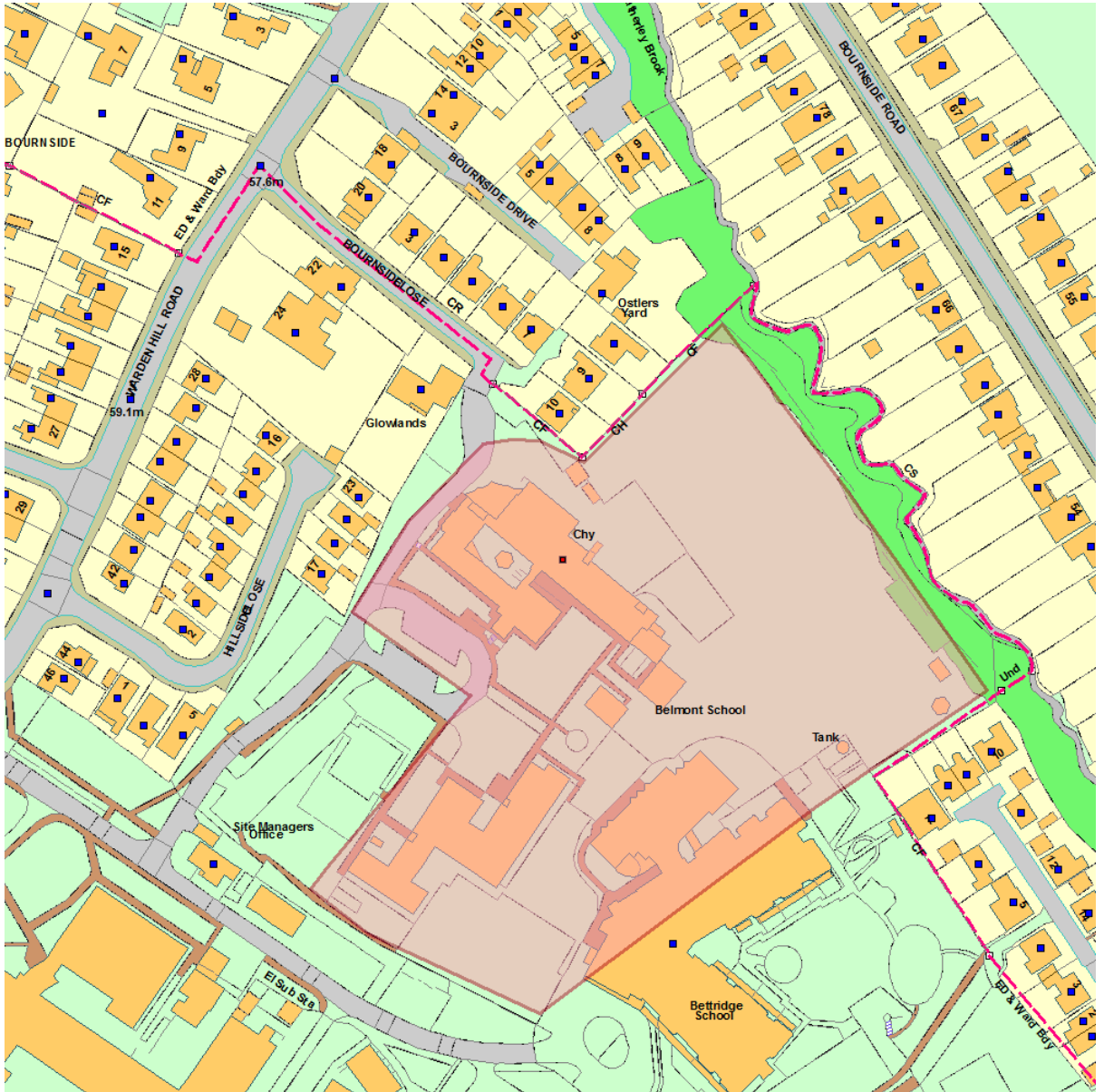


APPLICATION NO: 23/00117/FUL		OFFICER: Mrs Lucy White
DATE REGISTERED: 24th February 2023		DATE OF EXPIRY: 26th May 2023/Agreed extension of time until 22 nd April 2024
DATE VALIDATED: 24th February 2023		DATE OF SITE VISIT:
WARD: Warden Hill		PARISH:
APPLICANT:	Belmont School	
AGENT:	Quattro Design Architects Ltd	
LOCATION:	Belmont School Warden Hill Road Cheltenham	
PROPOSAL:	Installation of 200m oval running track with a 60m straight and run-off, 2no. smaller 100m ovals, a campus-wide 2 metre wide cycle track, a long jump pit and informal and equipped play areas. Erection of 1no. MUGA (to include five-a-side football pitch), 1no. BMX pump track (advanced and beginner combined) and bleacher seating.	

RECOMMENDATION: Permit



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site is Belmont School which accommodates approximately 170 children between the ages of 4 to 16 and provides education for children with special educational needs and disabilities (SEND). The school is located in Warden Hill and shares a vehicular access via Warden Hill Road with Bournside and Bettridge schools. There are two main school buildings which are separately occupied by primary school aged children and the older pupils. The remainder of the site is largely open with parking and landscaped areas to the front, an enclosed playground, playing field, running track and orchard/Forest School to the rear, and various other incidental hard standing and play facilities to the side, rear and front of the main school buildings.
- 1.2 The school is bounded by residential properties on three sides with Bettridge School to the east and the larger Bournside secondary school campus to the south. Hatherley Brook runs adjacent to the northern site boundary which is also heavily treed. The remainder of existing boundary treatment consists of timber garden fences, security fencing adjacent to the river boundary, the fence enclosure of Bettridge School and the fence line separating parking areas serving Bournside School.
- 1.3 The applicant proposes (as revised) the installation of a 200m oval running track, a 60m straight with long jump pit, 2no. smaller 100m oval running tracks, a 2 metre wide cycle track running around the perimeter of the school site, and the erection of 1no. MUGA (to include a five-a-side football pitch), BMX pump tracks (advanced and beginner combined) and bleacher seating.
- 1.4 The current application follows a pre-application submission in 2022. As submitted, the proposed development appeared to ignore the officer advice given at pre-application stage which largely replicated the layout and quantum of development of the pre-application scheme.
- 1.5 In response to officer concerns and those of consultees and occupiers of neighbouring dwellings, the proposed development has been revised and additional supporting information submitted during the course of the application. The scheme revisions (in summary) include the removal of 1no. MUGA and subsequent removal of the trim trial, trampoline and play area within the 100m oval track, reduction in length of the straight running track and the addition of acoustic fencing to the north-west site boundary. The revised scheme is the result of detailed and protracted negotiations between the applicant and officers (and relevant consultees). All discussions took place in full consultation with the Council's Environmental Health team.
- 1.6 The various scheme revisions are discussed in more detail in the relevant sections of the report.
- 1.7 The application had been referred to the Planning Committee following requests from Councillors Chelin and Harman. The reasons for the referral are the level of public interest arising from the application and the potential impact upon the amenities of neighbouring residents.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Airport Safeguarding over 45m
Principal Urban Area

Relevant Planning History:

22/00190/PREAPP 26th May 2022 CLO

To develop a new sports facility for both students and the community which includes:

new MUGA, new 100m running strait, new 200m running track, new 3 lane long jump pit, new 5-a-side pitch, new bleacher seating, new cycle track, new BMX track, new floodlighting

11/01052/DEEM3 1st August 2011 NOOBJ

Erection of glasshouse for teaching of horticulture

13/02088/ADV 3rd March 2014 GRANT

Proposed erection of 5 no. flag poles along school drive to advertise school awards.

14/00625/FUL 29th May 2014 PER

Erection of detached, flat-roofed timber-framed modular building on school grounds

15/00385/FUL 19th June 2015 PER

Formation of additional pathways and erection of new electronic access controlled gate

15/01335/CONDIT 22nd September 2015 PER

Variation of condition 3 on planning permission 13/02088/ADV - removal of temporary consent condition

20/00560/DEEM3 31st March 2020 NOOBJ

Erection of an extension to create soft play area

20/02259/DEEM3 7th January 2021 NOOBJ

Erection of single storey (2no.) classroom extension to existing SEN School

21/01495/CONDIT 24th June 2021 NOTREQ

Removal of condition 7 (Biodiversity scheme) of planning permission 20/00560/DEEM3 (20/0011/CHREG3) (part retrospective)

3. POLICIES AND GUIDANCE

National Planning Policy Framework

Section 2 Achieving sustainable development

Section 4 Decision-making

Section 8 Promoting healthy and safe communities

Section 9 Promoting sustainable transport

Section 12 Achieving well-designed places

Section 14 Meeting the challenge of climate change, flooding and coastal change

Section 15 Conserving and enhancing the natural environment

Adopted Cheltenham Plan Policies

D1 Design

SL1 Safe and Sustainable Living

GI2 Protection and replacement of trees

GI3 Trees and Development

Adopted Joint Core Strategy Policies

SD3 Sustainable Design and Construction

SD4 Design Requirements

SD9 Biodiversity and Geodiversity

SD14 Health and Environmental Quality

INF1 Transport Network

INF2 Flood Risk Management

INF3 Green Infrastructure

INF5 Renewable Energy/Low Carbon Energy Development

Supplementary Planning Guidance/Documents

Cheltenham Climate Change (2022)

4. CONSULTATIONS

See appendix at end of report

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	50
Total comments received	44
Number of objections	23
Number of supporting	19
General comment	2

5.1 The application was advertised by way of 50 letters sent to neighbouring properties, site notices displayed at various points within the vicinity of the site and an advert placed in the Gloucestershire Echo. A total of 44 representations (in objection and support) were received following the publicity. The concerns and comments raised, in summary, are as follows:-

- Loss of school playing field/green space and impact on well-being of school pupils
- Size and scale of the proposed development and confined site area. Intensification of use, overdevelopment and out of character with surrounding area. Overambitious project.
- Visual and noise impacts of proposed bleacher seating
- MUGA pitches should be located elsewhere on site. Betteridge and Bournside schools have underused MUGA pitches.
- Noise and disturbance to neighbouring properties
- Submitted Noise Assessment does not take account of cumulative noise impacts
- Proposed 3m planting buffer adjacent to acoustic fence should be increased in depth. Proximity of cycle track to neighbouring property boundaries
- Light pollution should external lighting be proposed
- Waste and litter pollution
- Proposed hours of use and extended use of proposed facilities at evenings, weekends and school holidays
- Increase in traffic and parking congestion in nearby streets. No Transport Assessment submitted with the application
- Biodiversity loss, ecological impacts generally and lack of information/detail on proposed landscaping and tree planting
- Potential commercial use of proposed facilities and lack of information of intended users of the facilities
- Control and management of outside organisations using the facilities
- Inadequate drainage and flooding risk to adjacent properties
- Implications of site levels
- Climate change and replacing grass with artificial surfacing
- Security risk to neighbouring properties
- Long term management and maintenance of proposed facilities
- Proposals will enable school pupils and other children/young adults improved access to a range inclusive sports facilities and community socialising
- There remains a need for additional sports provision and opportunities for young people with SEN to access football/cycling/athletics/all sports and become more active.
- Neighbouring Betteridge school would benefit from use of facilities

6. OFFICER COMMENTS

6.1 Determining Issues

6.2 The key issues are (i) the principle of the redevelopment of the site for new sport and recreational facilities and associated loss of playing field/sports pitch; (ii) design, size

(quantum) and layout of the proposals; (iii) impact on amenities of occupiers of neighbouring properties; (iv) climate change, flood risk and drainage; (v) ecology and biodiversity impacts, and proposed landscaping in general; (vi) intended users/community use of the proposed development; and (vii) parking, access and highway safety implications.

