

**SWINDON PARISH COUNCIL**  
**PLANNING APPLICATION COMMENTS**

## 1. DOCUMENT INFORMATION

<b>Planning Reference:</b>	16-02000-OUT	<b>Application Date:</b>	July 2022
<b>Application Title:</b>	Elms Park Outline Application	<b>Comments Date:</b>	28/07/2022

## 2. INTRODUCTION

- 2.1. Swindon Parish Council objects to this planning application Ref 16-02000-OUT.
- 2.2. The following sections set out our specific objections. Many of our comments from the previous consultation for Elms Park Phase 1A (20/00759/FUL) are applicable to this application. Where this is the case, these are explicitly referenced. Copies of our previous comments are available upon request or on the Cheltenham Borough Council planning portal.

## 3. ACCESS TO THE CONSULTATION

- 3.1. Swindon Parish Council notes that the Cheltenham Borough Council Planning portal has been unavailable for significant intervals during the consultation period which has both prohibited and deterred members of the public from accessing the portal and providing comment. Dates and times when the portal has not been available include: 13/07/22 PM, 14/07/22 PM, 17/07/22 PM, 26/07/22 PM, 27/07/22 PM. We have also had anecdotal evidence from residents within the Parish of other times the portal has not been available.

## 4. COMMUNITY ENGAGEMENT

- 4.1. The Parish Council is disappointed with the lack of engagement from the developers in addressing concerns previously raised; despite claims that parish councils have been consistently engaged Swindon Parish Council has had no contact with the developer since 2013, nearly a decade ago, despite various requests.
- 4.2. Page 78 of the Design & Access (D&A) Statement states: "Letters to more than 80 regional stakeholders including Tewkesbury Borough Councillors, Cheltenham Borough Councillors, Gloucester City Councillors and local parish and town councils, offering independent briefing sessions if required". Swindon Parish Council has no record of any such letter and would request a copy to be forwarded to the Parish Clerk. We would welcome the opportunity for such engagement.
- 4.3. Page 79 of the D&A Statement states: "The consultation process will continue through the outline planning process, including with local residents and Parish Councils, and subsequently the detailed design stages that will follow." As above no engagement has been sought with Swindon Parish Council, nor with residents, neither for this outline application, nor for the subsequent detailed design stage for 20/00759/FUL Elms Park Phase 1A. This is extremely disappointing given the impact this development is likely to have on the existing community.
- 4.4. The Parish Council invites the applicants and their representatives to a meeting with representatives from the Parish Council to better understand the concerns raised within this submission, and how they can be mitigated to ensure Elms Park represents a truly sustainable development that benefits both new and existing residents of the Parish alike.
- 4.5. 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.

## 5. PHASING AND PLAN COHERENCE

- 5.1. The application includes various inconsistencies that are evident in the plans and supporting documents, some of them highlighted throughout this response. Overall, this does not give the impression of a high-quality and consistent application that we would expect for such a significant development.
- 5.2. The ongoing full application for Elms Park Phase 1A (20/00759/FUL) cross-references all the documents that have been, are and will be submitted for Outline Application 16-02000-OUT for Elms Park. Elms Park Phase 1A application relies heavily on much of the parameters and infrastructure that is yet to be determined in the wider development; a point that the Parish Council has made in our response to the Elms Park Phase 1A application. We do not believe the details provided within this application are sufficient such that 20/00759/FUL represents a complete and consistent application that should be consented.
- 5.3. With reference to 5.2 above, we seek clarity from the applicant, when exactly the information necessary to consent the Elms Park Phase 1A (20/00759/FUL) application will be provided as part of this outline application. This comment is made with specific reference to the reliance of the Elms Park Phase 1A application on the demands and provision of education and health facilities which are currently not documented in this application.

