerable.

I should point out that since writing in 2016, the land fill sites have grown in size, and their activities increased, resulting in an increase in the nuisance we experience, especially at times of hot weather, mist, fog and stillness, not when it is WINDY.

Therefore it is essential that a full Health Impact Assessment is carried out to the south side of the Landfill site to safeguard the health and well being of future residents.

Contaminated Land,

I would like to point out that there is an area of the proposed site that was contaminated, and has not been cleared.

(See attached)

### **Comments:** 20th December 2016

With reference to the above named planning application, We wish to OBJECT to this application on the grounds attached in the accompanying notes.

These are only our interim objections as it appears that not all the relevant documents are available for consultation, at this stage, particularly in relation to the traffic assessments.

It is essential that a full Health Impact Assessment is carried out for the whole of the site before this application is considered and it is not left to reserved matters.

Obo Gallagher Retail Park  
Tewkesbury Road

### **Comments:** 6th March 2017

Letter attached.



SAVE THE COUNTRYSIDE

**Comments:** 10th February 2017

Comments attached.

Please find the formal objection to the planning application 16/02000/OUT (Elms Park) from Save the Countryside. As stated in the document, Save the Countryside may provide additional comments when more evidence is provided within the application.

Grey Squirrels  
Homecroft Drive  
Cheltenham  
GL51 9SN

**Comments:** 7th December 2016

Objections to Planning Application 16/02000/OUT Tewkesbury Borough Council  
I wish to object on 7 main points.

1 The initial proposal by the 3 Councils is fundamentally wrong in its inception and does not allow for an opportunity to set up a new town of 35,000 homes, which is the projected increase in numbers for all 3 areas of Gloucester, Cheltenham and Tewkesbury. There is no Transport Plan for Gloucestershire, which should have been the first consideration of building such a large number of homes. Instead the councils looked only at the income they might each take by developing small zones around their own major settlements. Initially a Town Planner should have been appointed to take the overview of the three council boundaries. To this end, I might suggest the new town be sited in the Staverton/Boddington area. There is already access in four different directions as against the east/west only at Uckington. We could have had the finest of Eco Building in such a new town which would have attracted the best designers in a minimum impact in the environment. Also the much promoted Light tramway or Railway could have been constructed with the Community Improvement Levy generated by the amassing of so many properties. This would remove many cars from local roads, so cutting down pollution.

2 The Joint Core Strategy set up by Cheltenham, Gloucester and Tewkesbury Councils under the Government Inspector, Elizabeth Ord has not yet been accepted by the three councils, so no plans for development in the area should not even be considered until such time as there is a definite Strategy. I object to the piggy backing of this application upon one that is not yet resolved

3 I wish to object to the loss of Ministry of Agriculture Class 1 land from No10 The Smallholdings stretching to Stoke Road Boddington. This category of land is reserved for the finest land in the country and horticultural crops are normally found there. The application also takes in much Class 2 land, which is the next category of land down the scale, which would be very good farming land.



4 I also object to having to breath increasingly poor air quality, especially over the last 7 to 10 days when there has been little air movement to dissipate the traffic fumes. This would be increased dramatically by the addition of 4,115 homes and the traffic generated therefrom when similar weather conditions occurred again. Air Quality was monitored in 2010 at Junction10 on the M5 motorway and its surrounds, was found to be the most polluted air in the County.

5 My fifth objection is to increased Traffic Problems. Below are photographs taken at 8.40 am at Junction 10 and the exit from Homecroft Drive taken on 11th November 2016.

- M5 Motorway exit merging with A4019. Note entrance to Withybridge Lane on the right.
- Two pictures taken on Junction 10 Bridge looking northwards.
- Exit of Homecroft Drive taken at the same time on the same day.

The latest Highways England Report (2010) on traffic flows at Junction 10 states 2 or 3 cars may be waiting to exit the M5. The pictures clearly show that the traffic is greatly increased since then and I have reports of traffic stretching a mile towards Tewkesbury waiting to join the A4019. Even if a conservative 1,000 cars leave the proposed Elms Park at this time. Progress would be non-existent. Bear in mind a parked car requires 6 metres space on the road. The dissipation of traffic from Princess Elizabeth Way or Kingsditch Lane would not help under this new loading and would be slow indeed.

6 My sixth objection relates to the loss of Green Belt. Her Majesty's Conservative Government stated in The Houses of Parliament this year that the Green Belt must remain around urban areas as a buffer to the countryside.

7 Finally the Recycling facilities at Wingmoor Farm Stoke Orchard Cheltenham, are producing most Noxious Smells, carried on many occasions by the wind from the north to Homecroft Drive and beyond.

With this knowledge who would want to live near to source of the smell? House sales will be very slow for the whole of Elms Park.

1st Floor  
Isbourne House  
Wolsley Terrace  
Oriel Road  
Cheltenham  
GL50 1TH

**Comments:** 17th February 2017

I am writing to inform you that the Cheltenham Business Improvement District (BID) fully supports the plans for a new business park as part of the Elms Park development in north west Cheltenham.



One of the challenges most frequently raised by local businesses is the shortage of commercial space available in the Cheltenham area. This has limited the opportunity for expansion, prevented some businesses moving to the area and has led to others leaving the town. Several national headquarters have closed in Cheltenham in recent years.

The Elms Park development deserves support because it provides an ideal opportunity for a genuinely sustainable development with people being able to live, work and have access to new schools all on the one site. Cheltenham needs more business space and this is the most significant scheme for the area in recent years.

I hope the development receives the full support of Cheltenham Borough Council.

Colmans Farm  
Elmstone Hardwicke  
Cheltenham  
GL51 9TG

**Comments:** 12th December 2016

Letter attached.

10 Homecroft Drive  
Uckington  
Cheltenham  
Gloucestershire  
GL51 9SN

**Comments:** 12th December 2016

1. Environment: The proposed development will result in the destruction of Green Belt consisting primarily of Grade 1 Agricultural land. The proposal admits an increase in air pollution levels will occur caused by increased traffic

2. Flooding: The significant increase in impermeable area proposed by the development will exacerbate the threat of flooding as experienced in the area in July 2007. The proposed development is on a natural flood plain. Our property was flooded with 5 inches of water on the ground floor. The Appendix H1 Proposed Development - Elms Park Flood Risk Assessment Final v2 does not fully consider the effect of run-off from the development on properties on the south side of Tewkesbury Road including Homecroft Drive.

3. Traffic: The traffic plan is totally inadequate as it makes no proposals to increase the traffic capacity of the A4019 eastward into Cheltenham which will remain a single carriageway. The only primary vehicular access to and from the site is through two new signalised junctions, in close proximity, on the A4019. Together with the existing junction between the A4019 and Hayden Road, this will greatly exacerbate the regular grid-lock situations especially during peak times and during race days. How are residents of the properties, and visitors to the Civil Service Club on the south side of A4019 to turn right?



Will they turn left then right onto Homecroft Drive, U-turn then use the signalised junction to turn right towards Cheltenham? The Traffic Plan appears out of date because it does not take into account the recent significant increase in medium size vehicles delivering on-line shopping packages. It is not clear how the access to the traffic hub and hotel will operate. Our local bus stop at the Plant Centre on the north side of A4019 will be lost to be replaced by one in the Traffic Hub some distance off. This will adversely affect uses especially elderly residents.

Orotava  
Lowdilow Lane  
Elmstone Hardwicke  
Cheltenham

**Comments:** 12th December 2016

I lived on the Tewkesbury Road (where the BMW Dealership is now) from 1970 to 1987 and watched with dismay the erosion of green belt, where once were fields and wildlife are now buildings and traffic congestion.

I was lucky enough to move back to the village of Elmstone Hardwicke some years ago with my husband only to find that the same erosion is being proposed again, only this time on an even larger scale with unbelievable destruction.

I understand that the country needs more housing but the scale of this proposal defies sense and logic with seemingly no thought to the already congested road network, preservation of our green belt and the obvious destructive impact of our treasured wildlife. We currently enjoy a variety of British wildlife such as rabbits, hedgehogs, badgers and deer not to mention a wide a range of birds both song birds and birds of prey. What will happen to these poor animals once their natural habitat has gone.

The main roads in and round the area are already very congested at peak times and you have to queue in very slow moving traffic as well as cars queuing to leave the M5 motorway which in itself is already so dangerous. You can't even get to Sainsbury's without having to join a long line of traffic as people use the road thought the retail park as a short cut as all other roads are at a near standstill. If this proposal is approved we would have another few thousand cars to add to the mix. I know there will be a Park and Ride but I believe (human nature as it is) only those working in the town would use it, the majority of others would want the convenience of having their car with them especially if they can park adjacent to their workplace.

I absolutely dread the destruction of our precious green belt, it's not something you can reverse once it's gone, it's gone. If more and more green belt is built on where will our food come from when we need even more produced to feed the growing population.

No longer will it be our green and pleasant land.



22 Cathedral Road  
Cardiff  
CF11 9LJ

**Comments:** 1st August 2017

Letter attached.

8 Smythe Road  
Cheltenham  
Gloucestershire  
GL51 9QU

**Comments:** 24th July 2022

Increase in traffic through Church Road Swindon Village. This is already a very busy dangerous road with sharp bends and used a lot already with non village commuters. Concerns for all residents but mainly children and the Elderly.

Pollution for all health concerns.

The wild life which we all enjoy so much while walking in the country side.

35 Rivelands Road  
Cheltenham  
Gloucestershire  
GL51 9RF

**Comments:** 24th July 2022

I'm concerned that the the traffic from the first phase will go through manor road and it will be unable to support it. There are enough snarl ups with existing traffic along manor road and runnings road. Turning right into manor road from Swindon village can be very slow. If there is then traffic coming from the houses where what was Hulbert's farm entrance joins, the traffic could be at a stand still or accidents with pedestrians could happen. How would traffic be managed at the manor road/runnings road junction to keep traffic flowing?

48 Quat Goose Lane  
Cheltenham  
Gloucestershire  
GL51 9RP

**Comments:** 20th August 2024

I feel that no effort has been made by Cheltenham Borough Council to adequately explain the significance of these changes (letter to residents dated 30th July 2024) and the reasons behind them. As a resident of Swindon Village, I feel disregarded and disrespected at this blatant failure of communication. If this application, that includes reversal of Elms Park phases 2 and 3, is an "enabler" for future expansion of Elms Park



or early construction at Home Farm, then I think it's only fair that residents of Swindon Village be warned of this and not "kept in the dark".

Maximum home building limits have been established prior to M5J10 upgrade. I fear that downward pressure from government will affect the judgement of the town planning committee and Highways England resulting in failure to properly consider coordination and timing of M5J10 upgrade and Elms Park construction. These are large-scale projects that must be managed carefully to ensure M5J10, A4019 and local road safety and avoid unacceptable traffic congestion in the area around Gallagher Retail and Kingsditch Business Parks. Highways England must play a significant role in ensuring that road safety standards are maintained. Even with careful planning there will be an enormous impact on local residents, road users, shoppers and Gallagher/Kingsditch local businesses during the many years that it will take to build Elms Park.

There has already been a fatal collision on Swindon Road (4 July 2024) during this period of Manor Road closure (well beyond advertised dates) for construction of a roundabout for Elms Park phase 1A. Additional traffic congestion due to Manor Road closure likely contributed to this tragic event. Sadly, this should be a warning that additional road congestion leads to increased road danger, especially for cyclists and pedestrians. It is simply unacceptable to begin road infrastructure projects without effective risk assessment. Developers must be held accountable for delays that extend well beyond agreed deadlines.

Communication between CBC, GCC, Highways England, utility providers and developers must improve to achieve safe and effective project management. Additionally, engagement with residents and business owners needs to be addressed as it is currently appalling.

Reassurance must be given by GCC that M5J10 will be upgraded to provide an "All Movements" roundabout and A4019 will be widened to the east of J10 before Elms Park phase 1 development work begins.

**Comments:** 26th July 2022

Comments - Elms Park (16/02000/OUT)

The local community needs reassurance that this development will not proceed until the M5/J10 upgrade and A4019 widening has been carried out. This is a critical factor to ensure public safety and to avoid Road Traffic Collisions, especially during the construction phase which is likely to be a significant number of years. Additionally, without these highway infrastructure upgrades there will be traffic chaos in the surrounding area due to the increased volume of traffic. Manor Road/Runnings Road and PE Way roundabout are already existing traffic choke points and will not cope with increased traffic density.

There should be no vehicular access into Elms Park from Quat Goose Lane. The existing track to Home Farm from QGL should remain and there should be NO link road from QGL into Elms Park as currently shown in phase 3 of the development. This will help prevent untenable and dangerous traffic density in Swindon Village. Again, the local community should be reassured of this.

There should be a 'Housing Requirement Review' after completion of each Elms Park phase to assess if there is still a need for additional homes.



## Page 198

The Home Farm proposal (previously Phase 4) should only be considered after all Elms Park development phases have been completed and a post-phase 3 housing requirement review.

Public transportation into and out of Elms Park should be via the proposed Tewkesbury Road access (part of the A4019 highway upgrade) and/or from the rear of Sainsburys supermarket (which will extend into Elms Park).

New schools that are part of the Elms Park development must be ready to take on children as and when they are required. Schools in the local area are already at maximum capacity.

Expansion of local amenities for Elms Park should include doctor and dental surgeries.

All existing local green space, public footpaths and bridleways should remain in place. Ownership of this land must be clearly defined.

Dog Bark Lane should retain its existing natural character as it is a local beauty spot for dog walkers and families. Any plans to change the nature of DBL should be first agreed with the Swindon Village/Elmstone Hardwicke Parish Council.

Existing trees should be kept where possible. Trees with protection orders should be clearly identified and notified to the developers/builders.

Deer freely roams the land where Elms Park will be developed. These animals should be safely relocated.

Elms Park must take into account the topography of the land and avoid construction of buildings that rise above the natural skyline.

6 Deakin Close  
Cheltenham  
Gloucestershire  
GL51 9SB

### **Comments:** 17th August 2024

Phases 2 and 3 have been switched, is this so that Manor Road can take all the traffic from phase 1 & new phase 2. I object to this change of plan.

National Highways has been consistent in including the planning condition recommending no more than 1,000 dwellings with the interim scheme (at M5 J10) in all of its planning responses to date. M5 J10 MUST be completed prior to more than 1,000 houses being built. I object to more than 1,000 houses being built before M5 J10 is complete.

There should be no access via Quat Goose Lane as per Highways recommendation. The roads are already gridlocked at peak times. I object to any access to Elms Park via Quat Goose Lane.



**Comments:** 26th July 2022

Have plans for A4019 from Fire Station to Sainsburys been agreed between M5 Junction10 team and Elms Park developers? Are J10 team in the process of planning this section of roading? I don't see any vehicular access for the transport hub on the brochure in the following link. See page 11 and 13 of brochure in this link.

<https://www.gloucestershire.gov.uk/media/2111703/m5-junction-10-statutory-public-consultation-brochure-081221-150222.pdf>

The Elms Park development cannot safely be built until the improvements to the M5 J10 and accompanying A4019 Tewkesbury Road up to Sainsburys are completed. More pedestrian crossings will be needed to get pedestrians safely through the increased construction traffic. There are already bottlenecks at all approaching roads to Manor Road and Gallagher Park area, especially at peak times. Construction traffic cannot be allowed through Church Road or Manor Road, in Swindon Village, these roads are not large enough for the vehicles, there are high walls alongside roads with reduced visibility and cars parked in roads, trucks often try this route from GPS causing blockages to traffic and danger to pedestrians.

Regarding transport within the Elms Park Development all roads and junctions within the Elms Park development need to be able to handle vehicles including cars, cycles, pushchairs, for at least the following purposes without bottlenecks:

Deliveries from internet shopping, supermarkets deliveries, postal services. There must be estimates of likely future numbers internet deliveries per household etc.

Services from gardeners, window cleaners, dog walkers, emergency departments, maintenance workers. Telecom, power, gas, cable, water, sewerage providers

Travel to and from work and education facilities. Buses do not travel to every place of work at every time required.

How many spaces are provided, in Elms Park, for all these vehicles?

Three vehicular access points does not seem enough for 4,115 houses and all the traffic including deliveries etc. this will be a great big traffic jam.

If parking is not provided for residents' cars, plus visitors and all the previously mentioned providers then they will be parked in adjacent streets and people will walk in. Those adjacent streets are in Swindon Village at Quat Goose Lane, Church Road, Manor Road, Dark Lane and surrounding streets, increasing the already hazardous traffic issues. As an example you only need to look at streets around GCHQ, at Fiddlers Green and Benhall, to see the magnitude of cars parked there. People will not give up cars just because there's insufficient parking.

I object on the grounds there will be too much traffic and parking of vehicles in surrounding areas making it unsafe for pedestrians, horse-riders, cyclists, Schools and emergency vehicles. Worst case scenario deaths.

13 Stantons Drive  
Swindon Village  
Cheltenham  
Gloucestershire  
GL51 9RL

**Comments:** 19th August 2024



Document emailed to Planning Officer to be uploaded

Letter attached.

11 Hulbert Close  
Cheltenham  
Gloucestershire  
GL51 9RJ

**Comments:** 3rd April 2025

I have two points of objection -

The proposal is for 4115 new homes, average 3 people per home is 12,345 people. I don't think there's enough resource mentioned for that amount of people. No doctors surgery mentioned, library, accommodation for fire, police and ambulance (appreciate those services will absorb this extra workload into current structure) regular open spaces and parks. I think the bare minimal has been proposed for 12,000 people and CBC should hold them to more account and make obtain the maximum services for these new homes.

Secondly our current road infrastructure can't cope with current new development on manor road/ Elms park. Constant road closures, diversion and temporary lights has made it hell for local Swindon village residents. Combined with Evesham road closures you can regularly find Wymans lane and Hyde lane at gridlock as commuters from bishops cleeve have no choice. Seriously think about the impact such a large development will have on our current infrastructure and the price local residents will have to pay

I'd just like to finish with a comment for CBC. You are in the privileged position to protect a beautiful, iconic, historical Cotswold town. Be careful how you change it. It must keep its beauty and charm.

3 Swindon Hall  
Church Road  
Swindon Village  
Cheltenham  
Gloucestershire  
GL51 9QR

**Comments:** 27th July 2022

Letter attached.

51 Mandarin Way  
Cheltenham  
Gloucestershire  
GL50 4RR



**Comments:** 27th July 2022

I strongly object to this planning application.

Traffic and access - this village is already used as a short cut and parts of it are in a conservation area due to historical buildings. The villagers use roads, footpaths and bridle paths for general hawth and lifestyles. More traffic means more danger and worse health.

Ecology and wildlife- the area is host to ancient hedgerows and rolling pastures and is diverse in it's wildlife and plant life. The fields are a flood plain and act as a sponge in times of flooding. Many of the plants only exist in wet pastures.

Our community is currently a thriving one. We have seen examples of the destruction of village life by these large scale developments I Bishops Cleeve, Gotherington Woodmancote and Southam. These areas are now soulless and joyless places.

Elton Lawn  
Uckington  
GL51 9 SW

**Comments:** 20th October 2022

Dear Sir,

I have noted that my response dated 7th August 2022 (as in my email below of that date) does not appear to have been noted on the planning portal. I now understand from a similar experience of Uckington Parish Council that you request emails to be sent to [planning@cheltenham.gov.uk](mailto:planning@cheltenham.gov.uk) and not to [liam.jones@cheltenham.gov.uk](mailto:liam.jones@cheltenham.gov.uk).

Please proceed to note my response as has been done by Tewkesbury Borough Council.

Thank you,

Dear Sir,

1. I regret there has been insufficient time for me to comment on this amended application by the requested date due to other commitments together with several medical appointments. I have also had difficulty in accessing website information when documents have been unavailable. However, I now respond as below.

2. I remain particularly concerned as to the loss of the countryside and unspoilt rural quality which would follow. I also find it difficult to accept how so large and extensive a development can be compatible with the represented increased wildlife and green infrastructure.

3. Whilst noting the represented public and other forms of transport, the new housing and commercial units remain 'car-centric' and would generate a substantial increase in traffic, compounding existing problems, with the inevitable congestion, air



pollution and noise in the local area. I do not believe the access roads even with updated junctions would have the capacity to cope.

4. There are ongoing issues with the Landfill Sites which are very close to the proposed development. I am further away but on several occasions have had to complain about the emission of offensive odours.

5. I am aware that part of the proposed development is on Grade 1 Agricultural Land. In this respect I refer to para 6 of the response from Uckington Parish Council to this amended application setting out its position and reservations as to the Kernon Report contained in the Environmental Survey. It is difficult to comprehend how the Report can arrive at the finding that the site is of undifferentiated Grade 3 quality when it admits it has not been able to have access to the land to carry out surveys. Also, with my local knowledge of the area, undoubtedly, the reference to 'Non Agricultural land' is a complete nonsense since the market gardens (now largely unused) extend to the highway; i.e. the A4019.

6 I am concerned as to the proposal to build high density residential housing adjacent to the A4019 which would be subjected to constant noise and poor air quality from the road. This should remain as green infrastructure in some form so as to take full advantage of the Grade 1 agricultural land stretching along the Northern side of the A4019.

7. I do not understand for what purpose it is intended to create a potentially dangerous restricted or emergency junction onto Elmstone Hardwicke Lane and consider this should be removed.

8. In summary, I object to the application and consider it should be refused.

Thank you.

29 Dark Lane  
Cheltenham  
Gloucestershire  
GL51 9RN

### **Comments:** 14th August 2024

I wish to voice my objections to the proposed changing of phase 2 and 3 of the Elms Park development as described below :

I have been unable to ascertain the justification for of the benefits of the change of order if phasing 2 and 3 as against the original agreed plan.



In the absence of any strong reasoning the agreed phasing should remain.

One of the residents concerns over the change in phasing is that developers are hoping to 'piggy back' on the Home Farm development and somehow obtain agreement, in complete disregard to the current agreed plans, to obtain 'temporary' construction access through village?

This must not happen.

There is no safe or sensible access for construction traffic through the existing village; both Dark Lane and Quat Goose Lane are too narrow (there are already regular instances of the service bus being unable to proceed via the parked vehicles in Dark Lane).

The original agreed plan provides for only footpath and bus access between the new development and the existing village (in effect a barrier or curtain between both); there should be no relaxing of this position either temporarily for construction traffic or subsequently for local traffic.

The proposed new Junior School in the proposed phase 2 (currently the agreed phase 3); appears unnecessary close to the existing village boundary rather than being conveniently located towards the centre of the proposed Elms Park development. The proposed location seems likely to encourage the residents of the Elms Park development to drive rather than walk to the new school, as it will be convenient only to those living near the exited village.

Whilst the plans appear very vague, there does seem to be an increase in size of 'mixed use local centre' in the proposed phase 2 (currently the agreed phase 3); if this is the case, what justification is there for changing from the agreed plans?

Again the vague plans highlight 'green infrastructure' in the proposed phase 2 (currently the agreed phase 3); what are these likely to entail in each area?

