Annex – Q22 Comments

Cheltenham Local Plan Issues and Options Consultation

Introduction

This note is an annex to representations made by White Peak Planning on behalf of Bloor Homes Western and Persimmon Homes South Midlands to the Cheltenham Local Plan Issues and Options consultation.

Bloor Homes and Persimmon Homes are jointly promoting Elms Park which forms the majority (circa 85%) of the proposed North West Cheltenham Strategic Allocation. The Elms Park proposals have been developed through extensive consultations with the local planning authorities and other stakeholders over a period of seven years.

This note provides information in relation to Question 22 on Local Green Space and specifically the Swindon Village Fields application.

Q22: Which areas (including sites identified on the Local Green Space Map) do you think should be designated a Local Green Space? Please state your reasons why.

We do not wish to comment on whether particular sites should be designated as ‘Local Green Spaces’, however, we do have comments on why the application for designation of ‘Swindon Village Fields’ should not be designated.

It should be noted that all of the land included in the Swindon Village Fields application is in private ownership with the landowners promoting the land for inclusion in the North West Cheltenham Strategic Allocation and consequently oppose the application.

Comments on the Swindon Village Fields Application

All of the land proposed by Swindon Parish Council for designation as a Local Green Space is within the proposed North West Cheltenham Strategic Allocation, shown as Site A5 in the submission version of the Joint Core Strategy (JCS). This land is proposed to be removed from the Green Belt to enable a sustainable new community to be developed.

The application to designate the land as Local Green Space is an attempt by the Parish Council to undermine the local authorities’ strategic planning for sustainable development and maintain a level of protection akin to the Green Belt designation in order to restrict new development on land near to their homes.

The application is attempting to use a legitimate planning designation that was intended to protect important local green spaces in order to create what would amount to a new Green Belt around Swindon Village. This would significantly reduce the ability for Cheltenham
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Borough Council to deliver much needed new homes for the people of Cheltenham, in a sustainable location which has been identified and thoroughly assessed through the JCS process.

It should also be noted that the residents of Swindon Village already benefit from an extensive recreation ground (9 hectares), including formal sports pitches in a parkland setting. The playing field is owned by Cheltenham Borough Council and forms the majority of the Conservation Area and as such, will be protected from development in the long-term.

Swindon Village also has a large area of allotments at its western side owned by the Parish Council which are also protected from development in the long-term.

The following sections explain why the application should not be approved based on national planning policy and guidance.

Conflicts with Paragraph 76 of the National Planning Policy Framework, Paragraph 37-007-20140306 of the National Planning Practice Guidance and the Joint Core Strategy

Paragraph 76 of the National Planning Policy Framework (NPPF) states:

‘Local Communities through local and neighbourhood plans should be able to identify for special protection green areas of particular importance to them. By designating land as Local Green Space local communities will be able to rule out new development other than in very special circumstances. Identifying land as Local Green Space should therefore be consistent with the local planning of sustainable development and complement investment in sufficient homes [emphasis added], jobs and other essential services. Local Green Spaces should only be designated when a plan is prepared or reviewed, and be capable of enduring beyond the plan period.’

Paragraph 37-007-20140306 of the National Planning Practice Guidance (NPPG) states:

‘Designating any Local Green Space will need to be consistent with local planning for sustainable development in the area. In particular, plans must identify sufficient land in suitable locations to meet identified development needs and the Local Green Space designation should not be used in a way that undermines this aim of plan making [emphasis added].’

The land proposed for designation forms a significant part (48.47 hectares) of the North West Cheltenham Strategic Allocation (Site A5) in the JCS and is earmarked for inclusion within a mixed-use development that shall be subject to a comprehensive masterplanning process.

Therefore, the designation of this land as Local Green Space would be premature to sound masterplanning of the North West Cheltenham site.

