



CHELTENHAM

BOROUGH COUNCIL

Notice of a meeting of Planning Committee

Thursday, 21 April 2022
6.00 pm
Council Chamber - Municipal Offices

Membership

Councillors: Garth Barnes (Chair), Paul Baker (Vice-Chair), Barbara Clark, Bernard Fisher, Stephan Fifield, Paul McCloskey, Tony Oliver, John Payne, Richard Pineger, Diggory Seacome and Simon Wheeler

The Council has a substitution process and any substitutions will be announced at the meeting.

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The Chair will confirm this at the start of the meeting.

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Agenda

1. **APOLOGIES**
2. **DECLARATIONS OF INTEREST**
3. **DECLARATIONS OF INDEPENDENT SITE VISITS**
4. **MINUTES OF THE LAST MEETING** (Pages 3 - 12)
To approve the minutes of the meeting held on 24th March 2022.
5. **PLANNING APPLICATIONS**
- 5a **20/01788/FUL Land at Shurdington Road** (Pages 13 - 368)
[Planning Application Documents](#)

- 5b **22/00225/FUL Naunton Park, Asquith Road,** (Pages 369 - 382)
Cheltenham GL53 7EL
[Planning Application Documents](#)
- 5c **22/00340/LBC Pittville Pump Rooms, East** (Pages 383 - 392)
Approach Drive, Cheltenham GL52 3JE
[Planning Application Documents](#)
- 5d **22/00257/FUL Oakfield House Stables, Oakfield** (Pages 393 - 416)
House, Greenway Lane, Cheltenham
[Planning Application Documents](#)
- 5e **22/00312/FUL 2 Church Street, Charton Kings,** (Pages 417 - 428)
Cheltenham GL53 8AR
[Planning Application Documents](#)
6. **APPEAL UPDATE** (Pages 429 - 430)
For your information.
7. **ANY OTHER ITEMS THE CHAIRMAN DETERMINES**
URGENT AND REQUIRES A DECISION

Contact Officer: Claire Morris, 01242 264130
Email: democraticservices@cheltenham.gov.uk

Planning Committee

Thursday, 24th March, 2022

2.00 - 5.30 pm

Attendees

Councillors:

Councillor Garth Barnes (Chair), Councillor Paul Baker (Vice-Chair), Councillor Barbara Clark, Councillor Bernard Fisher, Councillor Tony Oliver, Councillor John Payne, Councillor Diggory Seacome, Councillor Simon Wheeler and Councillor Dilys Barrell (Reserve)

Officers in Attendance:

Claire Donnelly (Planning Officer), Michelle Payne (Senior Planning Officer), Lucy White (Senior Planning Officer) and Liam Jones (Head of Planning)

1. Apologies

Apologies were received from Councillors Fifield, McCloskey and Pineger. Councillor Barrell attended as a substitute.

2. Declarations of Interest

Item 5a: The Wilson: Councillor Clark is on the board of the Cheltenham Trust. She did not take part in the debate or vote on this item.

3. Declarations of independent site visits

Cllr Payne had visited sites 5b to 5e inclusive, and has knowledge of The Wilson.

Cllr Barrell had visited sites 5c and 5f, and has knowledge of The Wilson the and Land at Shurdington Road site.

Cllr Baker had visited sites 5b, 5c and 5f.

Cllr Clark had visited sites 5b and 5f.

Cllr Seacome, Barnes and Oliver also have knowledge of The Wilson.

4. Minutes of the last meeting

Minutes of the meeting held on 17th February were agreed and signed as a true record.

5. Planning Applications

5. 21/02596/FUL & LBC The Wilson, Clarence Street, Cheltenham, GL50 3JT

The case officer introduced the application, outlining the key considerations.

In response to a Member question, she confirmed that although the proposed works related to the modern part of the building, listed building consent was required in addition to planning permission because the two parts were linked.

There was no debate on this item.

Members then moved to a vote on the officer recommendation to permit/grant. It was approved.

5. 20/01788/FUL Land at Shurdington Road

The case officer talked Members through the application, highlighting the key issues and considerations.

Public Speakers

A local resident, speaking in objection, said the nearest doctors' surgery is full and outdated, the nearest supermarket is over a mile away, and the nearest indoor leisure facilities are at Pittville. The NPPF Section 7 refers to the A46 as vital to Cheltenham's economy, yet there is no sustainable transport plan. Congestion on the A46 is already severe, and will be made worse as traffic leaving the new estate will have priority over A46 traffic. The cycle paths and footpaths don't necessarily connect to Cheltenham centre. With 400 additional houses, 630 cars, and 1200 residents, the carbon footprint will be massive; the GCC transport report should be rejected, as it is at variance with policies in the local transport plan and agreements with the Inspector at the 2016 enquiry. There is a presumption in favour of sustainable development when assessed against all NPPF policies – this proposal does not address policies 6, 7, 8, 9, and 14.

A planning agent, on behalf of the applicant, said the scheme follows extensive engagement with officers, consultees and the community, and will provide multiple local benefits. It is landscape led, with green infrastructure in excess of policy requirements, retaining and enhancing important features, and respectfully designed to protect wider views to and from the site, while optimising urban design principles. Gloucestershire Highways consider the impact of the proposal on the highways network to be acceptable, with impacts fully mitigated by wide infrastructure improvements, as well as commitment to early delivery of improvements to the Moorend Park Road junction. Recognising the council's commitment to climate emergency, revised proposals include a reduction in CO2 emissions 20% beyond current building regs requirements, through a variety of techniques to ensure the scheme is viable. With the inclusion of 140 affordable homes, this is a well-designed, policy-compliant, deliverable scheme, striking the right balance between competing demands and concerns.

A parish councillor, speaking in objection, said it was disappointing that the delay to resolve traffic problems had not resulted in any significant improvement. Planning inspectors have refused previous schemes, and ruled that traffic mitigation on the A46 junction must be shown to work. The proposed mitigation to lengthen the northbound, left-turning lane could improve traffic flow, but will only work if a strip of additional land can be acquired, as the proposed lanes are too narrow for buses and lorries, and could result in accidents. The additional housing and new school will make the traffic situation worse than that considered by the Inspector in 2014, making Shurdington Road a solid, slow-moving queue at peak times. Drivers are likely to use Leckhampton Lane as a rat run at peak times, bypassing two schools, and rejoining the A46 at the new Kidnappers Lane roundabout, thus further stifling traffic flow around the south of Cheltenham. Contrary to the officer's opinion, part of the site is valued landscape, including R2 and R3, which carries high planning weight. The JCS concluded that development should be confined to the northern field only, in order to protect the valued landscape, as well as the view from Leckhampton Hill.

