

APPLICATION NO: 24/00251/CONDIT	OFFICER: Mrs Lucy White
DATE REGISTERED: 16th February 2024	DATE OF EXPIRY: 7th June 2024
WARD: Battledown	PARISH: Charlton Kings
APPLICANT:	Vistry Homes Limited And Stonewater Limited
AGENT:	Tony Clements
LOCATION:	Oakley Farm Priors Road Cheltenham
PROPOSAL:	Variation of condition 13 (access arrangements onto Harp Hill and road gradients) of outline planning permission 20/01069/OUT - revised wording of condition 13 in respect of road gradient lengths.

Update to Officer Report

1. OFFICER COMMENTS

- 1.1. Members are advised that the Highway Authority has confirmed their agreement to the variation (revised wording) of Condition 13, as set out in the full Officer report to Planning Committee.
- 1.2. The Cotswold Conservation (AONB) Board submitted the following representation to the Council on 15th March 2024. In summary, the Board objects to the variation proposed by the applicant, but does not object to the revised variation of Condition 13 recommended to Planning Committee within the full Officer report.

REFERENCE NO: 24/00251/CONDIT

DESCRIPTION: Variation of condition 13 (access arrangements onto Harp Hill and road gradients) of outline planning permission 20/01069/OUT - revised wording of condition 13 in respect of road gradient lengths

LOCATION: Oakley Farm, Priors Road, Cheltenham

Thank you for consulting the Cotswolds National Landscape Board ('the Board') on the proposed variation of condition 13 of the outline planning permission granted in respect of this development, which would be located within the Cotswolds National Landscape.

In reaching its planning decision, the local planning authority (LPA) has statutory duty to seek to further the statutory purpose of conserving and enhancing the natural beauty of the National Landscape.

Page 2

Further information on this new duty is provided in Appendix 1 below and the Board recommends that, in fulfilling this 'duty to seek to further the purpose', the LPA should in the event of a future application: (i) ensure that planning decisions are consistent with relevant national and local planning policy and guidance; and (ii) take into account the following Board publications:

- Cotswolds Area of Outstanding Natural Beauty (AONB) Management Plan 2023-2025 (link);*
- Cotswolds AONB Landscape Character Assessment (link) in this instance, with regards to Landscape Character Type (LCT) 2 (Escarpment), which the site is located within, and LCT 7 (High Wold), which the site is visible from;*
- Cotswolds AONB Landscape Strategy and Guidelines (link) particularly, in this instance, with regards to LCT 2 (link), including Section 2.1 and LCT 7 (link), including Section 7.1;*
- Cotswolds AONB Local Distinctiveness and Landscape Change (link);*
- Cotswolds National Landscape Board Position Statements (link) particularly, in this instance, with regards to the Landscape-Led Development Position Statement (link) and its Appendices.*

The Board's Planning Officer has reviewed the information submitted by the applicant and the consultation responses from the Parish Council, Friends of Oakley Farm Pasture Slopes and the Highways Authority as well as the Officer's Report to Planning Committee. We note the mention at paragraph 5.7 of the Officer Report that "Any representation made by the Cotswold National Landscape Conservation Board (AONB) will follow as an Update to Members".

The Board objects to the variation proposed by the applicant, which would enable road gradients of between 1:20 and 1:12 to exceed 30m in length and agrees with the view expressed by the Highways Authority that the wording proposed by the applicant could allow too much flexibility in respect of gradient lengths between 1:20 and 1:12. The proposed replacement of 'up to' with 'of' would arguably introduce imprecision, uncertainty, and ambiguity within the condition. As the Highways Authority observes, this is not what the Manual for Gloucestershire Streets and National Guidance is seeking to achieve when promoting highways designs which do not disadvantage users with restricted mobility. We also note that the County Council will be updating their guidance to explicitly deal with the gradients between 1/12 and 1/20 in order to avoid these issues in the future.

Having considered all the information provided, on balance, the Board does not object to the revised wording recommended to Planning Committee within the Officer's Report. In

Page 3

coming to this view, the Board's Officer has in particular considered the conclusion section of the Officer's Report in the context of the proposal being assessed in accordance with NPPF paragraph 11(d) with the 'tilted balance' in favour of sustainable development engaged.

The Board's Officer has also considered the conclusion of the Inspector in respect of gradients at paragraph 76 of the Decision Letter: "In my judgement, there must be some degree of flexibility to take account of natural topography, but developments should be as permeable as possible and offer attractive pedestrian and cycle routes which are accessible for all users".

The Board also notes the requirement outlined in condition 13 that the development must still be generally designed so that the internal estate road gradients are between 1:100 and 1:20 still remains.

- 1.3. As set out in the full report to Planning Committee, the officer suggested variation of Condition 13 is as follows:

Notwithstanding the illustrative proposed access arrangements on to Harp Hill, as shown on Access and Movement Parameter Plan ref: P18-0847_02 Sheet No.3 rev F and the Alternative Illustrative Masterplan ref. 18017.202 Rev B, full details of the proposed access junction on to Harp Hill shall be submitted to and approved in writing by the local planning authority as part of the first reserved matters submission. The access shall be installed in accordance with the approved details and made available for use prior to the first occupation of any dwelling. The reserved matters submissions relating to access are required to be generally designed in accordance with the Manual for Gloucestershire Streets so that maximum and minimum gradients allowable will be between 1/20 and 1/100 respectively, save that gradients between 1/20 and 1/12 are permissible, provided that where they are proposed gradients of 1/12 shall be limited to maximum lengths of 30 metres. Where gradients between 1/20 and 1/12 are proposed, and where their respective lengths exceed 30 metres, the reserved matters submissions relating to access shall include evidence, to the satisfaction of the local planning authority, that site topography and the need to retain important existing landscape features and protect both the environment and amenities of neighbouring land users, necessitate gradients between 1/20 and 1/12.

Page 4

Reason: To ensure that safe and suitable access is provided for all users and is maintained in the interests of highway safety having regard to adopted policy INF1 of the Joint Core Strategy (2017) and section 9 of the NPPF (2023).