## 6. DESIGN, APPEARANCE & CHARACTER

### 6.1. VILLAGE CHARACTER

- 6.1.1. The developers have classified Swindon Village under the heading of 'Suburbs' on page 137 of the D&A statement and have shown photographs of two storey housing. This is not consistent with the description provided on page 190 of the D&A statement under Adherence to SD4 Design Requirements which states: "The masterplan has been founded on integrating the rural characteristics of the villages such as Elmstone Hardwicke, Swindon and Uckington with the more urban and suburban qualities of neighbourhoods within Cheltenham such as Pittville, Tivoli, St Marks and Benhall." The Parish Council explicitly rejects the developer's description of Swindon Village as a Suburb. Swindon Village has a distinct character and community that differentiate it from other parts of Swindon Parish. Consequently, the proposed housing character within the vicinity of Swindon Village should reflect a more rural setting.
- 6.1.2. Page 46 of the D&A statement states: "In addition to understanding the distinctive qualities of Cheltenham, it is important to identify the more rural qualities expressed by several villages lying adjacent to the Elms Park site. The character of these immediate settlements will influence the type and form of new development proposed around the edge of Elms Park, in particular contributing towards the transition from country to town." This has not been borne out by the submission for the first phase along the River Swilgate and Dog Bark Lane which has a lot of 3 storey units around the perimeter of the site and the design, character, and density of the proposed buildings in the most sensitive of locations is urban.
- 6.1.3. The proposal puts considerable emphasis on urban architecture in the submitted documents: many of the street scenes and layouts, the included building style references, in many of the photographs, in the design of the buildings the number of storeys and the density of the development particularly on the edge of the Swindon Farm proposal nearest to Dog Bark Lane and the Conservation Area of Swindon Village.
- 6.1.4. The development should not have any 3 storey units along Dog Bark Lane and buildings should be less dense. Reflecting a rural village character has not been evident in the submission for the Swindon Farm phase where there are a lot of 3 storey units along the River Swilgate and Dog Bark Lane which are at the edge of the new development a form a very sensitive link with the

perimeter of Swindon Village where the design, character and density of the proposed buildings should be more rural in character and do not exceed 2 storeys.

- 6.1.5.The proposal for the development nearest to the Swindon Village Conservation Area should not exceed low density.
- 6.1.6.The developers have made commitments that their proposals do need to reflect the proximity of the development to Swindon Village. We find that much of the proposals fail to do this and while they may enhance things for the future residents of Elms Park, existing communities in Swindon Village and the wider parish have not been considered fully.

## **6.2. INTEGRATION WITH OTHER SCHEMES**

- 6.2.1.We highlight the current Pre-Application Consultation for 180-homes adjacent to Home Farm by Metacre Ltd. We are very concerned that there seems to be a lack of alignment between this outline application and the proposal presented under the Pre-Application Consultation. Specifically, we would encourage the developer to ensure access to the Home Farm development such that traffic for the Home Farm construction and occupation phases is via Elms Park only.
- 6.2.2.Noting that the JCS identifies the land west of Elms Park as protected land for future development, we seek clarification from the developer on how any future development of this land would connect with Elms Park.

## **7. TRAFFIC, TRANSPORT & ACCESS**

### **7.1. ROAD ACCESS**

- 7.1.1.The ambition to upgrade A4019 Tewkesbury Road to an attractive ‘gateway’ to Cheltenham is welcome, as are the plans to make primary access to the development from Tewkesbury Road.
- 7.1.2.The Parish Council has serious concerns regarding initial access to Elms Park being provided via Manor Road (please see our detailed comments on 20/00759/FUL Swindon Farm). This road already suffers from significant congestion leading to extended journey times and degraded journey reliability. Our concern is that congestion will be further worsened with the only access to the development being via Manor Road for quite some time. We seek clarity from the developer regarding access to Elms Park during the construction of Phase 1. 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.
- 7.1.3.Previous concerns raised by the Parish Council relating to traffic calming through Swindon Village have not been addressed. We are disappointed to note in the “Consultation and Responses” document that: “The potential to provide traffic calming through Swindon Village has been discussed with Gloucester County Council (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.” This issue has not been discussed with the community, either by GCC or by the developers and remains a significant concern. The Parish Council has important local knowledge that must be considered by the developer and GCC regarding this matter. We would certainly support any engagement proposed.
- 7.1.4.There are important employment, social and shopping centres in Bishops Cleeve, and beyond towards Evesham. The outline application does not address the potential increase in traffic heading in this direction from the development. There are concerns that the existing issue of small village roads (i.e., through Swindon Village via Manor Road) being used by traffic to avoid congestion along Runnings Road and the junction with Kingsditch Lane, would be seriously aggravated.