6.3 Policy Framework/Principle

6.4 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning decisions should be taken in accordance with the relevant adopted Development Plan unless material considerations dictate otherwise. This is reiterated at NPPF paragraph 47.

6.5 Paragraph 11 of the NPPF sets out a 'presumption in favour of sustainable development' and makes it clear that development proposals that accord with an up to date development plan, should be approved without delay.

6.6 The development plan at this time comprises of the saved policies of the Cheltenham Borough Local Plan Second Review 2006 (CBLP), adopted policies of the Cheltenham Plan 2020 (CP) and the Tewkesbury, Gloucester and Cheltenham Joint Core Strategy 2017 (JCS). Other material considerations include the National Planning Policy Framework 2023 (NPPF), and Planning Practice Guidance (nPPG).

6.7 Policies D1 and SL1 of the Cheltenham Plan and policies INF1 (highways/access), INF2 (drainage and flooding), INF3 (green infrastructure), INF4 (community facilities), SD3 (sustainable design and construction), SD4 (design and layout), and SD14 (amenity and safe and sustainable living) of the JCS are most relevant.

6.8 Principle of Development - Loss of Sports Pitch/School Playing Field

6.9 The proposals include the loss of/replacement of an existing school playing field. As such, Sport England (SE) are a statutory consultee and were consulted on the application (including the scheme revisions). Following concerns raised initially over surfacing material details and size of the proposed MUGA pitches, SE raise no objection to the proposed development and loss/replacement of the school playing field. Their final response in summary, is as follows (all SE comments are set out in full in the consultee section at the end of the report):

I note that there have been some changes to the overall proposal when I compare that latest revised drawing 66-06-P-200 Rev Z, and the previous drawing 66-06-P-200 Rev V. However the principles of the proposal have not significantly changed, to my mind, to warrant a change Sport England's position to the application:

'The proposed development is for an indoor or outdoor facility for sport, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss, or prejudice to the use, of the area of playing field.'

What was very interesting was the proposed Operational Plan. It was good to see the proposed slots for community use of the facilities along with the how the school would use them

Further to the above assessment, Sport England does not wish to raise an objection to this application as it is considered to meet our planning policy exception E5

6.10 Policy INF4 of the JCS is also relevant with regards the potential loss of the playing field. INF4 seeks to prevent the loss of community facilities unless suitable replacement facilities will be provided. Although the existing playing field is currently used solely by the school, there is a wider community benefit in retaining this facility and its loss without

suitable replacement or alternative provision, in principle and/or in isolation, would not normally be supported by officers. However, in similarity with the conclusions reached by SE, the proposed 'replacement' sports and recreational facilities would not only result in tangible community benefits but would enhance the offer and quality of SEND sports and play facilities at the school. Therefore, the loss of the existing playing field is not objected to by officers but this is subject to the provision and acceptability of any proposed suitable alternative or additional on site provision.

6.11 It follows that the principle of the redevelopment of the site to provide new/replacement sports facilities, and of the type and location proposed, is acceptable. However, what remains to be considered are the overall merits of the proposals in terms of the design and layout of the facilities, the quantum of alternative provision and their impacts on local amenity, ecology, drainage and flooding and highway safety. These matters will be discussed below.

6.12 Design and layout

6.13 Section 12 of the NPPF sets out that good design is a key aspect to achieving sustainable development and creating better places to live. Similarly, Policy SD4 of the Joint Core Strategy (JCS) requires development to respond positively to and respect the character of the site and its surroundings. This is reiterated in Policy D1 of the Cheltenham Plan which requires development to achieve a high standard of design and layout that complements neighbouring development.

6.14 In summary, the proposals comprise of the replacement of an existing school playing field with new sports and recreation facilities, including a 200m running track, 2no. smaller 100m oval running tracks, running straight and long jump pit, BMX pump tracks, cycle track around the perimeter of the school campus and 1no. MUGA. As set out in the application submission, the new facilities would be used primarily by Belmont School pupils during school hours, but the facilities would also be made available for use by other SEND schools across Gloucestershire (including Bettridge School adjacent) and by various other organisations, some of which currently use the existing site facilities and outside of normal school hours. The majority (although not all) of these other existing and possible future organisations and sports clubs are understood to offer inclusive and accessible sports activities for those less able (children and adults).

6.15 The proposals as submitted raised a number of significant concerns in respect of the quantum of development proposed within a relatively small area, the proximity of the new sports facilities to neighbouring property boundaries and the potential for this to result in an unacceptable level of noise and disturbance to neighbouring properties. The initial proposed hours of use (until 10pm and at weekends) and the loss of green/open space within the school grounds also raised concern, as did the lack of clarity on intended users of the new facilities. It was also disappointing that the applicant had not sought to address, in any meaningful way, the very similar issues raised at pre-application stage.

6.16 In response to officer and consultee concerns (noting also the similar concerns raised by neighbouring residents) and after a lengthy period of negotiation, the scheme underwent several stages of revision, including the submission of additional supporting information (an Operational Management Plan, Noise Impact Assessment, Ecology Survey and revised Drainage Strategy). The latest proposed revisions are summarised as follows:-

- Removal of 1no. MUGA (north side adjacent to properties in Bournside Close)
- Removal of proposed trim trail, trampoline and play area within area of previous MUGA.

- Reduction in length of the long jump straight
- Combined BMX (beginner and intermediate) pump tracks
- Addition of 2m high acoustic fence along the northern site boundary (adjacent to Bournside Close properties)
- Addition of 3m planting buffer between cycle track and northern site boundary
- Improved/detailed landscaping scheme including enhancements to the Forest School area
- Details of surfacing material for the MUGA and other hard surfaces (artificial permeable turf and polymeric and asphalt surfaces respectively)

6.17 It is fair to say that officers still have some reservations about the amount of new sports and recreation facilities proposed, particularly given the proximity of neighbouring dwellings on three sides. Furthermore, other than the area within the northern most oval running track, enhanced grassland areas within the Forest School and other incidental landscaping, there would be no open amenity space and very little grassland left within the school grounds.

6.18 Notwithstanding the above, with the careful control and restrictions imposed on external lighting and the hours of use of the proposed facilities, the revised scheme is considered acceptable in size, layout and design. The proposals would offer clear benefits to the school's overall accessible sports provision and officers are mindful of the not dissimilar sports facilities (notably MUGAS/sport pitches) erected recently within the grounds of other Cheltenham schools and in close proximity to neighbouring dwellings.

6.19 Neighbour amenity issues (and associated suggested conditions) are discussed in greater detail in the following section of the report.

6.20 It is considered necessary and reasonable to add conditions requiring the submission and approval of details of hard surfacing materials and all new boundary treatments.

6.21 Impact on neighbouring property

6.22 The NPPF seeks to ensure a high standard of amenity for existing and future users. This is set out in Policy SL1 of the Local Plan and SD14 of the JCS which states that development should not cause unacceptable harm to the amenity of adjoining land users and living conditions in the locality.

6.23 A large number of local residents have raised concerns over various aspects of the proposals and all representations received have been considered very carefully by officers, including those of the Environmental Health team (EHO).

6.24 The proposed development has the potential to result in significant noise and disturbance to occupiers of neighbouring dwellings. The proposed extended use of the facilities by the community and other school groups and their use (either individually or cumulatively) outside of normal school hours would potentially compound these affects. Any proposed external lighting, notably floodlighting, could also cause significant light spill/pollution into neighbouring properties.

6.25 The application site (and notably the rear of the school grounds) is surrounded on three sides by residential properties. As such, the properties with the most potential to be affected by the proposals are those whose rear gardens back onto the site. These properties are located in Bournside Close, Sir Charles Irving Close and Bournside Road.

Properties in Hillside Close would be less affected, albeit it is acknowledged that a section of the proposed perimeter cycle track is located in close proximity to their rear gardens/elevations.

- 6.26** The rear gardens of neighbouring properties in Bournside Close are approximately 11.5 metres length. The rear elevations/windows of these properties would therefore be within 15.5 metres of the proposed perimeter cycle track and at its nearest point some 19 metres from the new 200 metre running track. The rear boundaries of properties in Hillside Close would be within 9-14 metres of the cycle track.
- 6.27** Similarly, the rear boundaries of properties in Sir Charles Irving Close would be located some 21.5 metres from the proposed cycle track (approximately 31 metres from their rear elevations), 25.5 metres from the BMX pump track, and 37.5 and 46.5 metres from the 200m running track and MUGA, respectively. The neighbouring properties in Bournside Road would experience not dissimilar separation distances, albeit they are separated from the school grounds by Hatherley Brook and strip of mature landscaping and trees.
- 6.28** As mentioned above, the proposals have been discussed at length with the Council's Environmental Health team (EHO). The EHO was also involved in meetings with the applicant to discuss the various concerns raised, the findings of the submitted Noise Impact Assessment and subsequent scheme revisions put forward by the applicant.
- 6.29** The EHO's comments are set out in full within the consultee Appendix. This includes commentary on the EHO's consideration and response to the submitted Noise Impact Assessment.
- 6.30** The above discussions have culminated in the following suggested condition which imposes restrictions on the hours use of the proposed facilities during the week and on Saturdays, adjusted/extended to take account of daylight hours during the spring/summer and autumn/winter months. The suggested restrictions include no use of the proposed facilities outside of these days/times or on Sundays or Bank holidays, except on days when Belmont School's sports days or annual school fetes are held. There is also no differentiation between school term time and holiday period hours/days of use; the restricted hours of use would operate the same all year round. It should be noted that these restricted hours differ from those proposed by the applicant, as set out in the submitted Operational Plan. An informative has also been added which provides clarity on the use of the facilities within available daylight hours at various times of the year.

