

SWINDON PARISH COUNCIL

PLANNING APPLICATION COMMENTS

1 DOCUMENT INFORMATION

Planning Reference:	23/00354/OUT	Application Date:	13/04/23
Application Title:	Outline application for the erection of up to 180 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		

2 INTRODUCTION

Swindon Parish Council objects to this planning application Ref 23/00354/OUT.

The following sections set out our specific objections to the new information supplied since the original application was submitted in March 2023. Many of the issues set out in our original objection still stand. This document, available on the planning portal, should be read in conjunction with our objections below.

3 CONSULTATION PERIOD

- 3.1.1 The consultation period for this application started on 13th December 2023, with 3 weeks during the Christmas holiday period to issue formal comments. While this meets the minimum statutory consultation period, considering the importance of this application, Cheltenham Borough Council must consider the reduced time that the public and consultees have had to respond to this application. It could be seen that the timing of this application was deliberate to avoid public scrutiny.

4 NPPF ALIGNMENT & LAND SUPPLY

- 4.1.1 In Section 2.19 of the Additional response to the GCC comments the applicant suggests that bringing forward the Home Farm scheme will expedite the delivery of much needed housing in this area. The Parish council very much welcomes opportunities to expedite the development of much needed local housing. However, this scheme will not achieve this.

Under the examination process for the Elms Park outline planning (16/02000/OUT), National Highways have capped the total number of houses that can be developed in NW Cheltenham until the M5 Junction 10 upgrade is completed at 1,000. This is now anticipated not to start until 2027 requiring several more years to complete. In this time frame it likely that a significant proportion of Elms Park will be developed up to the 1000 housing limit, with Phase 1A already permitted and under construction. The delivery of Home Farm is likely to divert housing from Elms Park, within the highways-imposed limit, as opposed to providing additional housing earlier. As such the applicant's argument is invalid. The application would not boost the local housing supply or help Cheltenham Brough Council achieve a 5-year land supply.

We highlight that Phase 1 of Elms Park will be delivered with a significant number of amenities and services, such as new primary and secondary schools, GPs surgery and community spaces. As such by not permitting the Home Farm development until the site can be accessed by Elms Park, Cheltenham Brough Council will be ensuring that local housing is brought forward with the supporting facilities, services and infrastructure to build sustainable and high-quality communities.

- 4.1.2 In section 2.19 of the Additional response to the GCC comments describes how the proposal is in accordance with NPPF paragraph 110. We raise issues with a number of these arguments:
- *"The development is well located in terms of proximity to employment, leisure, and education destinations".*

As set out in section 8.1.2 and 8.1.4 there are no educational or health facilities with sufficient capacity to service the proposed development within 2km and would require significant car use that has not been modelled.

- *“Census data indicates that the local area is already conducive to sustainable transport modes, with 14% of residents walking to work, 7% cycling to work and 7% taking the bus to work”.*

In section 6.1.1 we set out how variation within Cheltenham and Swindon Parish demonstrate this assumption is invalid, and far higher car use is likely.

- *“Significant improvements have been put forward to further promote sustainable transport modes in the local area. This includes physical measures in terms of traffic calming and footway improvements softer measures through a Travel Plan, and a financial contribution towards local bus services”.*

In section 6.1.3 we highlight how traffic calming will not reduce traffic volumes.

- *“Safe and suitable access can be achieved for all users”.*

Additionally in Section 2.21 the applicant states: *“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 would be severe.”*

In section 6.1.4 we set out the issues with regards to congestion and safety along Church Road which has already resulted in accidents with residents being hospitalised.

5 TEMPORARY ACCESS

- 5.1.1 The revised proposal now states that access via Quat Goose Lane will be temporary.

The definition of "temporary" refers to something that is not permanent or lasting for only a limited period of time. It is used to describe situations, conditions, or objects that are intended to be in place, valid, or exist for a short duration, as opposed to being permanent or enduring.

At present we can find no evidence on the duration of the temporary access. **This contravenes page 101 policy A4 point xi of the JCS plan adopted in December 2017 that dictates that only public transport will access via Quat Goose Lane.**

- 5.1.2 As outlined in the first response to the application the proposed access via Quat Goose Lane and the surrounding roads of Dark Lane, Church Road and Manor are unsuitable for this development which increases the current Swindon Village household volume by 46% and their associated traffic. The main access road of Quat Goose Lane is single lane track at the point of entry to the proposed development.