Cllr Nelson commended Miller Homes for upgrading their plans to support sustainable and active traffic, and for their £86k contribution to improvements of the Moorend Park Road junction, but while she acknowledged the need for new homes, but could not support the application as it stands. For the community, residents, and future prosperity of Cheltenham, the impact on A46 traffic cannot be ignored. With hundreds of additional homes, the new school, and the impact of other developments further south on the A46, transport issues are a major concern for local residents. Severe congestion on the A46 is a fundamental problem and a direct risk to Cheltenham's economic recovery, and the authority cannot afford to permit a plan that does not include adequate mitigation for the impact on local traffic. The highways response refers to an already-agreed scheme, but this related to the 2016 Redrow application for 377 homes, and does not take into account the additional 350 homes or new school. Redrow is trying to resolve the conflict between cyclists and left-turning traffic at the Moorend Park Road junction, currently awaiting highways approval, and Miller Homes' £86k contribution is welcome, but it is not known whether any of these works will go far enough to

improve the congestion. Planning committee members should use their judgement and defer.

Councillor Horwood felt that the scheme has some positive elements but also some serious shortcomings. Policy MD4 clearly states that any development on this site must take into account the landscape and highways impact. Even though there was no highways objection to the 2014 application, the committee refused the proposal, as did the Appeals Inspector. The Inspector said then that 650 additional homes would cause severe traffic congestion on Shurdington Road with effective mitigation, yet no evidence of this was given then or now, even though the overall number of permitted or proposed houses has now risen to 761, in addition to the new school. The inclusion of R2 and R3 is against the JCS Inspector's explicit recommendation – it is classed as 'valued landscape', and is therefore protected under the NPPF and should not be built upon. Local policy protects views into and out of the AONB, and R2 and R3 are clearly visible from Leckhampton Hill. The proposal fails to make the fullest contribution to the mitigation of climate change, as required by the NPPF and JCS Policy SO6. Radical reduction in emissions is needed, with emerging local and national standards for zero carbon housing; although this proposal exceeds current building regulations standards by 20%, building homes such as these will be banned by 2025. It makes no provision for community facilities, on or off site, contrary to JCS policy SD4 and NPPF 92. For these reasons, the proposal should be rejected or deferred.

Member questions

In response to questions from Members, officers provided the following:

The case officer confirmed that:

- the affordable housing element will be safeguarded through an S106 agreement – this is standard procedure, to ensure that they will remain affordable and not become investment opportunities, being situated in the primary catchment area of the new school;
- suitable street trees are secure as part of the landscaping condition, and will be planted at a suitable time;
- there is no legal or policy requirement that community facilities must be provided for a certain number of houses, and with a neighbourhood centre within one mile of the site, officers do not feel any special provision is required;
- the position and distribution of the solar panels is dictated by the energy and sustainability statement, but a condition to investigate any further potential can be attached if Members want.

The GCC floods officer confirmed that:

- the balancing pond is intended to restrict rainfall leaving the site and ensure it isn't at a higher rate than pre-development. The volume of surface water entering Hatherley Brook will not be higher than at the moment. The calculations have taken climate change into account, including future rainfall predictions;
- it is recommended that a maintenance condition be applied to any approval, to ensure suitable maintenance arrangements are in place and any future issues can be sorted out by the management company.

The Highways officer confirmed that:

- drawings will show the position of street trees and utilities in the prospective highways, to ensure there will be no conflict between the two;
- regarding mitigation measures for the increase in traffic, the transport assessment is supported with a lot of information. Micro-simulation modelling work, based on the 2016 data, has been carried out, taking in committed and future additions. The modelling looked at a multitude of scenarios, including partial and full use of the new school, and this and future developments, and showed that, with mitigation in future years, the traffic situation would remain broadly neutral. GCC Highways have analysed this work, which was conducted by the applicant, and fully audited, and is considered to be a detailed

technical assessment, in line with government guidance – the highways recommendation is based on this;

- regarding congestion at the Moorend Park Road junction, which was raised in the previous application, the mitigation work was included as a planning condition rather than an S106 agreement, and it is for Redrow Homes to say why this has not been brought forward in a timely manner. GCC Highways is having ongoing discussions and working with Redrow:
- the developer is promising £86k for mitigation work; this cannot be guaranteed, but is in the public arena at the appropriate time and will be looked at very carefully. The world is evolving post-Covid, and there must be material benefits to any proposal rather than multiple disruption of on-going roadworks for minimum benefits;
- a compulsory purchase order (CPO) would not be necessary for this development to ensure the proposed lanes are wide enough for buses and lorries, which is looking to utilise existing highways land, but could be an option for a wider scheme in the future;
- narrow lanes are not uncommon, with large vehicles needing the straddle two lanes. Modelling takes into account the competing demands of multiple users, and active traffic measures must be played off each other. It is not a perfect science, but officers are satisfied the modelling has been done correctly and is as reliable as it can be.

The legal officer confirmed that:

- regarding long-term affordable housing, the S106 agreement will include a standard clause which requires affordable housing to be transferred to a registered provider whose job it is to provide and run affordable housing. There are several layers of affordable housing – social rent, affordable rent, shared ownership- and the aim is to tie the values and properties to local values – local open market and local incomes – and rental levels to local housing needs allowance. There is a raft of different provisions to ensure the cost of the building, rental levels, and sale levels of shared ownership are regulated in relation to local values and income, but right-to-buy system cannot be controlled as it is in place by government legislation – though a new 106 clause is to be introduced which requires profit from a right-to-buy sale is recirculated in the area of the affordable housing.

The Head of Planning confirmed that:

- a Grampian condition could be attached, relating to land outside the red line of the application site and requiring highways improvements at the Moorend Park Road junction to be completed before the scheme is finished, or control could be tightened through an S106 agreement to ensure that the mitigating work is done in a timely manner.

Member debate

Members then moved into the debate, where the following points were made:

- it is very disappointing that a high proportion of roofs face east-west rather than north-south, meaning that retro-fitting of effective solar panels would not be practical;
- it is clear that officers have worked hard over a long period, and the scheme has a lot in its favour, but in the face of the ever-worsening climate emergency, it is appalling that all 350 houses are to be fitted with gas boilers – there is no excuse for this with new-build properties; retro-fitting is costly and difficult, a smaller developer has recently submitted a zero carbon scheme in this area, and this proposal gives the wrong message to other developers. While this is not a legitimate reason to turn the application down, but it does fail to comply with Strategic Objective 6 of the Joint Core Strategy;
- the improvements to the Moorend Park Road junction are essential and should be guaranteed by condition rather than an S106 agreement, as these don't always deliver;
- residents of Warden Hill regret the loss of green land but accept the need for new houses. The issue for most people remains the level of traffic on the A46, which is already horrendous; mitigation measures are essential;
- it is inevitable that more houses will bring more traffic, but public transport, electric vehicles and hydrogen cell vehicles are all encouraged, and the Highways officer, who is the expert, must be believed when he says the overall impact will be neutral;

- there is still concern about building on R2 and R3 – it was recognised by previous inspectors that these two elements in the scheme are outstanding re. view, impact etc. This land could remain protected in this development;
- this is a mixed development – 350 houses are proposed, but no support to the local community – this is disappointing, not least because it will make residents more car-dependant, adding to contribution and pollution. There should at least be a contribution towards community facilities in the neighbourhood;
- the affordable homes are welcome, particularly as a comprehensive range is proposed, including four-bedroomed properties at affordable rent;
- the streets are designed to reduce traffic speed to 20mph, which is also welcomed;
- although the proposed development has much in its favour, there are several areas of concern but apparently no sound grounds on which to refuse – the only option is to approve or defer.