The running track(s), cycle track, multiple use games area (MUGA), and BMX pump track(s) shall not be used outside of the following hours, 08:30 to 19:30 Monday to Friday and 09:00 to 13:00 on Saturdays during Spring/Summer (March-October inclusive), and 08:30 to 16:30 Monday to Friday and 09:00 to 13:00 on Saturdays during Autumn/Winter (November-February inclusive or as daylight allows). The running track(s), MUGA, cycle track and BMX pump track(s) shall not be used at any time on Sundays and Bank Holidays. The above approved sports and recreation facilities may only be used outside of the above restricted hours/days when the Belmont School annual sports day(s) and annual fete(s) are held. No organisation other than Belmont School shall use the approved facilities outside of the restricted hours/days.

Reason: To safeguard the amenities of the locality, having regard to adopted policy SL1 of the Cheltenham Plan (2020) and adopted policy SD14 of the Joint Core Strategy (2017).

- 6.31** A condition is also suggested that prevents any future floodlighting of the proposed development. The condition also requires the submission and approval of details of any future proposed incidental only external lighting or additional security lighting. Note that, any external lighting of the proposed sports facilities themselves (to enable them to be used after daylight hours) would not be supported by officers.

6.32 Subject to the imposition of the above suggested conditions and on balance, the proposed development is considered to be broadly compliant with adopted Cheltenham Plan (2020) policy SL1 and adopted JCS policy SD14 which require development to protect the existing amenity of neighbouring land users and the locality in general.

6.33 The above conclusion is reached having taken full account of the fact that this is a school and there are existing sports and play facilities available on site, the use of which generates a level of noise and disturbance to neighbouring residents currently. It is accepted that the proposed development would increase the potential for noise and disturbance and at different times of the day/year. Officers have therefore had to balance, very carefully, the needs, expectations and aspirations of the school against the need to protect the amenities of neighbouring residents.

6.34 Access and highway issues

6.35 Paragraph 115 of the NPPF states that development should only be refused on highways grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe.

6.36 Policy INF1 of the JCS reiterates the stance of the NPPF and states that proposals should ensure that safe and efficient access to the highway network is provided for all transport modes.

6.37 The proposals include no additional car parking provision. The users of the proposed facilities would utilise existing areas for car parking on site which are located at the front of the main school buildings and accessed via Warden Hill Road and Bournside School.

6.38 Given the potential increase in parking demand resulting from the proposed development, particularly at weekends and after school hours and potential for parking congestion within nearby streets, the County Council Highways Development Management Team, acting as Local Highway Authority (HA) was consulted.

6.39 The HA raise no objection to the proposed development and conclude that the parking demands resulting from *the proposed development are able to be accommodated within the school grounds, within which there are a number of existing and sizeable parking areas which should be able to accommodate any increase in parking demand. Similarly, the number of estimated trips is not likely to result in a severe impact on the local road network, given that the greatest demands would occur outside of peak travel times.*

6.40 However, in recognition of the potential need to accommodate a larger number of visitors on the site than currently experienced and to ensure that the parking demand is not displaced onto neighbouring streets, their recommendation is subject to a condition that requires the submission and approval of a Car Park Management Plan. This plan would inform on ways off-site parking would be mitigated and parking arrangements maintained and managed throughout the lifetime of the development. The suggested condition has been added.

6.41 Sustainability

6.42 NPPF paragraph 157 states that: *'The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure'*.

6.43 NPPF paragraph 159 b) goes on to state that new development should be planned for in ways that *'can help to reduce greenhouse gas emissions, such as through its location,*

orientation and design. Any local requirements for the sustainability of buildings should reflect the Government's policy for national technical standards'.

- 6.44** Policy SD3 of the JCS requires all new development to be designed to contribute to the aims of sustainability by increasing energy efficiency and minimising waste and air pollution. Development proposals are also required to be adaptable to climate change in respect of the design, layout, siting, orientation and function of buildings. Similarly, Policy INF5 of the JCS sets out that proposals for the generation of energy from renewable resources or low carbon energy development will be supported.
- 6.45** The Cheltenham Climate Change SPD (adopted June 2022), sets out a strategy for decarbonising all new development over the next decade. The SPD is focused on the opportunity to improve the environmental performance of buildings, however, in the case of this application there are opportunities to improve performance in relation to permeable (or minimal) hard surfaces, appropriately sourced materials, biodiversity net gain and ecological enhancements.
- 6.46** A condition has been added that requires the submission and approval of details of all hard surfacing materials. Whilst asphalt is currently proposed for the accessible cycle and BMX tracks (for ease of movement), the proposed surfacing for the MUGA pitch is shown as artificial permeable turf, and there is scope for additional soft landscaping within the Forest School area.
- 6.47** Given the nature and purpose of the proposed development, it is considered that the above demonstrates a limited but acceptable response to climate change, the Council's SPD guidance and the objectives of Policy SD3 of the JCS.
- 6.48** Conditions requiring the local planning authority's subsequent approval of the details and implementation of the proposed landscaping and tree planting (including the need to achieve a Biodiversity Net Gain) have also been added.
- 6.49 Other considerations**
- 6.50 Drainage and Flooding**
- 6.51** The application has been assessed in accordance with JCS Policies INF2 and section 14 of the NPPF; paragraph 173 setting out that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere and where appropriate, applications should be supported by a site-specific flood-risk assessment.
- 6.52** The application is accompanied by a Flood Risk Assessment and Drainage Strategy.
- 6.53** The application site is located wholly within in Flood Zone 1 (lowest flood risk). However, part of the site (and proposed development) is in close proximity to a main river (Hatherley Brook) to the north east and within or close to 8 metres to the top of the river bank. Adjoining land to the north east is located within Flood Zone 3. The Environment Agency (EA) was therefore consulted.
- 6.54** The EA comment that the scale and nature of the proposed development does not materially alter access to the watercourse but notes that the proposed realigned security fencing along the north east site boundary should be of an open design to allow water to pass through. A condition requiring the submission of the details for all new and replacement boundary fencing has been added below. The EA suggested informative in respect of any required Flood Risk Activity Permit (FRAP) has also been added.
- 6.55** The County Council acting in its role as Local Lead Flood Authority (LLFA) is a statutory consultee and was therefore consulted to consider the surface water drainage and

flooding aspects of the proposed development. The LLFA was also advised of all subsequent scheme layout revisions and the revised Flood Risk assessment and Drainage Strategy.

6.56 The final version of the proposed drainage strategy addresses the LLFA's concerns regarding run-off rates from the proposed asphalt cycle track. The LLFA is satisfied that the latest drainage strategy (P21-905-500-P4) now includes gravel filter drains alongside the cycle track to capture surface water runoff from it. In addition, climate change has been effectively incorporated into the scheme and a suitable maintenance and management plan has been provided. No further details are requested by the LLFA.

6.57 A condition that requires the development to be carried out and maintained in accordance with the submitted Drainage Strategy is suggested below.

6.58 The LLFA and EA consultee responses can be read in full in the Consultee Appendix.

6.59 Ecology/Biodiversity and Environmental Impact

6.60 NPPF paragraph 180 seeks through development, the protection and enhancement of valued landscapes and sites of biodiversity value and the need to minimise and provide net gains for biodiversity and coherent and resilient ecological networks. Paragraph 186 sets out a mitigation hierarchy in terms of retained and enhanced environmental features that can be incorporated into a development proposal.

6.61 Similarly, Policy SD9 of the JCS seeks the protection and enhancement of ecological networks and for new development to contribute positively to biodiversity and geodiversity whilst linking with wider networks of green infrastructure.

6.62 Given the existing, largely greenfield character of the application site and its replacement with large areas of hard standing, the applicant was asked to carry out an ecological survey of the site, demonstrate Biodiversity Net Gain (BNG) and set out any other potential ecological mitigation and compensation measures. The application details therefore include a Preliminary Ecological Appraisal (PEA) (and a revised version) which includes a Phase 1 Habitat Survey, protected and notable species investigations, a comprehensive BNG Assessment and set of recommended ecological mitigation and compensation measures and enhancement opportunities.

6.63 The Council's ecology advisor (EO) has reviewed all submitted ecology related information and recommends that the mitigation measures outlined in the PEA (including details of any external lighting) should be detailed further in a Construction and Ecological Management Plan (CEMP). Similarly, the recommended enhancement measures should be further detailed in a Landscape and Ecological Management Plan (LEMP) with bird and bat boxes and log piles to be shown within any future landscaping scheme. The LEMP will also need to support the habitat proposals outlined in the BNG assessment.

6.64 The implementation of all recommended mitigation and enhancement measures and BNG requirements set out in the CEMP and LEMP can be secured by way of planning conditions.

6.65 In addition, GCER records have also been considered and these show that important species or habitats have been sighted on or near the application site in the past, including bats, it is not considered that the proposed nature and scale development (noting the location of the sightings) will have any impact on these species.

6.66 Trees and Landscaping

6.67 The Council's Trees Officer (TO) has undertaken a review of the proposed tree and soft landscaping proposals and considered the proposed removal of 1no. tree from the site.

His comments on the scheme as first submitted and subsequent revisions, are set out in full in the consultation section of this report.

6.68 In summary, the TO raises no objection and considers the proposed planting appropriate in terms of species and tree locations but this is subject to the submission and approval of a detailed landscaping and tree planting scheme. The recommended condition(s) have been added.