The Additional Response to GCC comments document does not address the fact that Quat Goose Lane is only 4.4m wide near the junction with Summer Court. This is due to this road being an original village road, bounded by long established properties with no room for a wider road for a significant section of Quat Goose Lane. This constricted road is already physically too narrow for two cars to pass safely and requires careful navigation, even with the current levels of relatively low traffic. And when the regular bus service passes through that part of Quat Goose Lane, it is the only vehicle that can transit that point. Refuse vehicles and emergency services vehicles struggle with the narrow road and the manoeuvring around any parked cars (see Figure 1).

- 5.1.3 The applicant asserts in 2.3 of the Additional response to the GCC comments that the development would not be brought forward immediately and during this time Elms Park is likely to be progress. We raise a number of issues with this statement:

1. The applicant makes no commitment to wait for the completion of suitable access via the Elms Park Spine Road and is under no legal obligation to do so.
2. The full planning application 16/02000/OUT for Elms Park has not yet received planning approval. The applicant has no control over the progression of the Elms Park development.
3. Access via Elms Park spine road will only be developed once phase 3 of the Elms Park proposed development is in construction, i.e. towards its end in over a decade's time.

4. The overall development timetable for Elms Park is likely to take over a decade. Therefore, this temporary access cannot really be considered as temporary.
5. Development is also subject to the granting of outline planning permission and the completion of the M5 J10 upgrade, which has recently been delayed for 2 years.



Figure 1: photographs of the proposed access point into the new development clearly demonstrates the narrowness of the road which is a narrow track with no passing places.

- 5.1.4 The applicant attempts to site precedent using an example at Staplegrove West in Somerset where temporary access to a development of 713 houses was provided with a condition for a more appropriate permanent solution was developed. This example must not be taken as a comparable example for several reasons:
1. The temporary access at Staplegrove West scheme linked to a major trunk road, the A358. In the proposed Home Farm scheme, it connects to a quiet, single track village road.
 2. There are a limited number of residential properties along the temporary access route. In the proposed Home Farm scheme, the route for vehicles would pass numerous residential properties before reaching any trunk roads.
 3. The scheme did not route temporary access through any conservation areas. The proposed Home Farm scheme would see a significant increase in traffic through a well-established conservation area.

4. The Staplegrove West scheme's 713 houses were developed in isolation, with no other significant planned development. Home Farm is a very small contribution to the overall allocation of housing to NW Cheltenham.

5.1.5 Further to the above points, Cheltenham Borough Council should be aware of president for developers attempting to remove such planning constraints once the development has been delivered. This is the case for the same Staplegrove West the applicant has sited, as explained in the [Somerset Gazette on the 12th December](#), the pertinent section of the article are quote below:

'The developer is also seeking to make significant changes surrounding the location of the employment land within the site and how much of the new spine road it will have to deliver. In addition to the schooling changes, Bloor Homes has requested that it only has to construct the spine road as far as Whitmore Lane, rather than having to deliver the entire route to Kingston Road.

However, the developer has requested that a condition be removed which demands the spine road must be finished within five years of the first home being occupied – which may lead to delays in delivering the Staplegrove East site even after appropriate phosphate mitigation has been secured.'

5.1.6 In the original application there was recognition of the single-track nature of Brockhampton Lane and therefore the lack of suitability for access. The Parish Council would request further information to the introduction of passing places on the revised Masterplan. If there is not expected to be additional traffic using this single-track lane then why are these passing places needed? The passing places on the map currently are crossing the drainage ditch that flows water from the fields and would require demolition of the established hedgerow to make the required space.