Of course, there needs to be strong guarantees and enforcement to ensure the developers complete the new local amenities (schools, playgrounds, retail units etc.) in a timely manner and not postpone, delay or avoid their responsibilities.

Another concern is the increased security risks and the diminution in the value to our properties caused by development both during and after completion; is any compensation to be offered to existing residents?

As I understand it, one of the existing conditions on the Elms Park development, imposed by the Highways Authority, is that a maximum of 1100 houses can be built (encompassing Elms Park, the Cyber Park and others) before the proposed improvements to Junction 10 are complete.

This condition must remain as the existing road infrastructure is already at saturation point.

The existing Elms Park development plans have been agreed after many years of negotiations between developers, planners, local and County Councils.

To amend them now at the whim of developers who wish to renegotiate the agreement is inequitable unless existing local residents (many of whom object to the Elms Park development in all its manifestations) are able to likewise renegotiate and insist that the land be returned to Greenbelt.



64 Little Herberts Road  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL53 8LN

**Comments:** 9th May 2023

Letter attached.

3 Swindon Hall  
Church Road  
Swindon Village Cheltenham  
Gloucestershire  
GL51 9QR

**Comments:** 25th August 2024

The Swindon Village Society, which represents some ninety local people, notes with concern that the revised plan for Elms Park would seem to indicate an intention to remove a length of hedgerow from the eastern end of Dog Bark Lane on the southern side.

Dog Bark Lane is an important historic route, many centuries old, and is also a major asset for nature conservation. Previous plans for the Elms Park Development have indicated a welcome willingness to maintain both historic and natural features of the area which is greenbelt land. Indeed the proposal at the head of this document mentions the provision of new green infrastructure. We would suggest that the maintenance of old green infrastructure is of even greater importance.

The Society therefore strongly object to this change given without explanation and hope that it does not indicate an intention to further degrade natural aspects of the development to the detriment of those who will live there in the future and those in the Swindon Village area who have enjoyed this lane as part of their life for many years.

We would also like to object to the fact that the letter indicating a change to Elms Park planning, although dated the 30th July was actually received on 16th August with a response date of 20th August. Mail to this area often has a delayed delivery of up to three days but we can only assume that this extended delay stems from problems within the Council department. We would like to think that this will not occur again since it is against National guidance.



43 Quat Goose Lane  
Cheltenham  
Gloucestershire  
GL51 9RP

**Comments:** 28th July 2022

The time given to object to this consultation is massively insufficient considering the time of

year, another massively arrogant attitude from the fat cat developers

This application does not include references to the smaller full application that fall within the boundary (20/00759/FUL)

Each phase and volume should be reviewed against the JCS and local plans in addition the

agricultural land should only be released as and when demand is considered necessary. In

my opinion not at all as plenty of brown sites that are left abandoned before using our precious green fields.

I object on the following grounds

The M5 junction 10 and Tewkesbury Road upgrade should be completed prior to any construction takes place with the Elms Park development, as concurrent construction would

cause significant disruption and impact to the local community.

The Tewkesbury Road A4109 should be the only access point to the development through

all the phases of the development. To ensure no disruption or change to the actual village.

There should be no vehicular access into elms park from Quat Goose Lane at any point in

the development or after.

Manor Road can't support the current levels of traffic currently let alone support that proposed. Standstill traffic at all times of the day is noted and it is a particular problem trying to exit the village.

Swindon Village will become a throughfare with traffic bypassing the main routes to avoid the already heavily congested roads. The village lanes will be like rat runs and out residents

at significant harm if these points are not addressed. We have already had accidents with the narrow lanes and tracks within our village, adding surplus traffic to this nightmare will only increase the likelihood of a fatality.

The traffic flow has not been adequately investigated and provision for traffic to link up with

the north east of the village has not been commented on.

The local green space and ownership and usage needs to be confirmed with the community

as submitted as part of this application

This proposal fails to meet the requirements set out in the Cheltenham Borough Council's plan to achieve Net Zero by 2030. It does not commit to the installation of renewable energy sources or low carbon heating options. The proposal does not address issues such as

water efficiency and adapting homes for climate change. After each phase completed, there

should be a requirement to review and assess whether there is still a need for additional



development and homes.

This application should provide clear and transparent evidence to support their claim about

active travel and their commitment to reducing car dependency at the same time as being

honest and providing adequate offroad parking. We need to see more commitment and sustainable public transport links that genuinely work.

This application proposal definitely fails to provide an honest forecast of education needs and clearer evidence that the proposed schools and local capacity is sufficient to meet forecast demand. Our local school, is full to capacity and Pates is a selective grammar and

not open to all, especially local children. New schools that are part of this development must be in a position to take children straightaway when required as current infrastructure

cannot meet this demand.

This application must include specific measures on how to manage the wildlife population to

the remaining green areas. The proposals will result in a minimum of 13% loss of hedgerows. There must be no further negative impact to trees with protection orders or existing landscape. All local green space must be clearly defined and maintained. The Deer

that currently roam freely around the area must be protected.

Swindon village does not support street lighting and does not support any proposed development within the village or on its boundaries that requests this and expects that development o. its boundaries should take this light pollution into consideration.

The land around the village is not flat so the height of the proposed developments must take note how the height affects the impact on our village. Developments should be lower at edges of green areas to ensure new development is hidden and separate to existing core

village.

The drainage ponds and ditches are massively insufficient and inadequate and there is no

adequate provision for the new storm water connections within the Parish and specifically the main village.

It is essential Key facilities must be in place before homes are built as we are bursting at the

seams already within healthcare and schools, so this development is not sustainable locally.

In particular Gloucestershire hospitals is unable to look after its current population let alone

the additional population as a result of this development.



8 The Firs  
Swindon Village  
Cheltenham  
Gloucestershire  
GL51 9RU

**Comments:** 27th July 2022

The time given for this consultation is insufficient and totally spiteful from the developers, whom I am sure are hoping for minimal responses due to school holidays.

The application does not include reference to any smaller full planning applications that fall within the boundary of this application (20/00759/FUL)

Each phase and volume should be reviewed against the updated JCS and local plans, agricultural land being released as and when required.

I object to this application as I believe the following to be significantly affected

**ACCESS AND TRAFFIC**

~M5 junction 10 and tewkesbury road upgrade must be completed before construction as this would undoubtedly cause significant mayhem if concurrent construction is allowed.

~Tewkesbury Road SHOULD be the primary point of access to the development through all phases. There should be NO vehicular access into elms park from Quat Goose Lane at any point.

~ The lack of capacity at the Sainsbury?Aldo junction and Princess Elizabeth Road Macdonalds roundabout must be addressed and included within the outline planning as will have massive impact on the area.

~Manor Road CAN'T support the proposed level of traffic and are already existing choke points and will not cope with increased traffic density.

~ Significant risk that Swindon Village will become a thoroughfare with bypassing the main village to avoid already heavily contested roads. We have already had several incidents due to our narrow village lanes/roads, sharp bends and an impossible junction at Hyde lane.

Current road infrastructure cannot support current level of increasing traffic let alone anymore.

~ the traffic flow has not been properly investigated and there is no provision for traffic to link up with the A435 to the north east of the village.

**LOCAL GREEN SPACE**

~ the proposal fails to meet the requirements set out in the Cheltenham Borough Councils plan to achieve Net Zero by 2030

~ It does not commit to the installation of renewable energy sources or low carbon heating options.

The proposal does not address issues such as water efficiency and adapting homes for climate change.

~ There should be housing requirement reviews after each phase to assess if there is still a need for additional homes.

**Reduction in active travel**

~ The application should provide clear evidence to support their claim about active travel and their commitment to reducing car dependency. We must have public transport that is accessible, convenient, and result in fewer cars per household.



~ all applications underestimate the number of cars per household and thus do not provide enough off road parking forcing road parking in unsuitable areas.

### EDUCATION

The proposal fails to provide a forecast of education needs and confirm that the proposed schools and local capacity is sufficient to meet forecast demands. Our local primary school is at full capacity and Pates Grammar is selective and not open to all. New schools need to be ready to take children as and when the demand is required from the outstart.

### Wildlife and ecology

This application must include specific measures on how to manage the wildlife population to the remaining green areas. The proposals will result in a 13% loss of hedgerows. There must be NO negative impact on trees with protection orders. The natural character of DOG Bark Lane must be maintained. All existing local green space must be clearly defined. Deer roam freely in this area and should be protected.

### Lighting

Swindon Village does not have street lighting and any proposal within this village or on the boundaries should take this light pollution into account  
I object to street lighting anywhere near the original Village boundaries as adding lights stops away the traditional feel of this desirable village location.

### Drainage

The drainage ponds and ditches will be totally insufficient there is no capacity for new storm water connections in the Parish and particularly the village.

### Health care

I object as there is no adequate provision of healthcare services to serve the new homes. In addition Gloucestershire hospitals is currently unable to provide adequate healthcare to its current population let alone anymore from this development.

46 Quat Goose Lane  
Cheltenham  
Gloucestershire  
GL51 9RP

### **Comments:** 27th July 2022

Yet again we are having houses being built on Green Belt that are NOT required and most importantly the Infrastructure is not in place and having 2 way access on Jct 10 is not going to solve so don't try that one ! Currently there is traffic queing on M5 on hard shoulder and inside Lane which is dangerous. The current Medical Services cannot cope be that GP, Dentist, Hospital. With this development there will be circa an extra 5000+ cars trying to gain access to Tewkesbury Road ! Schools Playing Fields and destruction on Wildlife! Plus the new Science Park Development will cause even great chaos - Try building a new Town elsewhere not a NIMBY



56 Quat Goose Lane  
Cheltenham  
Gloucestershire  
GL51 9RP

**Comments:** 30th July 2024

Firstly I would like to comment on the lack of communication regarding this latest consultation period. We found out anecdotally that this was currently happening and that there had been changes to the proposals.

**Governmental and housing policy change:**

It seems to be a very poor time to make decisions on massive-scale developments that were planned many years ago. Just today, the government has announced a new method of assessing housing need, and a new focus on affordable homes. Coupled with a requirement to identify and prioritise 'grey-belt' sites and other changes, it is very short-sighted to make decisions on such a massive development that likely will not meet incoming requirements.

**Phasing changes:**

The phasing changes will mean the impact on the existing community of Swindon Village will happen much sooner. There doesn't appear to be a justification for this change. I would hope that clarification is sought, and that strong justification be required. Without transparency on this matter, it will be assumed that local communities will suffer in order to help developers build in a way that suits their profits. Communication on the reason for this phasing change would be appreciated.

**Persimmon track record:**

Persimmon are currently building the first phase of this development next to Manor Road (known as Regents Village). This first ~2% of the development requires a roundabout to be added on Manor Road. Persimmon were given permission to close Manor Road for 16 weeks in order to complete this work. The traffic disruption caused has been significant. We have now been informed that they will miss this deadline for completion by almost two months, and will keep the road closed throughout, continuing to further disrupt local businesses and communities. If this is the way they behave on relatively small-scale developments, much additional thought and conditions should be in place before they are allowed to go forward with work of this scale.



4 Rivelands Road  
Cheltenham  
Gloucestershire  
GL51 9RF

**Comments:** 24th July 2022

As this development has the potential to increase traffic to a further 8000+ cars @ 2 cars per household and servicing vehicles it is imperative that all road upgrades and improvements particularly access from Tewkesbury Road are in place prior to development starting. Has thought been given to a possible 20m.p.h. in the village to deter it from becoming a rat run.

6 Deakin Close  
Cheltenham  
Gloucestershire  
GL51 9SB

**Comments:** 27th July 2022

Dear Sirs

Regarding the building of Elms Park housing estate.

I would like to ensure that construction traffic is not going to be using any Swindon Village roads, as this would be a danger to almost all that live in the village, the roads simply could not take that amount of traffic and could lead to a death of an innocent person, especially young children around the school and park areas.

Tewkesbury road is already congested and a danger to cross on foot, and dangerous for cyclist to use, so I believe that construction work should be held until the roadworks are complete and it has been updated to a Dual carriageway to help prevent the loss of life.

The Elms Park estate is lacking parking for residents, if this is to persuade them to catch public transport, it will not happen, the bus service is way under supported by the public as it always has been, the general public will not give up their cars no matter what, so the lack of parking will lead to Swindon Village being crammed with street parking from Elms Park and parking on grass verges and lawns etc within the housing estate.

Some sort of traffic control must be put into place for Swindon Village as it would quickly become a shortcut to and from Elms Park. Perhaps a resident only permits scheme should be started and policed.

Many new trees should also be planted to allow for the pollution that the estate would give off instead of the now lush countryside that gives off nothing but rich oxygen, and supports wildlife. Also the existing trees in the surrounding fields should be catalogued and protected against "accidental removal".



71 Church Road  
Swindon Village  
Cheltenham  
Gloucestershire  
GL51 9RE

**Comments:** 25th July 2022

Elms Park Comments ref 16/2000/OUT

On the whole, it seems that these plans are not mature enough for such a massive development and the public has been given very little time during the holiday season to make a comment.

The plans are not consistent with the changes required to Tewkesbury Road as more land is required from the Elms Park development for road widening. This would undoubtedly lead to higher density building or more of the green space eaten up. The proposed upgrade to the M5 junction 10 should be undertaken before the Elms Park development gets underway because construction traffic will otherwise cause major problems in the area. Can one imagine the mayhem if parts of Elms Park are completed and then Tewkesbury Road and M5 junction are started.

Traffic in the area is already too high with widespread speeding, especially in Church Road and Tewkesbury Road. This will only increase due to the proposed development without it including a proper plan to improve the roads and with traffic calming and monitoring systems.

Any access from the new development onto Manor Road will encourage Elms Park residents to use it and Church Road as a short cut through Swindon Village towards Bishops Cleeve. Church Road is not designed for this volume of traffic and there have already been several incidents with parked cars being hit. On Church Road, there are two very sharp bends, the primary school and a difficult junction onto Hyde Lane by the railway bridge for drivers to deal with.

There needs to be more information and better planning for services on the site of the new development. Without services such as schools, doctors, shops, etc. more travel (probably with cars) will need to be made outside Elms Park. For example a forecast of pupil numbers would determine if the proposed schools would be adequate. The existing schools in the area have very limited scope for extra space.

There does not appear to be specific commitments to achieving sustainability with respect to using renewable energy (e.g. for heating systems) and improving water efficiency and reuse. This needs to be addressed in order for the CBC plans to achieve net zero by 2030. This is unlikely when building 4115 new houses (unless they are being built after 2030!).

It is not clear which green space areas are public or private, and who is responsible for them. For example areas indicated as football pitches. This should be included in the plans.



Cotteswold House  
Brockhampton Lane  
Cheltenham  
Gloucestershire  
GL51 9RS

**Comments:** 26th July 2022

Dear sirs,

I have multiple concerns about the proposed elms park development.

Firstly I note that there will be a 13.33% loss of hedgerows. Given our current climate crisis I think it is important we try to minimise any impact we have of building works & human development. I understand that we are aiming to be carbon neutral by 2050, however I have serious concerns that this is too little too late & I would urge you to consider this with regards this development. This loss is too much, if it must occur then I would like to see increased planting of trees within the development to negate this.

On this theme, there seems to be no mention of what the net tree number will be - whether a loss or a gain. I am aware that there are several trees with a TPO within the development area, no mention has been made as to how these will be preserved. I think we need clarification on this.

I am also concerned about the increased traffic to the area. Manor road and Tewkesbury road are already very busy roads. I think it is imperative that the proposed m5j10 development & the Tewkesbury road upgrade occur before any building work commences in order to minimise the congestion that will occur.

With regards the traffic, I also have concerns about the use of manor road as a primary access point into the development. This is already busy with traffic using it to access the Gallagher retail park (including sainsburys & food warehouse), Lidl & other local businesses. Some days traffic can back up to Swindon manor. Recently, planning permission has been given for a Burger King to be built within Gallagher retail park. This will further increase traffic & I wonder if this has been included in traffic modelling for the development?

I also have concerns that once the m5 j10 has been upgraded, elms park business centre has been built & the IT park near GCHQ has been built - Swindon village (in particular church road/manor road/ quat goose lane and Rivelands road) will become a natural cut through for people accessing these sites from Bishops cleeve & surrounding areas. Traffic volume through Swindon village will thus increase significantly. Swindon village is small with narrow roads & already, at times, can have heavy traffic due to school traffic. Any increase in traffic at peak times, will be dangerous for school children, pre-school children & other pedestrians. Not to mention unpleasant for local residents. I wonder or some sort of bypass road could be built to prevent this from occurring, or other measures taken.

The other primary accesses to the development will be off Tewkesbury road. I worry that right turns from Tewkesbury road into the development will give serious congestion going back into Cheltenham, princess Elizabeth way etc. Will the proposed upgrade to Tewkesbury road take this into account? Alternatively, can we ensure that there will be



adequate public transport & cycle routes to minimise the need for cars to the town centre & other business/IT parks in the area? A travel hub has been mentioned - what routes will this go to?

I note that that there are 3 schools proposed within the development. There is also a mention of other nearby schools. Swindon village primary school is already full (& there is a letter from the headmaster to confirm this). Pates school has also been included - this is a highly regarded grammar school, and so, only open to those who pass the 11+ highly enough. It should not be included in modelling of whether there will be enough secondary school

There is a lack of clarity about the local green spaces. It looks like the developer is planning on using some of this for parks etc. This is not necessarily a problem, however, I think it needs to be clear to whom the green Space belongs, who will be responsible for maintaining it & I think that anything done to the local green Space needs to be with consultation & approval of local residents.

I am concerned to see that local footpaths & bridleways will be upgraded to be used for access & cycleways. Whilst I appreciate it makes sense to do this, many of these routes are currently peaceful tranquil walks, a place to escape from busy life & allow some mental calm. Upgrading these to allow them to be used by around 4000 households will significantly change the pleasant nature of these. I would urge that if these are to be upgraded for use as access, other footpaths & bridleways are built so that current & new residents to the area will still be able to enjoy some peaceful

Swindon village has very few street lights. I believe that surveys of residents have occurred previously to ascertain whether this should remain the case. The answer has always been 'yes'. The proposed development mentions an 'innovative lighting scheme' with no mention about what this comprises of. I would ask that the dark skies around Swindon village are preserved.

The elms park developers make lots of promises about what will be gained by this development. However, I am concerned about what will be lost by the current residents of Swindon village, Swindon parish, Uckington & Elmstone Hardwick. Namely, green spaces, peace & tranquility and a chance to be surrounded by nature. I ask this is considered & the loss of these important things are minimised so that the current residents of these areas are affected as little as possible.

37 Quat Goose Lane  
Cheltenham  
Gloucestershire  
GL51 9RP

**Comments:** 28th July 2022

Timing of the consultation period

The public has been given very little time during the holiday season to review the application to make a comment.



## Page 214

Some documents are showing as unavailable to view.

Please consider an extension to this deadline.

Note- This happened previously when developers timed their application in the summer or Christmas holiday periods!

### Sustainability

These plans need to address specifics rather than using vague terminology.

Need to describe heating/ insulation/ water saving/ use of rainwater/ public as well as personal EV charging points etc to meet CBC net zero by 2030 target.

### Highways/ Transport

No homes should be built until the change to M5 J10 and the Tewkesbury Road access and road widening are ready. There are safety concerns due to the impact on already overstretched roads in the area.

There are already significant pinch points including Swindon Rd bridge , Swindon Lane level crossing( and consequent traffic jams when gates are down on Wyman's Lane) and leaving the village via Manor Rd especially when the staff working at the light industrial estate leave work.

GCC highways have no concerns that Swindon village becomes a rat run. We disagree. The plans show no provision to link A4019 to Bishops Cleeve. Essential to avoid north bound traffic from this proposed development passing through Stoke Orchard/Elmstone Hardwick.

### Cycleways

Please take note of the comments from the cycle campaigners, especially around safe design at junctions and roundabouts and routes to schools.

### Phases

There should be a 'Housing Requirement Review' after completion of each Elms Park phase to reassess need.

The Home Farm proposal (previously Phase 4) should only be considered after all Elms Park development phases have been completed and a post-phase 3 housing requirement review. The narrow roads in Swindon Village cannot be used for construction vehicles and traffic from 180 new homes.

### Ownership of green spaces

All existing local green space, public footpaths and bridleways should remain in place. Ownership of this land must be clearly defined.

### Health care

Dental services and primary care provision are mentioned but what additional resource and capacity will be provided for our already overstretched secondary care and the emergency services?

### Education



The local schools are full and cannot meet demand for the new estate, therefore new schools should be built as priority. Pates Grammar School is mentioned but is not relevant as admission is selective without a catchment area.

### Housing

There must be adequate provision following all legal requirements as a minimum for social housing, and for disabled persons.

The homes must be built to a high standard using best quality materials and designed for minimal environmental impact. Each need sufficient outside space for parking cars and bicycles alongside communal space for enjoyment of the outdoors.

### Wildlife / countryside

The detailed planning application must include specific measures on how to manage the wildlife population to the remaining green areas. The proposal will result in a 13% loss of hedgerows. There must not be any negative impact on trees, and Trees with Protection Orders must be identified. The natural character of Dog Bark Lane must be maintained. An additional separate recreational cycle path is needed whilst leaving Dog Bark Lane as it is.

50 Rivelands Road  
Cheltenham  
Gloucestershire  
GL51 9RF

### Comments: 3rd April 2025

Points I would like to make about the updated proposal for Elms Park

1 I think that continuing the access via Manor Road is not a good idea. There was a planning application to open access whilst construction of Phase 1 of Swindon Farm was happening. A roundabout with traffic lights has been installed. However, it has become clear that the area surrounding Manor Road cannot cope with the change to traffic (gridlock at the Kingsditch mini roundabouts) and adding additional traffic to the mix would create chaos as cars stopped by the lights at the bottom of Manor Road would block the access to the estate. Keep the access restricted to Tewkesbury Road which is currently undergoing changes to accommodate the extra.

2 There is mention of affordable housing up to 200 units. This is currently the type of housing that is needed in this area. This amount out of over 4000 houses is disgusting especially as the words UP TO have been used, so the developers could build 1 house and say that they had complied. The wording should be changed to AT LEAST and the developers should be encouraged to increase the number and I do not care if it impacts the profits. Affordable housing is what we need to encourage the next generation of people to come to work in Cheltenham and still leave enough in their pockets after paying rent and mortgages to be able to support local businesses

3 Why is there a need for a 200-room hotel presumably with parking this land could be better used with additional space for community and wild life. Let us keep more green



space to help our collective lungs. It is very unlikely that staff would be recruited from the current idea of Elms Park the staff could not afford to buy there

**Comments:** 31st July 2024

I feel that this would be a great opportunity for the Planning department to make a stand. A housing target should not merely be a set number of houses it should be that the needed type of houses are built not just lip service to affordable and social housing. The people who need houses are the ones wanting to get a foot on the ladder. Start by maybe restricting number of bedrooms to 3. Make the developers build what is needed in this area not what makes them megabucks.

