



# The Reddings Residents Association

c/o Fayrecroft North Road East The Reddings Cheltenham Gloucestershire GL51 6RE

## **Response to Cheltenham Local Plan communication of 21st December 2018**

### **ID no: 494 – The Reddings Residents’ Association**

We would like to comment as follows on the Inspector’s Questions please.

#### **Introduction**

In respect of site E3 in the Local Plan, we attach copies of the closing arguments from the Appellant developer and the LPA in respect of an Appeal heard by Inspector Paul Jackson from 8 January to 15 January 2019. The Inspector’s report is due for publication on, or before 1 March 2019.

The Appeal concerns the inclusion of A1 and A3 class retail and D class childcare/education on this sensitive employment site which has extant permission for B class use. The site was in the greenbelt but was taken out by the JCS Inspector, because the BMW building was in progress at the time.

The site is listed in table 11 of the Local Plan (LP) as being for hybrid use, although there is no permission for this and we objected on that point.

The Barrister for the Appellant was very critical of the LP and its policies on a number of points, including the unusual decision by the Council to have:

*(Para. 3.4.2) “made no amendments whatsoever to the submission version. Indeed, there is no evidence that the Council considered any objections raised against the emerging plan. Thus, all objections to the emerging plan remain unresolved and, so far as the evidence suggests, they have not been considered”.*

Within the appeal, many points that the Inspector makes in her questions on the various matters are parried between the barristers. In doing so, they raise significant points in relation to site E3, but generally in relation to: Policies SD1, EM2, SD4, CP7, the emerging local plan, paragraph 22 and 118 of the NPPF, EM3, the JCS, employment land supply, the tilted balance, and points of law, amongst others, upon which the Inspector has raised questions.

Copies of both closing submissions are included for balance, but serve to illustrate the non-robust nature of the drafting of the LP. This is of great concern to ourselves and many other respondents that the Council seem to have ignored following the consultations.

In respect of site E3, there is no existing retail policy which is relevant to The Reddings, yet much retail has been built since 1998.

The site was in the very thin greenbelt strip separating Cheltenham from Churchdown (which has now broadly been merged with Gloucester by the JCS) and the Tewkesbury BC boundary. The JCS process has allowed the developer to remove it from the green belt and introduce retail. If either of the Appeals are allowed, there will be a retail frontage along Grovefield Way.

The LP proposes significant extensions to the PUA’s along the remaining greenbelt strip adjoining Grovefield Way. If these Appeals are permitted, the Council indicates that the new green belt sites will be available for employment and/or housing. The risk of “retail contagion and uncontrolled sprawl” across the remainder of site E3 and along Grovefield exacerbated by the absence of any retail plan in the area is significant and will be facilitated by the proposed and sometimes unconnected policies proposed within the draft local plan.



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The issues on site E3 variously concern the local plan green belt, housing supply, economic policy, vision statements, health and environmental quality and transport policies of the LP in combination and can be seen as a microcosm for the borough. The policies in the LP must therefore be robust in order to realise the visions.

## **Matter 5: Health and Environmental Quality**

### **Air quality**

#### **Questions 1-3**

The LP is silent on air quality. Worse still, the existing borough-wide policy for pollution monitoring is proposed to be reduced to a narrow corridor in the Council LAQM status report of June 2017. Air quality in The Reddings is becoming noticeably worse. The residents' association are funding monitoring, as the Council won't. The JCS and local plan sites E3 and E2 plus development on the PUA extensions will generate much stationary traffic and pollution, as well as noise and light pollution. The LPA do not account for this in the recommendations, nor negotiations with developers. The inadequate car parking on the BMW development has meant that their employees park in the Park and Ride and prevent those that want to use the Park and Ride from being able to use it, thereby frustrating the aims of matter 5. The Council won't enforce travel plans and policy. The evidence in the appeal at site E3 shows that despite a proposal to build a major child care facility in a carpark, next to BMW, Aldi, the estate road, bounded by Grovefield Way, the A40, M5, Arle Court roundabout (predicted by the JCS to rise to 187% of capacity) the Council make no comment on health risks, when the facility could be relocated much closer to cleaner green belt areas on the site. We share the Inspector's concerns in respect of the apparent omission in relation to JCS policy SD14 in the draft local plan and we set this out in our consultation comments.

We feel that the Council may be liable to criticism in the future by not closely monitoring pollution in The Reddings area.

Any pollution can only increase taking into account:

- a) The Grovefield site proceeding, possibly with its unnecessarily large retail facilities which become "destinations in their own right".
- b) The building of the new Leckhampton School.
- c) The opening of the new nursing home in Arle Court
- d) The two Blenheim Villa houses being built and have exit/egress off Grovefield Way.
- e) The PUA extension allowing further exits/egresses off Grovefield Way.
- f) The effect of displaced BMW/GCHQ workers from the Park and Ride parking around the area and slowing traffic by creating obstruction/ slowing traffic, ( As seen already in North Road West. and until recently North Road East).
- g) Future traffic commuting to the park and ride to access the West Cheltenham Cyber Park as the JCS sets out, or passing through the area to access the West Cheltenham Cyber Park directly, or via the M5.
- h) Traffic on the nearby Arle Court Roundabout rising to 187% capacity as predicted by the JCS causing local roads to grid lock.

Councils need to be aware of any future precedent set by the result of the new inquest into the death of Ella Kissi-Debrah in Lewisham in 2013 and manage these matters.



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An inquest at Southwark's Coroner's Court on 26 September 2014 concluded that her death was due to acute respiratory failure and severe asthma. However in January 2019 the Attorney General Geoffrey Cox stated:

*"I have concluded that there is new evidence which may alter the substantial truth of Ella's death. I am therefore able to give my permission for an application to the High Court to request a new inquest, based on the evidential test being met." \*\**

The Attorney General has now paved the way to determine whether high levels of pollution were linked to her death.

\*\* source BBC news 11 January 2019

The local plan is completely unsound without firm objectives being set and all developers needing to submit air quality analysis/measurements around the local area and present viable and enforceable management plans taking account of all likely traffic effects in the likely area through the life time of the project or at least the JCS. That way the cumulative effects on residents can be managed pro-actively, at the developer's expense, not reactively at Council tax payer's expense when thresholds look likely to be breached and health is being adversely effected.

## **Flooding**

Since development on site E3, local flooding is occurring. The attached show no inclination on the part of the Council to abate.

## **Conclusion**

Changes are required to policy SL1