In response to Members' concerns, officers responded as follows:

- the key point to take into account is that this site has been allocated for housing development – the Inspector would have considered highways implications at the time of allocation, and found the plans to be sound;
- the provision of 140 affordable homes is a strong material consideration, due to the housing shortfall in Cheltenham;
- the scheme provides a good level of green infrastructure;
- the scheme could be better re. the council's climate agenda, but Building Regulations has the remit for dealing with carbon energy efficient of homes – planning doesn't have a specific policy to deal with this;
- the applicant looked at the feasibility of including an on-site shop, and carried out an assessment to establish whether there was any need for demand – it found there was not. There is a neighbourhood centre within one mile, and no evidence to suggest a financial contribution is required for off-site provision;
- the allocation specifically refers to a residential scheme and a secondary school; it does not include community infrastructure. JCS Policy INF4 states that where a development creates or adds to need, this will be fully met through policy, but planners are confident that the proposal addresses some of the requirements – the school, open space etc;

Councillor Baker then moved to defer on the following grounds:

- JCS Strategic Objection 6 – the scheme should make the fullest contribution possible to mitigation of climate change;
- the community infrastructure contribution should be revisited;
- a condition for traffic mitigation at the Moored Park Road junction was needed.

He hoped these relatively minor elements could be dealt with, thus allowing the scheme to go ahead:

The Head of Planning advised Members that the developers were already proposing a scheme which went 20% beyond current building regulation requirements, and the community infrastructure contribution had been met. A condition for highways mitigation could be included in the scheme today, which would have to come back to Committee to be discharged. He advised against deferral.

The Chair invited Members to vote on Councillor Baker's move to defer:

7 in support

1 in objection

MOTION CARRIED

5. 22/00124/FUL 15 Pilley Lane, Cheltenham, GL53 9EP

The case officer introduced the application.

Public Speaking

The agent said the application was to replace a bungalow with a pair of semi-detached dwellings, in a high-density principal urban area, and brownfield site, compliant with both the JCS and the Local Plan. In an area of shortfall in housing requirements, there was an expectation that permission be granted unless it caused harm. Pilley Lane is varied in style, but mostly two-storey dwellings – the bungalow is an anomaly – the officers consider that the proposed dwellings respect the character and style of the area. The Architects Panel consider the site to be capable of accommodating two dwellings. Various design suggestions have been taken on board during the process, including reduction of the roof mass, landscaping to the front, and changes in materials, as agreed by condition. The size has been minimised, and the houses blend in well. Local member and Parish Council comments have been taken into account, the highways officer is satisfied with access and parking arrangements, neighbouring amenity is not adversely affected. The proposal addresses the housing shortfall in a sustainable location.

Cllr Horwood conceded that there is a variety of properties in Pilley Lane, but pointed out that those next to the chapel at the moment are bungalows, giving an open aspect and suitable prominence to a locally listed building. Other two-storey houses in the area are modest in scale. There is concern that this building won't be subservient to the chapel; it will be overpowering, a huge increase in scale – in effect a bungalow making way for a three-storey building. Being so high and so close to the chapel, it is possible that it will reduce light to the chapel windows. A parish councillor has called it 'grossly insensitive', saying the colour was wrong for the area, and calling them 'anywhere houses'. Pilley Crescent residents are also concerned that a precedent may be set with this application which will change the character of Pilley Lane.

Member question

In response to questions from Members, the case officer confirmed that:

- A locally indexed building is one of community interest and its setting should be taken into account. The report states that officers do not consider the impact of the proposal too severe;
- There may be some impact on light to the chapel, but there are also a number of windows which won't be affected, so officers are content that the impact won't be too great;
- Regarding impact on the neighbouring bungalow, the existing bungalow is immediately adjacent to the boundary, so the neighbouring one is already compromised; the new building is taller but set back from the boundary, and the neighbouring windows likely to be affected serve a box/storage room;
- A brownfield site is one which has been previously developed;
- The drawings are to scale and therefore considered accurate;
- The changes to the proposal are an attempt to reduce its bulk. The bungalow had a hipped roof, but there are lots of gables and pitched roofs in the area. What is proposed seemed to be a reasonable compromise, and the Architects Panel considered it to be a positive move.

Member debate

One Member spoke, saying he liked the development, which he didn't regard as overdevelopment of putting additional strain on the infrastructure or amenity of the road. He accepted that the design was different from others in the road, but the general style was pretty eclectic, and it made good use of space, offered variety, and retained a lot of land behind.

Vote on officer recommendation to permit

8 in support

1 in objection

PERMIT**5. 21/02120/FUL Burger King, Gallagher Retail Park, Cheltenham, GL51 9RR**

The case officer introduced the proposal.

Public Speaking

The agent thanked officers for working positively with the applicant. The proposed site is a retail park location, previously the Homebase service yard, and for some years a redundant area of hardstanding. The applicant has had detailed discussions with the highways authority, and officers are happy with the proposals. It is not considered that the proposal will generate additional traffic. The design is contemporary and will fit in well, and the landscaping scheme, including shrubs and grass, will soften the entrance to the retail park. The proposal will bring an economic benefit in the form of 25-30 flexible jobs, and provide additional choice to the existing food and beverage provision along Tewkesbury Road.

Member questions

In response to questions, the highways officer provided confirmed that:

- there are two access points to Gallagher Retail Park, and the siting of the proposed development would suggest that the majority of customers will access it from the Manor Road end;
- the applicant has provided evidence clarifying queue distances at other units, and officers are satisfied that there is enough room to queue. If cars were further displaced, it would be into the car park rather than the road, and there is a lot of queuing capacity on site. Officers don't anticipate any problems with queues on Tewkesbury Road.

Member debate

Members made the following points:

- the question is whether this additional fast food outlet is necessary. It will impact the businesses of existing food traders, but as Cheltenham doesn't have a saturation policy for the number of food businesses, it is difficult to refuse the application on these grounds;
- at peak times, the car park already operates above its maximum capacity, and an extension to the Next store has yet to be built, reducing parking space further;
- the hours of business are stated, but it's hard to believe that within six months there won't be an application to extend these to 24/7 as other local outlets;
- there will be a lot of waste from the outlet, and it would be helpful if the use of recyclable packaging could be conditioned;
- the most likely reason to refuse the application would be on highways grounds – there have been police interventions and security issues with Macdonalds and KFC within yards of this site. This will get worse when the road becomes busier with Junction 10 traffic.

