

Response to Cheltenham Local Plan communication of 21<sup>st</sup> December 2018

Representor ID no: 444 - Mary Nelson

I hereby confirm my continued interest in the issues that I have submitted in writing to the Cheltenham Plan, and I would like to comment as follows on the Inspector's Questions.

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

### **Main Issue: The impact of the CP proposals on air quality**

**1. Has account been taken of the impacts on air quality of the proposals for development in the CP?**

**2. Would the CP proposals when added to those in the JCS lead to any breach in EU air quality targets or to any deterioration in air quality where any breach has already occurred?**

Unfortunately the two questions the Inspector has asked concerning Air Quality do not address the nub of this important issue – namely: ***“Why does the Cheltenham Plan not have a specific Air Quality policy?”***

In the government's **“Air Quality Plan for tackling roadside nitrogen dioxide concentrations in South West (UK0030)” dated July 2017**, Cheltenham is one of 33 local authorities listed (and in breach of the NO<sub>2</sub> limits). This government document contains a list of CBC's Action points, by which it intended to address this matter. Action Point no. 14 states the following:

***“An Air Quality Policy will be adopted as part of the emerging Cheltenham Local Plan  
Start date: 2014 Expected end date: 2015 Spatial scale: Whole town or City”***

Not only is this important Action point not being implemented, but CBC have also expressed a desire to remove the whole town AQMA, and replace it with a much smaller linear one, and the suggested replacement would not include many areas of the town that are recording breaches of the NO<sub>2</sub> limit.

In answer to the Inspector's questions above, CBC officers will, of course, reassure the Inspector that sufficient account has been taken of the impacts of air quality in the CP development proposals, and that they will not lead to any breach of EU air quality targets when added to the JCS proposals.

Cheltenham residents know that this cannot be the case, as the JCS is not providing any new road infrastructure for Cheltenham (unless J10 is made 4 way), but is instead unrealistically relying upon 'modal shift'.

Just as important, is the effect of the implementation of the final Phase 4 of the CTP (Cheltenham Transport Plan). The CTP is intrinsically linked to, and relied upon, by both the CP and the JCS, but is actually increasing NO<sub>2</sub> emissions along residential roads. This can be seen by the latest NO<sub>2</sub> monitoring results, which have just been circulated on the 3<sup>rd</sup> January by Cheltenham's MP, Alex Chalk, in his update as follows:

## BOOTS CORNER CAMPAIGN UPDATE

*Although national politics is currently dominated by the ongoing Brexit negotiations, I wanted to provide an update regarding a key issue here in Cheltenham - the closure of Boots Corner.*

*As you may recall, my Boots Corner petition, with 5,200 signatures (and counting) was set to be presented to the Borough Council at their next full Council meeting. I can confirm that this presentation took place on Monday 10 December. As a result, a separate debate on this issue has now been triggered. This will take place in the Cheltenham Borough Council offices on Monday 21 January at 6pm. You can find more details, including how to submit a public question for the meeting [HERE](#)*

*In the meantime, I thought you might be interested to read about the latest air quality statistics, which suggest that the Boots Corner closure is already having a negative impact upon air quality in our town, particularly in those residential areas which have seen an increase in congestion since the closure began.*

*Particular areas of concern include the Winchcombe Street/Fairview Road junction, where Nitrogen Dioxide (NO<sub>2</sub>) levels have risen from 29.66 micrograms per cubic metre in October 2016 and 31.36 in October 2017 (before the Boots Corner closure) to 42.02 in October 2018. That latter figure, if continued across the year, would breach the legal limit of 40 µg/m<sup>3</sup> ann.*

*Gloucester Road has also seen an increase from an already high 45.65 µg/m<sup>3</sup> in October 2017 to 47.23 in October 2018.*

*Meanwhile, the data from the newly installed air quality monitoring point on Princess Elizabeth Way has exceeded the 40 ug/m<sup>3</sup> mark for the last two recorded months (41.24 in September and 43.37 in October 2018).*

***These are the Council's own figures*** and I would hope they are openly considered when councillors finally debate this issue later this month.

*Best wishes,  
Alex Chalk*

It is inevitable that many roads, especially Gloucester Road and Princess Elizabeth Way (both roads lined with residential dwellings) will see further increases in traffic from all future development, both CP and JCS, on top of the extra traffic now using these roads as a result of the closure in June last year of Cheltenham's key inner ring road (CTP final Phase 4).

The CTP modelling failed to take account of the impact of the JCS, and did not include Princess Elizabeth Way in the modelling – even though PE Way is now clearly taking a big increase in traffic crossing Cheltenham from south to north.

Therefore the Cheltenham Plan needs to reflect these increasing air quality concerns and health worries of Cheltenham's residents, with a specific Local Plan policy that not only stipulates regular monitoring (with changeable locations as required/requested), but implements the necessary actions to reduce air pollution along residential roads.

It is unacceptable for CBC to rely solely upon a JCS Air Quality policy, as Cheltenham has a particularly unusual problem with its historic radial road layout (and lack of a ring road), and now has a further peculiarity which has arisen from CBC's long running desire

to close the Inner Ring Road through the town centre, primarily for the re-development of the Municipal Offices, whereby CBC (with its partner developer) wish to take some of Royal Well Road (a section of the Inner Ring Road), which it claims to own, for the outward rear expansion of the Municipal Offices. Thus the **Royal Well Development Plan** (viable only by a full and permanently implemented stage 4 of the CTP) is now having serious knock on effects upon the air quality of many residential roads in Cheltenham.