Although the Local Green Space application states that the proposed area ‘is a small fraction (approx. 14%) of the overall housing land, the developers could easily ensure that it remains green space within their planned housing development’, this is not the case.
The draft masterplan for the North West Cheltenham allocation has been comprehensively designed over several years to take into account identified site constraints such as flood zones, utilities infrastructure and stand-off distances from Tewkesbury Road and the Wingmoor landfill site, in collaboration with officers from Cheltenham Borough Council, Tewkesbury Borough Council and Gloucestershire County Council.

As the locations for proposed housing cannot simply be swapped around within the masterplan, according to the latest versions of the Elms Park Masterplan and Parameter Plans (produced in July 2015), the designation of the proposed land as Local Green Space would result in the loss of land for potentially up to 1,950 new homes.

In effect, the Local Green Space designation could result in the loss of up to 40%, rather than 14%, of the developable part of the allocation for new homes.

However, it should be noted that the latest Masterplan and controlling Green Infrastructure Parameter Plan retain Home Leaze, Upper Hill Meadow, Parsons Close, the majority of Shepherd Close and parts of Bushby Close and The Bank and will make the whole of these areas publically accessible open space rather than their existing private land statuses. The existing public footpaths that cross the land, including the Gloucestershire Circular Walk shall be retained and enhanced as part of the Elms Park proposals.

Based on the latest masterplan which retains some of the green space, there would still be the loss of approximately 1,000 new dwellings if the Local Green Space application was approved.

Overall, the draft Elms Park masterplan will retain 13.68ha of green infrastructure (including parts of the proposed designation), but will also create 99.26ha of new green infrastructure, which will be publically accessible through the creation of new pedestrian and cycle links that will connect to the surrounding area, including Swindon Village.

Therefore, the Local Green Space application conflicts with Paragraph 76 of the NPPF as it is inconsistent with the local planning of sustainable development through the JCS and rather than compliment investment in sufficient homes, attempts to prevent the construction of approximately 1,000 dwellings, which would significantly impact on the supply of much-needed new market and affordable housing in Cheltenham and the development viability of the North West Cheltenham Strategic Allocation.

On this basis, it appears that the designation is being used to undermine the aims of the JCS plan making process by preventing the delivery of new housing near to Swindon Village. It would make the integration of the new community with Swindon Village harder to achieve, which goes against good masterplanning principles.

Conflicts with the third point of Paragraph 77 of the National Planning Policy Framework and Paragraph 37-015-20140306 of the National Planning Practice Guidance

Paragraph 77 of the NPPF states: ‘The Local Green Space will not be appropriate for most green areas or open space.’ It then adds at the third point that ‘The designation should only be used...where the green area concerned is local in character and is not an extensive tract of land’ [emphasis added].
Paragraph 37-015-20140306 of the NPPG states that:

‘blanket designation of open countryside adjacent to settlements will not be appropriate. In particular, designation should not be proposed as a ‘back door’ way to try to achieve what would amount to a new area of Green Belt by another name’.

Although there is no specific definition in the NPPF or NPPG for an ‘extensive tract of land’, it is considered that an area of 48.47 hectares should be considered ‘extensive’. For example, excluding the proposed designation at Leckhampton, which comprises a similar anti-development proposal to that at Swindon Village, only four of the other 27 proposed areas for designation are over 2.5 hectares, ranging from 2.88 hectares to 7.44 hectares in size. The other 23 sites range from 0.05 to 2.5 hectares, with 13 of these being below one hectare.

Therefore, the proposed designation of over 48 hectares of land around Swindon Village conflicts with Paragraph 77 of the NPPF and Paragraph 37-015-20140306 of the NPPG as it constitutes an extensive tract of land around Swindon Village that would ultimately amount to a new area of Green Belt by another name.

Conflicts with the second point of Paragraph 77 of the National Planning Policy Framework

The second point of Paragraph 77 of the NPPF states that:

‘The designation should only be used...where the green area is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of wildlife’.

Section 7 to 12 of the Local Green Space application aims to demonstrate why the land is special to the local community and holds a particular local significance.

Section 7 – Beauty

The site is not covered by any landscape designations or similar. Although designated as Green Belt, this is not a landscape designation.