The case officer confirmed that a standard condition regarding waste management would be included, and that the applicants had submitted a waste management strategy; the application is not significant enough to condition the scope of this.

The highways officer confirmed that changes to Junction 10 are still at consultation stage, with various transport modelling work being done, but this proposal, given the diversity of trips to other retailers and the small number of new trips, is considered de minimus with regard to highways volume now or in the future.

A Member suggested that other food retailers had caused issues because of their location next to Kingsditch Lane, but this proposal has a long lead in – cars would have the queue a long way before they impinged on Manor Road and then Tewkesbury Road. If it was to become an issue at a later stage, mitigation measures could be put in place.

Vote of officer recommendation to permit

7 in support
2 in objection
PERMIT

5. 21/02534 Kynance, Swindon Hall Grounds, Church Road, GL51 9QR

The case officer introduced the application.

Public Speaking

A neighbour, speaking in objection, said that the documents associated with the application are factually incorrect - all properties in Swindon Hall Grounds are either bungalows or 1.5 storeys high, including Kynance, referred to as a two-storey dwelling. The proposed building is overbearing and out of scale – a large four-bedroomed house, with a vastly out-of-scale ancillary building which could clearly be used for accommodation in the future. It is mis-positioned, being north facing, towards The Little Manor; it could easily face east, like other properties in the surrounding area. It will cause loss of privacy, light and sound pollution, particularly to The Little Manor, with 11 windows facing that property. The excessive felling of trees will result in nearly half the trees on the site being felled. A smaller footprint, 1.5-storey, east-facing dwelling would remove all objections.

The applicant spoke in support of his proposal, focussing on the context and background. Kynance has been his family's home for 47 years, and having relocated to Cheltenham and been unable to find a suitable property elsewhere, he decided to explore the option of building a family home in the grounds of Kynance. As keen environmentalists, it was important that the new dwelling blend in – this was the architect's brief – and the use of natural stone, cladding and landscaping, together with tireless work with planning consultants and addressing neighbours' concerns, including a turning head which will improve access for all. The result is the best possible proposal. Some of the trees were already due to be felled, and new planting will mitigate their loss and improve the area. He said his sole objective was to put down roots, and to nurture his new home and the land around for decades to come.

Member questions

In response to questions from Members, officers confirmed that:

- the proposal is classed as a self-build scheme, even though it doesn't appear on the register; it will still need to go through the normal process;
- regarding the proposed outbuilding, the red dotted line in the drawings shows what is there now – various outbuildings and sheds – and although the proposed is larger than the existing outbuildings, it has reduced in footprint and height during the process, and now sits comfortably between the houses;
- regarding the trees, some of them need to be felled for this proposal, but others were already due to be felled, as unsound or causing other issues;
- a planning application would be required to change the use of the proposed outbuilding from workshop/garden store to a dwelling; a specific condition to ensure this isn't needed;
- the distances from the new dwelling to its neighbours are set out in the officer report at para. 6.37. These exceed policy requirements.

Member debate

Members made the following points:

- the turning head won't benefit all the neighbours, as stated by the applicant – it will benefit the residents of the new house only;
- this is essentially backland development, and contravenes JCS Policy SD8, which requires new development to make a positive contribution and have regard for the distinctive elements of the historic environment. This does not – it is very large, dominant, will cause additional traffic up a narrow road, plus construction traffic for 12-18 months which will be harmful to the neighbourhood. It also detracts from The Little Manor, which is a listed building;

- it seems a reasonable application, but a smaller scheme, facing a different way would have been more sympathetic.

The officer confirmed that glazing was considered under Condition 15, and that an additional condition could be added to ensure the outbuilding remains ancillary to the dwelling if Members wish.

Vote on officer recommendation to permit, with additional condition

8 in support

1 in objection

PERMIT

5. 21/02594/FUL 76 Pennine Road, Cheltenham, GL52 5HE

The case officer introduced the report, highlighting key planning matters and a summary of conditions.

Public Speaking

A neighbour, speaking in objection, said he had concerns about a number of aspects of the development relating to noise and pollution. The new plan which moved the flats back to fit in with the properties on Pennine Road would result in a reduction in the number of parking spaces from 14 to 12, with rear access to the property via Prescott Walk and an unadopted road - a nine-fold increase in traffic and pollution. There is no indication as to who will be responsible for the unadopted road going forward. Prescott Walk is too narrow to accommodate two vehicles passing, resulting in the footpath being used for parking; there is no footpath on the unadopted road to allow pedestrian access to the new flats as stated. Additional local traffic exiting onto Priors Road from Prestbury Road, could present a serious risk to this busy road, already significantly impacted by the 300 new houses opposite. It is proposed that drainage from the proposed development will run to the rear, across the unadopted road to Prescott Walk and then Prestbury Road. This area is already severely affected by surface water run-off and flooding during heavy rainfall, sometimes making them unusable to pedestrians. The plans include a cycle store and no real mitigation to noise and nuisance for people living behind the property.

The agent, speaking in support, said that one of the reasons the application was called to Committee relates to ecology. An ecologist has worked with residents in relation to a badger sett off site to ensure its ongoing protection and a planning condition will ensure this is ongoing. Another concern is the level of parking, but the proposal includes more spaces than the one per apartment required by the Gloucestershire Manual for Streets, providing 12 in total, plus electric vehicle charging facility and a large cycle store. The application has been revised at the request of officers, setting it further back in the site to respect the building line; the Architects Panel considers it will enhance the area. Officers have confirmed that the proposal is policy-compliant.

Member questions

In response to questions from Members, officers confirmed that:

- the unadopted road is the small strip of land in front of the garages;
- the position of the proposed bike store, to the rear of the property, is a common feature, and shouldn't prove a security issue. There will be no public access to the rear of the site;
- the car parking spaces to the front are part of the landscaping scheme, which includes shrub planting; this, and Condition 15, will ensure that the bin storage space is protected and isn't used for car parking;
- if a drop kerb is required for access, this will be dealt with as a separate application as it falls outside the red line of the site. An informative can be included, to make sure the applicant is fully aware of this.

Member debate

- this is a small but interesting design, which doesn't altogether fit in with the very traditional houses in Prestbury Road;
- the addition of nine flats is to be welcomed.

Vote on officer recommendation to permit

9 in support – unanimous

PERMIT

6. Appeal Update

Information on recent appeals had been circulated in advance of the meeting, and was duly noted.