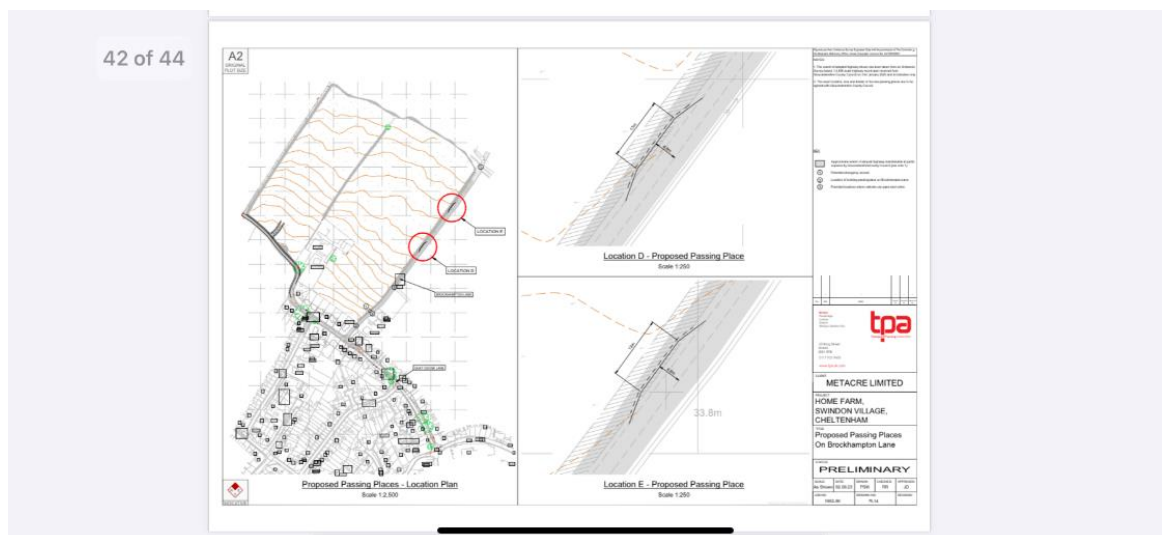


Figure 2: Extract from the Additional response to the GCC document showing proposed passing places.

5.1.7 The revised plan still has 'Emergency Vehicle access will be also provided onto Brockhampton Lane'. There is no indication on the plan as to how this access would be manned; is it a locked gate or a bollard? There is no reason given in the report as to why this is required, and it is not a standard feature of the new development. Swindon Parish Council needs to see the details and reasoning of this, to be able to make a complete comment.

6 TRAFFIC, TRANSPORTATION & SAFETY

6.1.1 In section 2.7 of the Additional response to the GCC the applicant makes the claim that "travel patterns among residents of the proposed development would align with those set out above from the outset". The applicant provides no evidence to support this assumption.

Swindon Parish has an older population compared to the rest of Cheltenham, with 25% of residents over the age of sixty-five, vs 19% for Cheltenham overall (2021 census data). The Parish's demographics vary significantly with Swindon Village having a higher proportion of residents over the age of 65, while the one-third of the Parish residents south of the Tewksbury Road are predominantly younger and of working age. As such this assumption is erroneous.

Further the proposed composition of houses of the Home Farm scheme is largely of 2, 3 and 4 bed houses, with ~1/3 provided under a type of affordable housing scheme. The inhabitants of the Home Farm scheme are therefore likely to be younger and therefore more economically active, generating significantly more journeys than the average existing resident of Swindon Village. As such, the applicant's assumption is at least unsubstantiated and likely to be invalid.

6.1.2 Since our previous submission the Parish Council has noted an increase in traffic on the narrow, local roads Quat Goose Lane, Dark Lane, Church Road, this being a cumulative impact of changing work trends following the removal of COVID restrictions as people commute more and significant number of low-level road works (which are now a constant). The proposed development, bringing an estimated 46% increase in traffic from the development, let alone construction traffic, will make the present congestion at peak times untenable.

In section 3.17 of the Additional response to the GCC, the applicant states that:

“As part of the TA, an Automatic Traffic Count (ATC) survey was undertaken on Church Road over a seven-day period in June 2022. This showed a two-way, 24-hour average daily traffic flow of 2,370 vehicles. LTN 1/20 describes roads with less than 2,500 vehicle movements as ‘low traffic’. Furthermore, it recommends that cyclists can be mixed with traffic at these levels.”

