

Statement to Inquiry ref Land at Oakhurst Rise on behalf of The Trustees of the Battledown Estate

23 March 2021

My name is Roger Willbourn and I am a Trustee of the Battledown Estate; I am delivering this Statement on behalf of the Trustees of the Estate, which was established in 1859 and covers approximately 120 acres on Battledown Hill. The Estate directly borders the land which is the subject of this Inquiry, lying as it does along the northern and eastern boundaries of the meadow-land.

The Trustees are a registered Consultee to CBC on local developments of relevance to the Estate. We have submitted detailed written objections to the various proposed developments on this land, including the initial outline application made in April 2017, the October 2018 revised application and the most recent application, which was determined in September 2020. These objections may be viewed on the Cheltenham Borough Council planning web-portal and so I shall not repeat them all here.

Today I am briefly emphasising three issues which are amongst those of the greatest importance relating to the Estate.

Firstly, the access and surrounding transport infrastructure is inadequate. As was noted after a smaller development proposal on this site was called-in to the Secretary of State for the Environment in 1984 (and I quote the borough architect of the time), “the surrounding roads are inadequate to cope with the anticipated number of vehicles”. The London Road and Hales Road are still routinely grid locked. Charlton Kings didn’t have the required road infrastructure back in 1984, and it most certainly does not now, some 35 years later.

Secondly, there are some Battledown Estate properties, like many of those elsewhere in Charlton Kings, which are subject to the dangers of surface and ground-water flooding. Flood water issues affecting properties on Battledown Hill are exacerbated by the springs that rise in the area. One spring can be seen emerging on Ashley Road outside Charlton Manor. Flood risk was referenced in 1984 amongst the many reasons to refuse development on just one section of this land, and sadly Cheltenham has suffered extensive flooding since then. Any building works on the upper levels of the field would disturb the delicate balance of drainage which currently exists between the natural springs and ponds located there and the ability of the field to absorb heavy rainfall.

Finally, and most importantly, since January 1980 and during the years thereafter, the Trustees have documented their position on the relationship between any proposed development on this Field and the Battledown Estate, through correspondence with the Carmelite’s land agent, Gerald Eve LLP.

There is **no** legal access from the land in question to either Ashley Road or Birchley Road, as these are private roads owned and maintained by the Battledown Estate. **No vehicular access shall be granted from or over any of the Battledown Estate roads to or from the site of the proposed housing development. This applies to both construction traffic and to all residents' traffic, were any houses to be built on this land.**

Furthermore, we note that there would be no possibility of safe access to the greater part of the retained meadow-land from the end of Oakhurst Rise, which is the **ONLY** vehicular access to this land. There are **NO** other alternatives available from elsewhere. The Applicant's plans show that the area designated for housing would be completely fenced off, with two-metre high deer fencing, from the greater part of the meadow-land (i.e. the area containing the ice-house) and the narrow strip at the southern edge of the Land, which leads to the meadow from the west, would be impassable as its entire width would be taken up by the proposed attenuation pond, a very deep depression with slopes of gradient variously 1:3, 1:4 and 1:5. Furthermore, that attenuation pond depression would have to be securely fenced off in its entirety for safety reasons, given how close it would be to the kindergarten and junior school. It is important, therefore, that all parties are aware that **no** access will be granted to this meadow-land from any part of Ashley Road, for tractors or other vehicles either entering onto or departing from the site. This meadow-land would, therefore, be completely isolated and incapable of being managed in a sustainable manner.

We trust that the Inspector will find that the objections raised to this development are sound and will refuse the appeal.

Thank you