7.1.5.In alignment with our comments provided for the Elms Park Phase 1A application (20/00759/FUL), we note that Elms Park will have a significant impact on the local road network. We identify several roads / junctions within the local area that require detailed consideration as part of the consent process for this outline application to ensure there is not a serious deterioration in congestion. It is noted that the following roads / junctions already suffer from serious congestion during peak periods: the level crossing at Swindon Lane, the narrow bridge at Swindon Road, and the low bridge at Hyde Lane. The applicant has failed to provide consideration of these matters in the transport assessment.

7.1.6.The Princess Elizabeth Way / Tewksbury Road roundabout is already operating at over its design capacity at peak times. Any solution that routes traffic around this junction onto residential roads (notably Hayden Road / Village Road) is unacceptable and unlikely to be permitted due to the proximity of sensitive receptors from both a noise and air quality standpoint, as well as the impact on local disabled parking and access, and on children traveling to the two schools that are accessed via these roads.

## **7.2. TRANSPORT HUB**

7.2.1. There is inconsistency in the Design and Access Statement which states either 250 parking spaces or 350 spaces at the transport hub. Clarification is needed.

7.2.2. In addition to car parking at the transport hub, secure cycle parking which can accommodate non-standard cycles (cargo bikes, tricycles, recumbents and other modes of active transport), as well as electric bike charging points must be offered.

7.2.3. Car charging points and the appropriate electrical grid infrastructure must be provided at the transport hub for all car parking spaces.

## **7.3. UPGRADES TO CYCLE NETWORK**

7.3.1. The ambition to upgrade cycle routes from the proposed development to important destinations such as the town centre and railway station are welcome; however, we reserve comment on these plans until the detail of the cycle routes are released (please see our detailed comments on 20/00759/FUL Swindon Farm). We expect these details to either to be provided as part of this application or concurrently.

## **7.4. UPGRADE TO DOG BARK LANE**

7.4.1.Dog Bark Lane is a drove with immense heritage, natural and cultural value. Plans to 'modify' the lane present concerns to the community. This is a well-used bridleway and there are no clear stated plans to maintain this access for horse riders.

## **7.5. M5 JUNCTION 10 / TEWKSBURY ROAD UPGRADE SCHEME ALIGNMENT**

7.5.1.There significant inconsistencies between the Pre-Application Consultation (PAC) information present in April / May 2022 for the Junction 10 M5 and the A4019 Tewkesbury Road upgrade proposals and the information present within this Elms Park outline application. Both schemes include Tewkesbury Road upgrades and widening; however, these do not seem to have been presented as one coherent plan.

7.5.2.This application does not incorporate commitments made in response to the Parish Council's comments by GCC Highways (dated 12/05/22) as part of the M5 Junction 10 and the A4019 Tewkesbury PAC related to cycle and footways along Tewkesbury Road; these need to be reflected in plans for Elms Park.

7.5.3.We note in the response from the M5 Junction 10 development team at GCC Highways to Swindon Parish Council (dated 12/05/22) that the junction for the A4019 / B4634 does not have sufficient capacity to support the full Elms Park development. The solution presented during the PAC was to remove all right turns from the A4019 onto subordinate roads from the junction. In the consultation response GCC Highways has confirmed that this option is no longer being considered. As such, Swindon Parish Council highlights two objections to this application.

Firstly, the current road network does not have sufficient capacity to support the proposed development. Secondly, any modification to the A4019 / B4634 junction will likely require land to be taken from the commercial areas proposed in this application. The developer must liaise with GCC Highways and update this outline application to reflect this.

