

APPLICATION NO: 25/01073/FUL		OFFICER: Michelle Payne	
DATE REGISTERED: 10th July 2025		DATE OF EXPIRY: 9th October 2025 (extension of time agreed until 31st July 2026)	
DATE VALIDATED: 10th July 2025		DATE OF SITE VISIT:	
WARD: Leckhampton		PARISH: Leckhampton With Warden Hill	
APPLICANT:	Newland Homes Ltd		
AGENT:			
LOCATION:	Land 1 Off Kidnappers Lane Cheltenham		
PROPOSAL:	Residential development of 21no. zero carbon dwellings with associated access and internal roads, parking, landscaping, and other associated works and infrastructure.		

UPDATE TO OFFICER REPORT

- 1.1 The following condition was mistakenly omitted from the conditions list set out in the main officer report:

Notwithstanding previously submitted information, prior to first occupation of the development, a Travel Plan shall be submitted to and approved by the Local Planning Authority. The plan shall include a monitoring methodology to include a survey methodology for assessing the travel mode choices of residents, an initial series of targets for modal shifts for residents and a secondary series of measures should the initial targets not be achieved. These secondary targets could include contributions to improving infrastructure to support sustainable travel modes as well as or instead of other measures to drive change. The Travel Plan once approved will be monitored and managed including an agreed surveying system to identify travel choices of (residents/customers and staff), changes in those travel choices and submission of annual reports from the Travel Plan Co-ordinator to the Local Authority for at least five years from the occupation of the final part of the development or until the targets in the Travel Plan are met.

Reason: To reduce vehicle movements and promote sustainable travel, having regard to adopted policy INF1 of the Joint Core Strategy (2017).

- 1.2 The full updated schedule of conditions is below.

UPDATED CONDITIONS LIST

- 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 development shall be carried out in strict accordance with the recommendations set out in Section 6 of the Reptile Survey Report (All Ecology, Version 1.1, dated 29th April 2025); the Preliminary Ecological Appraisal (All Ecology, Version 1.1, dated 29th April 2025) including plans; the revised Landscape and Ecological Management Plan (All Ecology, Version 1.2, dated 5th November 2025) including plans; and the revised

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Construction and Environmental Management Plan (All Ecology, Version 1.2, dated 20th May 2026). All recommendations shall be implemented in full, according to the timescales laid out in the recommendations, unless otherwise agreed in writing by the Local Planning Authority, and thereafter permanently maintained for the stated purposes of biodiversity conservation.

Reason: To ensure that habitats and species are protected in accordance with The Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 (as amended), Circular 06/2005, paragraphs 187, 192 and 193 of the National Planning Policy Framework, and in order for the Council to comply with Section 40 of the Natural Environment and Rural Communities Act 2006 as amended by the Environment Act 2021.

- 4 If the development hereby approved has not commenced within 18 months of the date of this decision, an updated ecological survey shall be carried out by a suitably qualified ecological consultant and shall be submitted to and approved in writing by the Local Planning Authority. The Survey Report shall conclude whether the Ecological Mitigation and Enhancement Strategy/Precautionary Method of Working/CEMP and Retile Surveys should be updated and, if so, the reports shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any works.

The development shall then be undertaken in full accordance with the approved Ecology report/EMES/PMW/CEMP.

Reason: To ensure that species and habitats are protected in accordance with The Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 (as amended), Circular 06/2005, paragraphs 187, 192 and 193 of the National Planning Policy Framework, and in order for the Council to comply with Section 40 of the Natural Environment and Rural Communities Act 2006 as amended by the Environment Act 2021.