**Comments:** 30th July 2024

Yet again changes to this massive development are being suggested. Changing the order of the phases will mean that houses are being built prior to creation of the infrastructure roads schools surgeries etc The current blockage on Manor Road is a prime example of this lack of strategy the gridlock which is occurring every day for hours on end will continue for the next 10 years as the new residents try to leave the estate

2 Apple Blossom Drive  
Cheltenham  
Gloucestershire  
GL51 9FQ

**Comments:** 25th July 2022

I note the HSE's revised assessment indicates that there are sufficient reasons on safety grounds, for advising against the granting of planning permission for the outline application

16/02000/OUT. I support that position.

Also, the transport issues that may arise in and around Swindon Village are concerning and there is a real risk to life of people and pets from the major increase in traffic flows particularly through rat-runs, which no one can stop.

The M5 Junction 10 work should be completed before any consideration of development.

65 Church Road  
Swindon Village  
Cheltenham  
Gloucestershire  
GL51 9RE

**Comments:** 26th July 2022

I wish to register the following objections to the Elms Park planning application.

Before any work commences on Elms Park, the conversion from 2-way to 4-way at Junction 10 of the M5 must be completed. This also applies to dualing the carriageway on the A4019.



Church Road is already very busy at certain times with traffic that is often travelling at speeds which are excessive. Unless access to Elms Park is strictly limited to/from Tewkesbury Road (A4019), the extra burden on Swindon Village will be unacceptable.

Healthcare, GP surgeries and the like must be provided for the additional 10,000 or so population.

New primary, junior and secondary schools will need to be planned and completed before new residents move in.

Is there sufficient extra capacity in the utilities; gas, electricity, water supply, drainage to accommodate 4115 new homes?

I am in support of cycle-lane provision.

22 Drayton Close  
Cheltenham  
Gloucestershire  
GL51 9QB

**Comments:** 27th July 2022

I have serious concerns over this development due to its only access via the already busy A4019 which will be even more congested when the M5 junction 10 is converted to 4 way access/exit.

This will affect the response time of the fire station to attend incidents.

The Elms Park development is too large for only one access point which if built in phases will cause serious concerns for the residents as subsequent phases are built thereafter

48 Quat Goose Lane  
Cheltenham  
Gloucestershire  
GL51 9RP

**Comments:** 27th August 2024

I believe that Cheltenham Borough Council has made no significant effort to clearly explain the implications of the recent changes (as outlined in the letter to residents dated July 30th, 2024) or the reasons behind them, in particular the changes with phase 2 and 3 of the plans. Information accessible on the CBC planning portal is woefully inadequate and provides no detail regarding discussions with developers.

SCHEME\_AMENDMENTS-1508423.pdf is an example of this where a change that will have a massive impact on Swindon Village residents is tossed in as point 9 at the end of the document. I feel strongly that significant discussions with developers should be minuted and posted on the portal.

I am very concerned that maximum limits (on the building of new homes) set by Highways England (prior to M5 Junction 10 upgrade and A4019 widening) will be revised upward to enable an early start to Elms Park construction. If Manor Road is used to gain



access for development beyond phase 1A (Regents Village) then traffic will be at permanent grid-lock.

A fatal traffic accident occurred on Swindon Road recently, during the prolonged closure of Manor Road for construction of a roundabout as part of Elms Park phase 1A-a closure that has far exceeded the originally advertised timeline. The increased traffic congestion caused by this extended closure likely played a role in this tragic accident.

Gloucestershire County Council must ensure that M5 Junction 10 is upgraded to include a roundabout and that A4019 is widened east of Junction 10 before any further work on Elms Park (after 1A) begins. Manor Road must not be used for additional access for construction and beyond.

The communication between Cheltenham Borough Council, Gloucestershire County Council, Highways England, utility providers, and developers must improve to ensure safe and efficient project management. Additionally, the current level of engagement with residents and business owners is appalling and needs urgent attention.

### **Comments:** 27th July 2022

I am very concerned that the Elms Park Development will create a dangerous volume of traffic within Swindon Village. Through traffic is already affecting the village due to snarl-ups on the surrounding roads that access Kingsditch Trading Estate, Gallagher Retail Park and Town Centre.

I feel strongly that the local road infrastructure as it stands is totally inadequate for today's volume of traffic. Elms Park will simply add to the existing traffic problems which are already at breaking point. Road infrastructure MUST be addressed BEFORE development of Elms Park begins.

Elms Park will increase the volume of traffic from Manor Road through Church Road and into Hyde Lane. I am very concerned about the road safety issues relating to this. We all have the right to be safe and feel safe when moving around the village and not to be overrun by heavy traffic. Swindon Village school in Church Road is already a choke point with traffic struggling to get through on top of the daily school run. There are parking issues that overflow into Quat Goose Lane from the School. This area is a serious concern for the safety of children coming in and out of school and entering and exiting the village.

I note that the Elms Park development plan shows a link road between Quat Goose Lane and Elms Park for bus use only. Its illegal use by motorists would be very difficult to police and it would simply exacerbate the traffic problems outlined above. Traffic added from Quat Goose Lane would increase the likelihood of serious accidents. The safety of Children should always be priority. There should be no vehicular access joining Elms Park to Quat Goose Lane and I strongly object to this plan.

Public transport in and out of Elms Park must be via the new Tewkesbury Road access NOT Quat Goose Lane.



9 Sumner Court  
Quat Goose Lane  
Cheltenham  
Gloucestershire  
GL51 9TT

**Comments:** 27th July 2022

I am very concerned about the scale of this development and the impact on local public services and traffic, as well as the negative impact on our local environment and destruction of wildlife. I believe it will have a negative impact on local property values and will drastically impact the quality of life for many 1000's of people living in the proximity.

I am not opposed to a smaller scale of development over longer periods of time, but this is just too destructive and will no doubt cause huge inconvenience to local people with the minimal roads serving the area when traffic is already awful. It also needs to be considered alongside the huge number of other developments in the area that will impact traffic between Gloucester, Tewkesbury and Cheltenham (Coombe Hill, Twigworth, Innsworth and Tewkesbury in particular).

In summary, this development needs much more consideration, with better transport and public services in place, more green space, and more protection of local wildlife and scenery.

I also worry about the impact on our local NHS services which are already creaking under the strain and not equipped for population growth on this scale.

8 The Firs  
Swindon Village  
Cheltenham  
Gloucestershire  
GL51 9RU

**Comments:** 27th July 2022

The time given to object to this consultation is massively insufficient considering the time of year, another massively arrogant attitude from the fat cat developers

This application does not include references to the smaller full application that fall within the boundary (20/00759/FUL)

Each phase and volume should be reviewed against the JCS and local plans in addition the agricultural land should only be released as and when demand is considered necessary. In my opinion not at all as plenty of brown sites that are left abandoned before using our precious green fields.

I object on the following grounds

The M5 junction 10 and Tewkesbury Road upgrade should be completed prior to any construction takes place with the Elms Park development, as concurrent construction would cause significant disruption and impact to the local community.



The Tewkesbury Road A4109 should be the only access point to the development through all the phases of the development. To ensure no disruption or change to the actual village. There should be no vehicular access into elms park from Quat Goose Lane at any point in the development or after.

Manor Road can't support the current levels of traffic currently let alone support that proposed. Standstill traffic at all times of the day is noted and it is a particular problem trying to exit the village.

Swindon Village will become a throughfare with traffic bypassing the main routes to avoid the already heavily congested roads. The village lanes will be like rat runs and out residents at significant harm if these points are not addressed. We have already had accidents with the narrow lanes and tracks within our village, adding surplus traffic to this nightmare will only increase the likelihood of a fatality.

The traffic flow has not been adequately investigated and provision for traffic to link up with the north east of the village has not been commented on.

The local green space and ownership and usage needs to be confirmed with the community as submitted as part of this application

This proposal fails to meet the requirements set out in the Cheltenham Borough Council's plan to achieve Net Zero by 2030. It does not commit to the installation of renewable energy sources or low carbon heating options. The proposal does not address issues such as water efficiency and adapting homes for climate change. After each phase completed, there should be a requirement to review and assess whether there is still a need for additional development and homes.

This application should provide clear and transparent evidence to support their claim about active travel and their commitment to reducing car dependency at the same time as being honest and providing adequate offroad parking. We need to see more commitment and sustainable public transport links that genuinely work.

This application proposal definitely fails to provide an honest forecast of education needs and clearer evidence that the proposed schools and local capacity is sufficient to meet forecast demand. Our local school, is full to capacity and Pates is a selective grammar and not open to all, especially local children. New schools that are part of this development must be in a position to take children straightaway when required as current infrastructure cannot meet this demand.

This application must include specific measures on how to manage the wildlife population to the remaining green areas. The proposals will result in a minimum of 13% loss of hedgerows. There must be no further negative impact to trees with protection orders or existing landscape. All local green space must be clearly defined and maintained. The Deer that currently roam freely around the area must be protected.

Swindon village does not support street lighting and does not support any proposed development within the village or on its boundaries that requests this and expects that development o. its boundaries should take this light pollution into consideration.

The land around the village is not flat so the height of the proposed developments must take note how the height affects the impact on our village. Developments should be lower at edges of green areas to ensure new development is hidden and separate to existing core village.



The drainage ponds and ditches are massively insufficient and inadequate and there is no adequate provision for the new storm water connections within the Parish and specifically the main village.

It is essential Key facilities must be in place before homes are built as we are bursting at the seams already within healthcare and schools, so this development is not sustainable locally. In particular Gloucestershire hospitals is unable to look after its current population let alone the additional population as a result of this development.

Ivanhoe  
Swindon Hall Grounds Church  
Road  
Swindon Village Cheltenham  
Gloucestershire  
GL51 9QR

### **Comments:** 27th July 2022

1. It is vital that the access to Elms Park and around the whole site is completed before the erection of any buildings. The existing roads in Swindon Village cannot possibly be used for access to the site, even during the development. The existing route through the village is narrow with blind corners.

This includes:-

The M5 Junction 10 enhancements

The new vehicular accesses from the A4019 Tewkesbury Road into the development

The enhancement to the existing A4019/B4634 junction

The main roads within the development

2. Because of current shortages of school places and GPs, all schools, playing fields and medical facilities must be complete before any new house is occupied.

3. The plan's commitment to active travel is not clear. There must be evidence that the public transport, cycling and pedestrian routes are fully agreed.

4. In a county where flooding is a regular occurrence, we are not convinced that enough attention has been paid to drainage, ditches, ponds and running water.

5. All new houses must be fitted with an electric charging points and fibre optics to the house. Solar panels should be installed at all opportunities where roofs are facing the right direction; Electric charging points should be available in parking locations for non-residents visiting the area.

6. The Local Green Space must be agreed with the local community.



42 Quat Goose Lane  
Cheltenham  
Gloucestershire  
GL51 9RP

**Comments:** 27th July 2022

The development should have access only from Tewksbury Road and requires that access and any M5 and other improvements required to be made before any phase starts.

Critical consideration must be given to the impact on access to Swindon Village and surrounding areas, of the residents of Swindon Village, that any, increased traffic volume will have at nearby roads and retail parks, that are already at times highly congested, based on various scales of any development.

Due consideration must be given to the proposed maximum scale of development in providing people who will be investing in homes, a lifestyle they would expect given the impact in the local area of the an estimated additional 10,000 cars based on 2.5 cars per household.

Any lost hedgerows to be replaced, with planting of trees and hedges to be done in consideration of reducing noise and air pollution.

The speed limit should be 20mph within the development in line with national thinking on changes to speed limits within residential areas, minimising impact from noise, air pollution and on safety of residents. Avoid traffic control that requires cars to be stationary.

Particular consideration must be given to;

Light pollution  
Height of buildings/lines of sight of existing area  
Cycle paths  
Collection points of waste/recycling  
Possibilities of using renewable energy sources  
Energy efficiency of homes

Andalusia  
33 Quat Goose Lane  
Cheltenham  
Gloucestershire  
GL51 9RP

**Comments:** 28th July 2022

My objection is especially due to the traffic issue.

There must not be construction or estate traffic along the narrow and winding roads of Swindon Village. This would present major health and safety issues.



The supporting highways and services infrastructure should be prioritized over house building.

The management and usage of the green spaces need to be considered with discussion with the community.

Hedwig House  
Brockhampton Lane  
Cheltenham  
Gloucestershire  
GL51 9RZ

**Comments:** 29th July 2022

I have a few observations that I believe should be taken into account:

- The access for buses/cycles from Quat Goose Lane into the development should be restricted either physically with (for example) a rising bollard, or protected with bus lane cameras, in order to prevent the temptation for residents to use Swindon Village as a cut-through.
- Access roads should be constructed such that any development on Home Farm may be carried out via Elms Park.
- Access into this development from Manor Road is inappropriate. The road is very busy around rush hour and it doesn't make sense to use this as a primary point of access to Elms Park. Access should be via Tewkesbury Road only.
- To my knowledge, Swindon Village residents are keen on the 'no street lights' stance of the Village. Elms Park should be sympathetic to this, especially on the areas close to the Village.

The Lodge  
31 Church Road  
Swindon Village Cheltenham  
Gloucestershire  
GL51 9QP

**Comments:** 20th August 2024

I object to the proposed development. There should be no access to Elms Park via Quat Goose Lane. The traffic in the village is already unmanageable at peak times. Swindon Village was designated as a Conservation Area in 1986 because its unique character and historical importance were considered important and worth protecting. The increased traffic alone would have a very detrimental impact on the village and undermine the protection it has been given.

**Comments:** 28th July 2022

I strongly object to this proposal for the following reasons:



### 1 Irrevocable detrimental change to character of Swindon Village

This development will stop Swindon Village from being a village. A large part of Swindon Village is designated as a conservation area due to its unique character and historical setting. The impact of building 4115 houses in such close proximity, with additional traffic and pressures on services and amenities will destroy the special character of the village.

### 2. Traffic congestion

The current levels of traffic in Swindon Village, Manor Road, Tewkesbury Road and surrounding area are already unacceptable. At school drop off and pick up times Church Road and Quat Goose Lane are often blocked, with cars parking dangerously, blocking driveways and footpaths and mounting pavements to get through. When the local commercial sites close and at peak shopping times the traffic on Manor Road is terrible and causes excessive pollution. The infrastructure would not cope with the additional traffic if the proposed development.

### 3. Sustainability

Loss of green belt and valuable agricultural land is not acceptable. It makes no sense that so many industrial units are being built and left empty when housing is needed.

Damage to the abundant local wildlife.

Additional light pollution.

Increased vehicles causing pollution.

### 4. Pressure on local services

The development would put unacceptable pressure on local services. This would impact school places/catchments, health services, transport services, health services and emergency services etc.

Trails End  
Stantons Drive  
Swindon Village Cheltenham  
Gloucestershire  
GL51 9RL

### **Comments:** 27th July 2022

Elms Park - comments on updated outline planning application 16/02000/OUT By Save the Countryside

\*\*\*\*\* 27.7.2022

The Save the Countryside team object to the updated outline planning application for the following reasons:

1. A 1-month extension to the formal statutory consultation period is requested.



The statutory time given to respond is not enough to provide a detailed accurate analysis of the many updated documents. In addition, on many occasions the Cheltenham Borough Council planning portal and Tewkesbury planning site were not in operation, causing delays in public analysis of the documents.

In the meantime, the points below should still be registered.

2. The application does not include any references to any smaller full planning applications. It is important that each update of this planning application includes reference to all other planning applications in progress and upcoming that are within its boundary. for Swindon Farm application (Reference: 20/00759/FUL).

3. Phasing: Save the countryside team want to ensure we are building in a responsible way and releasing prime agricultural land for development only as needed according to the Cheltenham plan and Joint Core Strategy.

We request that this huge outline planning application is split up into its sub phases and each full planning application matches that phase. We request that for each phase, there is a review of the latest housing need. This way only after accurate review of the need to build upon prime agricultural land can the phased development be approved, and the land be released for development

4. Access and transport -

M5 Junction 10 and Tewksbury Road upgrade way must be completed before construction.

Tewkesbury Road should be the primary point of access to the development through all phases.

At least one of the Tewkesbury Road access points must be constructed before any construction begins on the Swindon Farm planning application. Manor Road can't support the proposed level of traffic even for the Swindon Farm planning application. This has already been stated in responses to that planning application.

Already Swindon Village is becoming a rat run for traffic from the Motorway to Bishop Cleeve, this cannot continue, we disagree with Highways statement that this is not a concern.

The lack of capacity of the Sainsbury's / Aldi Junction (A4019 / B4634) must be addressed and included within the outline proposal, as this will have an impact on the area that can be developed.

A total review of the road infrastructure in the surrounding area is necessary.

We have not yet reviewed comments from highways but there is evidence to support our statements that the pinch points at Swindon Lane level crossing, Swindon Road narrow Bridge, Hyde Lane, Village Road and Princess Elizabeth Way must be alleviated before the large-scale housing development is constructed.

5. Local green space - We are pleased to see that the planning application has been updated to take into account the local green space. This application should however clarify the ownership and if included within this application, the proposed usage should be demonstrated

6. Wildlife / ecology - the detailed planning application must include specific measures on how to manage the wildlife population to the remaining green areas. The proposal will result in a 13% loss of hedgerows. There must not be any negative impact on trees, and Trees with Protection Orders must be identified. Many residents are concerned to see the statement regarding Dog Bark Lane, this is a historical byway and its calm, rural nature must be maintained.



7. Sustainability - the proposal fails to meet the requirements set out in Cheltenham Brough Council's plans to achieve Net Zero by 2030. It does not commit to the installation of renewable energy sources or low carbon heating options.

We are pleased to see the proposals prepared for cycleways in line with latest guidance LTN 1/20 and the provision of EV charging points at all homes, but this must be extended to all public parking spaces.

8. Education - The proposal includes 3 new schools: a primary & Secondary in phase 1 and a second primary school in phase 3. The application fails to provide a forecast of education needs and confirm that the proposed schools and local capacity is sufficient to meet forecast demand. We note that the existing Swindon Village Primary School is full and the mentioned school Pates is selective and therefore not open to all.

9. Other services - Details of supporting infrastructure & services must be specified for each development phase such as medical facilities. In addition, there must be formal recognition and a program for the enhancement of facilities

402 Swindon Road  
Cheltenham  
Gloucestershire  
GL51 9JZ

**Comments:** 30th July 2024

It appears that the phases have been altered- how will this affect access to the area which wraps around Swindon Village- where will the access be? I am concerned that it will be through the village which would not be suitable for the village roads. Also concerned if this is the case that the volume of traffic on Swindon Lane/Hyde Lane and Manor Road would be unsustainable- traffic in these areas is already very heavy to the point of gridlock most days.

3 Boleyn Cottages  
Church Road  
Swindon Village Cheltenham  
Gloucestershire  
GL51 9QP

**Comments:** 20th April 2022

The traffic in the area is already at its limit. With the retail parks, school, industrial estate and race week.

There are still lorries that get stuck at the railway bridge, notification is either too close or inadequate.



27 Homecroft Drive  
Uckington  
Cheltenham  
GL51 9SN

**Comments:** 19th April 2025

1) It is unreasonable to expect residents to be able to comment on this plan until the full drawing including the road scheme proposed by Junction 10 team is available - the final date for comments should not be set until this is available.

2) Building heights, there are many single story buildings on the South side of Tewkesbury Road and opposite should be buildings of a similar height. The proposal plans for the tallest buildings to be directly opposite and this is completely unreasonable. Also this will make a major entrance to Cheltenham (centre for the Cotswolds) look more like the entrance to a 1970's East German city.

3) Traffic, the proposed site will overwhelm the current road system that struggles with the current traffic volumes, a dual carriageway is planned to be introduced but the main choke points, the Princess Elizabeth Way Roundabout and beyond into the Town Centre are already dualled and are already a problem with the current volumes, this will only make things worse.

4) 4500 homes will house 15000 people? what has been done to ensure Cheltenham General Hospital can cope with this influx?  
No building should take place until this is addressed.

5) When questioned about the proposed road widening Mr Instone stated that there was enough room on the plan to allow for this. As far as I can see this would take away the proposed trees and grass verge on the new site. Again without the full details, houses and Road, we are being given a false impression of what is proposed therefore I again state final comments should be delayed until the full picture is available to residents.

**Comments:** 21st July 2022

I have just had a meeting with Mr A Bunce of the M5 J10 team and he has confirmed the following.

The development cannot go ahead without changing J10 to 4 way, amended plans submitted by developer say it can - a major discrepancy.

He also confirmed that the A4019 will be widened considerably as the plan put forward by the developers was both unsafe and would not cope with rising traffic levels thus eating into the development site and this will mean a complete revamp of the plans. This will affect either the number or more importantly the density of housing proposed.

As these major changes are not shown on the plan it gives a false impression of what will be built therefore I would ask that the plan be withdrawn until an accurate plan can be produced.

Members of the public should not be asked to comment on incorrect/misleading information.



**Comments:** 11th July 2022

Letter attached.

**Comments:** 8th July 2022

The plan is incorrect, the Highways (J10) will be insisting on major changes to the A4019 which will mean major changes to the plan.

I contend that this makes this new plan worthless and it should be withdrawn until an overall plan including the new design for the A4019 is produced.

It is unreasonable to expect laypeople to comment on a plan that is flawed in such a way, the major concerns of the widening of the A4019 and the proposed access points cannot be commented on as they are not shown. The stretch between the Fire Station and Sainsburys are the responsibility of the developers and they are here producing a misleading plan.

The area is well known for flooding and as the developers plan deals with drainage issues for the site it will have to be amended to deal with a Dual carriageway, service road, pavement and cycle lane in places 150 ft across. This cannot be done as a separate scheme for the road and site but must be done as one scheme.

The wisdom of building on a site that as recently as 2007 was underwater has to be questioned, my son had to wade through thigh deep water to return from school after the school bus dropped him at St Mary Magdalene Church (it could go no further). Will the new house buyers be made aware of this - I doubt it.

The traffic coming into Cheltenham via the A4019 already faces a mass of traffic lights, more will just increase air, noise and light pollution and delays.

It would be much wiser to produce a new Motorway junction to the North to link directly to the site, the Junction 10 Junction could then stay as it is and thus spread the traffic and relieve congestion.

Frankly the way this has all been planned with no overall plan is shambolic but of course the developers will have their way.

12 The Firs  
Swindon Village  
Cheltenham  
Gloucestershire  
GL51 9RU

**Comments:** 28th July 2022

Objection to the outline planning application as follows:

- Application has been made in isolation with no wider reference to extended applications where a significant impact will also occur placing further strain on the infrastructure of the village and its boundaries.