To illustrate the above point, on the 15<sup>th</sup> April 2015, CBC agreed to continue with a development partnership with an (as yet) unknown developer for the Royal Well Development Plan, whilst retaining the freehold interest in the Municipal Offices. At this decision meeting there was only one risk deemed to be **“High”** - coloured red with a high score on the extensive Risk Matrix. This high risk related solely to the CTP and was recorded as follows:

***“If GCC are unable to close Boots corner (Inner Ring road) to through traffic then it would significantly reduce development potential of Municipal building and Royal Well and may render the development as marginal, as it would only allow the Municipal Building to be remodelled without the holistic benefit of Royal Well. (Ref Cheltenham Task Force risk TF.12.)”***

The above (dubious) justification for the CTP inner ring closure means that Cheltenham residents must have recourse to, and protection from, a specific Air Quality Policy in Cheltenham’s Local Plan.

#### **Matter 4 – Green Belt and Green Infrastructure**

**5. There are significant areas of LGS identified at Leckhampton Fields and Swindon Village. Is there any evidence that an area of 39.91 or 24.5 ha could be considered not to be “an extensive tract of land”?**

**6. Paragraph 5.4.13 of the JCS refers to a green buffer to be retained at NW Cheltenham near Swindon Village, and the CP will allocate the specific boundaries of the LGS in this area. Does the approach in the CP, which designates the area as LGS, comply with the JCS, and National policy and guidance?**

**7. For Leckhampton Fields, guidance was provided by the JCS Inspector in her report. She stated it would be for the CP to identify the detailed boundaries of the LGS. Can the scale and extent of the proposed LGS be fully justified in accordance with the JCS, and National policy and guidance?**

These questions open up a re-run of the JCS Examination. I was involved in, and present at, many of the JCS hearing sessions. A lot of time was given to the issues at Leckhampton during the JCS Examination, and also to the Swindon Village local green space.

What was the point of the JCS Inspector spending so much time dealing with these matters during the very long Examination (longest Core Strategy Examination in the country) only for them to now be subject to complete reconsideration at the Local Plan Examination?

This not only undermines public trust in the Examination process, but it is also a waste of public money (the JCS must have cost £millions due to the 5+ years time scale and number of consultants/legal representatives involved), and matters which the public believed had been decided in the thorough Examination process, are now to be thrown up in the air again just over a year after the final JCS Report.

The only matter left to be finally decided in the CP was the exact boundary of both Local Green Spaces, after the Inspector had given an indicative area, plus the number of houses on the area of the Leckhampton land that she decided could be developed (c. 200).

The issue of the new secondary school at Leckhampton however does need addressing in the Local Plan Examination, as this was included suddenly (and very late) in the Local Plan process with no opportunity for public consultation, and the question of need for places, and where the need is arising is a major issue that has not been addressed.

## Matter 8: Transport

1. To what extent has the impact of proposals within the CP been assessed in accordance with the package of key transport and highway improvements in both the local and strategic networks proposed to accommodate the proposals in the JCS?
2. Do the proposals for new development in the CP comply with scenario DS7 in the evidence base to the JCS?
3. Does the CP include policies which adequately manage the delivery of development so that severe transport impacts do not arise?
4. Does there need to be any assessment at the time of submission of relevant planning applications to determine how much development may proceed in advance of the JCS highway interventions being in place? If so, does this need to be made clear in any relevant CP policies?

None of the above questions can be answered with any degree of certainty. JCS Transport infrastructure evidence is still lacking.

Re. **DS7, Appendix C - DS7 - Scheme Cost Assumption (May 2017)** states the following:

***“As many of the schemes outlined in DS7 are for the moment concepts there are no scheme designs available to inform likely costs. To address this, a series of high level cost bandings have been used and allocated to each of the scheme elements. This information has been tabulated to aid understanding of these assessments.”***

Four Transport Infrastructure funding sources were listed in Appendix C. The total amount for each of these sources is not provided in the published costings table, but is stated to be as follows (descending order):

Ad hoc funding	£113.5	Million
Highways England funding	£92.5	Million
Developers' Funding	£81	Million
Local Growth Fund	£39.5	Million
Passenger Transport Operators	£12.5	Million

The total JCS Transport infrastructure costs above amount to **£339 million**. How much of this has now been secured?

The JCS Final Inspector's Report was issued in the autumn of 2017, yet more than a year later not one house in any of Cheltenham's Strategic sites has been built. Highways

England has continued to put '6 month holds' (amounting to at least 3 now) preventing development at the North West/West Cheltenham strategic sites.

The transport infrastructure evidence for the Cheltenham JCS development was never sound, and all residents' groups taking part in the JCS Examination knew this, and said so in their submissions and at the Transport hearings.

JCS Transport hearings were postponed more than once, and further Transport Evidence reports were always being promised, with the main reason for the long ongoing delays being that the model needed to be updated.

In the end, the best that could be achieved was that the officers and Highways England could only reassure the JCS Inspector that they would have solutions to the transport issues further down the line.

The fact that no JCS development has taken place at Cheltenham's major strategic urban extensions – North West and West Cheltenham - now proves that the residents were right.