7. Any other items the Chairman determines urgent and requires a decision

The Chair confirmed that Planning View would be reinstated, starting in April, and scheduled for the Thursday before the meeting from May onwards.

Chair

APPLICATION NO: 20/01788/FUL		OFFICER: Michelle Payne	
DATE REGISTERED: 16th October 2020		DATE OF EXPIRY: 15th January 2021	
DATE VALIDATED: 16th October 2020		DATE OF SITE VISIT:	
WARD: Leckhampton		PARISH: Leckhampton With Warden Hill	
APPLICANT:	Miller Homes		
AGENT:	RPS Consulting Services Ltd		
LOCATION:	Land At Shurdington Road Cheltenham		
PROPOSAL:	Full planning application for residential development comprising 350 dwellings, open space, cycleways, footpaths, landscaping, access roads and other associated infrastructure		

Officer update

1. OFFICER COMMENTS

1.1 As Members will be aware, this application was deferred at last month's committee meeting on the following grounds;

- to ensure that the scheme make the fullest contribution possible to the mitigation of climate change, with reference to JCS Strategic Objective 6;
- to allow for the lack of a contribution towards off-site communality facilities and services to be revisited, with reference to JCS policy INF4; and
- to secure a condition in relation to the Moorend Park Road junction improvements.

1.2 The applicant's response to members, having heard the debate at the committee, is attached in full at Appendix 1.

Climate change

1.3 With regard to climate change, the applicant acknowledges the concerns of the planning committee regarding the use of gas boilers and confirm that they have previously looked into not including gas boilers within the proposals, but that it is simply not viable to do so. The additional costs associated with the few alternatives to gas boilers that are currently available are significant and far exceed the costs of conventional heating systems.

1.4 That said, the applicant, mindful of the concerns raised by the planning committee, has submitted a further revised and updated Energy and Sustainability Statement (Appendix 2) which now includes proposals to achieve a 31.9% reduction in CO2 emissions over above the current building regulations; the scheme previously achieving a 20% reduction over that required by the 2013 Part L Building Regulations standards.

1.5 An additional 10 dwellings have also been identified as being suitable to incorporate solar PV panels.

1.6 It is also noteworthy, as set out in the applicant's letter, that whilst new building regulations will be coming into force in June this year, the transitional arrangements mean that the requirements to achieve a 31% reduction in CO2 emissions do not come in to force until June 2023. The proposed scheme therefore now brings additional benefits in terms of less CO2 emissions.

- 1.7 Officers are therefore entirely satisfied that the proposed development would now make the fullest contribution possible towards the mitigation of climate change, whilst still remaining a viable scheme, and therefore achieves Strategic Objective 6 within the JCS.
- 1.8 The requirement to fulfil the 31.9% reduction in CO2 emissions, in accordance with the updated Energy and Sustainability Statement, could be achieved by way of an additional condition, as suggested by the applicant in their letter.

Community facilities

- 1.9 As per the officer report to committee last month, and additional advice given at the meeting, officers are satisfied that the proposed development fully accords with the requirements of JCS policy INF4. The proposed scheme would provide for a number of community facilities including children's play provision, open space, allotments and a community orchard, together with contributions to education and libraries, which would be secured through the s106 legal agreement.
- 1.10 Any additional off-site contributions to existing community services or facilities could only be secured where there is evidence of an existing identified need within the local area, and it can be demonstrated that the development would be required to help to address this need.
- 1.11 The applicant's letter also sets out that the monies from the sale of the land will be managed by the landowning charity; whose objective is to support and enable the mission and ministry of the Church of England in and around Gloucestershire.

Moorend Park Road junction improvements

- 1.12 In accordance with the advice given to members at last month's committee meeting, officers remain of the view that it is not necessary or reasonable to attach a condition to secure the Moorend Park Road junction improvements; the matter can be adequately dealt with through the s106 legal agreement. Planning obligations run with the land, are legally binding, and enforceable.

Conclusion

- 1.13 As such, officers remain satisfied that the proposed development would be in accordance with all relevant national and local planning permission and continue to recommend that planning permission be granted subject to conditions and a signed s106 legal agreement.

2. RECOMMENDATION

- 2.1 APPROVE for the reasons set out in the March 2022 Planning Committee Report attached at Appendix 3 including the entering into a Section 106 agreement and the updated schedule of conditions below.
- 2.2 Please note that as well as the additional condition requiring the development to be carried out in accordance with the revised Energy and Sustainability Statement, the condition requiring an Archaeological Written Scheme of Investigation (WSI) to be submitted has been updated following the submission of a WSI which has been agreed with the County Archaeologist.

3. UPDATED SCHEDULE OF CONDITIONS

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

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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 Prior to the commencement of development, a phasing plan which indicates the phases through which the development hereby approved shall be delivered on site shall be submitted to and approved in writing by the Local Planning Authority.

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

- 4 Prior to the commencement of development within each phase, a Construction Method Statement or Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority.

The approved plan/statement shall be adhered to throughout the construction process and shall include, but not be restricted to:

- i) Provision of parking for vehicles of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
- ii) Any temporary access to the phase;
- iii) Locations for the loading/unloading and storage of plant, waste and construction materials;
- iv) Measures to control the emission of noise, dust and dirt during demolition and construction;
- v) Method of preventing mud and dust being carried onto the highway;
- vi) Arrangements for turning vehicles;
- vii) Arrangements to receive abnormal loads or unusually large vehicles;
- viii) Joint highway condition survey; and
- ix) Methods of communicating the Construction Management Plan or Construction Method Statement to staff, visitors, and neighbouring residents and businesses.

Reason: In the interests of the safe operation of the adopted highway in the lead into development both during the demolition and construction phase of the development, and to prevent any loss of amenity to neighbouring land users, having regard to adopted policy SL1 of the Cheltenham Plan (2020), policies SD14 and INF1 of the Joint Core Strategy (2017), and paragraphs 110 and 112 of the National Planning Policy Framework (2021). Approval is required upfront because without proper mitigation the works could have an unacceptable impact during construction.

- 5 Prior to the commencement of development within each phase, drainage plans for the disposal of foul and surface water flows for that phase shall be submitted to and approved by the Local Planning Authority. The scheme shall thereafter be implemented in accordance with the approved details before the phase is first brought into use.

Reason: 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, having regard to adopted policy INF2 of the Joint Core Strategy (2017). Approval is required upfront because the design of the drainage is an integral part of the development and its acceptability.

- 6 Prior to the commencement of development within each phase, a Construction Phase Surface Water Management Plan for that phase shall be submitted to and approved in writing by the Local Planning Authority. The plan shall outline what measures will be used throughout

the construction period of the development to ensure that surface water does not leave the site in an uncontrolled manner and put properties elsewhere at increased risk of flooding. The construction phase shall be implemented in strict accordance with the approved plans until the agreed Sustainable Drainage System Strategy is fully operational.