- As such an extension to the statutory consultation period should be granted, with appropriate consideration for all planning applications where the fusion of access, utilities, traffic congestion and educational/wider services capacity will all contribute to an environmental catastrophe that is already considered to be at breaking point. Ref Swindon Farm application (Reference: 20/00759/FUL).
- Access routes to any development should bypass the village completely, no access provision from Quat Goose Lane should be considered whatsoever. The rise in traffic observed from the new small development in Brockhampton lane is very apparent; with an increasing number of cars driving at excessive speeds. With peak traffic pinchpoints and increasing congestion (not just limited to the 9-5 commute/school entry/exit) on the boundary of the village (Bishops Cleeve, Kingsditch), it's evident that the lanes of the village are being utilised as the rat runs to get to their destinations quicker. This in turn places further strain on the surfaces of village roads; the roads are not built to accommodate high volume traffic, nor should they be upgraded to do so.
- A total review of the road infrastructure for the surrounding areas should be completed; recognising and publishing the full impacts and mitigation actions that need to be addressed before the construction for the development commences.
- Existing major road development projects should be fully completed and functional ahead of any development commences (M5/J10)
- Retention of green areas that minimise impact on landscape and the extensive wildlife that currently populate these areas.

Laurel Corner  
Quat Goose Lane  
Cheltenham  
Gloucestershire  
GL51 9RP

### **Comments:** 27th July 2022

I am new to the area, and work full time, and as such would need far more time to assimilate all the data submitted. It is very confusing.... what was the application before and how have the previous questions been addressed?

It is clear that there are still outstanding issues which are concerning: traffic, wildlife, school provision, flooding, access, sustainability, lighting, green belt vs brown belt discussions....

It feels to me that developers have found a convenient chunk of land and are now trying to push things through... why else give so little time?

I feel it is important to state that I am, on principle NOT a NIMBY... I recognise that the country needs developments and while I would not be happy (who would?) on the personal impact, that is not what is driving my response. It needs to be a lot clearer and the concerns properly addressed.



16 Apple Blossom Drive  
Cheltenham  
Gloucestershire  
GL51 9FQ

**Comments:** 27th July 2022

I object to the plans submitted but not to the development as a whole. I feel that issuing so much information during the school holidays when many residents are away is unacceptable and the planning period needs to be extended. The plans need to confirm the ownership and use of the green space. With details on how the plans manage the wildlife in this area. The infrastructure in the local areas needs to be developed before the additional houses are built. The local road network cannot take additional traffic and will a school on one of the main route into the village there is a concern about the safety of the children. I am not aware that the local primary school has space for any children in these houses and therefore a new school needs to be built ahead of the development otherwise you are expecting parents to drive children to schools outside the local area. This is against the aim of the council to reduce emissions in the area. The nearest secondary school of Cleeve is large but will need to support the developments in that area so unlikely to have space for children in this development.

71 Church Road  
Swindon Village  
Cheltenham  
Gloucestershire  
GL51 9RE

**Comments:** 27th July 2022

Comments on Elms Park Planning Application.

1. Increase in traffic loading.

The area already has high traffic rates and will struggle to support the extra Elms Park developments.

Manor Road and Church Road in Swindon Village cannot support extra traffic without compromising safety and creating long queues past the primary school attempting access to Hyde Lane. Church Road specifically is getting dangerous because of speeding on the section in front of the church and the sharp bends (particularly the double blind corner as viewed from the Quat Goose lane junction). Therefore to limit the extra traffic through Swindon Village, the access to Elms Park must be wholly from Tewkesbury Road, and the proposed M5 junction 10 alterations should be undertaken before the development takes place. Consideration should also be given to the Swindon Lane level crossing which creates blockages on Hyde Lane resulting in frustrated traffic using Swindon Village.

2. Prime Farming Land.

The proposed development will reduce our farm land permanently. Although I realise that Elms Park will go ahead, there should be undertakings to agree that the land will be used for farming until actually required for development. The area assigned for allotments should also be available as soon as the first houses are developed.



### 3. Infrastructure and Facilities

There does not seem to be enough information to determine if the services proposed are sufficient to support what will eventually become a whole new town. Specifically:

What are the predicted school places required (to determine the size and number of schools for each phase).

Are the fire services adequate, and does extra traffic loading on Tewkesbury road hinder the fire services.

Water supplies are already under stress in the area (Severn Trent regularly sends text asking us to curtail water usage in most summers). What is being done to increase water supplies and lower requirements for new houses (e.g. installation of rain water capture systems for gardens).

There does not seem to be a commitment to produce houses that have a low carbon footprint, for example by banning gas and installing heat pumps instead.

A proper plan for infrastructure and facilities can help reduce requirements for travel and hence reduce traffic congestion.

21 Drayton Close  
Cheltenham  
Gloucestershire  
GL51 9QB

#### **Comments:** 12th August 2024

I object to the plans for the development as up to now NO consideration has been given to the amount of disruption created by the extra traffic load placed on Hyde Lane, Wymans Lane and Kingsditch Lane and adjoining roads and the effect on householders along this route. This has been caused by the closure of Manor road at the junction of Runnings road and the Gallagher retail park. This closure was meant to end on the 23rd of August and we have since been told that it will remain closed till October. All this disruption could have been avoided if the council had used common sense (which appears to be very lacking within the planning dept) and instructed the developers to make use of a ready made access from the traffic light controlled on the Tewkesbury road at its junction with the Old Gloucester road

#### **Comments:** 25th July 2022

As a resident of Swindon Village I object to this project as the reality of traffic flow has not been fully investigated. there is no provision for traffic to link up with the A435 to the north east of the village, thus putting even more pressure on an over loaded road network with the proposed changes to Junction 10 of the M5 as well. if this project were to be allowed any construction traffic must not be allowed access through the village or associated roads i.e. Hyde Lane, Wymans Lane, Runnings Road, Manor road. Access to and from the proposed site must not be allowed onto Manor Road as it cannot sustain any increased traffic flow. As for controlling the proposed Tewkesbury road junctions with traffic lights it all adds up to a recipe for disaster.



19 Quat Goose Lane  
Cheltenham  
Gloucestershire  
GL51 9RP

**Comments:** 10th August 2022

Hello,

I would like to object to this proposal for a number of reasons:

1: There appears to have been inadequate study/understanding of the traffic loads on the local roads around Swindon Village/Kingsditch industrial estate. The latter of which will only be exacerbated with the housing development currently under construction next to it. There needs to be a re-evaluation of the proposed routes for traffic into existing roads. If the new development only enters/exits onto the Tewksbury road, that will at least alleviate the immediate local traffic problems.

2: The noise of this development, especially during the very lengthy construction, but also afterwards will be exceedingly detrimental to the residents in the area. At the moment the only noise intrusion is from wildlife and a very occasional piece of farm machinery. 4115 new homes, and their associated infrastructure will turn a semi-rural noise profile into that of a town centre. There does not even seem to be an attempt to put in a wide stand of screening trees (ie enough to make this new development a 'separate village' from a sound point of view.

This is without even taking into consideration the extra noise from the traffic expected to plough through the existing streets of Swindon village.

3: Visual impact - This is simply that changing the view from any part of the rights of way through the proposed development, as well as from almost any part of Swindon village, from a rural vista to a urban, tarmac, housing development will never be seen as an improvement by anyone but a housing developer.

4: To follow on from this, the loss of amenity of one of the few flat, fully accessible completely rural walks in Cheltenham (along dog bark lane) will be a great loss to many in Cheltenham with decreased mobility.

The other public rights of way through the planned development are at many times of the year almost idyllic rural strolls. There are many people from Swindon village and beyond that walk these routes daily, and to have them turned into tarmac and some token green spaces will be an irrecoverable loss to the area. I would ask you whether in the future you would prefer to bring your grandkids to a meadow teeming with birds and insects or to an identi-kit housing estate. More houses on green land is not the solution most of us wish for.

5: There is also the issue of flooding. There does not seem to have been any reasonable accounting for how the new housing (with its massive increase in in run off) will deal with the flooding that it will substantially increase. Walking these fields in all times of the year gives an understanding of how wet this area is. This is exactly the sort of upstream



catchment that it is imperative to protect to minimise the flood risk not only in this area, but downstream as well. Spiking peaks of rainwater in streams that are not used to that level of water, and with such short lag times will result in houses flooding. Unless \_significant\_ changes are undertaken to mitigate the flood risk, this development will be yet another set of housing that will trap the first buyers into unsellable and annually flooding houses.

6: The landfill site. I hope that the developers are aware that they are planning to build houses as close to the landfill as they legally can do. This seems incredibly unwise, especially as it is still in use, and there are likely to be associated risks to the health of the future occupants of those houses no matter how careful the future management of the landfill site is.

Thank you for reading this, and I hope these points help to highlight some of the many issues with this development.

**Comments:** 16th May 2022

This is a short initial comment that I hope to append later with a more detailed reasoning for my objection.

The summary of why I object is as follows:

- \*The excessive nature of the development, swamping all local infrastructure.
- \*The destruction of a vast quantity of undeveloped rural area - especially in light of the increasing rate of climate change.
- \*The lack of understanding of flood risk (lots of hard surfaces will massively increase the flood risk to the whole area).

I hope to write a fuller response before this application is closed, detailing these points more fully.

Thank you.

1 Sumner Court  
Quat Goose Lane  
Cheltenham  
Gloucestershire  
GL51 9TT

**Comments:** 28th July 2022

First, I object to what was previously precious greenbelt land being built on when there are areas of brownfield within Cheltenham and Tewkesbury boroughs that could be built upon instead. This development will ruin Swindon Village and the surrounding countryside which is valued by residents and wildlife.

Comments on the proposed Elms Park development:

1. Loss of green space



This development will do unimaginable damage to the local wildlife and countryside, at a time when we should all be considering our impact on the planet and our environment. I use the fields between Swindon Village and Elmstone Hardwick on a daily basis for recreation. This development will spoil my quality of life.

- a. The developers MUST be made to retain as much of the ancient trees and hedgerows as possible. Trees must be given preservation orders and these must be actively enforced during the development.
- b. Dog Bark Lane does not require 'modification'. It must remain as it is for use as a wildlife corridor and pedestrian footpath/bridleway.
- c. More public green space must be provided.

### 2. Access

Swindon Village already has several dangerous, congested pinch points, e.g. Manor Road, Quat Goose Lane onto Church Road at peak school times. It must not become an even busier rat-run for traffic coming from Bishops Cleeve onto Tewkesbury Road.

- a. M5 Junction 10 2-way junction must be complete before any clearance and development can begin in order to accommodate demolition and construction traffic in an already congested area around Tewkesbury Road.
- b. For reasons of safety, the traffic associated with this development must not access the site at any time (Phases 1, 2, 3 or 4) via Swindon Village (Manor Road, Quat Goose Lane or Brockhampton Lane).
- c. Access into and out of the entire Elms Park development MUST be via Tewkesbury Road, not through Swindon Village as the narrow roads cannot accommodate higher volumes of traffic.

### 3. Phasing, facilities and services

- a. Plans should be thoroughly reviewed at each phase to ensure that the housing and services/facilities that are needed are being delivered. We cannot know now what Cheltenham's needs will be in 5, 10 or 15 years' time so the plans must be reviewed regularly by all stakeholders.
- b. At each phase, the developers MUST be made to deliver on their promised plans to provide schools, healthcare facilities, etc. at the same time as they build the houses. It is not acceptable for home builders to promise services and not deliver them because they haven't made enough profit on the site. There must be a binding agreement tied to each phase of the development.

### 4. Sustainability and the environment

- a. The homes must have sustainable/green heating systems, insulation and EV charging points to meet Cheltenham's NetZero targets.
- b. Drainage of the entire development must be adequate to ensure the homes and businesses in Swindon Village are not impacted by run-off which is currently absorbed by the floodplain where the development is planned.

**Comments:** 28th July 2022

NONE GIVEN

37 Quat Goose Lane  
Cheltenham  
Gloucestershire  
GL51 9RP

**Comments:** 28th July 2022

Timing of the consultation period



The public has been given very little time during the holiday season to review the application to make a comment. Some documents are showing as unavailable to view. Please consider an extension to this deadline.

Note- This happened previously when developers timed their application for the summer and Christmas holiday periods!

### Sustainability

These plans need to address specifics rather than using vague terminology. Need to describe heating/ insulation/ water saving/ use of rainwater/ public as well as personal EV charging points etc to meet CBC net zero by 2030 target.

### Highways/ Transport

No homes should be built until the change to M5 J10 and the Tewkesbury Road access and road widening are ready. There are safety concerns due to the impact on already overstretched roads in the area.

There are already significant pinch points including Swindon Rd bridge , Swindon Lane level crossing( and consequent traffic jams when gates are down on Wyman's Lane) and leaving the village via Manor Rd especially when the staff working at the light industrial estate leave work.

GCC highways have no concerns that Swindon village becomes a rat run. We disagree. The plans show no provision to link A4019 to Bishops Cleeve. Essential to avoid north bound traffic from this proposed development passing through Stoke Orchard/Elmstone Hardwick.

### Cycleways

Please take note of the comments from the cycle campaigners, especially around safe design at junctions and roundabouts and routes to schools.

### Phases

There should be a 'Housing Requirement Review' after completion of each Elms Park phase to reassess need.

The Home Farm proposal (previously Phase 4) should only be considered after all Elms Park development phases have been completed and a post-phase 3 housing requirement review. The narrow roads in Swindon Village cannot be used for construction vehicles and traffic from 180 new homes.

### Ownership of green spaces

All existing local green space, public footpaths and bridleways should remain in place. Ownership of this land must be clearly defined.

### Health care

Dental services and primary care provision are mentioned but what additional resource and capacity will be provided for our already overstretched secondary care and the emergency services?



## Education

The local schools are full and cannot meet demand for the new estate, therefore new schools should be built as priority. Pates Grammar School is mentioned but is not relevant as admission is selective without a catchment area.

## Housing

There must be adequate provision following all legal requirements as a minimum for social housing, and for disabled persons.

The homes must be built to a high standard using best quality materials and designed for minimal environmental impact. Each need sufficient outside space for parking cars and bicycles alongside communal space for enjoyment of the outdoors.

## Wildlife / countryside

The detailed planning application must include specific measures on how to manage the wildlife population to the remaining green areas. The proposal will result in a 13% loss of hedgerows. There must not be any negative impact on trees, and Trees with Protection Orders must be identified. The natural character of Dog Bark Lane must be maintained. An additional separate recreational cycle path is needed whilst leaving Dog Bark Lane as it is.

3 St Lawrence Court  
Church Road  
Swindon Village Cheltenham  
Gloucestershire  
GL51 9FP

### **Comments:** 28th July 2022

I am supportive of a need for more housing in the local area however over 4000 homes in one area, with Tewksbury Road as busy as it is, seems excessive. From what I've read, the planning team don't seem to be working together with the new motorway junction team in Uckington. This needs rethinking.

40 Millbrook Gardens  
Cheltenham  
Gloucestershire  
GL50 3RQ

### **Comments:** 21st July 2022

I strongly support this development because Cheltenham is in desperate need of new housing. This development will have a hugely positive effect on the local economy. It will also allow many young people to stay in the area, which they are currently being priced



out. Refusing this develop will be a failure to a whole generation that can't afford to stay in there home town.

65 Church Road  
Swindon Village  
Cheltenham  
Gloucestershire  
GL51 9RE

**Comments:** 25th July 2022

Application 16/02000/OUT

The time limit for this consultation is not enough for all points to be carefully considered. What about the application for Swindon Farm and further applications that are bound to arise eg proposals for Home Farm Swindon Village.

Each phase of the new build should reviewed to see whether it is still appropriate and necessary.

Agricultural land should only be released as and when required , especially in the light of likely food shortages.

Access to the new homes needs to be set in place before the start of any build eg junction 10 modifications needs to be completed.

Tewkesbury Road needs to be the primary access point for all construction and access traffic due to congestion /height and weight limitations and a primary school in and around Swindon Village.

The ownership and usage of green space needs to be established and agreed upon before commencement of the new build.Swindon Village must maintain its unique identity and not be swallowed up in the new development.

Sustainability and Green Energy must be a priority for the new development along with EV charging points for all homes.

Public transport and cycle ways must be put in place from the beginning.

It is essential that the schools and Healthcare provisions must be fully operational to service the 4000+ housed at the start of the build as the local primary school is already over subscribed. These services must be established straight away to allow the build to become a community .

The area is a haven for wildlife and this must be maintained with the provision of hedgerows and green spaces that access the surrounding green belt. Dogbark lane especially needs to be protected as it is an ancient right of way. Along with the other rights of way that crisscross the whole of the build area .

Drainage needs to be established and maintained to stop flooding.

The height of all the new build must take into account the topography so that and the areas nearest the green belt should be lower. Light pollution must be considered as Swindon village has very little pollution because we have no street lights.

Affordable houses must be included in the plan with each builder having to commit their share.



**The Swindon Village Society**

3, Swindon Hall  
Church Road  
Swindon Village  
CHELTENHAM  
GL51 9QR

Cheltenham Borough Council  
Built Environment

Your Reference: 16/02000/OUT

26th July 2022

**Elms Park – Statutory Consultation – Outline Application**

The Swindon Village Society was formed some forty years ago with the primary aims of maintaining the village as a reasonable place to live, protecting the historic elements of the village and taking an interest in local wildlife. Not long after formation it had a major input into the work that resulted in the centre of the village being declared a conservation area. It is not automatically against development but does believe that any local development should not degrade the living standards of those who currently live in the village. It did not oppose the two small developments that have recently taken place in the village. The Society currently has about eighty active members.

With regards to the Elms Park Development we wish to make the current points.

1. There should be no access to or from the development for motor vehicles through the village. Church Road, which is the only road through the village, has a number of dangers associated with listed structures which generate relatively tight bends. The junction between Quat Goose Lane, Church Road and the entrance to Swindon Hall is already dangerous since it has a near blind approach from the West. The School and the Early Learning nursery in the Village Hall are very close by to the East. At times of school arrival and departure it is extremely active with both vehicular traffic and foot traffic. Proposed developments in the grounds of Swindon Hall have, very properly, been turned down by CBC on the grounds that even a very small increase in traffic in this area cannot be permitted.
2. The Village already suffers from vehicles using it as a by-pass to the rush hour traffic in Kingsditch Lane and Wymans Lane and is concerned that the increase in traffic flow through the Village resulting from such a large number of properties could not only be detrimental to the air quality and the health and wellbeing of the residents but could also be highly dangerous for the reasons given in previous paragraph. We were extremely upset to note on page 81 of the Design and Access Statement in a section titled Consultation Issues and Responses that the developer's response to the Comment 'Need for traffic management/calming measure in Swindon Village, concern about rat running' was: 'The potential to provide traffic calming through Swindon Village has been discussed with GCC, but officers at GCC do not consider these works to be necessary. The site layout, access positions and off-site highway improvements will reduce the relative attractiveness of the route through Swindon Village'. We object to such an important issue being so easily brushed aside without it being discussed with the Parish Council and Borough Councillors who like ourselves have expressed concerns regarding the traffic that will be generated by this development.
3. Recent developments on the continent have highlighted the need for this country to be agriculturally self sufficient. This fact was well understood after the Second World War but has been steadily eroded with time. It can now be seen to be true once again. To this end agricultural land must only be relinquished for other use in exceptional circumstances. The Elms Park land is good



agricultural land. The Government is slowly coming round to appreciation of the needs for self sufficiency so any premature conversion of agricultural land should be undertaken only when absolutely essential since other considerations are now starting to apply. Agreement to permit the start of work on each parcel of land should be left as late as possible – the ethos is changing.

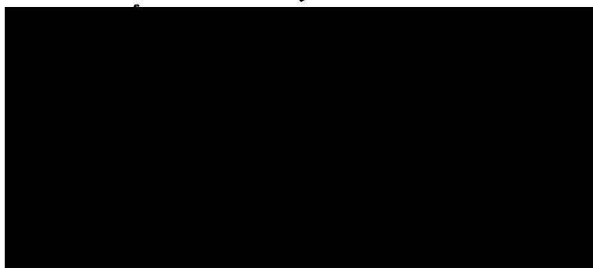
4. The area is strong in wildlife. The Society undertook a general walk along half the length of Dog Bark Lane in June of this year. A list of the species seen on that one walk is at Annex A. The walk was not meant as a comprehensive listing of species. It concentrated on plants and so may have missed a number of birds and insects. Indeed on a previous walks over the last twelve years many different bird species were logged on our annual in a two and a half hour stroll. These are listed at Annex B.

5. While on the subject of Dog Bark Lane, this route should also be seen in a historical context. In 1471 it was the route taken by the Yorkist Army on their way to the Battle of Tewksbury. The army was led by King Edward IV. With him was Richard, Duke of Gloucester, later King Richard III. The point is that the route has carried two kings of England to a battle which changed the history of England and this historical context should not be ignored; it is part of our heritage.

6. Several times over the last fifty years Cheltenham Borough Council has proposed street lighting for the village. This has always been opposed by those who live here. This is still opposed. Modern considerations regarding cost of initial provision, the need to minimise energy to achieve both national and international global warming targets and the effects of light pollution on the natural world seem to have been accepted by CBC such that they have not made any such proposals for several years now. If construction on the Home Farm site does proceed a minimum street lighting standard should be adopted. In particular the effect on this village must be minimised.

7. The local green space provisions must be maintained at all costs. Cheltenham has been outstanding in the provision of parks and other green areas. Please maintain this excellence. The provision of this space may also present an opportunity to enhance old and new rights of way and paths in the area to replace those that will disappear under development.

Yours Faithfully





**Annex A: Wildlife and plants seen in Dog Bark Lane during a two and a half hour walk in – June 2022**

**Birds**

Wood Pigeon  
Blackbird  
Common Gull  
Great Tit  
Skylark

Robin  
Magpie  
Wren  
Buzzard

**Insects**

Orange Tip  
Small White  
White Tailed Bumblebee

Speckled Wood  
Common Blue Damsel Fly

**Plants**

Quatrefoil  
Wild Rose  
Pendulous Sedge  
Celandine  
Wild Garlic  
Poppy  
Nettle  
Hemlock

Ground Ivy  
Vetch  
Hog Weed  
Red Campion  
Hedge mustard  
Comfrey  
Cow Parsley  
Daisy

**Trees**

Crack willow  
Alder  
Willow  
Holm Oak

Oak  
English Elm  
Lime hybrid  
Cherry plum tree

**Annex B: Additional sightings seen during our annual walks between 2009 and 2020**

**Birds:**

Green Woodpecker  
Kestrel  
Jackdaw  
Jay  
Starling  
Willow Warbler  
Goldfinch  
Black Headed Gull  
Dunnock  
Coot  
Collard Dove

Mallard  
Crow  
Sparrow Hawk  
Chiff Chaff  
Blue Tit  
House Sparrow  
Herring Gull  
Long Tailed Tit  
House martin  
Raven

**Butterflies;**

Large White  
Brimstone  
Peacock

Holly Blue  
Small Tortoiseshell



- Increased "school run" traffic twice a day.
- Gridlock MS (J10) → Elm Court, Elm Court → Chetenham. MS (J10) → Chetenham. Princess Elizabeth Way → Golden Valley / GEMO. In fact everywhere as traffic already heavy at "rush hours"
- Other areas will be used as "rat runs" i.e. Village Road, Hesters Way, Swindon Village / Gallagher Retail Park
- Will "Fire Station" be as effective as promised - 5 minute access to Bishops Cleeve ?? Unlikely !!