6.69 Community Use

6.70 The applicant has made it very clear in submitted documentation, including the Operational Management Plan, that the proposed new sports facilities are intended primarily for use by Belmont School pupils and within normal school hours. However, a number of local organisations, including Bettridge School, use the school's current facilities outside of school hours and at weekends. Notably, a cycle club operates at the weekend and uses hard surfaced areas to the front of the main school buildings. Until recently, an afterschool local drama club used rooms within the school's main buildings and the school operates a Saturday drop-in session for the families of pupils registered at the school.

6.71 The Operational Management Plan lists various organisations that use the site currently and states the following in respect of intended users of the facilities:-

In relation to weekend use, the existing user groups are set out at Appendix B. Appendix B also sets out possible new users. This list is not exhaustive, and is indicative only. However, briefly, the project aims to meet the needs of SEND children at the school itself, and through after school clubs. Some of the clubs include accessible cycling, short breaks and respite, as well as SEND specialists sports groups.

In relation to school holidays, information has already been provided in the submission regarding the use of the school by existing providers. The school is in contract with various bodies including Gloucestershire County Council and His Majesty's Government such that these will continue throughout what would be a normal 'school core hour day', meaning that any use beyond that (afternoon/early evening) would be limited to what is illustrated as a regular term time use.

The indicative tables make it clear that the main use of the facilities will for school use (either during the normal school day or after school clubs), and any use beyond that is purely ancillary to the main use (both in relation to hours of operation, and likely number of users)

6.72 It is anticipated that some or all of these existing organisations and other organisations will use the school's existing and proposed facilities on a regular basis.

6.73 The proposed community/external use of the proposed facilities is not objected to in principle and is welcomed, provided that any external use of the proposed facilities remains ancillary to Belmont School's primary use of the proposed facilities.

6.74 The suggested condition which restricts the hours and days of use should manage this expectation, recognising that some existing users may need to adjust the timings/days of their use to meet the requirements of the planning condition.

6.75 The submitted Operational Management Plan also offers sufficient comfort that the proposed facilities would be used primarily by the school for their registered pupils and that any use outside of normal school hours and by other organisation/sports clubs would remain ancillary to the school's main use of the facilities.

6.76 With the above in mind, officers do not consider it necessary or reasonable (in meeting the relevant tests set out in the nPPG) for the applicant to enter into a s106 Agreement to secure or restrict elements of any proposed community/external use.

6.77 Public Sector Equalities Duty (PSED)

6.78 As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have “due regard” to this duty. There are three main aims:

- Removing or minimising disadvantages suffered by people due to their protected characteristics;
- Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people; and
- Encouraging people with certain protected characteristics to participate in public life or in other activities where participation is disproportionately low.

6.79 Whilst there is no absolute requirement to fully remove any disadvantage, the duty is to have “regard to” and remove OR minimise disadvantage and in considering the merits of this planning application the planning authority has taken into consideration the requirements of the PSED.

6.80 In the context of the above PSED duties, this proposal is considered to be acceptable.

7. PLANNING BALANCE, CONCLUSION AND RECOMMENDATION

7.1 In accordance with Section 38 of the NPPF, the Local Planning Authority has worked in a positive and proactive way and has negotiated amendments to this scheme to reduce the potential impact upon the amenities of adjacent land users. The proposals have also sought to minimise ecological impact, provide ecological enhancements and a biodiversity net gain. The concerns raised by the LLFA have also been addressed satisfactorily and, subject to conditions, there are no highway safety concerns.

7.2 Officers maintain reservations in respect of the general layout and size (quantum) of development proposed and its proximity to neighbouring properties. However, subject to the imposition of the suggested conditions below relating to restricted hours of use, noise mitigation, officers are now satisfied that, on balance, the site can accommodate the proposed development in its revised form without significant harm to the living conditions of adjacent land users.

7.3 The obvious improvements to the school's sports and recreation facilities and the benefits of the proposals to the wider community in providing much needed SEND accessible sports facilities are also material considerations which must weigh in the balance. That said, the proposed facilities would remain ancillary to the primary function of the school site which is for the provision of education.

7.4 The proposals have been assessed in accordance with NPPF paragraph 11(d). The ‘tilted balance’ in favour of sustainable development is engaged in this case and there are no other adverse impacts arising from the proposals that would significantly outweigh the benefits of the scheme and substantiate a refusal.

7.5 The recommendation is therefore to grant planning permission, subject to the conditions set out below.

7.6 The applicant has agreed to the terms of all pre-commencement conditions.

8. CONDITIONS / INFORMATIVES

- 1 The planning permission hereby granted shall be begun not later than the expiration of three years from the date of this decision.

Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The planning permission hereby granted shall be carried out in accordance with the approved plans listed in Schedule 1 of this decision notice.

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 The following elements of the scheme shall not be installed, implemented or carried out unless in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority:

1. Fencing and boundary treatment (including new or replacement boundary fencing, acoustic fence, perimeter fencing for MUGA and boundary treatment for any other approved sports/recreation facilities)
2. All new hard surfacing materials (including the surfacing materials for the BMX track(s))
3. Nest boxes for birds and bats and log piles for reptiles (including location and appearance)

Reason: In the interests of the character and appearance and amenities of the locality having regard to adopted policy D1 of the Cheltenham Plan (2020) and adopted policy SD4 of the Joint Core Strategy (2017).

- 4 The running track(s), cycle track, multiple use games area (MUGA), and BMX pump track(s) shall not be used outside of the following hours, 08:30 to 19:30 Monday to Friday and 09:00 to 13:00 on Saturdays during Spring/Summer (March-October inclusive), and 08:30 to 16:30 Monday to Friday and 09:00 to 13:00 on Saturdays during Autumn/Winter (November-February inclusive or as daylight allows). The running track(s), MUGA, cycle track and BMX pump track(s) shall not be used at any time on Sundays and Bank Holidays. The above approved sports and recreation facilities may only be used outside of the above restricted hours/days when the Belmont School annual sports day(s) and annual fete(s) are held. No organisation other than Belmont School shall use the approved facilities outside of the restricted hours/days.

Reason: To safeguard the amenities of the locality, having regard to adopted policy SL1 of the Cheltenham Plan (2020) and adopted policy SD14 of the Joint Core Strategy (2017).

- 5 Notwithstanding the details submitted, the development shall not be brought into use until a detailed Noise Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Noise Management Plan shall apply to the use of the MUGA, BMX pump track(s), running and cycle tracks. It shall include but shall not be limited to the recommendations set out in the submitted (revised) Noise Impact Assessment prepared by Acoustic Consultants Ltd, and include details of:

- a) Management and Maintenance scheme and a mechanism for review
- b) The use, implementation and management of a 'No Whistle Policy'
- c) The inclusion of noise restricting neoprene isolators to the support posts of the MUGA perimeter fencing (including details of the proposed isolators)

d) Mechanism whereby noise complaints can be made and logged.

The development shall be carried out and used at all times in accordance with the details approved.

Reason: To safeguard the amenity of adjacent properties and the general locality, having regard to adopted policy SL1 of the Cheltenham Plan (2020) and adopted policy SD14 of the Joint Core Strategy (2017).

- 6 There shall be no floodlighting or any other form of external lighting (except for additional required security lighting) of the development hereby approved, save for any required additional security lighting and low level safety or incidental lighting. Details of security lighting and low level safety/incidental lighting shall be submitted to and approved in writing by the local planning authority and prior to its installation. All new lighting shall be installed in accordance with the details approved.

Reason: To safeguard the amenity of adjacent properties and the general locality, having regard to adopted policy SL1 of the Cheltenham Plan (2020) and adopted policy SD14 of the Joint Core Strategy (2017).

- 7 At no time shall amplified speakers/music be used or the firing of guns take place in association with the development hereby approved, other than in association with the Belmont School annual sports day(s) and annual school fete(s).

Reason: To safeguard the amenity of adjacent properties and the general locality, having regard to adopted policy SL1 of the Cheltenham Plan (2020) and adopted policy SD14 of the Joint Core Strategy (2017).

- 8 The development hereby permitted shall not be brought into use until the acoustic fence illustrated on plan ref. 6606-P-200 Rev AA has been fully installed and in accordance with the approved plans.

Reason: To safeguard the amenity of adjacent properties and the general locality, having regard to adopted policy SL1 of the Cheltenham Plan (2020) and adopted policy SD14 of the Joint Core Strategy (2017).

- 9 Prior to the implementation of any landscaping, full details of a soft landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be in general accordance with the planting details shown on the approved plans (Drawing No 6606-P-200 AA). The scheme shall identify all trees, hedgerows and other planting which are to be retained, and provide details of a planting specification to include [species, size, position and method of planting of all new trees and shrubs]; and a programme of implementation. The scheme shall also include an updated Biodiversity Net Gain Assessment (in accordance with the DEFRA metric current at the time of submission of the landscaping scheme) to demonstrate that the proposals achieve a positive net gain for habitats and linear features.

All soft landscaping works shall be carried out in accordance with the approved details prior to first use of any part of the development unless otherwise agreed in writing by the Local Planning Authority.

Any trees or plants indicated on the approved scheme which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size which shall be first agreed in writing by the Local Planning Authority. All hard landscape works shall be permanently retained in accordance with the approved details.

Reason: In the interests of the character and appearance of the area, having regard to adopted policies D1, G12 and G13 of the Cheltenham Plan (2020), and adopted policies SD4 and INF3 of the Joint Core Strategy (2017).

- 10 The development shall be carried out in accordance with the requirements for mitigation and enhancement set out in the 'Ecosa' Preliminary Ecological Appraisal Rev 1 (dated January 2024).

Reason: To safeguard important ecological species in accordance with policy SD9 of the Joint Core Strategy (2017).

- 11 Prior to the commencement of development (including site clearance works), a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the local authority. The CEMP shall expand on the mitigation outlined in the 'Ecosa' Preliminary Ecological Appraisal Rev 1 (dated January 2024) and shall include a bat sensitive lighting plan (if relevant) and detail on the methods, recommendations and ecological protective measures during construction. The development hereby approved shall be carried out at all times (including during all ground and vegetation clearance works) in accordance with the methods, recommendations and ecological protective measures set out in the approved CEMP.

Any modifications to the approved CEMP details, for example as a result of requirements of a protected species license, must be submitted to and agreed in writing by the Local Planning Authority and prior to the implementation of any modifications. The development hereby approved shall be carried out at all times (including during all ground and vegetation clearance works) in accordance with any approved modifications to the approved CEMP.