This 24-hour average is not an appropriate measure to gauge the representative traffic levels. Currently these narrow roads become grid locked at peak times as Swindon Village School does not have a car park / drop off zone and parents are forced to park their cars on the narrow roads causing travel flow restrictions. This becomes critical when the bus service or wider vehicles need to travel along these roads and has been the cause of several accidents involving vehicles and pedestrians. The applicant has failed to provide the original data for this ATC as part of the Transport Assessment. **This is a significant omission which means that the local peak traffic cannot be properly assessed by Cheltenham Borough Council or GCC Highways.** No credit can be taken from the manual traffic count as it does not cover school pick up (3:15PM) which is the local peak time for local roads.

In addition, peak exit times from local industrial operations (e.g. Spirax Sarco) cause significant congestion on the already stretched Manor Road. Photos of this have already been shared.

Recent expansion to the local retail parks at Gallagher and Kingsditch has created a dramatic increase in vehicles utilising Manor Road and Runnings Road, and we have noted a dramatic increase in traffic using Church Road as a rat run to avoid the busy A4019.

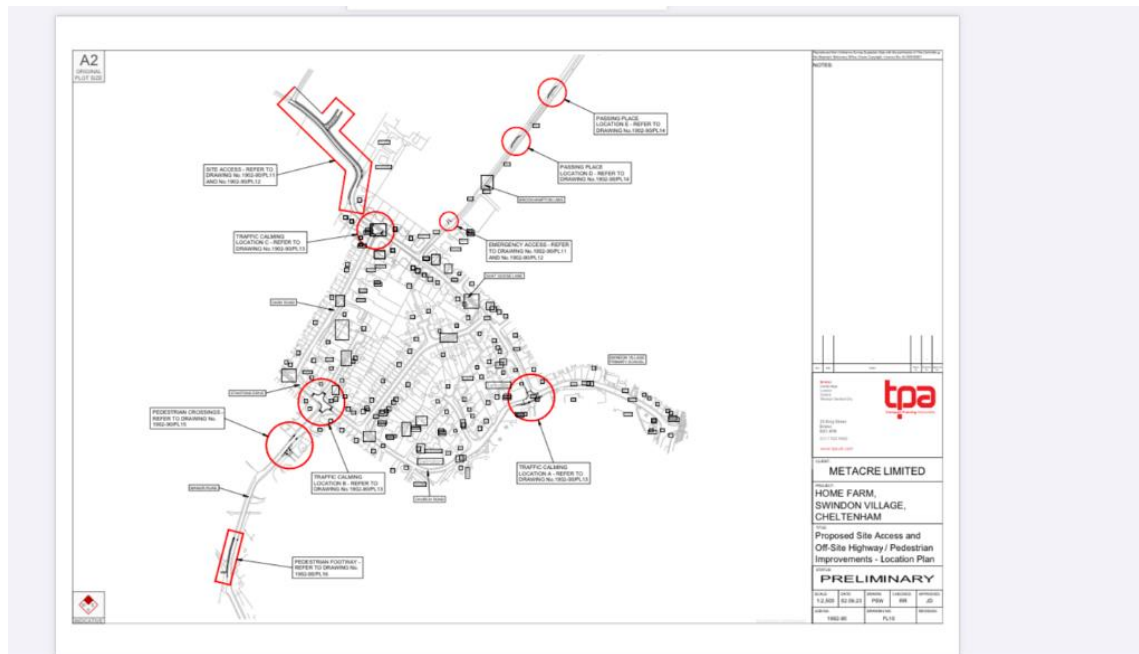


Figure 3: Extract from the Additional response to the GCC showing the traffic calming measures and highway improvements.

6.1.3 The applicant has proposed in section 2.12 the introduction of raised table junctions on key roads in the local area to Home Farm to reduce “rat running”, reducing traffic volumes. This mitigation will have a minimal impact as the temporary access, being taken from Quat Goose Lane, is the main source of additional traffic on the local road network consisting of construction

traffic and the residents of the new development. Additionally, raised table junctions are primarily used for traffic calming, not for traffic volume reduction. Similar traffic calming measures within the parish, such as restricted access on Village Road only serve to cause congestion as opposed to reduce traffic volumes.