### Pollution

- Increased Air Pollution - see above
- Increased Noise Pollution - see above. - Noise pollution already evident when diversions take traffic onto A4019 throughout the night.
- Vibration damage to existing properties due to increased traffic volume (day & night.)

A4019. - SPECULATION THAT A4019 WILL BECOME A DUAL CARRIAGEWAY FROM ELM COURT TO MS (J10)

- EXISTING HOUSES, HOW CLOSE WILL ROAD BE IN FUTURE??
- ALREADY DIFFICULT TO "DRIVE" ACROSS A4019 TO ~~TRAFFIC~~ TOWARDS CHETENHAM. IMPOSSIBLE IN RUSH HOURS



ALCOI9 etc cont.

- WHAT HAPPENS TO EXISTING BUS STOPS??
- PEDESTRIAN ACCESS ACROSS DUAL CARRIAGEWAY??
- DUAL CARRIAGEWAY WILL ENCOURAGE 60 mph SPEEDS. — MORE NOISE.
- MOOTED SOUTH ON/OFF DEVELOPMENT ON J10 (M5) WILL FURTHER INCREASE ALL OF THE ABOVE.
- MORE TRAFFIC WILL COMPROMISE EMERGENCY SERVICES ACCESS IN ANY DIRECTION.

FUTURE, — WHAT NEXT??

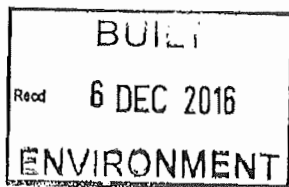
- FIRE STATION BUILT ON GREEN BELT / GRADE A LAND
- ELM COURT PROPOSAL TO BE BUILT ON GREEN BELT LAND.

WHERE NEXT??

Sirs,  
I have no real confidence that any notice will be taken of this letter. I have, however, every confidence that this development will go ahead despite my, and others, concerns.  
I remain Yours Sincerely.

[REDACTED]





Newcroft Cottage  
7a Homecroft Drive  
Uckington  
Cheltenham  
Glos  
2 December 2016

**RE:- Elms Park Development. N.W. Cheltenham off Tewkesbury Road.**  
**16/02000/OUT**

Dear David Waters,

We would like to make the following comments regarding the above planning application.

**Traffic Volume -** Local Radio issues daily warnings about queueing traffic on the M5 exit slip road at Junction 10 onto the A4019 Tewkesbury Rd; which continues to queue from this motorway junction, all the way to the Princess Elizabeth Way/Kingsditch Road junction, which at times becomes absolutely gridlocked, causing further problems towards Cheltenham.  
The A4019 CANNOT take the extra vehicles generated by this proposed overly dense development.

**Pollution -** As regular walkers along A4019 Tewkesbury Rd, we have been increasingly concerned about the levels of traffic fumes always present along this road, particularly the traffic lights outside the Wholefood Store. MORE traffic lights as shown on above plans will cause more of these fume pockets to add to the levels already present in the air we breathe, poisoning and endangering Pedestrians, Cyclists and local Residents health and lives.

**Noise pollution -** We live 2/3rds way down Homecroft Drive and experience constant noise from M5 and A4019 anytime of day or night.

**Park and Ride -** The siting of this is too close to the Gas Pipeline and could have catastrophic consequences in the event of an emergency.

- Surely it would be safer and more sensible to site this nearer the the M5 junction which would result in hiving off some of the traffic about to use the A4019.

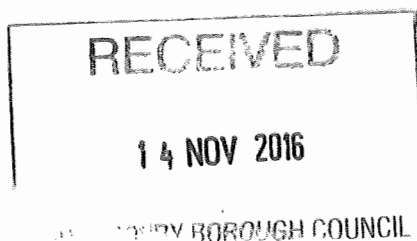


- Green Belt**     -     The proposed development would be using Green Belt land which is supposed to be protected. To allow this to happen would be changing Grade 1 top quality Agricultural land to Residential and Industrial use. This should not happen until all Brown field sites have been used.
- Parking**       -     The Civil Service Sports and Social club A4019 generates a lot of overflow parking, using nearby grass verges and filling the deceleration lane into Homecroft Drive at fairly regular intervals. This can happen at events during the day, at weekends and evenings.
- The above deceleration lane is not indicated on above plans.

Yours Sincerely,



Development Manager  
Borough Development  
Tewkesbury Borough Council  
Council Offices  
Gloucester Road  
Tewkesbury  
Gloucestershire  
GL20 5TT



11 Homecroft Drive  
Uckington  
Cheltenham  
Glos GL51 9SN

10 November 2016

Dear Sirs,

**Objection to Planning Application 16/02000/OUT – ELM PARK**

I object to the proposals put forward for this application for the following reasons;

**Taffic:** Existing traffic flows along Kingsditch Lane, Wymans Lane and Tewkesbury Road are already at saturation point to almost a 'gridlock' situation at some points during peak times. We are not convinced that the traffic modelling and proposed highway 'improvements' are going to do anything other than make the situation worse. Swindon Village itself will become a 'rat run' for people trying to avoid the inevitable congestion on the A4019 and Kingsditch Lane.

Proposals for a new roundabout to distribute M5 J10 traffic at Withy Bridge will only generate more journeys out of Cheltenham via A4019 with a knock on effect at all preceding junctions. Nor will a roundabout reduce queuing at the off-slip to J10 as most of the traffic exiting the M5 at this point will still be seeking access into the town via A4019. I understand that Highways England have flagged up the safety issue of the M5 off-slip queues at J10. The only positive element I see to the scheme for Homecroft Drive would be the proposed traffic light phase to access the A4019. One would hope that these signal heads would be fitted with 'blinkers' to stop stray light entering nearby bedroom windows at night.

**Pollution:** Pollution levels after completion are predicted to change by -1 to +4% by which we must assume a possible increase of +1 to nearly 2%, which is not negligible. Cheltenham sits in a natural amphitheatre surrounded by the Cotswold Hills. This edge of hills has long been recognised for trapping smog and pollution, which can be quite oppressive on still air days. My own son often has to use an inhaler on such days or try to go out of town completely during such conditions. The inevitable increase in traffic this development will cause can only increase such pollution effects.

**Flooding:** During the flood event of 2007 my property in Homecroft Drive was subject to flooding, with up to 6 inches of water in the garden, and water ingress under the floor to my bungalow with wetting of floor joists and interruption to our electricity supply. Other residents nearby were flooded out of their homes completely and had to spend weeks in temporary accommodation. This was in spite of extensive flood alleviation works along the River Chelt. In town the new flood



defences were running at full capacity and starting to overtop at some locations during this flood event. The Flood report put forward by the developer only refers to other watercourses within or adjacent to the Elm Park development boundary and states that the River Chelt will not flood the proposed development. However, the report appears to ignore the impact all the associated development works will have on the River Chelt flood zone itself. The A4019 between Uckington Cross Roads and Gallagher Retail Park will almost double in impermeable area, with a resulting increase in surface water runoff. Where is the attenuation for all this extra water? Attenuation drainage features are also rarely maintained to their full effectiveness once a new development has been adopted. Any increase to the flood levels of 2007 along the River Chelt could cause expensive damage to my property.

Yours faithfully

A large black rectangular redaction box covering the signature area.



Cheltenham Borough Council  
Municipal Offices  
The Promenade  
Cheltenham  
GL50 9SA

27 Homecroft Drive  
Uckington  
Cheltenham  
GL50 9SN  
5/07/2022

Att. Mr G Edmunson Chief Executive

Dear Sir

I am writing on behalf of a group of residents (who I list below) on the frustration and confusion about the plans for Elms Park and the widening of the A4019.

The original plan for Elms Park showed a partial dual carriageway using the deceleration lane for Homecroft Drive as a main carriageway, a plan that was frankly unworkable. After conversations with the J10 team it was agreed this plan was unworkable and they would take over the design of the A4019 between the Fire Station and Sainsburys (the stretch that the developers are responsible for).

After months (years?) of discussion the plan for the A4019 is about to be presented by the J10 team and involves a service road, a dual carriageway with a central reservation, pavement, cycle lane etc.

But residents have just received a letter from the CBC planning department with a link to a 198 page booklet with new details and amendments to the Elms Park plans.

However the A4019 and the junctions remain the same as first proposed in 2016, which means that the new plans are useless as the A4019 will in fact now take a lot of land from the development.

Do your planning Dept., not liaise with the Junction 10 team?

As you can imagine all the residents are confused as they are being told one thing by the J10 team and something different by the CBC Planning team. Also we believe comments are requested about the revised plan but no one is sure when these are due or what we should be commenting about.

The road and the development should be treated as one, they both affect the residents of Uckington greatly and cannot be treated separately.

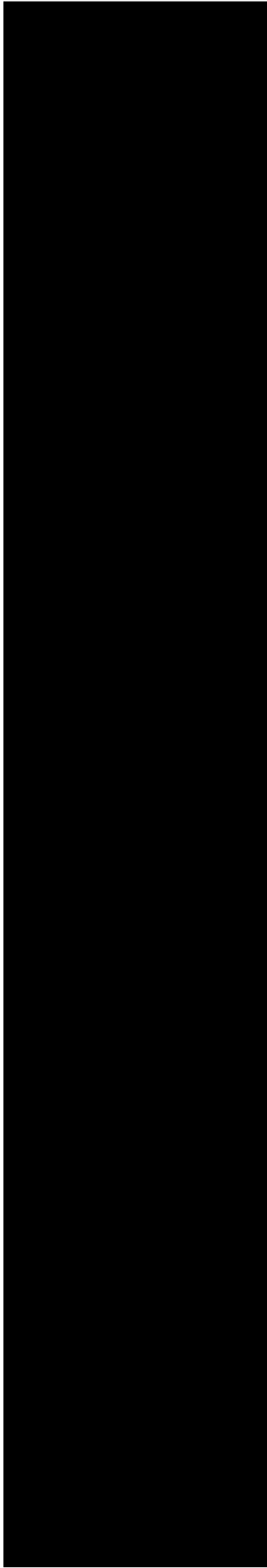
Could you please advise if your planning team are talking to the J10 team, when we will see a plan combining both the proposed road widening and Elms Park, can we have clarification on what we should be commenting on with regard to the revised plan and when it is due.

Also we at 27 Homecroft Drive did not receive a copy of the letter sent out by the Planning Dept. therefore we are concerned others may have been missed out which means any date for comments will need to be extended.

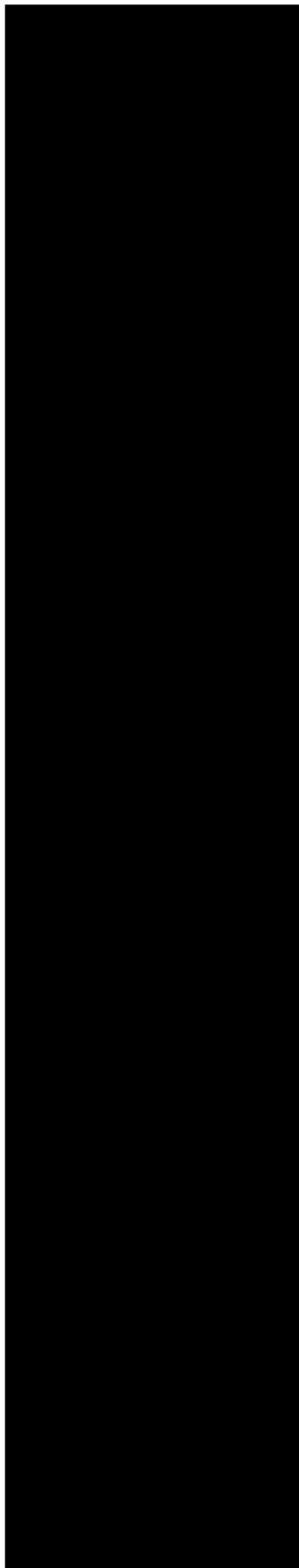


I would be happy to visit the Muncipal Offices for a meeting if required,

Yours truly,









Planning Officer  
Cheltenham Borough Council  
Cheltenham

43. Dark lane  
Swindon Village  
Cheltenham  
GL51. 9RN.  
20.7. 2022

Dear Sir.

Ref. 16/02000/out.

As I do not use Internet etc I am contacting you by letter.

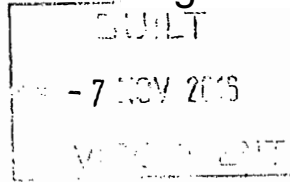
My views over the years have not changed. (Until Covid & fuel prices) increased traffic through Swindon Village continued by drivers hoping to avoid grid blocking & it will be back again when people get back to work. Now is the time to revise plans.

I am still concerned that woodland planting in copses & wider hedgerows to help wildlife survive should be a number one priority & for every tree lost - 2 or more should be replaced) & all roads should have trees on verges. — & cycle paths & footpaths should be kept away from wildlife areas.

Thank you







54 Quat Goose Lane  
Swindon Village  
Cheltenham  
Glos  
GL51 9RP

3 Nov 2016

Your ref 16/02000/OUT  
ELMS PARK

Dear Sir

The proposed development is a permanent loss of agricultural land while previously developed areas are available.

The roads in this area are already very busy and subject to congestion.

yours faithfully

Craig Hemphill  
Cheltenham Borough Council  
PO Box 12  
Municipal Offices  
Promenade  
Cheltenham  
GL50 1PP



64 Little Herberts Road  
Charlton Kings  
Cheltenham  
GL53 8LN

Tracey Birkinshaw  
Director of Communities & Economic Development  
Cheltenham Borough Council  
Municipal Offices  
Promenade  
Cheltenham  
GL50 9SA

2 May 2023

Re : Elms Park Geothermal Energy

Dear Tracey Birkinshaw

I have seen that the proposed development at Elms Park has recently received the green light from the local authorities for Phase 1. I welcome the continued development of Cheltenham and see this as a positive for the region. I wrote to the council earlier this year with regards to this matter and I have not heard back so am taking this opportunity to reiterate my ideas to senior council management.

I would like to bring to your attention a possible enhancement to the development that appears to have been overlooked. I have seen from the application and the associated council publications (e.g. CheltenhamZero etc.) that you are aware of the need for transition towards a low-carbon future and that solar and wind together with low/zero carbon heating and energy solutions such as air-source heat pumps have been discussed in the plans for this development.

However, I believe that the plans have omitted the potential of deep (>500m) geothermal energy at the Elms Park development. I have attached a map showing the temperatures encountered and predicted in the Worcester Graben at the base of the Permo-Triassic sequence (the main target for deep geothermal in this area). The maps shows that the Elms Park housing development (green on attached map) lies on the south-western edge of the hottest area and this part of the Worcester Graben is likely to have in excess of 80°C at around 2250m. I believe that the whole complex of more than 4000 houses could have its entire heating requirements provided by a district network with a 2 wells couplet (producer and injector) with minimal long-term emissions and low maintenance costs.

I am a local geologist who has worked in the oil and gas sector since the early 1980's and my interest in deep geothermal energy arises from my initial industry training in the Paris Basin where many projects are in operation. I know that large projects in this country have suffered from lengthy delays due to planning



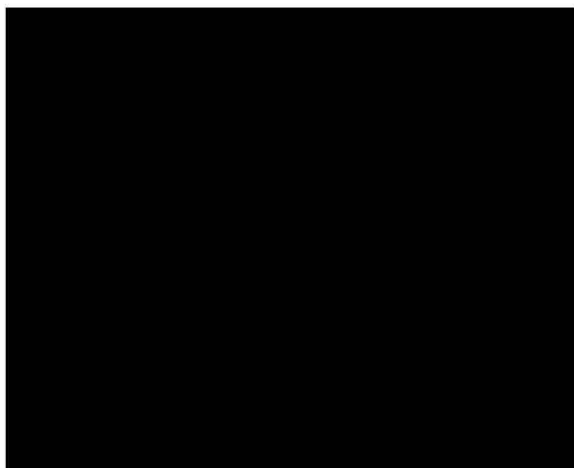
issues, poor commercial terms and geological risks. However, I believe that now is an excellent time to initiate a deep geothermal project linked to the Elms Park development as:

- planning appears to progressing
- financial support is available through the Green Network Heat Fund (GNHF), the UK Geothermal Observatories and the ongoing government drive away from fossil fuels
- geological uncertainty has been reduced by historical work based on a combination of released technical data, government licence application submissions and published academic/industry technical papers

I have been in contact with MPs to generate interest and have had positives responses, but no action, so I have expanded my canvassing to industry, charities and research organisations. I believe that the timing is right to undertake a project at Elms Park to test one of the hottest basinal areas in the UK together with a large housing development in a rapidly expanding area. This project will benefit not only the Cheltenham area, but could rapidly be expanded to nearby developments and have wider implications for the UK, but it does require a high level of support to provide the stimulus.

As an individual it is difficult to persuade large companies and organisations of the benefits of a project of this magnitude due to the costs and complexities involved. I am hoping that the council's knowledge, experience and contacts in large developments could help a project of this nature to be brought to fruition utilising a resource that has been left in the background for too long in this country.

If you feel that this proposition merits further attention then I would be more than willing to discuss this further at your convenience.





Temperature to Base Permo-Triassic (Contour Interval 10°C)

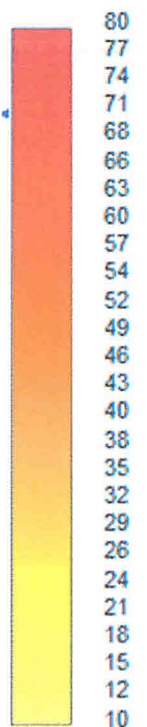
Area encompassed within 40°C contour (for comparison with Yorkshire Area 8) is 1550km<sup>2</sup>

Elms Park proposed housing development

Cyber Park

Hottest part of basin is ~2250m with ~85°C

T °C

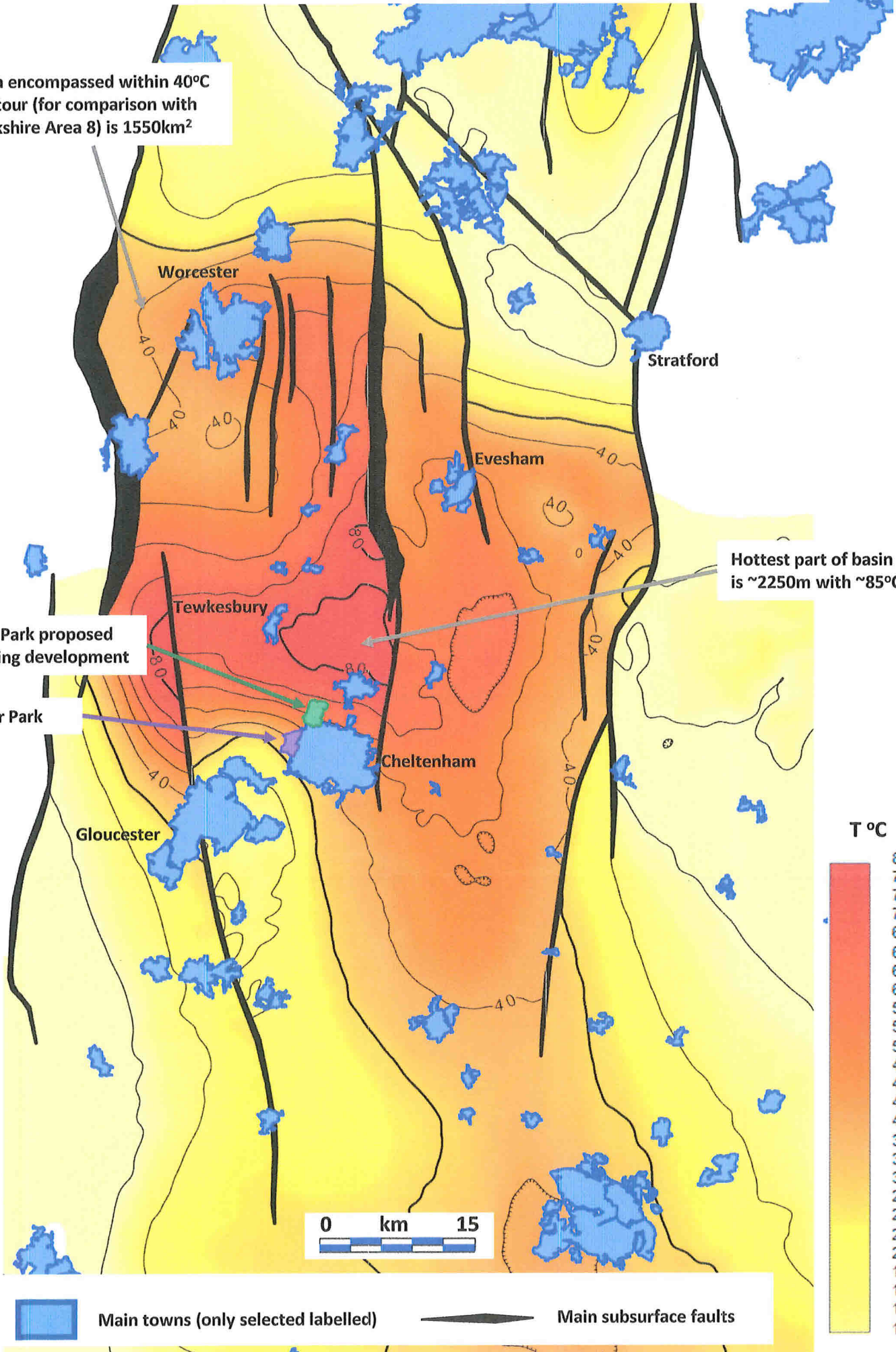


0 km 15



Main towns (only selected labelled)

Main subsurface faults





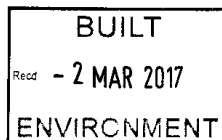




*pride of our town*



**CHEL TENHAM**  
CHAMBER OF COMMERCE



Mr Craig Hemphill  
Planning  
Municipal Offices  
Promenade  
Cheltenham  
GL50 9SA

02 March 2017

Dear Mr Hemphill

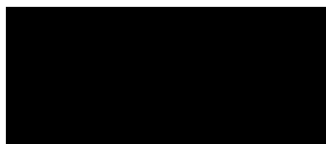
**Ref: Planning Application 16/02000/OUT**

We are writing to you today to give our full support for the plans to build a new business park as part of the development in North West Cheltenham called Elms Park. As you may know we have been campaigning for more quality business space to encourage new businesses to move to the area and to support the expansion plans of existing companies and we are pleased to see that Elms Park has been confirmed in the latest housing plan for Cheltenham.

We believe that this development needs support as it provides an ideal opportunity for a genuine sustainable development with people being able to live, work and have access to new schools all on the one site. Cheltenham needs more business space and this seems to be an appropriate proposal for new modern business space in the area.