7.5.4. We note and highlight the conditions suggested by National Highways in their submission “National Highways Planning Response (NHPR 21-09) Formal Recommendation to an Application for Planning Permission” which limits the development to 260 houses and 1000 houses based on the appropriate approval and implementation of upgrades to the M5 Junction 10. The Parish Council fully supports and endorses these conditions.

## 7.6. ELECTRIC VEHICLE CHARGING

7.6.1. As well as provision for electric vehicle charging points at the Transport Hub, convenient EV charging points that are safe and unobtrusive for pedestrians, wheelchair users, cycles and all other road users need to be designed and provided at central locations and on street where on-plot parking is not available.

7.6.2. The echelon parking bays indicated for the High Street plan would result in lengths of exposed electric vehicle charging cables. Such a danger needs to be designed out.

## 8. WILDLIFE AND ECOLOGY

8.1. The site of the proposed development is currently agricultural land and open fields, incorporating woodland and hedgerows. We are concerned that adverse impacts to local wildlife and ecosystem have not been adequately addressed in the application.

### 8.2. TREES AND HABITATS

8.2.1. The State of Nature Report 2019 states that 97% of wildflower meadows have been lost in the last decade (State of Nature 2019). Part of the proposed site includes a large field that was full of buttercups and wildflowers this summer and has only recently been cut by the farmer for hay. We seek clarity from the developer in this outline application of how this loss would be mitigated.

8.2.2. There are various trees on the site subject to Tree Protection Orders (TPOs). These must be retained among those that are planned for retention in the development. We seek clarity from the developer on the proposed principles for protecting trees subject to TPOs during construction as part of this application.

8.2.3. While the commitment to green infrastructure within the development is welcome, no mention of blue space is made. The Swilgate is an integral part of the landscape and there is opportunity to enhance this as both a habitat and as a local amenity, along with the need to fulfil the potential to include green infrastructure drainage systems which can provide habitat for a wide range of amphibians and invertebrates. The Parish Council seeks clarity from the developer on how the blue space will be enhanced as part of this application.

8.2.4. Swifts, hedgehogs and bats are regularly seen at the proposed site, as well as into Swindon Village and surrounding areas. Simple solutions to maintaining habitats such as swift bricks, hedgehog friendly fencing, and bat boxes throughout should be employed. The Parish Council seeks clarity from the developer on the principles of how this will be achieved, as integrated into the phasing of this development as part of this application.

8.2.5. The crack willows along the Swilgate should all be pollarded. They are at an age when boughs are regularly falling off thus blocking footpaths but also blocking the Swilgate with the consequence that flooding is more likely.

### 8.3. LIGHTING

8.3.1. Swindon Village does not have street lighting and any proposed development within the village or on the boundaries should take this light pollution into account. The State of Nature Report

2019 details reasons why light pollution affects nature. A comprehensive plan for lighting of the development that does not have adverse impacts on Swindon Village must be put forward.

8.3.2. The Parish Council together with the Borough Councillors need to engage with the developer and the planners to ensure that the lighting around the Dog Bark Lane edge of the Swindon Farm site considers the 'no street lighting' preference of the Village, while balancing the need for enhanced safety during night hours.

#### **8.4. GREEN INFRASTRUCTURE**

8.4.1. The principles for how green infrastructure in the site will be maintained and managed on completion of each phase of the development should be detailed in the application.

8.4.2. The proposed allotment area nearest to Swindon Village appear to be in the Local Green Space. This is community green space and residents, the Parish Council, and other stakeholders should be consulted and involved in plans for its use.