Reason: To safeguard important ecological species and to ensure the development contributes to the conservation and enhancement of biodiversity within the site and the wider area during the construction and operational phases of the development, in accordance with policy SD6 and SD9 of the Joint Core Strategy (2017). Approval is required upfront to ensure appropriate mitigation for the protection and enhancement of ecological species during all stages of the development.

- 12 Prior to the commencement of development (including site clearance works), a Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the local planning authority. The LEMP shall be in accordance with the habitat proposals outlined in the 'All Ecology' Biodiversity Net Gain Preliminary Design Stage Report and accompanying calculations (dated January 2024) and those of the updated BNG assessment that confirms positive BNG. The LEMP should expand on the 'Ecosa' Preliminary Ecological Appraisal Rev 1 (dated January 2024) recommendations for site wide enhancements for identified ecological species (including the ecological enhancement of the existing orchard, provision of bird/bat boxes and log piles) and should detail timescales for implementation and persons responsible for managing and monitoring the site.

The development hereby approved shall be carried out at all times (including during all ground and vegetation clearance works) and thereafter maintained in accordance with the ecological enhancement measures and management and maintenance measures set out in the approved LEMP.

Any modifications to the approved LEMP details, for example as a result of requirements of a protected species license, must be submitted to and agreed in writing by the Local Planning Authority and prior to the implementation of any modifications. The development hereby approved shall be carried out at all times (including during all

ground and vegetation clearance works) and thereafter maintained in accordance with any approved modifications to the approved LEMP.

Reason: To safeguard important ecological species and to ensure the development contributes to the conservation and enhancement of biodiversity within the site and the wider area during the construction and operational phases of the development, in accordance with policy SD9 of the Joint Core Strategy (2017). Approval is required upfront to ensure appropriate mitigation for the protection and enhancement of ecological species during all stages of the development.

- 13 The development shall be carried out in accordance with the approved drainage strategy (Flood Risk Assessment & Drainage Strategy P21-905 Issue 4 and Drawing Nos P21-905 503 P3 & P21-905-500-P4).

Reason: To ensure sustainable drainage of the development, having regard to adopted policy INF2 of the Joint Core Strategy (2017).

- 14 The Development hereby approved shall not be brought into use until a Car Park Management Plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall include details of how off-site parking would be mitigated and parking arrangements maintained and managed throughout the lifetime of the development. The development shall be carried out at all times in accordance with the approved details.

Reason: To ensure the safe operation of the approved car park, having regard to adopted policy INF1 of the Joint Core Strategy (2017).

- 15 Prior to the commencement of development, including any works of demolition or site clearance, a Construction Method Statement shall be submitted to and approved in writing by the Local Planning Authority.

The approved method statement shall be adhered to throughout the development process and shall, where necessary:

- i) specify the type and number of vehicles expected during the construction of the development;
- ii) allocate space for the parking of vehicles for site operatives and visitors;
- iii) allocate space for the loading and unloading of plant and materials;
- iv) allocate space for the storage of plant and materials used in constructing the development;
- v) specify the intended hours of construction;
- vi) specify measures to control the emission of noise, dust and dirt during construction;
- vii) provide for wheel washing facilities; and
- viii) specify the access points to be used and maintained during the construction phase.

Reason: To minimise disruption on the public highway and to adjacent land users, and accommodate the efficient delivery of goods and supplies during the course of the construction works, having regard to adopted policy INF1 of the Joint Core Strategy (2017). Approval is required upfront because without proper mitigation the works could have an unacceptable highway impact during construction.

- 16 Prior to the commencement of development, plans showing the existing and proposed ground levels of the site (including those of the proposed BMX track(s) and bleacher seating) shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented strictly in accordance with the agreed details.

Reason: To ensure a satisfactory relationship between the proposed development and adjacent buildings and land, having regard to adopted policies D1 and SL1 of the Cheltenham Plan (2020) and adopted policies SD4 and SD14 of the Joint Core Strategy (2017). Approval is required upfront to allow the impact of the development to be accurately assessed.

INFORMATIVES

- 1 In accordance with the requirements of The Town and Country Planning (Development Management Procedure) (England) Order 2015 and the provisions of the NPPF, the Local Planning Authority adopts a positive and proactive approach to dealing with planning applications and where possible, will seek solutions to any problems that arise when dealing with a planning application with the aim of fostering the delivery of sustainable development.

At the heart of this positive and proactive approach is the authority's pre-application advice service for all types of development. Further to this however, the authority publishes guidance on the Council's website on how to submit planning applications and provides full and up-to-date information in relation to planning applications to enable the applicant, and other interested parties, to track progress.

In this instance, the authority sought revisions to the design and layout of the proposed development in the interests of the amenities of the locality.

Following these negotiations, the application now constitutes sustainable development and has therefore been approved in a timely manner.

- 2 Construction Management Plan (CMP)

It is expected that contractors are registered with the Considerate Constructors scheme and comply with the code of conduct in full, but particularly reference is made to "respecting the community" this says:

Constructors should give utmost consideration to their impact on neighbours and the public

- Informing, respecting and showing courtesy to those affected by the work;
- Minimising the impact of deliveries, parking and work on the public highway;
- Contributing to and supporting the local community and economy; and
- Working to create a positive and enduring impression, and promoting the Code.

The CEMP should clearly identify how the principal contractor will engage with the local community; this should be tailored to local circumstances. Contractors should also confirm how they will manage any local concerns and complaints and provide an agreed Service Level Agreement for responding to said issues.

Contractors should ensure that courtesy boards are provided, and information shared with the local community relating to the timing of operations and contact details for the site coordinator in the event of any difficulties. This does not offer any relief to obligations under existing Legislation.

- 3 In addition to obtaining planning permission, the applicant/developer is advised that any works, in, over or under, or within 8 metres of the top of the bank of any Main River may require a FRAP from the Environment Agency (EA) under the Environmental Permitting (England and Wales) Regulations 2016. The EA recommends that the applicant/developer contact the EA's area Partnerships & Strategic Overview (PSO) Team at ps0.midswest@environment-agency.gov.uk to discuss this further.

For further advice please also see: <https://www.gov.uk/guidance/flood-risk-activitiesenvironmental-permit>. Please note the riparian owner is responsible for the maintenance of their length of bank, as appropriate.

- 4 Severn Trent Water advise that there is a public 150mm foul sewer located within this site. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent. The applicant/developer is advised to contact Severn Trent Water to discuss the proposals. Severn Trent will seek to assist in obtaining a solution which protects both the public sewer and the building. Please note, when submitting a Building Regulations application, the building control officer is required to check the sewer maps supplied by Severn Trent and advise them of any proposals located over or within 3 meters of a public sewer. Under the provisions of Building Regulations 2000 Part H4, Severn Trent can direct the building control officer to refuse building regulations approval.

Please note that there is no guarantee that the applicant/developer will be able to build over or close to any Severn Trent sewers, and where diversion is required there is no guarantee that you will be able to undertake those works on a self-lay basis. Every approach to build near to or divert our assets has to be assessed on its own merit and the decision of what is or isn't permissible is taken based on the risk to the asset and the wider catchment it serves. It is vital therefore that you contact us at the earliest opportunity to discuss the implications of our assets crossing your site. Failure to do so could significantly affect the costs and timescales of the project if it transpires diversionary works need to be carried out by Severn Trent.

- 5 The time/day restrictions on use imposed by Condition 4 may be affected by available daylight. The times specified do not imply that external lighting may be installed to enable use of the proposed development up to 19:30 hours in spring/summer and 16:30 in autumn/winter.

Consultations Appendix

Friends Of Bournside

21st March 2023 - Letter available to view in documents tab.

30th March 2023 - Letter available to view in documents tab.

Sport England 1

2nd March 2023 -

Thank you for consulting Sport England on the above planning application. The site is considered to constitute playing field, or land last used as playing field, as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2015 (Statutory Instrument 2015 No. 595). As such Sport England is a statutory consultee.

Sport England has sought to consider the application in light of the National Planning Policy Framework (particularly Para. 99) and against its own playing fields policy. Unfortunately there is insufficient information to enable Sport England to adequately assess the proposal or to make a substantive response. Please therefore could the following information be provided as soon as possible:

1. Details of all the surfaces proposed - I would like the manufacturer's details for each artificial surface proposed;
2. Justification for the complete loss of the playing field: the applicants need to refer to the NPPF, Sport England's planning policy exceptions and the dated Cheltenham Playing Pitch strategy - NB this scheme is significantly different from the one submitted as a pre-application and as such our conclusion submitted on 8th April 2022 no longer applies.
3. A proposed planning with dimensions for the MUGA and running tracks;
4. Details of the surface of where the BMX track crosses the running tracks.
5. Levels for the MUGAs - where are the safety run-offs for the MUGAs? - I am concerned about the conflict of different surfaces in such close proximity which could lead to accidents.
6. There is no logic for the 2 minor ovals - can this please be explained?
7. Details of the BMX track; and
8. Details of the life expectancy for each surface.

This application is incredibly poor, there was more details attached to the pre-application.

Sport England's Playing Fields Policy and Guidance document, which includes the type of information required in order for us to evaluate a planning application against our policy, can be viewed via the below link:

https://www.sportengland.org/how-we-can-help/facilities-and-planning/planning-for-sport#playing_fields_policy (see Annex B)

Sport England's interim position on this proposal is to submit a holding objection. However we will happily review our position following the receipt of all the further information requested above. As I am currently unable to make a substantive response, in accordance with the Order referred to above, the 21 days for formally responding to the consultation will not commence until I have received all the information requested above.

Should the local planning authority be minded to grant planning permission for the proposal, contrary to Sport England's holding objection, then in accordance with The Town and Country Planning (Consultation) (England) Direction 2021, the application should be referred to the Secretary of State, via the Planning Casework Unit.

I would be happy to discuss the requested information further with the applicant and/or the local planning authority if necessary.

Sport England 2

23rd March 2023 -

Thank you for re consulting Sport England on the above planning application with additional information.

Sport England's role is to protect playing field and promote good practise. I have reviewed the documents and have a concern about the football pitches as shown.

The 2 mini football pitches do not conform the recognised sizes or layouts. If the these pitches were removed then subject to planning conditions on the construction of the various tracks and a community use agreement to access the tracks outside the school use, Sport England could consider this meet our planning our planning policy exception E5.