We sincerely hope the development receives full approval as soon as possible

Yours faithfully



Robert Duncan  
Planning Executive

Cc Michael Ratcliffe  
Chief Executive

Jon Leamon  
Deputy Chief Executive

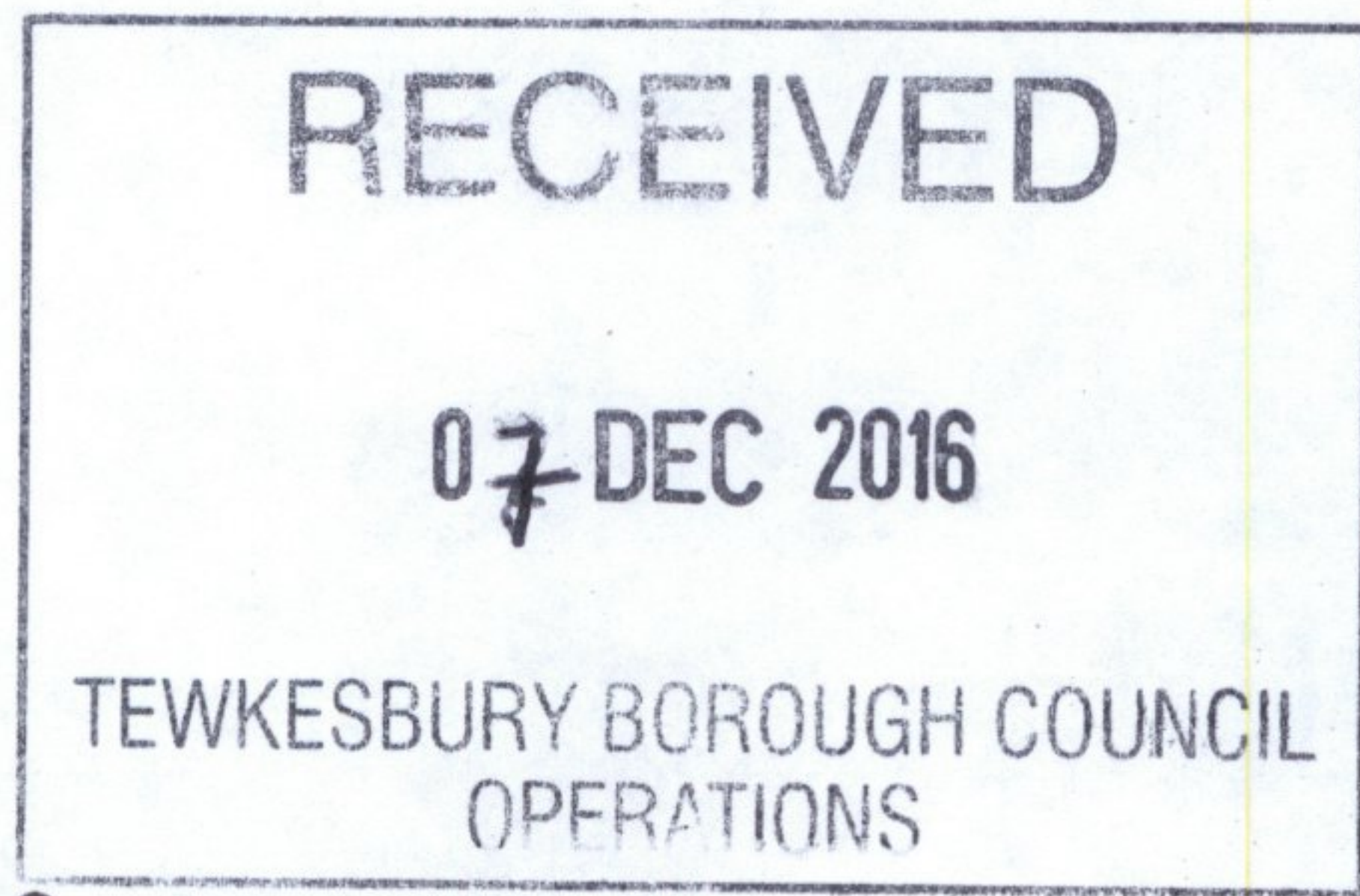
- WORKING FOR BUSINESS
- PROMOTING CHELTENHAM
- CREATING NETWORKING OPPORTUNITIES
- PROTECTING OUR ENVIRONMENT

President *Catriona Murray*

Secretary *Pauline Harris*



By hand 7.12.16



Colmans Farm  
Elmsstone - Hardwicke  
Cheltenham  
GL51 9TG  
7<sup>th</sup> Dec 2016

Dear Sir / Madam

Planning Ref 16/02000/OUT (Elms Park)

I wished to object to the proposed Elms Park development on the following grounds:-

1. The proposal means a massive and unprecedented loss of green belt land. There are still a large number of brownfield sites in the County (such as Healings Mill, Tewkesbury) which have not yet been utilised.

Any intrusion into the green belt cannot be justified.

2. The land as well as being greenbelt is prime agricultural land with farms and productive market gardens.

In light of the uncertainty with regard to leaving the E.U. and an ever increasing population food production could become a major issue.

3. The existing transport infrastructure is already totally inadequate and this will be aggravated by numerous new access routes on to the A4019 Tewkesbury Rd. Matters will be further worsened with the proposed Park and Ride causing increased traffic.

At busy or peak times the traffic is already dire and backs up on to the M5 sliproad



and on to the motorway.

4. The land is susceptible to flooding. In 2007 parts of Elmstone-Hardwicke, Uckington and the Tewkesbury Rd area were badly affected by floods. Large amounts of tarmac and hard surfaces will not help this issue.
5. The proposed development is very close to the Wingmoor Farm refuse site and its associated problems of unpleasant odours and flies. This site also handles toxic waste and may yet have unknown health risks.
6. I am concerned there may be a detrimental impact on bridle paths and footpaths. There are a large number of horse riders and equestrian facilities in Elmstone-Hardwicke which regularly use these paths.
7. Currently in the village of Elmstone-Hardwicke we have fairly good night sky vision which will be lost due to light pollution. This together with loss of habitat will have an impact on wildlife such as owls.  
It is no wonder some of our wildlife species are declining.

Yours faithfully

[Redacted Signature]



the Manager  
Building Development  
Municipal Buildings  
Cheltenham.

43 Dark Lane  
Page 259 Swindon Village  
GL51. 9RN.  
14. 6. 20

Dear Sir/Madam.

Building Development 20/00759/Ful

With reference to the above at Swindon Village

- 1/ I am against this development because:-  
the building land is valuable for food  
production + grazing for sheep + cattle.

---
- 2/ The meadows towards Swindon Village are  
flood plains + trees + hedges contain flood  
waters + have been since medieval times.

---
- 3/ The land is green belt + valuable for wild  
life - birds, animals + insects to pollinate  
our crops.

---
- 4/ Pollution from increased vehicles exhausts  
will endanger the population of the area  
+ all roads will be grid locked stretching  
to M5 motorway + beyond. Fine engines  
on Tewkesbury Rd could be held up endangering  
lives.

---
- 5/ In the current situation these homes  
will not be affordable to needy people pro



but only benefit those who can afford mortgages  
& whole scheme could 'white elephant' 11

Page 260

6/ What should be proposed is the demolition of empty shops, malls & offices throughout country & build needed homes in towns in small groups interspersed with shops & offices & green patches within towns for trees & shrubs - thus rejuvenating towns. Existing shops & offices should provide accommodation above enabling Councils to collect rents & Taxes to provide necessary services for population.

---

7/ Underground pipes, drains & cables already exist in towns, & only need Reeping up to date.

8/ Most people enjoy living near shops & it would be a good way to lessen air pollution as they could walk to shop & work instead of using transport. - With Government plans for Zero pollution by 2050 - We would all be ahead of the game!

4m...

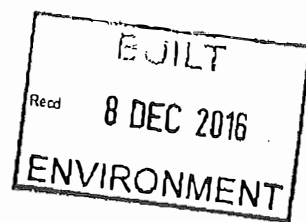


REGARDING  
ELMS PARK  
PLANNING APPLICATION.

Page 261

FROM, LINTON,  
THE GREEN.  
5.12.16. GLSI 9SR

The Government has no money.  
The council has no money.  
Highways has no money.  
N.H.S. has no money.  
DOCTORS - SHORTAGE OF  
NURSES - SHORTAGE OF  
DENTISTS - SHORTAGE OF  
MANUAL WORKERS - LACK OF  
Public Toilets. NON.



Lack of maintenance of Roads, Paths, Road markings already.

Lack of knowledge of area by proposed planners.  
(High pressure Gas pipe)

Out dated Traffic censors - 2008.

Stoke Orchard - New homes have increased traffic onto Tewkesbury Rd and cut through Elmstone H. and Uckington.

No money to change junction, Tewkesbury Rd. Stoke orchard.

No money to do the Bypass Road to Bishops Cleeve.

Highways no will or money to reduce speed limit, which would make joining Tewkesbury Rd a lot easier.

Past development disasters Elizabeth Way, Hesters Way, Springbank Shops, Wymans Brook.

Other concerns - Household waste increase  
Deer and other wildlife.

Farm land being cut.

Clay Soil - The Allotment area.



Page 262  
Odour and Gas from Waste dump,  
affecting sales.

Gloucestershire has had massive amounts  
of Housing Projects over recent years.  
Don't squash us in like sardines.

Also.

Parking - will it be well thought out?

Residents

Visitors

Deliveries

staff.

Buses

oh!

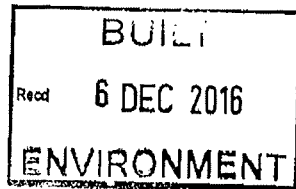
schools - parking  
for parents

We would need another Supermarket  
and Petrol Station; Post Office Chemist.

Yours faithfully

( M5, Diverted Traffic )  
causes chaos.





Newcroft Cottage  
7a Homecroft Drive  
Uckington  
Cheltenham  
Glos  
2 December 2016

**RE:- Elms Park Development. N.W. Cheltenham off Tewkesbury Road.**  
**16/02000/OUT**

Dear David Waters,

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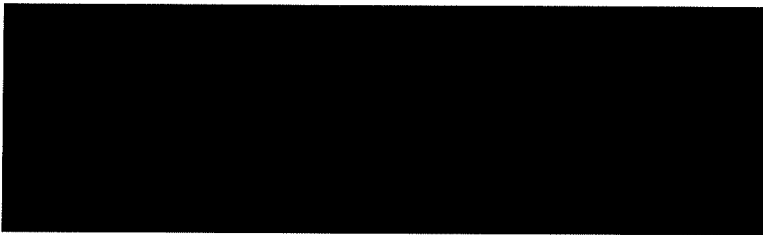
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- Green Belt** - The proposed development would be using Green Belt land which is supposed to be protected. To allow this to happen would be changing Grade 1 top quality Agricultural land to Residential and Industrial use. This should not happen until all Brown field sites have been used.
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- The above deceleration lane is not indicated on above plans.

Yours Sincerely,





PLANNING APPLICATION 16/02000/OUT |

Outline application for up to 4115 new homes providing a range and choice of mix and tenure, including affordable housing (C3) and elderly persons accommodation (C2 up to 200 rooms), 24 ha of employment generating uses including 10 ha B1 business park (up to 40,000 sqm), a hotel (C2 up to 100 rooms), and mixed use centres providing retail uses and community facilities (A1 - A5 up to 6,150 sqm, D1/D2 up to 1,000 sqm), a transport hub and public transport inter change, primary and secondary school education (D2), new areas of green infrastructure including areas of play sports hub, woodland planting, allotments and habitat at creation, creation of new means of access onto Tewkesbury Road and Manor Road, new footways and cycleways, and drainage infrastructure. | Elms Park North West Cheltenham Off Tewkesbury Road Uckington

**For the attention of Mr J Hinett, Planning Officer,**

With reference to the above named planning application, We wish to OBJECT to this application on the grounds attached in the accompanying notes.

These are only our interim objections as it appears that not all the relevant documents are available for consultation, at this stage, particularly in relation to the traffic assessments.

It is essential that a full Health Impact Assessment is carried out for the whole of the site before this application is considered and it is not left to reserved matters.

[REDACTED]  
Orchard End  
Lowdilow Lane  
Elmstone Hardwicke  
GL51 9TH

8<sup>th</sup> December 2016



-1-

The Planning Application should state:

*that this is for the change of use from Agricultural Land to a range of mixed use development. Where appropriate this will necessitate the removal of the Agricultural Tenancy certificates, on several of the properties.  
The development will involve the demolition of houses, farm buildings and businesses.*

**1 The whole of the proposed site is within the Cheltenham Green Belt**  
established in 1968, which was set up for :

*its permanence, to LIMIT URBAN SPRAWL, retain the OPEN CHARACTER OF THE COUNTRYSIDE.*

*In addition the definition will confirm a long-term agricultural future by reducing uncertainty and providing security for agricultural investment.*

*Particular attention will be paid to the retention of economically viable agricultural holdings. It is intended that these protective measures will be supplemented with positive countryside management policies.*

(AERC REF : J8901/R2569 March 17 2007)

This application is premature, as the Green Belt has not been removed from this land.

The Transport Hub/Park and Ride does not qualify for VERY SPECIAL CIRCUMSTANCES in the Green Belt

32 This application site is composed of the **Best and Most Versatile Agricultural Land** 32 Hectares of Grade 1, and the remaining Grade 3, according to the DEFRA AGRICULTURAL LAND CLASSIFICATION MAP, SOUTH WEST REGION, (ALC006) which shows the soils for the site.

4Contrary to NPPF Para 17, and the saved Local Policies of the two councils. Therefore approximately 400 hectares of Best and Most Versatile Land will be lost. This is also contrary to NPPF Para 11 Conserving and Enhancing the natural environment.



3-2--

4Para 109 The planning system should contribute to and enhance the natural and local environment by PROTECTING AND ENHANCING VALUED LANDSCAPES, geological conservation interests, AND SOILS.

5

6PARA 11 Local Planning Authorities should take into account the economic and other benefits of the best and most versatile agricultural land. WHERE SIGNIFICANT DEVELOPMENT OF AGRICULTURAL LAND IS DEMONSTRATED TO BE NECESSARY, LOCAL PLANNING AUTHORITIES SHOULD SEEK TO USE AREAS OF POORER QUALITY LAND IN PREFERENCE TO THAT OF A HIGHER QUALITY.

7THERE IS NO EVIDENCE THAT THERE HAS BEEN ANY EFFORT TO USE SITES WITH POORER QUALITY LAND, eg using Brown field sites in preference to this one.

8NB TEWKESBURY BOROUGH COUNCIL LOCAL PLAN to 2011, saved Policies

9LND 10 Change of use of Agricultural Land to Residential Curtilage, and

10Policy LND 4 Countryside Protection.

11CHELTHENHAM BROUGH COUNCIL LOCAL PLAN, saved policies

12Policy C P 3 Sustainable Development

13Policy CO 10 Agricultural Land - AGRICULTURAL LAND IN THE BOROUGH IS VERY LIMITED.

14THE STRUCTURE PLAN, POLICY NHE 3, safeguards the BEST AND MOST VERSATILE LAND FROM DEVELOPMENT, LAND OF A HIGHER AGRICULTURAL QUALITY SHOULD NOT BE USED IF LAND OF A LOWER QUALITY IS AVAILABLE.

### **3. NOT SUSTAINABLE**

As per JCS Sustainability Appraisal 2011 SA 104 December 2011, with reference to C3, (now A5) known in this application as ELMS PARK, the report gives reasons why this proposed site is not suitable for development as a NEW TOWN:

*Under TRANSPORT , it states that ' access to key services are not available, and the central and northern area of the site are increasingly remote from Cheltenham.*

This particularly applies to limited access to doctor and dentist surgeries, eg St Pauls Practice, Swindon Road, and Coronation Square, as well as local schools which are not in walking distance.

There is a remoteness from the centre of Elms Park to the town centre, hospital and Cheltenham railway station- 4 miles



#### **4 TRANSPORT**

There is a lack of evidence of the cumulative effects of the surrounding areas of the proposed site, in particular in relation to the A4019, the A38. There is more up to date work requested by Highways England, and no evidence from GCC Highways.

In the JCS Initial Sustainability Appraisal Summary Report(SA104) 2011 under HIGHWAY CAPACITY CONSTRAINTS AND PROBLEMS, it clearly states that the A4019 in 2011 has limited capacity for additional traffic or for BUS PRIORITY MEASURES.

*The Highway Agency opposes an all movement junction at Junction 10 of the M5.*

*Princess Elizabeth Way and routes through Western Cheltenham have limited capacity and environmental impacts of additional traffic would be significant on existing communities.*

*There is poor access to the RAIL NETWORK, and transport hubs, and limited access for all services to Cheltenham for the northern part of the site.*

It also states that:-

IF C3 (ELMS PARK) IS DEVELOPED THE NW CHELTENHAM LINK ROAD WOULD POTENTIALLY BE REQUIRED , LINKING THE A4019 AND THE A435. THIS COULD PROVIDED RELIEF TO LOCAL ROADS IN NORTH CHELTENHAM, BUT WOULD BE EXPENSIVE (railway crossing alone would be in excess of £10 million)

This project was dropped from the GCC Local Transport Plan 3.

*The possibility of a ring road has now been added, in 2016, to recent JCS documents.*

#### **TRANSPORT HUB/ PARK AND RIDE**

It is not clear from the site plan where the Transport Hub will be sited, it's access point and modelling. Will the Transport Hub, for 250 vehicles be for residents only?and will there be a separate Park and Ride Scheme??

#### **In the application document Transport Assessment 4,**

*Para 1.3 states that*

*the P&R is aimed at residents of the rural hinterland to the north and west of Cheltenham who do not have access to frequent all day bus services into the town.*



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*It is not intended to attract local residents and site access will be configured accordingly.*

*Para 2.9*

*The proposed Uckington P&R SITE WOULD HAVE PARKING CAPACITY OF **AROUND 600 CARS***

There are no details concerning operating times, how the site will be accessed and it will create light pollution for the surrounding vicinity.

There is no connectivity and quick access to other transport modes, such as Cheltenham or Ashchurch railway stations, the coach station.

A TRANSPORT HUB IS NOT APPROPRIATE IN THE GREEN BELT, as very special circumstances outweigh the potential harm to the Green Belt.

It is suggested that this will be built on the Best and Most Versatile Grade 1 Agricultural Land.

Have alternative sites been considered which would not affect the Green Belt or the best quality land?

Therefore very special circumstances cannot be justified.

### **CONSTRUCTION TRAFFIC**

There is no evidence in respect of the access and movements of the construction traffic which will continue over the many years of the development of this huge site.

This cannot be left to reserved matters.

### **8. PRESERVATION OF CHARACTER OF LANDSCAPE AND HERITAGE ASSETS**

In the **JCS INSPECTORS'S PRELIMINARY FINDINGS, DECEMBER 2015** she states

*Para 95 The impact on heritage assets including Uckington Farm House, Swindon Village Conservation Area, and particularly the church of St Mary Magdalene, will require careful mitigation.*

In the **JCS INTERIM REPORT 30/05/ 2016** the Inspector again raised her concerns about the local heritage assets and recommends their preservation and protection and

*Para 109 enhance the character and setting of Swindon Conservation Area and the Church of St Mary Magdalene. It also states that development should be designed so as to preserve the separation and character of Swindon Village.*



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*Para 110 Accordingly, on landscape/visual amenity and heritage grounds, in my judgement a green buffer should remain around the village of Swindon, and this is my recommendation.*

**THE DEVELOPERS DO NOT SEEM TO HAVE INCLUDED THESE RECOMMENDATIONS IN THIS OUTLINE PLANNING APPLICATION.**

**9 FLOODING**

Residents over many years have raised serious concerns about flooding issues in this area.

Strategic Flood Risk Level 2 shows significant areas within Elms Park, as high flooding risk due to the watercourses in the area, predominantly the River Swilgate, Hyde Brook and Leigh Brook. Land is heavy clay and there is regular surface water flooding. It has been demonstrated that SUDS (Sustainable Urban Drainage systems) do not function adequately in this soil type. Three M5 culverts and a disused sewer cut off at the motorway restrict flood water and allow it to back up.

Run off from a development of 4,115 dwellings do not mention business premises, which is going to exacerbate the problem..

We consider that this development will increase the risk of flooding to the established properties in Uckington, and Elmstone Hardwicke.

There needs to be more evidence on Pluvial flooding, and the strategy of maintenance of the motorway culverts and the holding ponds for the SUDS.

**10 HEALTH AND THE ENVIRONMENT QUALITY**

**IT IS ESSENTIAL THAT A FULL HEALTH IMPACT ASSESSMENT IS CARRIED OUT ON THE PROPOSED ELMS PARK DEVELOPMENT SITE.**

Detailed evidence has already been submitted from residents groups to the Joint Core Strategy Inspector, and these document will be submitted in total later.

**JCS POLICY SD15 – Health and Environmental Quality**

We considers that the policies are justified but do not comply with the NPPF Paras 120 and 124 with reference to the cumulative effects from the huge landfill sites known as Wingmoor Farm East and West, and their effect on existing residents surrounding the sites, in excess of 15,000, and **any potential new residents, in the region of 11,000, on the proposed Strategic Allocation A5, North West Cheltenham over the plan period, known here as Elms Park and the safeguarded land.**

**Paras 4.15.1 and 4.15.2 Development should not have ANY unacceptable impacts on human health, or environmental quality.**

**Our concerns are in respect of unacceptable levels of air or soil pollution, odours both alone or cumulatively, with respect to national and EU limits.**



**-NPPF PARA 120**

*To prevent unacceptable risks from pollution and land instability, planning policies and decisions **should ensure that new development is appropriate for its location.***

*The effects (INCLUDING CUMULATIVE EFFECTS) of pollution on health, the natural environment or general amenity, and the potential sensitivity of the area or proposed development to adverse effects FROM pollution, should be taken into account.*

**NPPF PARA 124**

*Planning policies should sustain compliance with and contribute towards EU limit values or national objectives for pollutants, taking into account the presence of **AIR QUALITY MANAGEMENT AREAS**, and the **CUMULATIVE IMPACTS ON AIR QUALITY** from individual sites in local areas.*

**Planning decisions should ENSURE THAT ANY NEW DEVELOPMENT IN AIR QUALITY MANAGEMENT AREAS is consistent with the LOCAL AIR QUALITY ACTION PLAN.**

As we have previously submitted to the Inspector, we have documented the recorded concerns of local residents since 2001, when residents set up a campaign group SWARD, (Safety in Waste and Rubbish Disposal) (iii)

**The Wingmoor Farm Liaison Forum** was established in 2004 to address these concerns for the monitoring of the operations at the Waste Sites. The Forum consists of the County Council, Borough Councils, all Parish Council surrounding the sites, the Environment Agency, County Health Authorities, all the Landfill operators, and local community groups,

The Forum meets quarterly to address any concerns from residents, EA or the other agencies.

Since our original submissions **MATTER 8 STATEMENT STRATEGIC ALLOCATIONS – A5 NW CHELTENHAM, ELMS PARK**, processes have been added or altered at the sites including an Anaerobic Digestion Plant., and a huge composting facility. These are likely to increase during the build out period.

Over the many years of the sites operations residents' concerns and complaints have been well recorded with the Environment Agency. Through the Forum it was agreed to undertake a **Community Health Impact Assessment** between Dec 2006 and Feb 2009, and it was presented by the author Caryn Hall to Gloucestershire County Council, Meeting of Health Community Care Overview and Scrutiny Committee, 18<sup>th</sup> January 2010.