- 5 Prior to the commencement of development, a Construction Traffic Management Plan (CTMP) shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include:
- (a) parking of vehicles of site operatives and visitors ((including measures taken to ensure there is no parking on the public highway by either staff or delivery vehicles at any time and ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
 - (b) advisory routes for construction traffic;
 - (c) any temporary access to the site;
 - (d) locations for the loading/unloading and storage of plant, waste, and construction materials;
 - (e) suitable wheel washing facilities within the site to ensure that no mud, dust or other loose material is carried from the site onto the public highway at any time (any such facility shall be positively drained to a suitable outfall to ensure no surface water runs away from the facility);
 - (f) arrangements for turning vehicles;
 - (g) arrangements to receive abnormal loads or unusually large vehicles;
 - (h) a highway condition survey (in accordance with an agreed area of survey); and
 - (i) methods of communicating the CTMP to staff, visitors and neighbouring residents and businesses.

The approved plan shall be adhered to throughout the demolition/construction period.

Throughout the development process, construction traffic shall be strictly managed to ensure there is no parking on the public highway of either staff or delivery vehicles at any time.

Reason: In the interests of safe operation of the adopted highway in the lead into development both during the demolition and construction phase of the development, and to prevent the risk flooding or any loss of amenity to neighbouring land users, having regard to adopted policy SL1 of the Cheltenham Plan (2020) and adopted policies SD14, INF1 and INF2 of the Joint Core Strategy (2017). Approval is required upfront because without proper mitigation the works could have an unacceptable impact during construction.

- 6 The development shall be carried out in accordance with the approved highway drawings/details, which shall reflect and align with the details shown on the External Works Layout drawing (Drawing No. 891-141-2-H).

Reason: To ensure the provision of safe and suitable vehicular access to the development in the interests of highway safety, having regard to adopted policy INF1 of the Joint Core Strategy (2017), and paragraphs 115 and 117 of the National Planning Policy Framework (2024).

- 7 No dwelling served by the principal access shall be occupied until the vehicular bellmouth, footways, and visibility splays have been constructed in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the provision of safe and suitable vehicular access to the development in the interests of highway safety, having regard to adopted policy INF1 of the Joint Core Strategy (2017), and paragraphs 115 and 117 of the National Planning Policy Framework (2024).

- 8 Off-site highway improvement works in accordance with the details shown on the External Works Layout drawing (Drawing No. 891-141-2-H) shall be completed prior to occupation of the tenth dwelling.

Reason: To maximise opportunities for walking and cycling, having regard to adopted policy INF1 of the Joint Core Strategy (2017), and section 9 of the National Planning Policy Framework (2024).

- 9 No dwelling served by the secondary vehicular access shall be occupied until the raised table, vehicular access and off-site highway improvement works have been constructed in accordance with the details shown on the External Works Layout drawing (Drawing No. 891-141-2-H), unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the provision of safe and suitable vehicular access to the development in the interests of highway safety, and to maximise opportunities for walking and cycling, having regard to adopted policy INF1 of the Joint Core Strategy (2017), and section 9 of the National Planning Policy Framework (2024).

- 10 Where the approved highway works are to be delivered pursuant to a Section 278 agreement and completion of those works is delayed, occupation may take place provided that:
- (a) confirmation has been submitted to and approved in writing by the Local Planning Authority that the relevant Section 278 agreement submission has been made;
 - (b) the elements of the access necessary to enable its safe use by vehicular traffic and pedestrians have been constructed in accordance with the approved details; and
 - (c) a programme for completion of the remaining approved works has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the provision of safe and suitable vehicular access to the development in the interests of highway safety, having regard to adopted policy INF1 of

the Joint Core Strategy (2017), and paragraphs 115 and 117 of the National Planning Policy Framework (2024).

- 11 Prior to the commencement of development, a 30-year Habitat Management and Monitoring Plan (HMMP) shall be submitted to and approved in writing by the Local Planning Authority. The HMMP shall include:
- (a) a description and evaluation of features to be managed, including locations shown on a site map;
 - (b) landscape and ecological trends and constraints on site that might influence management;
 - (c) aims and objectives of management, including ensuring the delivery of at least a 10% net gain in habitat and hedgerow units;
 - (d) appropriate management options for achieving the aims and objectives;
 - (e) prescriptions for all management actions;
 - (f) a work schedule matrix (i.e. an annual work plan) capable of being rolled forward over 5- or 10-year periods;
 - (g) details of the body or organisation responsible for implementation of the plan; and
 - (h) ongoing monitoring of delivery of the habitat enhancement and creation details to achieve net gain as well as details of possible remedial measures that might need to be put in place.

The HMMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body (ies) responsible for its delivery. The HMMP shall be implemented in full in accordance with the approved details.

Reason: To secure the delivery of at least a 10% biodiversity net gain for the required 30-year period and appropriate management of all habitats in accordance with Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021), paragraphs 187, 192 and 193 of the National Planning Policy Framework (2024).

- 12 Prior to the commencement of development on plots 19 -21, other than that necessary to comply with the requirements of this condition, the recommendations for further work set out at paragraph 16.2.1 of the Desk Study and Ground Investigation Report (T&P Regeneration Ltd, Issue 01, dated 9th August 2024) shall be implemented and a site specific Remediation Strategy shall be submitted to and approved in writing by the Local Planning Authority. The approved remediation scheme necessary to bring the site to a condition suitable for the intended use shall be implemented in full. Following the completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with adopted policy SD14 of the Joint Core Strategy (2017).

- 13 In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to the Local Planning Authority and development shall be halted on that part of the site affected by the unexpected contamination. An investigation and risk assessment must then be undertaken in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR11 and a remediation scheme, where necessary, also submitted. Following completion of measures identified in the approved remediation scheme, a verification report shall be submitted to and

approved in writing by the Local Planning Authority before development can recommence on the part of the site identified as having unexpected contamination.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with adopted policy SD14 of the Joint Core Strategy (2017).

- 14 Prior to the commencement of development, a Construction Phase Surface Water Management Plan that details the measures to control the risk of flooding during construction shall be submitted to and approved in writing by the Local Planning Authority. The plan shall thereafter be adhered to throughout the construction period.

Reason: To ensure the construction phase of the development has a satisfactory means of drainage that does not increase the risk of flooding from the site, having regard to adopted policy INF2 of the Joint Core Strategy (2017). Approval is required upfront to ensure that surface water does not leave the site in an uncontrolled manner and put properties elsewhere at increased risk of flooding during construction.

- 15 Prior to the commencement of development, a detailed Site Waste Management Plan (SWMP) or equivalent shall be submitted to and approved in writing by the Local Planning Authority. The SWMP shall identify - the specific types and amount of waste materials forecast to be generated from the development during site preparation and demolition and construction phases; and the specific measures will be employed for dealing with this material so as to: - minimise its creation, maximise the amount of re- use and recycling on-site; maximise the amount of off-site recycling of any wastes that are unusable on-site; and reduce the overall amount of waste sent to landfill. In addition, the SWMP shall also set out the proposed proportions of recycled content that will be used in construction materials. The development shall thereafter be implemented in strict accordance with the approved SWMP unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the effective implementation of waste minimisation and resource efficiency measures in accordance with adopted policy WCS2 of the Gloucestershire Waste Core Strategy (2012) and adopted policy SR01 of the Minerals Local Plan for Gloucestershire (2018 - 2032).

- 16 Prior to the installation of any external lighting, a 'wildlife-sensitive' lighting strategy (to include location, height from ground level, lux level contour plan, and hours of operation) covering both the construction and operational phases of the development shall be submitted to and approved in writing by the Local Planning Authority. The external lighting should conform to the protocols set out in Guidance Note 08/23 - Bats and Artificial Lighting at Night (BCT and ILP, 2023). All external lighting shall thereafter be implemented and maintained in accordance with the approved details.