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 because without proper mitigation the works could have an unacceptable impact during construction.

- 7 Prior to the commencement of development within each phase, a site investigation and risk assessment shall be carried out for that phase to assess the potential nature and extent of any contamination on the site, whether or not it originates on the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR11 and shall include:

a) a survey of the extent, scale and nature of contamination

b) an assessment of the potential risks to:

- human health
- property (including buildings, crops, livestock, pets, woodland and service lines and pipes)
- adjoining land
- ecological systems
- groundwaters and surface water
- archaeological sites and ancient monuments

c) an appraisal of remedial options to mitigate against any potentially significant risks identified from the risk assessment.

Where remediation is required, a detailed remediation scheme to bring the site to a condition suitable for the intended use shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme shall ensure that the site will not qualify as contaminated land under Part 2a of the Environmental Protection Act (1990) in relation to the intended use of the land after remediation.

The site investigation, risk assessment report, and proposed remediation scheme for the phase shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any development within that phase.

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).

- 8 Prior to the commencement of development within each phase, other than that necessary for that phase to comply with the requirements of this condition, the approved remediation scheme necessary to bring the phase 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).

- 9 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).

- 10 Prior to the commencement of development within each phase, a Noise Mitigation Scheme for that phase shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall detail measures to ensure that any noise associated with the development does not cause detriment to amenity or a nuisance. The scheme shall thereafter be implemented in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

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

- 11 Prior to the commencement of development within each phase, full details of all proposed street tree planting, root protection systems, future management plan, and the proposed times of planting for that phase, shall be submitted to and approved in writing by the Local Planning Authority. All street tree planting shall thereafter be carried out in accordance with the approved details.

Reason: To ensure the continued wellbeing of the trees in the interests of the amenity and environmental quality of the locality, having regard to policy GI3 of the Cheltenham Plan (2020), policy INF3 of the Joint Core Strategy (2017) and paragraph 131 of the National Planning Policy Framework (2021).

- 12 Prior to the commencement of development within each phase, the following information for that phase shall be submitted to and approved in writing by the Local Planning Authority:

(a) a full site survey showing:

- i) the datum used to calibrate the site levels;
- ii) levels along all site boundaries at regular intervals;
- iii) levels across the site at regular intervals;
- iv) finished floor levels or other datum of adjacent buildings; and
- v) cross section drawings clearly showing existing ground levels in relationship with the finished floor and eaves levels of adjacent buildings

(b) full details showing:

- i) the proposed finished floor level of all buildings and ground levels including hard surfaces; and
- ii) cross section drawings showing the proposed finished floor and eaves levels of all buildings and ground levels including hard surfaces.

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.

- 13 Before each phase of development is brought into operation, a Landscape and Ecological Management Plan (LEMP) for that phase shall be submitted to and approved in writing by the Local Planning Authority. The content of the LEMP shall include, but not be limited to, the following:

- a) Description and evaluation of features to be managed;
- b) Ecological trends and constraints on site that might influence management;
- c) Aims and objectives of management, including mitigation and enhancement for species identified on site
- d) Appropriate management options for achieving aims and objectives;
- e) Prescriptions for management actions;
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a ten-year period);
- g) Details of the body or organisation responsible for implementation of the plan, along with funding mechanism(s) for that body or organisation; and
- h) Ongoing monitoring and remedial measures, including where monitoring shows that conservation aims and objectives of the LEMP are not being met.

The approved plan shall be implemented in accordance with the approved details.

Reason: To ensure the protection and enhancement of the landscape and biodiversity value of the site, in accordance with adopted policies SD6 and SD9 of the Joint Core Strategy (2017), ODPM Circular 06/2005, and paragraphs 8, 174 and 180 of the National Planning Policy Framework (2021). This is also in accordance with Section 40 of the Natural Environment and Rural Communities Act 2006, which confers a general biodiversity duty upon Local Authorities.

- 14 Prior to the commencement of development within each phase, including preparatory works, a Construction Environmental Management Plan (CEMP) for that phase shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall include the following:

- a) a risk assessment of potentially damaging construction activities;
- b) identification of biodiversity protection zones (e.g. buffers to areas of retained habitat);
- c) practical measures (both physical measures and sensitive working practices, such as protective fencing, exclusion barriers and warning signs) to avoid or reduce impacts during construction (particularly in relation to works within any areas of retained habitat);
- d) the location and timing of sensitive works to avoid harm to biodiversity features (in relation to breeding birds in particular);
- e) the times during construction when specialist ecologists need to be present on site to oversee works (as required);
- f) responsible persons and lines of communication; and
- g) the role and responsibilities on site of an Ecological Clerk of Works (ECoW) or similarly competent person (as necessary).

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless the ECoW otherwise sets out alternative details which are subsequently agreed by the Local Planning Authority.

Reason: To ensure the protection of biodiversity on the site during construction, in accordance with adopted policy SD9 of the Joint Core Strategy (2017), ODPM Circular

06/2005, and paragraphs 8, 174 and 180 of the National Planning Policy Framework (2021). This is also in accordance with Section 40 of the Natural Environment and Rural Communities Act 2006, which confers a general biodiversity duty upon Local Authorities.

- 15 Prior to the commencement of development within each phase, full details of a hard and/or soft landscaping scheme for that phase shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall identify all walls, fences, trees, hedgerows and other planting which are to be retained, and provide details of all new walls, fences, or other boundary treatments; finished ground levels; new hard surfacing of open parts of the site which shall be permeable or drained to a permeable area; a planting specification to include [species, size, position and method of planting of all new trees and shrubs]; and a programme of implementation.

All hard and/or soft landscaping works shall be carried out in accordance with the approved details prior to first occupation of that phase 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). Approval is required upfront because the landscaping is an integral part of the development and its acceptability.

- 16 The programme of archaeological works shall be carried out in accordance with the approved Written Scheme of Investigation dated 22nd March 2022.

Reason: To ensure that archaeological remains and features are preserved in situ or, if this is not feasible, to enable a record of the remains of archaeological interest to be made prior to their disturbance, having regard to adopted policy HE2 of the Cheltenham Plan (2020) and Historic Environment Good Practice Advice Note 2.

- 17 The development shall be carried out in accordance with the proposals set out in the Energy and Sustainability Statement dated 31st March 2022.

Reason: To ensure that the development makes the fullest contribution possible towards the mitigation of climate change, having regard to Strategic Objective 6 and policies SD3 and INF5 of the Joint Core Strategy (2017).

- 18 Prior to first occupation of the development within each phase, a SuDS Management and Maintenance Plan for that phase, for the lifetime of the development, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall 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, The approved plan shall thereafter 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 to avoid flooding, having regard to adopted policy INF2 of the Joint Core Strategy (2017).