This report was updated in October 2011, by a Bishop's Cleeve Neighbourhood Health Profile. One of the many recommendations was:-

**Gloucestershire Health Overview and Scrutiny Committee**

**3.12 Health Monitoring and Assessment**

*The Steering Group expressed concern that there is no process in place to enable the health of the community near the Wingmoor sites to be monitored in a proactive way – a surveillance system in effect. This would be in particular relating to respiratory illnesses including asthma, skin conditions and carcinogenic effects. The Group particularly would like to see this in place for children.*



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5.9.1 The Health Overview and Scrutiny Committee must undertake to ensure that the key areas of action identified in this report are **monitored regularly** to ensure that the actions are being undertaken by the identified agencies.

As far as we are aware nothing has been done since. Through the Forum and the Scrutiny Committee we understand there is no indication that this profile will be updated.

From the report there is recommendation concerning distances from landfill sites:

3.1.6 When considering the distance from *the boundary of the Wingmoor sites to residential areas* it is relevant to note the 5th March 1997 proposal of the Commission on the draft Landfill Directive. This was informed by the initial results of the EUROHAZCON projects on birth defects associated with landfill sites and included specific minimum distances from such areas. **These were a minimum separation of 0.5km in the case of municipal waste landfills and 2km in the case of hazardous waste landfills.** The final published Directive (Directive 99/31/EEC) is stated in Annex 1 for General Requirements for all classes of landfills.

From this statement the whole of Elms Park will come within the suggested boundary from either the municipal waste site, West, or the hazardous waste site, East.

*ALSO through the Forum we have documented that the Health Impact Assessment was focused on the parishes of Bishops Cleeve, and nothing was done south of the site, eg the Parishes of Stoke Orchard, Elmstone Hardwicke, Uckington, Swindon Village, Prestbury and Southam, a sizeable population of the area within the boundary of the landfill sites.*

**POLICY SD15 4.15.4 3 – states that proposals for development at Strategic Allocations and for other development proposals AT THE DISCRETION OF THE LOCAL PLANNING AUTHORITY , MUST BE ACCOMPANIED BY A HEALTH IMPACT ASSESSMENT.**

We therefore suggest that this policy does not comply with NPPF PARA 120 as the continuing concerns of residents are not being addressed and the essential monitoring is not being undertaken and no *Health Impact Assessment has been done on Elms Park.*

DEFRA in its National Policy Statement for Hazardous Waste, 2013, (viii) , states that

*Para 1.53 Hazardous waste poses an inherent threat to human health and the environment, and it is important that there are sufficient facilities to allow the waste to be managed in a way to minimize this risk.*

**Para 4,10 Health**

*4.10.3 The Secretary of State should take into account the cumulative impact on health*

*5.2.6 The S of S should give air quality substantial weight especially dispersed air quality on receiving environs.*

DEFRA in its Post-Adoption Statement for Hazardous Waste, 2013 - monitoring strategy

5.2 **AIR QUALITY AND EMISSIONS** There is a potential for adverse cumulative effects from these air quality impacts with other impact types e.g. close to existing AQMA s.



Cumulative effects from the development of hazardous waste management facilities have the potential for adverse effects on the local population through, severance, increased noise levels, air emissions etc. The NPS requires a SOCIAL IMPACT ASSESSMENT. Sites have a potential for adverse cumulative effects on health and well-being. These effects may be greater where new facilities are located to other new or existing facilities.

Residents continued to raise their concerns about the impacts on the environs to the waste sites, and employed a Public Interest Consultant, Alan Watson BSc (Hons) C.Eng to present evidence on their behalf during the Consultation on the GCC Waste Core Strategy, 2009, also at a number of planning applications for a MRF and IVC. This culminated by residents requesting a Judicial Review, in October 2012 (.v ).

We also note that in their evidence to the Waste Core Strategy, with reference to both sites, Cheltenham Borough Council 10th February, 2011 (xi) states that:

*The proximity to any possible urban extension at North West Cheltenham needs to be considered, and in practice, **may prove UNACCEPTABLY CLOSE**.....The specific type of facility promoted on the site will need to take into account the potential impact on existing residential properties **and those that may come forward in the future.***

#### ODOUR NUISANCE

Serious issues are being continually experienced with ODOURS from the vast composting process. In fact odours have been experienced several kilometres away. This involves regular spraying with deodorisers as well as insecticides for the flies.

We have noted from JCS EXAM 198 that considerable odour work has been done for Land at Hayden, Safeguarded land, in respect of the Hayden Sewage Works. Why hasn't a similar exercise been undertaken in respect of the Brockhampton Sewage Works, and the Stoke Orchard Water treatment works and the landfill sites in proximity to this proposed site

#### FLY NUISANCE

There have been serious issues with flies for all the surrounds in the summer months, from all the processes within buildings and outside, which has resulted in an increase in fly spraying. This is also well documented

#### RISK FROM EXPLOSIONS, SMOKE AND FIRES.

There has also been an increase in gull activity.

#### THIS HAS CAUSED UNACCEPTABLE HARM TO THE LOCAL AMENITY OF EXISTING RESIDENTS WITH A CONSEQUENT PERCEPTION OF HEALTH RISKS.

In a recent ruling at Fletcher Bank, Ramsbottom, APP/T4210/A/14/2224754 (vi) with respect to anaerobic digestion plant and odour the Sof S stated 'there is a significant risk that they would routinely release odours at levels which would have a notable detrimental effect. He also agrees that this would be contrary to the aim of the Framework in terms of securing a good standard of amenity for all existing and future occupants of land and buildings; and that this would amount to an unacceptable impact on amenity, contrary to the aims of UDP Policy EN4/1, and an unacceptable level of air pollution, contrary to the aims of UDP Policy EN7/1



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### AIR QUALITY

The whole of Cheltenham Borough is within an AQMA, which already affects Elms Park and in particular the junctions of the A4019 Tewkesbury Road, and the B4013 Princess Elizabeth Way in the Kingsditch area.

From **ENAT 109** the modelling has only been done for traffic emissions, but does not include emissions from the landfill sites, as mentioned above.

We also note that modelling has been done for the Motorway M5, Junctions 9 and 11, but **JUNCTION 10**, on the Tewkesbury Road has BEEN OMITTED. Is there a reason for this?

JCS INITIAL SUSTAINABILITY APPRAISAL 2011 -SA104 summary report appendix 2

**KEY SUSTAINABILITY ISSUES -KEY ISSUES - AIR POLLUTION** There was an increasing number of Air Quality Management Areas in the JCS Area

### **EVIDENCE AND TRENDS**

**THE AQMA AT WITHYBRIDGE CONNECTED WITH JUNCTION 10 OF THE M5 IS OF PARTICULAR CONCERN AS IT IS LIKELY THAT THE CAPACITY OF JUNCTION 10 WILL INCREASE IF THE NORTH WEST URBAN EXTENSION OF CHELTENHAM IS DELIVERED.**

### CONSEQUENCES

AIR QUALITY IS VITAL TO HUMAN HEALTH AND BIODIVERSITY. IT IS IMPORTANT THAT AIR QUALITY IS EITHER MAINTAINED OR, WHERE POSSIBLE, IMPROVED.

**THE JCS WILL HAVE TO ADDRESS ISSUES OF AIR QUALITY ACROSS THE AREA AND IN PARTICULAR WITHIN AQMAS .**

*How will the developers deal with these issues for future residents,?A Health Impact Assessment is essential for this site and should be carried out every 5 years, in order to monitor the health of future residents.*

### TRANSPORT HUB/PARK AND RIDE

This Planning Application is promoting a Transport Hub, sometimes called a Park and Ride. What effect will the idling traffic using this facility have on the air quality of the surrounds, and the cumulative effect of emissions of the traffic travelling along the A4019?

Where is the monitoring for this facility, and its effects on the new residents of Elms Park.

### LIGHT POLLUTION

What effect will there be on the peace and tranquillity of the adjoining rural villages and farmland from light and especially from the Transport Hub (no hours of operation given)

### NOISE POLLUTION

What effect will there be on the peace and tranquillity of the surrounds from noise from vehicles using this huge site.

AG 8<sup>th</sup> December, 2016



## Objection to planning Application 16\_02000\_OUT

Elms Park

From Save the Countryside

21/1/2017

Helen Wells



*Save the Countryside provide the following statements of objection to the planning application.  
Additional comments will be submitted as more evidence arises.*

**Summary:** The outline planning application should be rejected due to:

The land is high quality Agricultural land with Greenbelt status

Inadequate / missing evidence

Insufficient provision for avoidance of additional traffic congestion in the surrounding area

Health and Environmental impact concerns regarding the proximity of housing to the toxic waste disposal site

### **1. Communication**

The publication of this planning application has been insufficient.

Several local residents adjoining the proposed site did not receive clear notification of the application and thus did not have the opportunity to respond within the deadline for public comments.

### **2. Inaccuracies and errors within the documentation**

This is an outline application but with the assumption that much critical information will be clarified at a later date – so it is our view that the document as is cannot be approved.

The documentation contains several misleading statements regarding the value of the character of the land, the heritage, views, suggesting lower importance / significance than is understood today. For example on Page 42 of the Design and Access statement, the description of Swindon Village Elmstone Hardwick and Uckington omits the farms and farmland that comprise a significant part of this area.

Many roads are mislabelled particularly within the Elmstone Hardwicke Village area.

### **3. Land use / Agriculture**

The documentation states Elms park will be a link between rural and town, but Swindon is already a rural area with several agricultural farms and nurseries using the land including grade 1 agricultural land.

This piece of greenbelt high quality agricultural land is currently in use for agriculture and horticulture.

The application does not clearly state the proposal for a change of use from agricultural land to development for industrial retail and housing use.



## **4. Development on Green Belt Land - Submission Joint Core Strategy**

On Page 18 of the Design and Access Statement document, there is reference to the NPPF and planning policy that favours sustainable development.

The land in area A5 under the JCS and the overall Joint Core strategy is undergoing a review by Government Inspector and has not been accepted by all 3 councils of Cheltenham, Gloucester and Tewkesbury. Until the JCS is concluded this planning application can be seen as premature, until then the land in this area is still Greenbelt and not applicable for development.

The very special circumstances identified as reasons for development in the greenbelt do not meet the Criteria for Exceptional circumstances as identified in the NPPF. Until the JCS is concluded with any re classification of greenbelt land, this planning application should not be approved.

## **5. Local green Space (LGS)**

The Local Green Space that has been agreed to be included as part of the proposed Cheltenham plan has not been fully included in the documents – neither in the master plan or the phasing diagram.(page 100) This results in an inaccurate representation of the land area to be developed.

The plans only include the green space that was mentioned in Statement of Common Ground, rather than the larger area decided by the Inspector and Cheltenham Borough Council.

The Inspector's decision was that the LGS would be a larger area than that mentioned in the Statement of Common Ground, with a reduction of 500 homes. CBC has supported this larger area and it is currently feeding into the local plan. After the local plan comes into force, the application must be modified to reduce the number of houses and not build on the LGS area.

This space should in fact be removed from the phasing map as it not part of the development area.

We note that phase 4 has been included in the phasing plan, although in fact it is not part of this planning application and as such should be removed as there is no application for development in this area and part of it again is local green space

## **6. Infrastructure / Services**

There are many positive sweeping statements regarding infrastructure provision as part of the development site, however there are no specific commitments to provision of specific services or facilities by specific time periods and no commitment to give assurance that they would be in place before residential occupancy. There are gaps in specific information which are said to be addressed later in reserved matters, but in order for this application to be approved they must be identified now.

## **7. Transport**

Save the Countryside believes that the Transport proposals for Elms Park are unworkable and that the eventual congestion caused by traffic generated by the quantum of development will be unsustainable, bringing into question the sustainability of the whole proposal.

The Area of Swindon Village Wymans Brook, Bishops Cleeve and Prestbury are today under pressure from Infrastructure limitations as listed below:



The Planning application is not working under the official instruction of the NPPG. It does little to provide a practical solution to the area surrounding the proposed Development beyond the site which are all incapable of dealing with the cumulative effect of the extra traffic to and from the site.

The Access and Movement statements (page 20), imply that a detailed transport plan has been undertaken.

There is little or no substantiated evidence to demonstrate the impact on the surrounding areas. In particular Princess Elizabeth Way, Tewkesbury Road towards the town centre and the Kingsditch industrial estate and Gallagher retail parks already under stress.

#### Existing Road Constraints in the Area surrounding the Elms Park development

- Princess Elizabeth Way, congestion and poor air quality due to its use as access to M5 Motorway southbound
- Swindon Road - narrow railway bridge,
- Hyde Lane - low Railway bridge,
- Swindon Lane -level crossing
- Tewkesbury road already congested from M5 motorway junction towards Cheltenham

From Transport Assessment: 4: Existing Highway Conditions, as existing back in 2013 when the survey took place, even then Paragraphs 4.2.3 and 4.2.4 stated:

*"With the existing level of traffic, it is clear that there are some existing queues towards the Town in the morning peak, with the notable bottlenecks being the main sets of traffic signals on Tewkesbury Road (Hayden Road, Manor Road and Gloucester Road) and the signalised roundabout which joins Tewkesbury Road, Kingsditch Lane and Princess Elizabeth Way"*

And

*"In the evening peak, the signalised roundabout is the main point of congestion along the Tewkesbury Road corridor, with queues on all approaches and most noticeably on the Kingsditch Lane and Princess Elizabeth Way arms, where queues are significant. Slow Transport Assessment 11 moving and queueing traffic is common on Princess Elizabeth Way south, towards Coronation Square and the busy junction with GCHQ and the A40."*

Paragraph 4.2.2 gives the peak counts of the traffic caught in this **2013** congestion:

	AM	PM
To Cheltenham	1400	1200
From Cheltenham	950	1400

When it is acknowledged that, even without Elms Park, the traffic has increased by 40% over the last four years, and when it is realised that the Elms Park access proposals have added 3 new sets of traffic lights including a Toucan cycle/pedestrian crossing, the potential for added unacceptable queueing and delay to ordinary non-Elms-Park road-users is clear.

At a probable 90 second cycle at each of the 5 main signalised accesses and with Elms Park traffic exiting on green to fill perhaps all the travel space beyond the 2 new access points at A and B (see Transport Assessment Figure 5.1), delays for vehicles approaching from the M5 direction could be in excess of 5 minutes with a consequent cumulative build-up of traffic, perhaps as far as the M5 southbound slip road where the Highways Agency has already identified a problem – which, if as proposed, solved by traffic signals stopping traffic from the A38, could mean a back-up right to the A38.



The suggestion for 'Voluntary Reassignment of traffic is not a practical responsible solution'. In any case, there is nowhere else to go locally without adverse effects on surrounding roads already suffering from congestion and about to suffer yet more with the addition of Elms Park vehicles over and above the figures in 4.2.2.

The proposed 7 traffic lights in just 1km including those mentioned in 4.2.3 and the lights at the Uckington Fire Station. As no definitive work seems to have been done on access to the proposed Transport Hub (or is it a Park & Ride?) there is the likelihood of yet a further signalised turning to allow buses and cars to leave the Hub.

Before permission can be given there must be clearer details of the road access into the site: In the plans seen the 'access arrow' only shows a left turn as possible. This would cause a huge concern with cars having to turn a U turn access. In addition those houses along Tewkesbury Road will find it very difficult to turn right towards Cheltenham.

To suggest in Transport Assessment 11: Paragraph 11.2 Highway Mitigation Measures that the extra Elms lights and the road works necessary (adversely affecting properties on the south side of the A4019) are actually MITIGATION measures, is untrue. In fact it is only enabling Elms Park traffic to access Tewkesbury Road and add to the traffic volume in the wider area.

The mitigation measure most heavily relied upon and repeatedly quoted in the application documentation, is 'modal shift' – that is, persuading a high enough proportion of the 8 000 or so residents of driving age and the numerous workers arriving on site not to use their cars but to bus, cycle or walk – in such numbers that it could have a significant effect on the amount of car traffic generated by The Elms.

The developers have done endless modelling to show that this would be feasible, hypothesising a 15% reduction in car use (see Section 9) so that development would seem to be acceptable and sustainable in transport terms.

Knowing human nature, Save the Countryside believes that such epic and reliable 'shift' will not be possible in the near future. Even Transport Assessment: Paragraph 6.5.1 acknowledges this:

*"Cheltenham, like most other urban areas, experiences congestion at peak times. This is a common feature of urban life and it is unlikely to change significantly without a sea change in the public attitude towards car ownership and use. It is of course essential to provide the best possible alternative mode choices, but these take time to become established and it is almost generational timescales that are required fundamentally to change our travel patterns as a nation . . . Even with a comprehensive integrated transport strategy and a . . . development such as Elms park, a certain residue of residual traffic generation is inevitable"*

We have equally endlessly stated that where you have a 'choice' – significant word in NPPF Paragraph 29 - and have one of the 5000 cars likely to be resident on the estate\* -

- You won't catch a bus if it is not going exactly where you want to go when you want to go or if you have a lot to carry or if you have the whole family and the dog with you
- You won't cycle if it's raining or if your route is not cycle friendly or you don't like breathing in air pollution or you have to arrive neat and tidy at a meeting or if you have a lot to carry
- You won't walk if it's raining or it's too far or you have to arrive neat and tidy at a meeting or if you have a lot to carry

(\*ONS national average 1.2 cars per household)

We realise that the NPPF and Gloucestershire Highways LTP3 2016 policies have been followed to the letter by the developers but we think the theoretical (and weather-dependent?) nature of the 'modal shift' proposed



should neither be relied on nor accepted as evidence of the sustainability of the scheme in transport terms. It seems to us wishful thinking in the extreme.

The 'modal shift' to public transport and the particular promotion of bus travel and the consequent proposed disabling of the highways for car drivers seems even more likely to add to hold-ups and congestion rather than relieving the situation, particularly as it involves the 'Microprocessor Optimised Vehicle Actuated (MOVA)' system where we understand buses will have priority and can actually change traffic lights in their favour: think of the effect of this on the 7-traffic light stretch of the A4019. It also seems that the usually crowded inner lane of the Tewkesbury Road inbound towards Cheltenham beyond the Kingsditch roundabout will be lost to motorists as is to become a bus lane only, on into the Lower High Street.

Nor in the above bus-centred proposals has it been remembered that the A4019 is both a

- Primary Route (LTP 3) *"which provides strategic access which is critical for the local economy"* and
- A dedicated Freight Route, additional hold-ups likely to affect the trade and profitability of other companies.

The Park and Ride facility volume is inconsistent stating 210 cars or 640 cars, but will not be sufficient even at 640 cars to provide parking for the over 2000 additional employees working within the site. The park and ride location indicated is too far from the M5 Junction to capture the M5 traffic and non-motorway traffic from the West.

The site is not in fact sustainable as there is no easy way to get from the most northerly part of the site to Railway station except by car.

There is no demonstrated vehicular access for the residents from Elms Park to the transport hub. This will not encourage the use of public transport from Elms Park transport hub to the centre of town from those homes at the North of the site which will could be as far as 3 miles away.

The Design and access statement document relates to the aesthetic improvement of Tewkesbury road giving the supposition that all the road will be improved but there is a lack of detail except indications at page 120-122 that the Road will be improved beyond the immediate exit points for the development. Detailed plans need to be provided for the length of the road beyond the access routes for Elms Park otherwise these sweeping statements should be removed.

There are Inconsistencies on the use of the restricted / emergency vehicle only for example by the sports hub.  
(18)

The Map on page 48 of the Design and access statement shows 4 vehicular entrances to the site. The one on manor road is in an area of heavy congestion. There is concern that the 3 exists onto Tewkesbury Road would be insufficient to meet the needs of such a large industrial and housing area and would cause congestion on the already very busy Tewkesbury road.

The proposed bus route into Swindon Village as detailed in the Street Hierarchy and Street Scene is completely unacceptable because it runs through Local Green Space, and the roads in Swindon Village are incapable of supporting bus routes which link 4,000 dwellings with the town centre. Assurances that the size and frequency of busses will be limited 'appropriately' are not enough, since what local residents consider appropriate may be entirely different to what developers consider appropriate.



Many transport documents are still missing from the application. Until these and the full transport study has been completed as part of the Joint Core Strategy, then the planning application as is cannot be approved from a transport perspective.

### **8. Pollution / Health / Environmental concerns**

It is essential that a full health impact assessment is carried out on the proposed Elms Park development site. The result of this must be received before the viability of the site can be decided.

Detailed evidence has already been submitted from residents groups as evidence to the Joint Core Strategy Inspector, and these documents will be submitted in total later.

#### **JCS POLICY SD15 – Health and Environmental Quality**

The site has very close proximity to the Wingmoor Farm landfill site which buries toxic ash. There is little reference and acknowledgement of this site particularly within Environmental constraints on page 29 of the Design and Access Statement.

We consider that the policies are justified but they do not comply with the NPPF Paras 120 and 124 with reference to the cumulative effects from the huge landfill sites known as Wingmoor Farm East and West, and their effect on existing residents surrounding the sites, in excess of 15,000, and any potential new residents, in the region of 11,000, on the proposed Elms Park development within Allocation A5, North West Cheltenham.

*Paras 4.15.1 and 4.15.2 Development should not have ANY unacceptable impacts on human health, or environmental quality,*

Our concerns are in respect of unacceptable levels of air or soil pollution, odours both alone or cumulatively, with respect to national and EU limits.

*NPPF paragraph 120 states to prevent unacceptable risks from pollution and land instability, planning policies and decisions should ensure that new development is appropriate for its location.*

*The effects (INCLUDING CUMULATIVE EFFECTS) of pollution on health, the natural environment or general amenity, and the potential sensitivity of the area or proposed development to adverse effects FROM pollution, should be taken into account.*

*NPPF paragraph 124 states that planning policies should sustain compliance with and contribute towards EU limit values or national objectives for pollutants, taking into account the presence of AIR QUALITY MANAGEMENT AREAS, and the CUMULATIVE IMPACTS ON AIR QUALITY from individual sites in local areas.*

*Planning decisions should ENSURE THAT ANY NEW DEVELOPMENT IN AIR QUALITY MANAGEMENT AREAS is consistent with the LOCAL AIR QUALITY ACTION PLAN.*

The JCS Transport Evidence Base October 2016 Paragraph 5.4.13 states:

*“Unless a successful mitigation package is provided the traffic generated from the site will impact the A4019 corridor and Princess Elizabeth Way and it is likely to further deteriorate air quality in the area” – contrary to Cheltenham Saved Policies CP1 Sustainable Development Table 2 Bullet 8 and CP3 Sustainable Environment (e).*

If the Elms Park proposal were to be approved prior to the M5 J10 improvement being undertaken then serious work would need to be completed to the road structure in order that the air quality would be improved so that transport links could be sustainable without health degradation to residents and employees in the area.



The Gloucestershire Health Overview and Scrutiny Committee report on the health assessment undertaken during December 2006 to February 2009 at Wingmoor Farm provided advice on safe distances for development in proximity of landfill sites.