The land also has limited visibility from Swindon Village itself. The JCS Landscape Characterisation Assessment and Sensitivity Analysis states that the proposed land has ‘limited visual association with large settlement – Swindon Village is visible but much softened by tree planting’.

Although the application states that the site contributes to the setting of the Swindon Village Conservation Area, it should be noted that the majority of the Conservation Area is located at the south east of Swindon Village and is separated from the area proposed for designation to the north and west by 20th Century housing. Only a narrow section of the Conservation Area is located adjacent to Home Leaze and Upper Hill Meadow, both of which are to be retained and enhanced as new public open space in the Elms Park proposals.
To the south of the Conservation Area is a modern industrial estate and retail park, with modern housing and a railway line to the east.

All of the buildings within the Conservation Area are separated from the proposed Local Green Space by extensive and relatively recent residential development that has already impacted on the setting of the Conservation Area. Therefore, although Swindon Village includes a Conservation Area, the village predominantly comprises relatively modern housing and ultimately forms the urban edge of Cheltenham in a suburban, rather than rural, location.

It should be noted that adjacent to the south of Swindon Village are the Kingsditch Industrial Estate and Gallagher Retail Park through which access to the village is obtained from Tewkesbury Road being the main access into Cheltenham from the northwest including from Tewkesbury and the M5 Junction 10 southbound. To the east of Swindon Village is the mainline railway from Birmingham to Bristol beyond which lie the northern suburbs of Cheltenham. As such the village cannot be considered rural in its setting.

Section 8 – Historic Significance

The application states that there are historic buildings or remains on the site, however, this is not the case. There are no Listed Buildings or Scheduled Monuments on the site and the land is not designated for its historic significance.

The land is not included in the Swindon Village Conservation Area and is detached from the Conservation Area by relatively modern housing. Historic England has confirmed that it has no objections to the North West Cheltenham allocation in relation to Conservation Area or its setting.

Section 9 – Recreational Value

Although there are three Public Rights of Way from Swindon Village that provide access to the land proposed for designation, the wider land itself is privately owned and therefore, access to it is restricted by the landowners. All of the land is currently farmed, with the majority in arable use and the remainder as improved grassland.

Although The Bank includes sports pitches, this is Cheltenham Town FC’s training ground and a private facility that is leased from the landowner on a rolling annual basis. Swindon Village already benefits from approximately 9ha of recreational land at the south east of the village, which includes several types of playing pitches and also sports pavilions.

As previously discussed, the Elms Park proposals will retain some of the land proposed for designation, including Home Leaze, Upper Hill Meadow and Parsons Close, as open and publically accessible green space. New and enhanced public footpaths and cycle routes will also link Swindon Village to the extensive areas of new public open space being created as part of Elms Park development.
Section 10 – Tranquillity

As Swindon Village forms the urban edge of Cheltenham, the land proposed for designation is the start of what is currently agricultural land. Therefore, there will be a perception of tranquillity for users of the public rights of way that cross this land.

However, extensive areas of informal public open space are also proposed as part of the Elms Park development, including a wide area alongside the River Swilgate, which will be made easily accessible to residents of Swindon Village through retained and enhanced footpaths and cycle links.

This land is intended to provide a similar sense of tranquillity to that proposed for designation as Local Green Space, but will be delivered through a sound masterplanning process and compliment the delivery of new housing.

Richness of Wildlife

The land proposed for designation has been comprehensively surveyed for its nature conservation value by professional ecologists as part of the Elms Park Environmental Impact Assessment (EIA).

The land is not designated for its nature conservation value and includes arable fields, semi-improved grassland and the private football training ground (‘amenity grassland’) which have little value for biodiversity.

The areas of semi-improved grassland at Home Leaze, Upper Hill Meadow, Bushby Close and Shepherd Close will be retained and enhanced as part of the Elms Park Masterplan, in order to compliment the delivery of new housing.