If the pitches are to remain, Sport England condone poor design, we would have to object to the planning application.

Having read the head teacher's letter, I do not think should be too much of an issue. Should the school want to play sport on grassed areas with in the tracks they will make it fit to suit the number of children playing whatever game it is to be, with the constraints of the track.

Sport England's interim position on this proposal is to continue its holding objection. However we will happily review our position following the receipt of all the further information requested above. As I am currently unable to make a substantive response, in accordance with the Order referred to above, the 21 days for formally responding to the consultation will not commence until I have received all the information requested above.

Should the local planning authority be minded to grant planning permission for the proposal, contrary to Sport England's holding objection, then in accordance with The Town and Country Planning (Consultation) (England) Direction 2021, the application should be referred to the Secretary of State, via the Planning Casework Unit.

I would be happy to discuss the requested information further with the applicant and/or the local planning authority if necessary.

Sport England 3

21st September 2023 - Letter available to view in documents tab.

Sport England 4

5th February 2024 -

Thank you for reconsulting Sport England with additional/revised information on the above planning application

I note that there have been some changes to the overall proposal when I compare that latest revised drawing 66-06-P-200 Rev Z, and the previous drawing 66-06-P-200 Rev V. However the principles of the proposal have not significantly changed, to my mind, to warrant a change Sport England's position to application:

'The proposed development is for an indoor or outdoor facility for sport, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss, or prejudice to the use, of the area of playing field.'

What was very interesting was the proposed Operational Plan. It was good to see the proposed slots for community use of the facilities along with the how the school would use them.

For Clarity

Further to the above assessment, Sport England does not wish to raise an objection to this application as it is considered to meet our planning policy exception E5

The absence of an objection to this application, in the context of the Town and Country Planning Act, cannot be taken as formal support or consent from Sport England or any National Governing Body of Sport to any related funding application, or as may be required by virtue of any pre-existing funding agreement.

If you would like any further information or advice please contact me at the address below.

Environmental Health 1

20th March 2023 –

In relation to application 23/00117/FUL for Belmont School, Warden Hill Road, Cheltenham, GL51 3AT, at the current time the Environmental Health team would be minded to object to the proposals for the following reasons:

The later part of this email are initial comments from Environmental Health on this application and points which will need to be reviewed by the applicant.

Objection points:

Noise:

The proposal puts forward operational times of the site as Monday - Friday 08.30 - 22.00, Saturday 08.30 - 16.30 and Sunday/Bank holiday 08.30 - 16.30. In our view these proposed operational times are too long and cover the entirety of the week meaning there is no respite from the noise produced by the site for any neighbouring residential property.

Residents will be accepting that they live near to a school setting, but the general hours of a school are not in line with the hours proposed. A concern is also that if granted, the facilities would not only be used by children attending Belmont School, but by outside clubs/groups, (including outside groups who have recorded their support for the project in the design and access statement), which could lead to additional noise. As a result of the multiple activities discussed in the application, there is also a risk of cumulative noise from all the sports activities/pitches etc. being used at the same time as well as for the full length of time proposed in the operational hours.

Furthermore, in the design and access statement submitted as part of the application, one of the concerns raised was around noise. The applicant has mitigated this by reporting that "the school currently has sports days and weekend fundraisers which the neighbours have expressed does not negatively impact them in any way." However, we cannot be certain that the school has sports days and weekend fundraisers as frequently or for as long in duration as the proposed hours for the site.

The times proposed for the development are highly likely to give rise to a loss of amenity for the neighbouring residents.

Extent of facilities:

As part of this submission, the applicant has put forward proposals for: "200m oval running track, with a 100m straight and run-off, 2no. smaller 100m ovals, a campus-wide 2 metre wide cycle track and a long jump pit, 2no. MUGAs (to include two five-a-side football pitches), 2no. BMX pump tracks". This is the majority of the activities put forward as part of the pre-app.

Noise will be generated specifically from the use of the two pitches through use by the school as well as the community or any external (non-school) teams using them both. This will include noise from shouting, celebrations, sports equipment and whistles. This could take place during the day for schools, then at night for matches (school teams or outside teams who have rented the pitches), plus weekends and Bank Holidays. Therefore, there could be a level of noise generated from the pitches for a prolonged period of time which could disturb nearby residential properties.

Note:

The above points were raised by Environmental Health as part of the pre-app advice from this department and we will need to see that the above is addressed by the applicant, prior to reviewing our proposed objection.

Conditions for the application:

Noise control:

Prior to any development, the applicant will need to provide further information on:

- Mitigation factors to be in place for the noise from balls/equipment hitting the edges of the pitches
- If there is an intention to let/rent out the pitches/running track/cycle track/long jump pitch/MUGA/BMX track to external teams/groups and if these will be at the same times as applied for in this application
- The planned type of surface of the cycle track and BMX track and how noise will be mitigated

Construction:

A) No development shall take place until a construction management plan or construction method statement has been submitted to and been approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the construction period. The statement shall provide for:

- hours of operation
- parking of vehicle of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction)
- routes for construction traffic
- locations for loading / unloading and storage of plant, waste and construction materials
- method of prevention of mud being carried onto highway - measures to protect vulnerable road users (cyclists and pedestrians)
- any necessary temporary traffic management measures - arrangements for turning vehicles
- arrangements to receive abnormal loads or unusually large vehicles - methods of communicating the construction management plan to staff, visitors and neighbouring residents and businesses
- waste and material storage
- control measures for dust and other air-borne pollutants

- measures for controlling the use of site lighting whether required for safe working or for security purposes
- if any generators will be used at any time during the build phase

B) For the construction phase to be kept within the times of work as follows: 08:00 - 18:00 Monday - Friday and 08:00 - 13:00 Saturdays with no works to take place on a Sunday or Bank Holiday and to be mindful of noise when deliveries arrive at the site

Lighting:

It has been noted in the full submission that there is no floodlighting applied for in this development. Floodlighting is likely to cause a disturbance to neighbouring residential properties as well as a loss of amenity for them. Therefore, if granted, a condition would be put forward to detail the following:

"There is to be no floodlighting installed as part of this development, this shall be the case for the lifetime of this development"

Environmental Health 2

17th October 2023 –

In relation to application 23/00117/FUL for Belmont School, Warden Hill Road, Cheltenham, GL51 3AT, at the current time the Environmental Health team remain at the position of recommending objection to this application, this is on the grounds of loss of amenity to neighbouring residential homes due to the noise/disturbance which will be created by a development in line with the proposal.

In summary, the proposed times of use which are 7 days a week, including bank holidays, with an end time of 22.00 Monday - Friday and 16.30 Saturday, Sunday and Bank Holidays of a large range of sports facilities will give rise to noise, disturbance. This would not only be from the use of the multiple different types of facilities, but in addition the noise of visitors to the site to watch/support those using it. In addition, if this application were given permission, the site could potentially utilise all of the proposed facilities in totality all at the same time during the entirety of the permitted hours, which is also a basis for objection. The proposed plans are linked to a school, however, the proposed times of use are well beyond the reasonable times neighbours would expect even after school activities to be taking place, which leads the view to be that after school times will be for external hire.

Comments on recently submitted documents:

SF Planning:

Planning and management statement:

3.1: To be clear the current operational hours at the school are as follows: Monday to Friday: 8:30am - 10:00pm Saturday & Sunday: 8:30am - 4:30pm

LB - this would likely be internal use and is not the use of an external sports facility

3.9: The stage school finished hiring the school in the last few weeks, but was using it every Friday evening from 4pm until 7.30pm

LB - again this internal and unlikely to be audible by neighbours, the use of an outside sports facility would be able to be heard and disturb neighbouring residents

3.10: In relation to other one-off events there are the occasional charity fund raising events usually at weekends in the Spring and Summer. These are normally held on weekends and can involve organised events with catering. There is also the yearly school sports day.

LB - the key in paragraph 3.10 is "one-off" events, people expect these living in close proximity to a school as well as an annual sports day, however, these are incredibly infrequent and not on a persistent basis outside until potentially 22.00.

Acoustic Consultants Ltd - noise impact assessment (ref: Reference: 10404/FD):

Paragraph 6 - "Noise levels from sporting activity were generally determined by person's voices" - this is the main factor which is very difficult to control. The only option for control of this is times of use.

Paragraph 6.1 and 6.2 - assumed typing mistake in the year of calibration for SLM - 2013 vs 2023

Paragraph 6.3 - assumed typing mistake in the year of calibration for SLM - 2016 vs 2023

Paragraph 11.2:

Query - at 20.00 there is a predicated +6 difference which has been classed as minor, yet at 19.00 there is a predicted +7 which is classed as moderate (NB - 18.00 a 4+ difference is also classed as moderate). Please can the applicant clarify this.

Query - at 18.00 the existing equivalent noise level is 46, the predicted equivalent noise level is 48, but the change has been stated as "+4", the difference between 48 and 46 is +2. This is an error throughout this table for all times of 18.00, 19.00, 20.00 and 21.00.

The table above states it indicates a "minor to moderate" impact, however, on 75% of the times listed there will be a moderate impact from the noise levels the neighbouring residents have currently and this is potentially going to be Mon - Fri, every week throughout the year, until the latest time of 22.00. This difference will have a significant impact on neighbouring residential homes, an increase of 3dB is considered one which will have an audible difference to the human ear. Each of the above measurements throughout the evening will be noticeable by residents.

In terms of "peak noise" e.g. whistles and people shouting, we can read that this type of noise has already been measured at other sites to allow the completion of the acoustic survey, but further information has not been submitted on this type of peak noise for this particular site.

Although the acoustic report does mention at the end the cumulative impact if all proposed facilities were all operating at once, it is still likely that the development of an existing field to then encompass the variety of facilities planned, will cause a disturbance to the extremely close noise sensitive residential homes.

Original comments on application - all of which remain:

Noise:

The proposal puts forward operational times of the site as Monday - Friday 08.30 - 22.00, Saturday 08.30 - 16.30 and Sunday/Bank holiday 08.30 - 16.30. In our view these proposed operational times are too long and cover the entirety of the week meaning there is no respite from the noise produced by the site for any neighbouring residential property.