We calculate that the whole of Elms Park will come within the suggested 0.5km boundary from either the municipal waste site, West, or the suggested 2km boundary from the hazardous waste site, East.

## 3.12 Health Monitoring and Assessment

*5.9.1 The Health Overview and Scrutiny Committee must undertake to ensure that the key areas of action identified in this report are monitored regularly to ensure that the actions are being undertaken by the identified agencies.*

From the report there is recommendation concerning distances from landfill sites:

*3.1.6 When considering the distance from the boundary of the Wingmoor sites to residential areas it is relevant to note the 5th March 1997 proposal of the Commission on the draft Landfill Directive. This was informed by the initial results of the EUROHAZCON projects on birth defects associated with landfill sites and included specific minimum distances from such areas. These were a minimum separation of 0.5km in the case of municipal waste landfills and 2km in the case of hazardous waste landfills. The final published Directive (Directive99/31/EEC) is stated in Annex 1 for General Requirements for all classes of landfills.*

POLICY SD15 4.15.4 3 – states that proposals for development at Strategic Allocations and for other development proposals AT THE DISCRETION OF THE LOCAL PLANNING AUTHORITY , MUST BE ACCOMPANIED BY A HEALTH IMPACT ASSESSMENT.

We therefore suggest that this policy does not comply with NPPF PARA 120 as the continuing concerns of residents are not being addressed and the essential monitoring is not being undertaken and no *Health Impact Assessment has been done on Elms Park.*

We also note that in their evidence to the Waste Core Strategy, with reference to both sites, Cheltenham Borough Council 10th February, 2011 (xi) states that:

*The proximity to any possible urban extension at North West Cheltenham needs to be considered, and in practice, may prove UNACCEPTABLY CLOSE.....The specific type of facility promoted on the site will need to take into account the potential impact on existing residential properties and those that may come forward in the future.*

## Odour & Fly nuisance

Serious issues are being continually experienced with odours from the vast composting process and with flies. In fact odours have been experienced several kilometres away. This involves regular spraying with deodorisers as well as insecticides.

This has caused unacceptable harm to the local amenity of existing residents with a consequent perception of health risks on existing and any new residents in the proposed development area

In a recent ruling at Fletcher Bank, Ramsbottom, APP/T4210/A/14/2224754 (vi) with respect to anaerobic digestion plant and odour



The Secretary of State stated... *'There is a significant risk that they would routinely release odours at levels which would have a notable detrimental effect. He also agrees that this would be contrary to the aim of the Framework in terms of securing a good standard of amenity for all existing and future occupants of land and buildings; and that this would amount to an unacceptable impact on amenity, contrary to the aims of UDP Policy EN4/1, and an unacceptable level of air pollution, contrary to the aims of UDP Policy EN7/1*

### Air Quality

The whole of Cheltenham Borough is within an Air Quality Management System (AQMS), which already affects Elms Park and in particular the junctions of the A4019 Tewkesbury Road, and the B4013 Princess Elizabeth Way in the Kingsditch area.

From **ENAT 109** the modelling has only been done for traffic emissions, but does not include emissions from the landfill sites, as mentioned above.

The planning application should provide an update of AQMS with respect to the proposed development

**Light Pollution** from the whole area especially the park and ride / transport hub, will affect the surrounding rural villages which currently do not have street lighting to maintain the rural character of the area

There is concern regarding the planning of the transport hub and sports fields on the gas main line.

### 9. Flooding

The risk of **flooding** has a wider concern than alluded to in this the Environmental constraints section of the Design and Access Statement document.

We can reference the Sever and Avon Flood Group's document "Building in the floodplain is misguided" doc of 2008. Although the A5 area is not designated as flood plain the result of pluvial rainfall was seen in this area with severe flooding in 2007 in Swindon Uckington and Elmstone Hardwicke. The soil in this area is predominantly Clay loam with very poor drainage capabilities. There is insufficient evidence in this proposal for flood alleviation outside the proposed Elms Park Development area itself, It is our belief that the flood alleviation methods may sever the development itself, but certainly the development will have an adverse effect on flood risk in the neighbouring areas unless major provisions are implemented in those areas also.

A full explanation needs to be included to demonstrate the proven methods to avoid increased flood risk in adjacent areas to the site especially with clay soil with limited drainage to the development due to additional surface run off.

### 10. Ecology / Wildlife

There is a need to conduct a detailed wildlife survey as much information regarding wildlife habitats is missing from the documentation. Such as a badger set to the right of the H44 area on the map on page 55 of the design and access statement from the NW of Swindon Village with historical routes across the site area H34, H44, H45.

### 11. Visual Aspects



The development will restrict the far reaching views to the Malvern Hills and to Cleeve Hill from the West of Swindon Village. The text in the application down plays these views. There is concern that the view of the historic Mary Magdalene Church in Elmstone Hardwicke from the surrounding countryside will be obstructed by the development.

Page 65 of the Design and Access Statement describes how Elms Park will improve the visual quality of development in the area. This is misleading and inaccurate – The document shows pictures of industrial and retail areas such as the Volkswagen garage on Manor road with the indication that these would be improved but these are excluded from the plan. Elms Park is described as a new front door to the Kingsditch / Gallagher retail park, but in fact it will simply be an extension of developed area along Tewkesbury Road. This indication is repeated in page 86 – there is no evidence to any other improvements to the visual aspects of Tewkesbury Road. These statements should be removed.

Tewkesbury Road is posted as a positive asset as a new Town gateway. No acknowledgement has been made of the congestion along that thoroughfare especially at peak times with cars leaving the M5 Motorway driving into town or Cars joining the Road from Bishops Cleeve direction at the Wymans lane into Princess Elizabeth Way Intersection.







13 Stantons Drive  
Swindon Village  
Cheltenham  
GL51 9RL  
14 August 2024

**RE: 16/02000/OUT (revised development application)**

Dear Mr Gomm

I am writing to object to the revised development plans dated 30 July 2024 relating to 16/02000/OUT (Elms Park, Swindon Village), based on the following points:

**Covering letter to residents Dated 30 July 2024**

1. Firstly, the amount of time given for viewing the revised documentation is insufficient. Once again, as with previous planning applications around this area, the documentation has been submitted during a period of school holidays when a lot of residents are juggling childcare, and taking holidays.
2. Why has the description of development already been changed? This letter and the planning portal both already show the changes as listed in the "July 2024 scheme amendments" document which was included in this latest group of documents for review. Do the residents not have any input into those proposed changes? Some of these appear to be significant changes. (See my further comments under "July 2024 Scheme Amendments Document below). Previously proposed changes to the development description were separate application amendment documents, not added in as part of wider changes.

**July 2024 Scheme Amendments document:**

3. (re Para 3) The changes are highlighted in red on the planning portal, but not on the covering letter received, so it is difficult to appreciate the scale of the changes without viewing on the portal. Below is a copy of the description as seen on the portal:



3. Firstly, the **description of development** is being modified to read as follows:

*Outline application for up to 4115 new homes providing a range and choice of mix and tenure, including affordable housing (C3) and elderly persons accommodation (C2/C3 up to 200 units), 24 ha of employment generating uses including 10 ha B1 business park (up to 40,000 sqm), a hotel (C1 up to 200 rooms), and mixed use centres providing retail uses and community facilities (A1 - A5 up to 6,150 sqm, D1/D2 up to 3,000 sqm), a transport hub and public transport inter change, primary and secondary school education (D2), new areas of green infrastructure including areas of play sports hub, woodland planting, allotments and habitat at creation, creation of new means of access onto Tewkesbury Road and Manor Road, new footways and cycleways, and energy and drainage infrastructure.*

- a. (Re Para 3) The number of hotel rooms has doubled from 100 to 200 rooms with no reasoning provided. Will the building be taller? There is no change on the land usage map to indicate how this will be increased. Will it be at the expense of other types of development?
- b. (Re Para 4a) "allow for **extra** care and/or sheltered housing in addition to a residential institution". This gives the impression of additional provision, but the total number of units has not been changed. Was previously and remains at 200.
- c. (Re Para 3 change to the description of development) The elderly accommodation shows categories C2/C3 (with C3 being added in this revision). There is a lack of specific details being provided for the provision of single storey housing to enable independent living for elderly people in their own privately-owned homes. The addition of C3 housing appears to include this type of housing, but more details are needed. The overall number of units for C2/C3 has not been increased, despite the addition of C3 - "up to" 200 units is not sufficient detail and could mean that only 1 unit is provided. There is a lack of provision enabling individuals to transition from living in a privately owned traditional multi-storey home to a single storey dwelling (ie bungalow). The planning mainly focusses on facilities for the elderly such as care homes and assisted living facilities.
- d. (re Para 4b) Increase in D1/D2 by over 1/3 from 1900 to 3000 sqm. There are no details explaining why this has been increased, or what has been removed to accommodate this change.

**Parameter plan 01 : Land use and access:**  
(Previous version 3 May 2024)

4. Transport hub marked in blue has been removed (is now all blue hatched area for mixed use Transport hub/residential). How big is the transport hub going to be, and how many new houses will be on the remainder?
5. The map shows one secondary access off Manor Rd but already a



temporary structure "Regents Village Customer Hub" has been erected with a separate access having been constructed behind the Carpetright building (the photo below was taken on 10 Aug 2024). This has not been included in the access plan. The plan shows only a pedestrian/cycle access, not vehicular. The planning application 24/01267/FUL dated 2 August 2024 makes reference to this building, but this application has not yet been approved, despite the building already being in place:



- a. The Planning proposal documentation for this building (24/01267/FUL ) [https://publicaccess.cheltenham.gov.uk/online-applications/files/E7789F7B22A6F5C07656BD5809C280DA/pdf/24\\_](https://publicaccess.cheltenham.gov.uk/online-applications/files/E7789F7B22A6F5C07656BD5809C280DA/pdf/24_)



[01267\\_FUL-APPLICATION\\_FORM-1507905.pdf](#)

states that the work has not yet started:

<p>Has the work or change of use already started?</p> <p><input type="radio"/> Yes</p> <p><input checked="" type="radio"/> No</p>
---

b. The application also states that there is no new vehicular access proposed. There was previously no pedestrian or vehicular access here, as can be seen in the above Google Maps image:

<p><b>Pedestrian and Vehicle Access, Roads and Rights of Way</b></p> <p>Is a new or altered vehicular access proposed to or from the public highway?</p> <p><input type="radio"/> Yes</p> <p><input checked="" type="radio"/> No</p> <p>Is a new or altered pedestrian access proposed to or from the public highway?</p> <p><input type="radio"/> Yes</p> <p><input checked="" type="radio"/> No</p>
<p>Planning Portal Reference: PP-13235771</p>
<p>Are there any new public roads to be provided within the site?</p> <p><input type="radio"/> Yes</p> <p><input checked="" type="radio"/> No</p> <p>Are there any new public rights of way to be provided within or adjacent to the site?</p> <p><input type="radio"/> Yes</p> <p><input checked="" type="radio"/> No</p> <p>Do the proposals require any diversions/extinguishments and/or creation of rights of way?</p> <p><input type="radio"/> Yes</p> <p><input checked="" type="radio"/> No</p>

c. The application states that there are no trees or hedges on the development site, but there were, as can be seen in the Google Maps image provided above:



### Trees and Hedges

Are there trees or hedges on the proposed development site?

- ☐ Yes  
☒ No

And/or: Are there trees or hedges on land adjacent to the proposed development site that could influence the development or might be important as part of the local landscape character?

- ☐ Yes  
☒ No

If Yes to either or both of the above, you may need to provide a full tree survey, at the discretion of the local planning authority. If a tree survey is required, this and the accompanying plan should be submitted alongside the application. The local planning authority should make clear on its website what the survey should contain, in accordance with the current 'BS5837: Trees in relation to design, demolition and construction - Recommendations'.

### Assessment of Flood Risk

Is the site within an area at risk of flooding? (Check the location on the Government's [Flood map for planning](#). You should also refer to national [standing advice](#) and your local planning authority requirements for information as necessary.)

- ☐ Yes  
☒ No

d. There is no site access shown at the location of the Customer Hub showing on the most recent document for site access

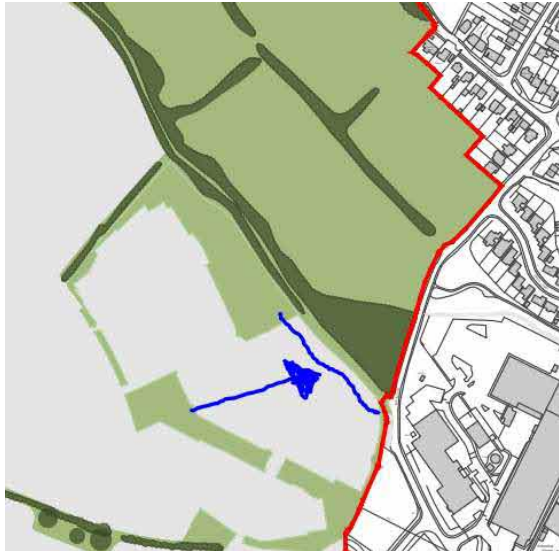
[https://publicaccess.cheltenham.gov.uk/online-applications/files/BA97D3FB7BAE8A0BDDDB95AB145DD5A43/pdf/2000759\\_FUL-REVISED\\_PROPOSED\\_SITE\\_ACCESS-1131367.pdf](https://publicaccess.cheltenham.gov.uk/online-applications/files/BA97D3FB7BAE8A0BDDDB95AB145DD5A43/pdf/2000759_FUL-REVISED_PROPOSED_SITE_ACCESS-1131367.pdf):





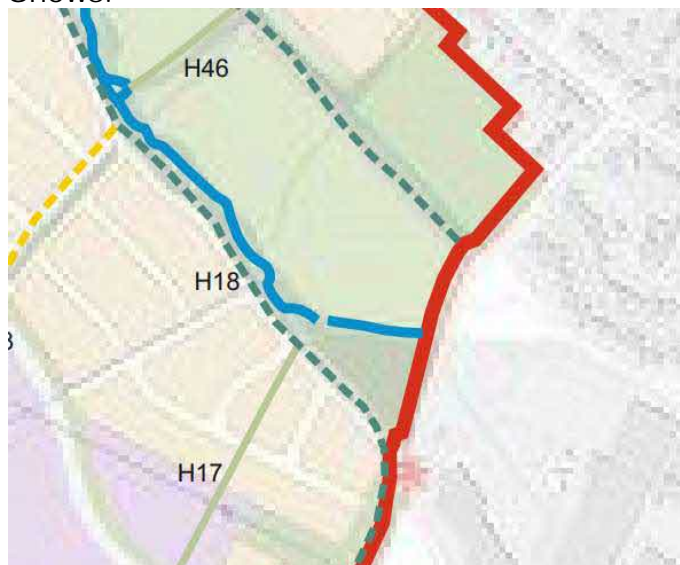
Parameter plan 03 : green infrastrucure:  
(Previous version 24 May 2022)

6. At the entrance to Dog Bark Lane, why is the hedging not being retained on the left side? Previous documentation has listed this hedgerow as "Important under Hedgerow Regulations 1997".

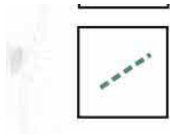


[https://publicaccess.cheltenham.gov.uk/online-applications/files/1BAD093A45C3F5009D4CDC46ADC6C89/pdf/16\\_02000\\_OUT-REVISED FIGURE 10.3\\_HEDGEROW REMOVAL PLAN-1402653.pdf](https://publicaccess.cheltenham.gov.uk/online-applications/files/1BAD093A45C3F5009D4CDC46ADC6C89/pdf/16_02000_OUT-REVISED FIGURE 10.3_HEDGEROW REMOVAL PLAN-1402653.pdf)

Shows:







'Important' under Hedgerow Regulations  
1997 - Ecological Assessment

**Parameter plan 04 : Phasing Plan**

7. There has been no reason given for the reversal of phases 2 and 3. This is a major change to the development plans which will have a huge impact on Swindon Village in the nearer term, as it is closer to the existing residential areas.

8. Has the phase switch been made to facilitate access to the Home Farm proposed development shown in yellow on the plan?

**Letter ref OJ/16/158 from LRM Planning**

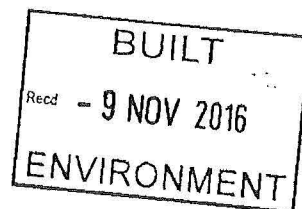
9. (Re Para 3a) Why has a residents parking scheme been proposed, which now replaces plans for a proposed cycle lane?

Yours Sincerely,



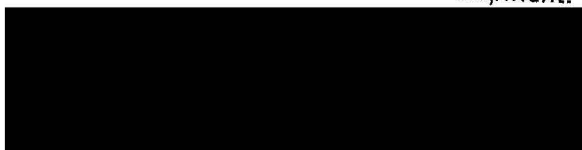


The Cedars  
Tewkesbury Road  
Uckington  
Cheltenham  
GL51 9SL



Dear Sirs

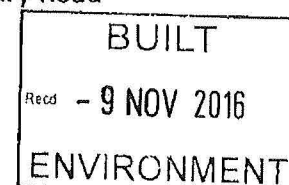
Please find attached comments re the proposed Elms Park Development.





Proposed Development at : Elms Park North West Cheltenham Off Tewkesbury Road  
Uckington.

Planning Ref. 16/02000/OUT



I live opposite the proposed development and have very real concerns about the impact it will have on our properties and safety.

The increase in traffic along this stretch of road is going to be considerable and will clearly have a negative impact on our quality of life

Many of my neighbours and myself currently reverse into our properties as there is often multiple parking on our drives. I would like to know what safety measures you propose, to allow us to continue to reverse into our properties, from a trunk road, in safety. This is going to become a hazard, as would reversing out onto a trunk road should we not be able to reverse in. We need clarification of the plans for this road. Access and egress to/from these properties is going to become seriously dangerous.

As there will be a Business Park, Retail uses, a Transport Hub and Public Transport Interchange, there will be a considerable increase in the volume of HGV's passing close to our properties, built in 1926, they do not have foundations and already suffer the effects of the continual shaking they receive as these vehicles pass, indeed, at night, our beds reverberate. It will only get worse and serious damage to our homes may well ensue.

Few of the existing properties have visibility splats, which I believe are required under current regulations, but this is not an issue at present as it is adequately covered by our access lane.


I understand that a cycle track will be put into the footpath, a danger both for pedestrians and cyclists, we have no view from our drives, whilst pulling out carefully pedestrians, who move so much more slowly than bikes, are not such a problem, a faster moving cyclist will be a danger.

There visual impact will be huge, at present fields, market gardens and plant centres will be turned into industrial units and houses, and precious farmland turned into an urban area, future generations unable to feed themselves.

Further details as to the surface water attenuation plans are needed along with an assurance that the development will not lead to increased flood risk for our properties, as we believe the affected area currently takes excess water which affects our properties.



As stated, I am most concerned about the ability of the already heavily congested road to cope with the enormous increase in traffic this development will generate, not only for the safety of the present residents along the affected stretch of road, but also for those to come.



The Cedars  
Tewkesbury Road  
Uckington  
GL51 9SL





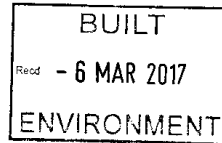


WYG Transport

part of the WYG group



2<sup>nd</sup> March 2017



By Email and Post

Mr Craig Hemphill  
Cheltenham Borough Council  
Municipal Offices  
Promenade  
Cheltenham  
GL50 9SA

Our Reference: A098132\_L01/PDS/C\_Hemphill\_02-03-17

Dear Mr Hemphill,

**RE: Gallagher Retail Park - Elms Park Application (16/02000/OUT)**

I write with reference to the current Elms Park Planning Application Ref No. 16/02000/OUT on behalf of our client British Land Plc owners of the Gallagher Retail Park, Cheltenham.

WYG are retained to provide transport and town planning advice by British Land, and as part of our instructions we have undertaken an initial high level review of the information submitted by Phil Jones Associates on behalf of Bloor Homes and Persimmon in connection with the Elms Park applications.

We would like to make it clear at the outset that our client is not in any way objecting to the principal of this development, however at present we are concerned that based on the information currently available in the public domain the transport impact of the proposed Elms Park development has not been assessed and presented in a manner to enable the potential impact on the operation of the existing Gallagher Retail Park to be fully understood. We are therefore requesting a holding objection be put in place until such a point as these concerns have been adequately addressed. We will set out briefly below the reasons for our concerns.

The transport assessment submitted by Phil Jones Associates on behalf of Bloor Homes sets out clearly the overarching transport strategy for the site as follows:

"The primary objective is to ensure that the highway network provides as much priority to bus services as is practicable, particularly on the Tewkesbury Road corridor. The result will be a worsening of queues and delays for general traffic in some areas, but this is offset by the advantages to public transport and improvements to network performance in other areas. It is unrealistic to expect an overall improvement in network performance and the delivery of significant public transport priority measures when delivering this level of growth"

Whilst we welcome the opportunity to improve public transport services along the Tewkesbury Road Corridor, it is the consequence of this reprioritising of highway capacity, which is stated as being to the detriment of general traffic which we seek clarification on.

creative minds safe hands

100 St John Street, London, EC1M 4EH  
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WYG Environment Planning Transport Ltd Registered in England Number: 3050297  
Registered office: Arndale Court, Otley Road, Headingley, Leeds, LS6 2UJ



**WYG Transport**

part of the **WYG** group



The Gallagher Retail Park is situated adjacent to the Tewkesbury Road corridor, with existing access being via White Rose Way or Manor Road and then directly onto Tewkesbury Road via two signal-controlled junctions.

Although it is not clear from the submitted Transport Assessment, it would appear that the access junctions into the Gallagher Retail Park have not been specifically considered in the traffic modelling.

The highway network modelling which is presented within the Transport Assessment has been undertaken using a Paramics microsimulation model of the Tewkesbury Road Corridor. This gives overall network performance statistics, but no specific junction capacity assessments have been given.

There is therefore not a standalone junction model of the junction between the Gallagher Retail Park and either the existing stub-end which becomes a principal site access or with Manor Road.

In the future year assessments the highway network diagrams do not appear to show any vehicle flows emerging from the Gallagher Retail Park onto the existing Stub End which becomes the proposed "Access C - New four-arm roundabout at the B4634 Stub End / Gallagher Retail Park junction on the eastern edge of the site."

It is therefore our initial view that no assessment has been made within the submitted Transport Assessment of the impact of the proposed Elms Park development on the operation of the existing Gallagher Retail Park. Given that the development is predicted to generate 1,068 two-way trips past the western retail park access in the PM peak alone, it is considered highly likely that there will be a significantly detrimental impact on the operation of the retail park. We would recommend a more detailed investigation be made, and we would also be keen to discuss our concerns with Phil Jones Associates.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Paul Smith', is written over a light blue horizontal line.

Paul Smith  
Director  
**WYG**

Mobile: 07824 538167  
Email: paul.smith@wyg.com

C.C. Mr John Hinett - Tewkesbury Borough Council

creative minds safe hands

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