Although the land contains several hedgerows, five of which are classified as ‘important’ under the Hedgerow Regulations 1997, all of these hedgerows would be retained and enhanced as part of the Elms Park proposals.

The Elms Park proposals include for a comprehensive Green Infrastructure and Biodiversity Management Plan (GIBMP) developed in liaison with Gloucestershire Wildlife Trust, and aims to maximise the biodiversity by detailing management prescriptions relative to habitat type, access arrangements and specific mitigation measures. It will also include tree maintenance and works schedules in line with BS5837 Post Development Management of Existing Trees.

Appendices – Comments by Local Residents

The appendices to the LGS application include responses from local residents to a series of consultation events, including the distribution of a questionnaire by Swindon Parish Council and comments received at Swindon Village Primary School fete.
The inclusion of these responses within the application is intended to set out why the land is considered to be particularly important to the local community and therefore, justify why it should be designated as Local Green Space.

The reasons given in the appendices can be broadly categorised into the following:

- Separation of Swindon Village from the wider urban area;
- Use of the fields and footpaths for recreation;
- Children playing in the fields;
- Value to wildlife and views of wildlife by residents;
- Views from residential dwellings;
- Preserving the setting of the Conservation Area;
- Somewhere to walk dogs;
- Fruit picking;
- Valuable agricultural land.

The predominant reason given was the separation of Swindon Village from the Cheltenham urban area and in particular, the new housing proposed as part of the North West Cheltenham Strategic Allocation. As previously discussed, Swindon Village already forms the urban edge of Cheltenham and as part of the proposed Elms Park masterplan, a buffer of publically accessible green space will be retained between the western / south western edge of Swindon Village and the new housing at Elms Park.

The enablement of a new Green Belt around Swindon Village or the retention of existing views are not legitimate reasons as to why the proposed land is particularly important to the local community.

Whilst it is accepted that the residents of Swindon Village use the footpaths and fields within the proposed designation area for recreation, children’s play and dog walking, this too is not a legitimate reason for designation. The fields are private land and therefore, not for public use and although they are currently used by some residents, this is not a public right.

The public footpaths and Gloucestershire Circular Walk to the west of Swindon Village will be retained and enhanced as part of the Elms Park proposals and will provide a network for cycling, dog walking etc along Swindon Brook. The fields proposed for designation that will be retained as part of the Elms Park proposals, will be opened up for public use and enjoyment by residents of Elms Park and Swindon Village.

Although the fields within the area proposed for designation will have some value for wildlife, those within the proposed Elms Park site are under agricultural use. As discussed in a previous section, several fields of semi-improved grassland and ‘important’ hedgerows will be retained and enhanced where possible. New extensive habitat creation, retention and biodiversity enhancements will also be delivered through the Elms Park Green Infrastructure and Biodiversity Management Plan and these measures will make a positive contribution to wildlife in the local area. Therefore, value to wildlife is also not a reason for designation of the area as a Local Green Space.
The relationship between the proposed area for designation and the Swindon Village Conservation Area has been discussed in a previous section. The land is generally separated from the Conservation Area by existing modern housing within Swindon Village and therefore, its limited role in preserving the setting of the Conservation Area is not a reason why it is of particular importance to the local community or why it should be designated as Local Green Space.

**Summary**

This section has demonstrated why the land proposed for designation is not deemed to be demonstrably special under these topics.

In addition, the reasons given in the appendices to the application as to why the land is considered to be of particular importance to the local community, are not legitimate reasons for the designation of over 48 ha of land as Local Green Space.

The delivery of the North West Cheltenham Strategic Allocation will retain, enhance and manage some of the land proposed for designation, as well as providing extensive new areas of publically accessible open space that will be linked to Swindon Village through footpaths and cycles routes for the enjoyment of its residents.

Rather than through the blanket designation of an extensive tract of land around Swindon Village, the delivery of this new and retained green infrastructure will be part of a sound masterplanning process and compliment the delivery of important new housing and a sustainable new community for Cheltenham.