8.4.3. The Parish Council would welcome engagement with the developer regarding the ownership of green infrastructure.

### **9. SUSTAINABILITY**

- 9.1. Elms Park represents the largest single development within the Gloucestershire Joint Core Strategy 2011-2031 for Cheltenham. Achieving a carbon neutral town by 2030, as established by the Borough Council's declaration of a climate emergency, will only be possible if this application is significantly modified to deliver a truly sustainable community with zero carbon sources of heating and electricity. The application must deliver binding commitments for the design, heating and powering of homes and business aligned with this objective.
- 9.2. The application fails to recognise and is not aligned with Cheltenham Borough Council's Climate Change Supplementary Planning Document (published in June 2022). We expect the application to demonstrate how the development meets both the design principles and requirements established in the Climate Change Supplementary Planning Document.
- 9.3. We note the precedent set by Cheltenham Borough Council's planning committee decision to reject the proposed development of 350 homes on 44.6 acres of land at Shurdington Road on the grounds that the proposal utilised gas boilers. This decision has relevance to the Elms Park development.
- 9.4. The sustainable community statement states that: "The development will deliver against enhanced Building Regulations following the net zero trajectory set out by the UK Government. Opportunities for communal low and zero carbon heating and power will continue to be explored as these technologies develop." However, the remainder of the document does not provide any guarantees or commitment that this is the case, nor are any specific standards beyond existing building regulation referenced. Existing commercial off the shelf zero carbon technologies for heating and power (e.g., heat pumps, photovoltaic, and solar water heaters), are well understood and the developer must implement these as part of the proposed scheme.
- 9.5. The application does not provide sufficient detail regarding the proposed community heat hub. We expect the application to detail the high-level requirements and scheme for the community heat-hub. This would include but not limited to the number of homes it would supply, the total volume of water processed, the footprint and location of the facility, and the anticipated carbon savings.
- 9.6. The application fails to reference the Embodied Carbon Target Alignment as set out in the Climate Change Supplementary Planning Document.
- 9.7. The application is not aligned with the Climate Change Supplementary Planning Document that states: "All developments should achieve an energy balance on-site where possible –that is, renewable energy generation should be equal to or greater than the development's energy consumption (or energy use intensity) over the course of a year. If this is not possible, renewable energy generation should target at least 120 kWh/m<sup>2</sup>footprint/yr."

- 9.8. The application fails to address important design principals such as: ventilation & airtightness, water efficiency and domestic hot water, and how waste will be minimized and managed through the construction period.
- 9.9. The sustainable community statement contains errors in the appendix. It does not identify where the policies used in the development of the application have been taken from, with the exception of Tewkesbury Borough Council.

## 10. AMENITIES AND SERVICES

### 10.1. EDUCATION

- 10.1.1. The application must demonstrate that there is sufficient capacity provided by the proposed schools for each phase of the development. As part of this the developer must provide a robust estimate of the educational needs and the size, and mobilisation of the proposed schools.
- 10.1.2. The application must demonstrate that the development will not result in capacity pressure on existing local schools. This is essential to ensure that the children residing in Elms Park will not prevent children from the existing residential areas from being able to be placed in the existing schools. This is particular concern as the only primary school within acceptable walking distance (Swindon Village Primary School) is already at capacity and has no plans to expand, as confirmed by the head teacher.
- 10.1.3. It is inappropriate for the application to cite Pates Grammar School as part of the local schools network as this is a selective school and should not be considered part of the local provision. At the very least, the capacity available from Pates Grammar School should reflect its selective nature.

### 10.2. HEALTH

- 10.2.1. There is evidence to suggest that NHS provision in Cheltenham and Gloucester are over capacity, with waiting times for both A&E and for GPs as some of the worst in the UK (see reports in local media\* \*\*). The application fails to provide a thorough assessment of the health needs projected by such a development and confirmation that the proposed facilities will provide sufficient capacity during the phased building of Elms Park and in its final state.
- 10.2.2. There is no commitment to the number or type of lifetime homes to be delivered as part of the development. A commitment to the overall number and type of homes should form part of this application.

\* <https://www.glocestershirelive.co.uk/news/health/glocestershire-worst-england-gp-waits-6998388.amp>

\*\* <https://www.itv.com/news/westcountry/2022-03-31/south-west-patients-facing-some-of-worst-a-and-e-waits-in-ambulances>