There is also a significant downside to such measures with significant impacts on existing residents including:

- **Vehicle Emissions:** The frequent acceleration and deceleration caused by raised table/speed humps can lead to increased fuel consumption and emissions from vehicles. This can contribute to air pollution, particularly in areas with high traffic which will be the case with the additional 165 proposed houses.
- **Noise Pollution:** Vehicles passing over raised table/speed humps often generate noise, especially if the vehicles are traveling at higher speeds. This can contribute to noise pollution in residential areas, affecting the well-being of residents and local wildlife. The fact that the areas surrounding the proposed raised tables are densely populated with houses means that many residents will be impacted by noise pollution.
- **Traffic Flow Disruption:** Raised table/Speed humps can disrupt the smooth flow of traffic, potentially leading to congestion, especially during peak hours. Congested traffic tends to move at a stop-and-go pace, which can result in increased emissions and fuel consumption.
- **Loss of Control:** cyclists & motorbikes riding over speed humps at high speeds can lead to a loss of control, especially for cyclists who may not have a stable base like motorized vehicles. This can result in accidents or falls.
- **Visibility Issues:** raised table junctions/Speed humps may be less visible to cyclists, especially during low-light conditions, increasing the likelihood of unexpected encounters. With Swindon Village being a dark village with no street lighting on the proposed roads there is an increased risk of accidents for cyclists and motorcyclists if raised table junctions are implemented on the road network. In section 3.15 the applicant states that in the area there is considerable passive surveillance from house frontage, but this is very low level and often only triggered by motion, it would not provide any illumination for the proposed raised table junctions.
- **Delayed Response Time for Emergency Vehicles:** for emergency vehicles such as ambulances and fire engines, raised table/ speed humps can cause delays in response time. The need to slow down significantly or navigate over the humps cautiously can impede the rapid movement of emergency vehicles.
- **Conservation Area:** one of the proposed raised tables is proposed at the heart of the Conservation Area within the Village (Church Road / Manor Road Junction). Such a significant addition would detract from the nature of the Conservation Area and is not in keeping with its historic setting.
- **Construction Traffic:** the GCC in response to the applicant's original proposal stated: "the proposed raised tables should help reduce vehicle speeds and mitigate some of the safety impacts of the intensification of use. But they are unlikely to be compatible with the heavier phase of construction traffic, so the timing of these installations would need to be carefully considered". As such no benefit should be claimed during the construction period.

The introduction of the raised table junctions onto the key route does not address the issue that the narrow roads which are often congested with parked cars are not suitable for the additional traffic from the 165 proposed houses.

6.1.4 The applicant states in section 3.14 that:

"...four accidents were recorded near to the Church Road/Hyde Lane junction, all resulting in slightly injuries. This is not uncommon for a priority junction. One accident was recorded on Manor Road, also resulting in slight injuries. No accidents have been recorded within the residential area of Swindon Village".

The data presented here is incomplete. In the last 2 years a child was hospitalised due to a collision with a vehicle outside Swindon Primary School on Church Road. The cause of the incident was the heavy congestion and limited visibility due to parked cars during school pick up times. The Parish Council regular receives reports of near misses and hears concerns from

local parents. We have been actively looking at ways to address the issue but have so far been unable to find a solution to the problem without a significant increase in local parking facilities, opposite the school, which is prohibitively expensive. The addition of both cars from the proposed development, and particularly construction traffic will significantly aggravate this problem to the point where a serious of fatal injury is likely. We request that GCC Highways & Cheltenham Borough Council jointly observe a typical peak outside the school and the current safety issues to thoroughly understand the issue and why the routing of additional heavy good / construction traffic along Church Road presents a serious safety issue.

7 CONSTRUCTION

- 7.1.1 The applicant refers to the Cotswold Home Development of Brockhampton Lane where construction traffic was agreed to travel through the village road network. This development was for 17 houses and cannot be compared to the construction traffic that would occur for a development 10 times in size. The GCC comment to the applicant states that the residents of the parish could endure 2-3 years of the effects of the construction traffic. This would not be the case if the development is undertaken as agreed in the JCS as phase 4 of the Elms Park outlined in the JCS.

GCC Comment 5.3: "...the development could result in potentially 2-3 years of construction traffic activity on the local road network, this has to be weighed against the possible alternative, that it could be accessed via the Elms Park designated construction routes, which is likely to have less impact on residential amenity and safety when compared to Swindon Village access".

The Parish Council fully supports this view.