Residents will be accepting that they live near to a school setting, but the general hours of a school are not in line with the hours proposed. A concern is also that if granted, the facilities would not only be used by children attending Belmont School, but by outside clubs/groups, (including outside groups who have recorded their support for the project in the design and

access statement), which could lead to additional noise. As a result of the multiple activities discussed in the application, there is also a risk of cumulative noise from all the sports activities/pitches etc. being used at the same time as well as for the full length of time proposed in the operational hours.

Furthermore, in the design and access statement submitted as part of the application, one of the concerns raised was around noise. The applicant has mitigated this by reporting that "the school currently has sports days and weekend fundraisers which the neighbours have expressed does not negatively impact them in any way." However, we cannot be certain that the school has sports days and weekend fundraisers as frequently or for as long in duration as the proposed hours for the site.

The times proposed for the development are highly likely to give rise to a loss of amenity for the neighbouring residents.

Extent of facilities:

As part of this submission, the applicant has put forward proposals for: "200m oval running track, with a 100m straight and run-off, 2no. smaller 100m ovals, a campus-wide 2 metre wide cycle track and a long jump pit, 2no. MUGAs (to include two five-a-side football pitches), 2no. BMX pump tracks". This is the majority of the activities put forward as part of the pre-app.

Noise will be generated specifically from the use of the two pitches through use by the school as well as the community or any external (non-school) teams using them both. This will include noise from shouting, celebrations, sports equipment and whistles. This could take place during the day for schools, then at night for matches (school teams or outside teams who have rented the pitches), plus weekends and Bank Holidays. Therefore, there could be a level of noise generated from the pitches for a prolonged period of time which could disturb nearby residential properties.

Note:

The above points were raised by Environmental Health as part of the pre-app advice from this department.

Lighting:

It has been noted in the full submission that there is no floodlighting applied for in this development. Floodlighting is likely to cause a disturbance to neighbouring residential properties as well as a loss of amenity for them. This department also has concerns about the use of any other form of lighting at this site. The proposed end time of 22.00 with no lighting proposed, gives rise to concern about the possible introduction/use of any other form of lighting on this site which could allow the later use of the site throughout the year.

Environmental Health 3

6th February 2024 -

In relation to application reference 23/00117/FUL for Belmont School, Warden Hill Road, Cheltenham, GL51 3AT, please find below comments from Environmental Health:

Points from the operational plan:

- Times of use put forward - for Monday - Friday 08:50 - 19.30 for spring/summer and Monday - Friday 08.50 - 16.30 for autumn/winter - these times are a positive improvement on

the initially submitted proposed times of use. EH will be requesting a that a condition is written to confirm these times of operation throughout the year.

- However, the proposed times for Saturdays are 12.00 - 16.00 - please can the applicant provide clarification on these times? Saturday sporting activities are traditionally are hosted during the morning, to this end, we would request the applicant reviews these times and gives thought to times of use of 09.00 - 13.00. In order to ensure that local residents have specified and protected time whereby the facilities are not in use (pleas also see the next point below), EH would be unlikely to accept the use of the scheme for e.g. all day on a Saturday. EH would be more accepting of a condition limiting the use to be e.g. 09.00 - 13.00 for Saturdays.

- The plan also contains proposed times of use for Sundays and Bank Holidays. During previous meetings, EH and Planning had specifically addressed the proposal of there being no activity on Sunday and Bank Holidays to provide the neighbouring area with a full break from the use of the facilities.

- Paragraph 2.5: "In relation to school holidays, information has already been provided in the submission regarding the use of the school by existing providers. The school is in contract with various bodies including Gloucestershire County Council and His Majesty's Government such that these will continue throughout what would be a normal 'school core hour day', meaning that any use beyond that (afternoon/early evening) would be limited to what is illustrated as a regular term time use." - are there times available linked to these contracts? Am I correct in thinking that any conditions imposed on this current application, if given permission, would then also apply to existing activity as per these contracts?

- In appendix B, it is noted: "There shall be no external lighting associated with the running track, multiple use games area, and BMX pump tracks, unless details have first been submitted to and approved in writing by the Local Planning Authority" - this phrasing implies that in the future there will be some form of external lighting/floodlighting. Any kind of lighting/floodlighting in this particular area for this scheme is unlikely to be considered acceptable by the Council.

Proposed site layout:

- "proposed play area" = just for normal school times or for when the sports facilities are to be rented out externally?

Noise impact assessment:

- Section 2 - states the historically proposed hours of use, not the hours of use as proposed by the updated operational plan

- Section 5 - this now states the newly proposed hours of use. In this paragraph, the sentence "The hours of use can be controlled via a suitable...." seems to be incomplete

- Section 7 - paragraph 7.1 - discusses monitoring completed in 2014 - now 10 years old. Not a major issue, more of a note.

-Section 12 - paragraph 12.1 - states: "The highest predicted cumulative noise level from the proposed AGP's and bike and pump tracks is 44 dB LAeq (1 hour) at the nearest noise sensitive dwellings. The World Health Organisation provides a sound reduction through an open window of 15 dB(A) which results in a predicted internal equivalent noise level of 33 dB LAeq (1 hour)" - query = 44 - 15 does not equal 33?

- Section 12 - paragraph 12.2 - table 12 - the difference of dB at 19.00 and 20.00 are both stated as +4, but the difference at 19.00 is +2 from the predicted noise level and at 20.00 the difference is +1 from the predicted noise level

- Section 12 - paragraph 12.8 - discusses noise levels at night time, however, the application is now only to have the site operating until 19.30 - therefore BS8233 for bedrooms at night time (from 23.00), does not apply. (As a note - even if it did apply, the report incorrectly states the levels as set by BS8233 as: "There is a night time maximum noise criterion of 45dB L_{Amax}(fast) for bedrooms at night in BS8233:2014". However, in BS8233 the 45dB L_A F is only for a set number of instances.) Therefore, this reference to night time noise levels under BS8233 doesn't apply to the newly proposed times of use

Environmental Health 4

23rd February 2024 –

In relation to application reference 23/00117/FUL for Belmont School, Warden Hill Road, Cheltenham, GL51 3AT please could I add the following comments and proposed informatives towards the determination of the application. NB these are following on from the email sent by Mark Godson of SF Planning on 16.02.24 at 15.51.

1. Paragraph: "In relation to the outside users of the site, the operational plan makes it clear that the existing outside user groups have already been set out in the submissions. We have not repeated them in the OP, as they are already set out elsewhere (pages 4 and 5 of the Planning and Management Plan). This document is based on existing and previous contracts with various bodies, including Gloucestershire County Council, His Majesty's Government (Holiday Activity Fund), Barnwood Trust Short Break funding and a Community Autism Grant. We do not intend to add this to the OP as contracts come and go (and cannot be predicted with the same level of certainty compared to the school use of the facilities)." - From this and later notes in the email sent 16.02.24, I understand that these uses by the mentioned groups will continue to take place, but that these are on existing parts of the site? Ideally for the school to manage the entirety of the site, it would be ideal to have these uses on the same OP. This is for ease of reading by parties and local residents and transparency that all activities are under the management of the one document.

2. Lighting - I would support the Planning officer in setting a condition regarding lighting on this site. The most recent email mentions "small scale", this could be interpreted in multiple different ways. In order to negate the likelihood of lighting impacting local residents or any complaints, EH would welcome the condition for details of any proposed lighting, security or otherwise, to be forwarded to this authority for review and agreement. As discussed previously, EH would be highly concerned with the proposal of any future floodlighting at this site.

3. Hours of operation - EH understand that the school may wish to hold an annual fair for the school and this has been discussed with the Planning officer to adapt any condition on times of use to permit that type of event

4. OP amendment - EH would welcome an amendment to the OP to ensure that there is one set of timings throughout the year and to not have altered times of use for holiday periods

5. Saturday morning - EH would support the Planning officer is requesting the facilities are utilised during Saturday morning for the period of time required, and not Saturday afternoons. We remain on the stance of no activities on Sundays or Bank Holidays (unless this were to coincide with the annual fair). If the applicant were to utilise the facilities on a Saturday morning only, residents would then have a prolonged period of quieter times for Saturday afternoons and all day on Sundays and Bank Holidays.

6. Please can the applicant ensure that they adhere to the details as set out in the OP regarding noise mitigation measures for the cushioning of balls hitting the edges of the MUGA etc.

7. EH would ask the Planning officer for a conditioning detailing that there shall be no amplified speakers in use for the facility and there shall be no use of firing guns. EH would also welcome this being added to the OP by the applicant.

8. Please can the applicant ensure that they adhere to the details as set out in the OP regarding noise mitigation measures for the "no whistle policy", please could the applicant also set out specific rules in the OP which any visiting/external hire teams, (this is more so for non-school hire parties), will be asked to adhere to e.g. that excessive shouting during matches will not be welcome, furthermore swearing etc. will also not be tolerated and that the school reserves the right to not host teams not adhering to this in the future

Environment Agency 1

7th March 2023 -

Thank you for referring the above application, which was received on 27 February 2023.

Whilst we note that we have not received a completed checklist with this consultation, based on the information submitted we consider that part of the proposed development would be located within 8 m of top of bank of a designated main river (Hatherley Brook).

New development, built structures, and/or storage of materials should ordinarily be set at least 8 metres from the top of bank of a Main River. This is to assist in operational management and maintenance, to help improve flood flow and conveyance, and in the interest of biodiversity.

Based on the scale and nature of the proposed development the Environment Agency considers that the proposal does not materially alter access to the watercourse. We note that the realigned security fencing should be of an open design to allow any flood water to pass through.

This is without prejudice to any Flood Risk Activity Permit (FRAP), which may be required in this instance. We would offer the following comments at this time.

In addition to obtaining planning permission any works, in, over or under, or within 8 metres of the top of the bank of any Main River may require a FRAP from us under the Environmental Permitting (England and Wales) Regulations 2016. We recommend the applicant contact our area Partnerships & Strategic Overview (PSO) Team at pso.midswest@environment-agency.gov.uk to discuss this further.

For further advice please see: <https://www.gov.uk/guidance/flood-risk-activitiesenvironmental-permits>

Please note the riparian owner is responsible for the maintenance of their length of bank, as appropriate.

I trust the above will assist in your determination of the application.

Environment Agency 2

12th February 2024 –

Thank you for consulting us on the additional information for the above application which was received on 26 January 2024.