- 19 No external facing or roofing materials shall be applied unless in accordance with: a) a detailed written specification of the materials; and b) physical samples of the materials. The

details of which shall have first been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the external appearance of the development is appropriate to its surroundings in accordance with adopted policy D1 of the Cheltenham Plan (2020), and adopted policy SD4 of the Joint Core Strategy (2017).

- 20 No boundary treatments, including boundary walls, fences or other means of enclosure shall be constructed within a phase unless in accordance with details which shall have first been submitted to and approved in writing by the Local Planning Authority. The boundary treatments shall thereafter be implemented in accordance with the approved details prior to first occupation of the phase.

Reason: To ensure that the external appearance of the development is appropriate to its surroundings in accordance with saved policy D1 of the Cheltenham Plan (2020), and adopted policy SD4 of the Joint Core Strategy (2017).

- 21 No dwelling shall be occupied until the access, parking and turning facilities from that individual building to the nearest public highway have been provided in accordance with Drawing No. CB_70_064_001 Rev R.

Reason: To ensure that safe and suitable access is provided and maintained in the interests of highway safety, having regard to adopted policy INF1 of the Joint Core Strategy (2017), and paragraphs 110 and 112 of the National Planning Policy Framework (2021).

- 22 The part of the development served from the proposed southern (roundabout) access shall not be occupied until the following highway improvements works have been constructed and completed:
- a) Roundabout, realignment of Kidnappers Lane, crossings and active travel infrastructure as shown on Drawing No. 04649-PA-001 Rev P08; and
 - b) Closure of the junction of Kidnappers Lane and A46 Shurdington Road.

Reason: To ensure the safe and free flow of traffic onto the highway, having regard to policy INF1 of the Joint Core Strategy (2017), and paragraphs 110 and 112 of the National Planning Policy Framework (2021).

- 23 The part of the development served from the proposed northern (priority junction) access shall not be occupied until the following highway improvements have been constructed and completed:
- a) Priority Junction, crossings and footway improvements as shown on Drawing No. 04649-PA-002 Rev P06.

Reason: To ensure the safe and free flow of traffic onto the highway, having regard to policy INF1 of the Joint Core Strategy (2017), and paragraphs 110 and 112 of the National Planning Policy Framework (2021).

- 24 The 50th dwelling hereby approved shall not be occupied until the following highway improvements works have been constructed and completed:
- a) Junction improvement at Leckhampton Lane as shown on Drawing No. 04649-PA-003 Rev P04.

Reason: To ensure the safe and free flow of traffic onto the highway, having regard to policy INF1 of the Joint Core Strategy (2017), and paragraphs 110 and 112 of the National Planning Policy Framework (2021).

- 25 The development shall not be occupied until the following highway improvements works have been constructed and completed:

a) Controlled Crossing as shown on Drawing No. ITB2049-GA-056 Rev C

Reason: To ensure the safe and free flow of traffic onto the highway, having regard to policy INF1 of the Joint Core Strategy (2017), and paragraphs 110 and 112 of the National Planning Policy Framework (2021).

- 26 No dwelling shall be occupied until sheltered, secure and accessible bicycle parking has been provided for that dwelling in accordance with details which shall have first be submitted to and approved in writing by the Local Planning Authority. The approved cycle parking shall thereafter be kept available for the parking of bicycles only.

Reason: To promote sustainable travel and healthy communities, having regard to policy INF1 of the Joint Core Strategy (2017), and paragraphs 110 and 112 of the National Planning Policy Framework (2021).

- 27 Notwithstanding the submitted details, no dwelling shall be occupied until at least 1 parking space for that dwelling, or 1 per 10 spaces for communal parking areas, has been fitted with an electric vehicle charging point. The charging points shall comply with BS EN 62196 Mode 3 or 4 charging and BS EN 61851 and Manual for Gloucestershire Streets. The electric vehicle charging points shall be retained for the lifetime of the development unless they need to be replaced in which case the replacement charging points shall be of the same specification or a higher specification in terms of charging performance.

Reason: To promote sustainable travel and healthy communities, having regard to policy INF1 of the Joint Core Strategy (2017), and paragraphs 110 and 112 of the National Planning Policy Framework (2021).

- 28 The approved Residential Travel Plan (i-Transport Ref: MG/AI/ITB12049-102A R, dated 9th October 2020) shall be implemented and monitored in accordance with the regime contained within the plan. In the event of failing to meet the targets within the plan, a revised plan shall be submitted to and approved in writing by the Local Planning Authority to address any shortfalls, and where necessary make provision for and promote improved sustainable forms of access to and from the site. The plan shall thereafter be implemented and updated in agreement with the Local Planning Authority, as amended.

Reason: To reduce vehicle movements and promote sustainable travel, having regard to adopted policy INF1 of the Joint Core Strategy (2017), and paragraphs 110 and 112 of the National Planning Policy Framework (2021).

- 29 Prior to first occupation of the development, details of a Homeowner Information Pack (HIP) providing information on recreation resources in the locality shall be submitted to and approved in writing by the Local Planning Authority. The pack should present information describing informal recreation opportunities in the following sequence:

- On the doorstep
- A short drive by car or bus
- Further afield – e.g. The Cotswolds, the Severn Estuary, the Forest of Dean.

Each dwelling shall be provided with an approved HIP on occupation.

Reason: To ensure that appropriate measures to mitigate for any adverse effects to the Cotswold Beechwoods SAC that could potentially occur as a result of the proposal are suitably addressed, having regard to adopted policies SD9 and INF3 of the Joint Core Strategy (2017), policy BG1 of the Cheltenham Plan (2020), and paragraphs 180, and 181 of the National Planning Policy Framework (2021).

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Date: 6/4/2022

Members of Cheltenham BC Planning Committee**By E-mail – via Case Officer Michelle Payne**

Dear Michelle,

20/01788/FUL – Land at Shurdington Road, Leckhampton

Following members consideration of the above planning application at the Cheltenham Borough Council's Planning Committee on Thursday 24 March 2022, I set out below Miller Homes views and response to the reasons for deferral. Whilst we haven't as yet received any 'formal' notification of the precise reasons for deferral, being present at Committee we set out below our understanding of the issues, which we believe broadly relate to the following three areas:

1. The climate change impacts of the scheme and its ability to reduce CO2 emissions;
2. The contribution to community services/provision; and
3. The impact of the proposals on the Moored Park Road Junction

Members will, I hope, understand that we fully endorse your Officers Report to Committee which confirms that the scheme as it stands is entirely consistent with your own policy base and should be approved, and also the subsequent clear advice given by your Officers at the Planning Committee meeting that the scheme should not be deferred for the reasons given above. Nevertheless, we have sought to look at the above three issues and what, if anything, Miller Homes can do to try to address Members concerns on these specific points, which I address in turn below.