- 7.1.2 In section 5.1 of the Additional response to the GCC the applicant states that:

"Whilst Policy A4 does not expressly allow an exemption for construction traffic to use an alternative access it does not expressly prevent construction traffic to use an alternative access. Therefore, this could be a consideration in the future."

This is false and misinterpretation of the Joint Core Strategy. Policy A4 states explicitly:

"xi. 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"

The fact that an exception for public transport is given for access via Quat Goose Lane demonstrates that Policy A4 expressly prohibits any other form of access, including construction traffic.

- 7.1.3 In section 5.1 of the Additional response to the GCC the applicant states that:

"Highway safety is typically a material planning consideration, but construction noise/disturbance during development is not. Therefore, assuming construction traffic is managed to ensure the safety of all users, and preventative measures are in place to limit the hours of construction, it should be concluded to be acceptable."

The route of construction traffic will pass through the conservation area at the heart of Swindon Village. As such Cheltenham Borough Council has a duty to pay "special attention" to preserving or enhancing their character or appearance. The routing of construction traffic through the Conservation Area would have a significant negative impact on the character of the village.

8 LOCAL SERVICE PROVISION

- 8.1.1 With the proposal to undertake the development of Home Farm before the infrastructure is completed in Elms Park particularly the existing local school, medical and other infrastructure would be insufficient to support the 165 new homes. Due to the lack of sustainable transport in this semi-rural location, we would expect that the residents would need to use their cars to take children to schools outside the parish (as Swindon Village School has confirmed it is at capacity) and to attend medical appointments. It would be too far for most residents to walk to the next nearest primary and secondary schools.
- 8.1.2 The Additional Response to the GCC does not address the concerns with regard to the local primary school. Swindon Village is already full and Swindon Parish Council have stated in their response to 20/00759/FUL Elms Park that "Comments from the Education Authority confirm that

there is no immediate capacity at this school to cater for the increased number of pupils that this site generates, therefore pupils will be displaced to more distant schools in the absence of a new education facility placing further burden on the transport network as the walking distances would be excessive.” No other local primary schools fall within the acceptable walking distance to primary school education. This challenges the assumptions the applicant has made regarding modal shift, traffic patterns and traffic modelling.

8.1.3 In the longer term, new primary and secondary schools will be provided within the Elms Park development; however, as outline planning permission for this is yet to be granted no benefit can be claimed from future school provision from Elms Park as part of this application.

8.1.4 The Additional Response to the GCC does not address the concerns where new residents in the development would access health care facilities. There is no doctor’s surgery in the village and therefore residents already need to drive or use public transport to access these services. With the range of houses including three, four and five bedroom houses it is to be expected that the development would contain more than just one person per house and more likely an average of 2 people per house. This would result in at least 360 individuals needing to access health care from the surrounding GP practices, which are already operating at full capacity and would probably not be able to take on new patients. It is also worth noting the closest pharmacy is 1900 metres from the site and that no health care facilities are within a 2km radius of the site.

9 FLOODING

9.1.1 This photograph was taken on the 21st December 2023 and show flooding on Brockhampton Lane due to the excess water from the fields and the overflowing of the drainage ditches. The most recent Flood risk assessment may have stated that in section 6.1. Flooding History No records or other reports of flooding on or in the vicinity of the site have been identified. The Parish Council has evidence of this road and the field flooding on numerous occasions. This substantiates the opinion provided in the GCC Local Flood Authority comments on the 15th December 2023.



Figure 4: Flooding on Brockhampton Lane on the 21st December 2023.

10 CONCLUSION

- 10.1.1 It is the Parish Council's view that the temporary access for the development of Home Farm via Quat Goose Lane would have an unacceptable impact on the highway safety and the cumulative impact on the local road network would be severe. We have demonstrated that many of the applications assumptions is putting forward their arguments are invalid.

Therefore, we maintain permitting this development would not be in line with Paragraph 111 of the NPPF and the JCS Policy A4 and therefore it should be rejected. No work should commence until the spine road connecting the development with the A4019 is in place.

We welcome the progression of the Elms Park development with the associated facilities, services and infrastructure to deliver high quality and sustainable housing and communities for the future of Cheltenham and hope that Home Farm will form part of this during the development of Phase 3.