In discharging this condition, the Local Planning Authority expects lighting to be restricted in proximity to key habitats, trees, hedges, and the proposed bat boxes and to be kept to a minimum at night across the whole site to minimise impact on emerging and foraging bats. This could be achieved in the following ways:

- Narrow spectrum lighting used to avoid the blue-white wavelengths
- Lighting directed away from vegetated areas
- Lighting timed to provide some dark periods
- Connections to areas important for foraging will contain dark corridors.
- Lighting shielded to avoid spillage onto vegetated areas

Reason: To safeguard the amenities of the area and avoid light pollution, and to protect nocturnal wildlife in accordance with the Conservation of Habitats and Species

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Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 (as amended), Circular 06/2005, paragraphs 187, 192 and 193 of the National Planning Policy Framework (2024), and in order for the Council to comply with Section 40 of the Natural Environment and Rural Communities Act 2006 as amended by the Environment Act 2021.

- 17 Should piled foundations be necessary, prior to any piling activities taking place, a Piling Plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall identify the likely impact of piling activities and identify suitable mitigation of those effects.

Reason: To safeguard the amenity of nearby residential 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).

- 18 No external facing and/or roofing materials shall be applied unless in accordance with the approved External Material Schedule (Drawing No. 891-100-01-A) and External Material Finished Key Plan (Drawing No. 891-10-A), unless otherwise agreed in writing by the Local Planning Authority.

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

- 19 All hard and/or soft landscaping works associated with each respective plot shall be carried out in accordance with the approved plans prior to first occupation of that plot, and all hard and/or soft landscaping works across the site shall be carried out in accordance with the approved plans prior to completion 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.

Reason: In the interests of the character and appearance of the area, having regard to adopted policies D1, GI2 and GI3 of the Cheltenham Plan (2020), and adopted policies SD4 and INF3 of the Joint Core Strategy (2017).

- 20 Prior to first occupation of any part of the development, a SuDS management and maintenance plan for the lifetime of the development to include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime shall be submitted to and approved in writing by the Local Planning Authority. The approved SuDS maintenance plan shall be implemented in full in accordance with the agreed terms and conditions.

Reason: To ensure the continued operation and maintenance of drainage features serving the site and avoid flooding, having regard to adopted policy INF2 of the Joint Core Strategy (2017).

- 21 Prior to first occupation of each dwelling, car and cycle parking provision for that dwelling shall be provided in accordance with the approved plans. The car parking spaces shall be hard surfaced and positively drained to a suitable outfall to ensure no surface water runs onto the highway and shall be maintained as such thereafter.

Reason: To ensure the adequate provision of car and cycle parking within the site in the interests of highway safety, having regard to adopted policy INF1 of the Joint Core Strategy (2017).

- 22 Notwithstanding previously submitted information, prior to first occupation of the development, a Travel Plan shall be submitted to and approved by the Local Planning Authority. The plan shall include a monitoring methodology to include a survey methodology for assessing the travel mode choices of residents, an initial series of targets for modal shifts for residents and a secondary series of measures should the initial targets not be achieved. These secondary targets could include contributions to improving infrastructure to support sustainable travel modes as well as or instead of other measures to drive change. The Travel Plan once approved will be monitored and managed including an agreed surveying system to identify travel choices of (residents/customers and staff), changes in those travel choices and submission of annual reports from the Travel Plan Co-ordinator to the Local Authority for at least five years from the occupation of the final part of the development or until the targets in the Travel Plan are met.

Reason: To reduce vehicle movements and promote sustainable travel, having regard to adopted policy INF1 of the Joint Core Strategy (2017).

- 23 Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and/or re-enacting that order with or without modification), no extensions, garages, walls or fences (other than those forming part of the development hereby permitted) shall be erected without express planning permission.

Reason: Any further extension or alteration requires further consideration to safeguard the amenities of the area, 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).

- 24 The Biodiversity Gain Plan submitted pursuant to the national biodiversity condition (below) must be in accordance with any biodiversity or ecological information submitted with the planning application and implemented in accordance with the approved details.

Reason: To secure the delivery of at least a 10% biodiversity net gain through successful establishment and management of all newly created and enhanced habitats in accordance with Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021), and paragraphs 187, 192 and 193 of the National Planning Policy Framework (2024).

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