We have nothing further to add to our previous responses dated 7 March 2023, SV/2023/111625/01-L01 and 2 October 2023 SV/2023/111625/02/L02.

I trust the above will assist in your determination of the application. Please do not hesitate to contact me if you have any queries. A copy of the subsequent decision notice would be appreciated.

Environment Agency 3

11th October 2023 –

Thank you for consulting us on the above application which was received on 4 September 2023.

We have nothing further to add to our previous response letter dated 7 March 2023, SV/2023/111625/01-L01.

I trust the above will assist in your determination of the application. Please do not hesitate to contact me if you have any queries. A copy of the subsequent decision notice would be appreciated.

GCC Local Flood Authority (LLFA) 1

17th March 2023 - Letter available to view in documents tab.

GCC Local Flood Authority (LLFA) 2

26th April 2023 - Letter available to view in documents tab.

GCC Local Flood Authority (LLFA) 3

3rd October 2023 –

I refer to the notice received by the Lead Local Flood Authority (LLFA) requesting comments on the above proposal. The LLFA is a statutory consultee for surface water flood risk and management and has made the following observations and recommendation.

The changes outlined in the new Proposed Site Layout (6606-P-200-X) will not significantly affect the drainage strategy.

NOTE 1 :The Lead Local Flood Authority (LLFA) will give consideration to how the proposed sustainable drainage system can incorporate measures to help protect water quality, however pollution control is the responsibility of the Environment Agency

NOTE 2 : Future management of Sustainable Drainage Systems is a matter that will be dealt with by the Local Planning Authority and has not, therefore, been considered by the LLFA.

NOTE 3: Any revised documentation will only be considered by the LLFA when resubmitted through suds@gloucestershire.gov.uk e-mail address. Please quote the planning application number in the subject field.

GCC Local Flood Authority (LLFA) 4

16th February 2024 - I refer to the notice received by the Lead Local Flood Authority (LLFA) requesting comments on the above proposal. The LLFA is a statutory consultee for surface water flood risk and management and has made the following observations and recommendation.

The latest drainage strategy (P21-905-500-P4) now includes gravel filter drains alongside the cycle track to capture surface water runoff from it.

The LLFA has no further objections to the proposal and does not recommend any surface water drainage conditions.

NOTE 1: The Lead Local Flood Authority (LLFA) will give consideration to how the proposed sustainable drainage system can incorporate measures to help protect water quality, however pollution control is the responsibility of the Environment Agency

NOTE 2: Future management of Sustainable Drainage Systems is a matter that will be dealt with by the Local Planning Authority and has not, therefore, been considered by the LLFA.

NOTE 3: Any revised documentation will only be considered by the LLFA when resubmitted through suds@gloucestershire.gov.uk e-mail address. Please quote the planning application number in the subject field.

Tree Officer 1

16th March 2023 –

The submitted tree report is sufficient to address any concerns the Trees Section had about trees on site and adjacent. The proposed scheme could be taken as an opportunity for the planting of new trees. It would be preferable for this to be detailed in revised or additional drawings to include size, species and location of such trees. This would help to ensure the future biodiversity of the site.

Tree Officer 2

3rd October 2023 –

The revised plans do not detail species or size of trees to be planted. It would be preferable for this to be clarified. As local residents have concerns over impact from additional noise, additional planting on boundary edges may be required.

Tree Officer 3

31st January 2024 –

The revised plans do not detail species or size of trees to be planted. It would be preferable for this to be clarified. As local residents have concerns over impact from additional noise, additional planting on boundary edges may be required.

Ecologist 1

20th March 2023 - Letter available to view in documents tab.

Ecologist 2

28th November 2023 –

I note that the PEA has now considered the full desk study information in its recommendations, which is welcomed.

I have looked over the BNG spreadsheet and note that the development is predicted to achieve positive BNG for both area habitats and linear ones plus meets the BNG trading rules. However, it appears that orchard has not been included in the baseline habitat and neither is confirmation given as to whether this habitat is to be retained/enhanced. It appears from the proposals in the PEA that it could be retained/enhanced? I can review the BNG spreadsheet again once the orchard area is included to clarify whether the development will still obtain the positive BNG values currently reported as well as still meeting the BNG trading rules. As only a BNG spreadsheet has been submitted instead of the normal BNG report, it would also be useful to see a UK Hab map of the post-development habitats/more detailed landscape plan to clarify visually that BNG could in principle be achieved on this site. This would also clarify the plans for the orchard.

Ecologist 3

24th January 2024 –

I have reviewed the BNG report and confirm that this addresses my queries.

The pre-commencement requirements are slightly adjusted in the light of the BNG report and the latest legislative changes around BNG:

1. Mitigation outlined in the report is to be detailed further in a Construction and Ecological Management Plan (CEMP), that should be submitted to the planning authority for approval.

Following which, this document should be adhered to and made available to the construction team on site.

2. Enhancement measures outlined in the report should be detailed in a Landscape and Ecological Management Plan (LEMP), with ecological features such as bird/bat boxes and log piles, hedgehog passes under fencing etc to be shown on the final landscape plan for the site. The LEMP should support the habitat proposals outlined in the BNG assessment and make provision for the required 30 year period of habitat management required under the BNG terms. The LEMP should include a bat sensitive lighting plan to demonstrate no light spill into woodland/hedgerows or this can be provided as a separate document.

GCC Highways Planning Liaison Officer

27th April 2023 –

Gloucestershire County Council, the Highway Authority acting in its role as Statutory Consultee has undertaken a full assessment of this planning application. Based on the appraisal of the development proposals the Highways Development Management Manager on behalf of the County Council, under Article 18 of the Town and Country Planning (Development Management Procedure)(England) Order, 2015 has no objection subject to conditions. The justification for this decision is provided below.

By virtue of the nature of the development proposal, the Highway Authority cannot carry out a full assessment through its conventional approach i.e. TRICS database, to ascertain the likely number of additional trips that are going to be generated at this site. The only data available on that system informed the number of trips being generated by the five-a-side football pitches, with an estimated 2 and 8 two-way trips in the AM and PM peak times, respectively. The greatest incidence is estimated to take place between 18:00 and 19:00 hours with 14 two-way trips. The parking demands resulting from this are perceived to be able to be accommodated within the site, and the number of trips not likely to result in a severe impact on the local road network given that the greatest demands will occur outside peak times.

In order to have a more comprehensive understanding of how many trips could be generated, the applicant would have to resort to data-based evidence from donor sites, however given the unique mix of recreational elements as part of this development, it would prove onerous to gather reasonable data that could inform the application.

Thus, in the absence of this, the development proposal must ensure that any additional vehicular trips and parking demands can be reasonably mitigated without placing additional pressures on the local road network.

There are a considerable number of parking areas within the site, and at present no evidence to suggest that these are not sufficient to cater for the additional demands resulting from the proposal. To ensure that no vehicular parking needs are placed onto the adjacent roads, the recommended parking management plan condition will inform the ways in which these will be mitigated and subsequently carried out throughout the lifetime of the development.

The Highway Authority has undertaken a robust assessment of the planning application. Based on the analysis of the information submitted the Highway Authority concludes that there would not be an unacceptable impact on Highway Safety or a severe impact on congestion. There are no justifiable grounds on which an objection could be maintained.

Conditions

Car Park Management Plan

The Development hereby approved shall not be brought into use until a car park management plan has been submitted to and approved in writing by the Local Planning

Authority. The measures shall thereafter be implemented in accordance with the approved car park management plan for the lifetime of the development.

Reason: To ensure the safe operation of the approved car park.

Informative

Construction Management Plan (CMP)

It is expected that contractors are registered with the Considerate Constructors scheme and comply with the code of conduct in full, but particularly reference is made to "respecting the community" this says:

Constructors should give utmost consideration to their impact on neighbours and the public

- Informing, respecting and showing courtesy to those affected by the work;
- Minimising the impact of deliveries, parking and work on the public highway;
- Contributing to and supporting the local community and economy; and
- Working to create a positive and enduring impression, and promoting the Code.

The CEMP should clearly identify how the principal contractor will engage with the local community; this should be tailored to local circumstances. Contractors should also confirm how they will manage any local concerns and complaints and provide an agreed Service Level Agreement for responding to said issues.

Contractors should ensure that courtesy boards are provided, and information shared with the local community relating to the timing of operations and contact details for the site coordinator in the event of any difficulties. This does not offer any relief to obligations under existing Legislation.

Severn Trent Water Ltd

20th March 2023 –

With Reference to the above planning application the company's observations regarding sewerage are as follows.

I can confirm that we have no objections to the proposals subject to the inclusion of the following condition:

- o The development hereby permitted should not commence until drainage plans for the disposal of foul and surface water flows have been submitted to and approved by the Local Planning Authority, and
- o The scheme shall be implemented in accordance with the approved details before the development is first brought into use. This is to ensure that the development is provided with a satisfactory means of drainage as well as to prevent or to avoid exacerbating any flooding issues and to minimise the risk of pollution.

Severn Trent Water advise that there is a public 150mm foul sewer located within this site. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent. You are advised to contact Severn Trent Water to discuss the proposals. Severn Trent will seek to assist in obtaining a solution which protects both the public sewer and the building. Please note, when submitting a Building Regulations application, the building control officer is required to check the sewer maps supplied by Severn Trent and advise them of any proposals located over or within 3 meters of a public sewer. Under the provisions of Building Regulations 2000 Part H4, Severn Trent can direct the building control officer to refuse building regulations approval.

Please note that there is no guarantee that you will be able to build over or close to any Severn Trent sewers, and where diversion is required there is no guarantee that you will be able to undertake those works on a self-lay basis. Every approach to build near to or divert

our assets has to be assessed on its own merit and the decision of what is or isn't permissible is taken based on the risk to the asset and the wider catchment it serves. It is vital therefore that you contact us at the earliest opportunity to discuss the implications of our assets crossing your site. Failure to do so could significantly affect the costs and timescales of your project if it transpires diversionary works need to be carried out by Severn Trent.

Please note if you wish to respond to this email please send it to Planning.apwest@severntrent.co.uk where we will look to respond within 10 working days.

If your query is regarding drainage proposals, please email to the aforementioned email address and mark for the attention of Planning Liaison Technician.

Building Control 1

14th March 2023 - No comment

Building Control 2

27th September 2023 - No comment