1. Climate Change Impacts

Hopefully Members will be aware of the considerable detail and responses we have already provided on this issue, as we fully understood the importance which the Council rightly gives to tackling climate change. Suffice it to say I won't go through all the information and reports which demonstrated how we fully met and exceeded the Council's own policy requirements including JCS Policy SD3.

As Members will hopefully be aware, prior to Committee we provided an updated Energy and Sustainability Statement which set out a variety of measures which would enable the proposals to achieve 20% CO2 reduction. This goes well beyond any specific policy requirements within the adopted JCS and Local Plan. We are conscious of the considerable discussion at the Planning Committee regarding the use of gas boilers and confirm that Miller Homes is proactively engaging with industry technical working groups, which are being driven by the national Future Homes Task Force, to establish the specifications for standard house type portfolios to deliver in line with future building regulations along with a government consultation later this year on how the new requirements can be met.

Please rest assured that Miller Homes, as a responsible housebuilder, has previously looked into the possibility in considerable detail of not including gas boilers within the proposals but it is simply not viable to do so. It is widely acknowledged in the industry that there are substantial additional costs associated with the few alternatives to gas boilers which far exceed the costs of conventional heating systems. This matter, as indicated above, is being looked at nationally. Whilst it might be possible for smaller bespoke sites to come

forward as Zero Carbon developments this is simply not the same for a development scheme of this scale, in this location, with all its increased infrastructure and financial requirements combined with a specific JCS Policy requirement for 40% affordable housing and CIL/S106 payments in the region of £6.4m. To put it bluntly, not only is this not a policy requirement this site simply cannot come forward if that is a requirement.

Conscious of the Committee concerns, we have reconsidered the issue of CO2 emissions and have formally resubmitted a further revised and up-dated Energy and Sustainability Statement bespoke to the Leckhampton site prepared by our renewable energy consultants. This now includes proposals to achieve a **31.9% reduction over and above current building regulations**, achieved by a variety of methods as set out in the report which include increased water efficiency, waste management, enhanced thermal insulation, EV Charging and Solar PV panels included on all appropriate dwellings. To clarify every dwelling which has a suitable orientation and roof slope design is included within the Solar PV Plan which now shows a total of 156 dwellings incorporating PV Panels.

It should be observed that whilst new building regulations are coming into force in June 2022, which require a 31% reduction, due to the transitional arrangements of these regulations, this requirement does not come into force until June 2023. The proposals we are putting forward therefore represent a substantial benefit in bringing forward this CO2 saving much earlier than is required representing a substantial benefit of this development.

Whilst we are confident our proposals go well beyond policy requirements we are prepared for a planning condition to be attached to the decision notice to give a firm commitment by Miller Homes that the proposals will achieve a 31.9% CO² reduction. The suggested condition below will ensure the Council has effective control on this matter.

“The development shall be carried out in accordance with the proposals set out in the Energy and Sustainability Statement dated 31st March 2022”.

2. Access to Services and Facilities

In relation to the issues raised regarding on site provision and access to wider services and facilities, as Members will be aware we are principally guided by the requirements of Policy MD4 of the Cheltenham Plan. The principal policy component of community facilities for the site allocation relates to the need for secondary school provision, which members will be aware is currently under construction. The policy also requires safe, easy and convenient pedestrian and cycle links within the site and to key centres. This has occurred through the scheme which includes pedestrian and cycle access throughout the site and additional connectivity with the school and Merlin Way.

The proposals also deliver on wider policy requirements, particularly in relation to on-site open space provision with the proposals providing a Locally Equipped Area of Play (LEAP) located along the Hatherley Brook corridor with two further Local Areas of Play (LAPS), a community orchard and community allotments and extensive public open space.

In relation to the need for any on-site retail provision, again this is a matter which Miller Homes have looked into during the course of the application. A report by acknowledged chartered surveyors Bruton Knowles has been carried out which was submitted to the Council in October 2021. This report looked at existing demand and supply for local retail provision and concluded that any retail provision in the subject scheme would attract no developer or occupier demand.

In addition, it should also be observed that the monies paid for the land will form part of the funds managed by the landowning charity, whom are a public benefit entity guided by the Charity Commission guidelines. Their objective is to support and enable the mission and ministry of the Church of England in and around Gloucestershire. The proceeds of the sale will fund the provision of clergy within the Diocese of Gloucester and support and equip worshipping communities to serve the hopes and needs of their local community. One example of the work they support in Cheltenham is providing funding for “The Rock”, an inspiring youth charity where young people, living in acknowledged areas of deprivation, attend to develop life skills and become part of a supportive community. I would respectfully invite Members to view the link below to a very short YouTube video which explains a little of what the Diocese does and how they are funded.

<https://youtu.be/FVMCBvY6Nok>

We share the views of your officers that the proposals are consistent with all the appropriate policy requirements. Any request for a contribution is required to be legally compliant and must satisfy the tests set out in regulation 122 of the CIL Regulations. Whilst Miller Homes could offer to make a financial contribution towards improving any appropriate services and facilities in the locality, it would be for the Council to identify a local project or scheme for this fund and also fully justify why a contribution should be paid to mitigate the impact of the development. To date, no such request has been made nor a CIL compliant justification provided and therefore no contribution can be legally made.

3. Moorend Park Road Junction

With regard to the Moorend Park Road junction, as your Officer’s Committee Report has advised there is already a consented scheme in place (albeit we understand awaiting detailed technical S278 approval) to improve this junction associated with the Farm Lane development. The delivery of that junction proposal is largely a matter between the developer (Redrow Homes), the Highway Authority and Tewkesbury Borough Council. The planning condition associated with the Redrow scheme approved on 26 April 2016 provides for the following:

Prior to first occupation of any dwelling, details of a highway improvement scheme at the Moorend Park Road signal controlled junction shall be submitted to and approved in writing by the Local Planning Authority. No more than 200 units to be occupied prior to the implementation of these works, the works shall be maintained as such thereafter unless and until adopted as highway maintainable at the public expense.

It is clear that the delivery of the scheme upon occupation of 200 dwellings on the Farm Lane site has now been reached, albeit this is a matter which no doubt the highway authority and Tewkesbury Borough Council can advise on and secures not just the junction design but also its implementation.

As Members will also be aware, the Highway Authority has fully assessed the impact of our proposal with that scheme in place which, as explained by Mr Hawley at Planning Committee, includes the impact of the traffic associated with both our development and the Farm Lane development. This has demonstrated the suitability of the junction proposals.

As Members will also hopefully be aware, as a further measure Miller Homes and the Highway Authority have agreed a financial contribution of £86,567 towards potential further improvements to that junction scheme, over and above the scheme consented as part of the Farm Lane development. This is to provide further mitigation and to ensure the most robust approach possible is taken to securing an acceptable highway design.

This money is to be secured by a s106 legal agreement and whilst the Highway Authority has indicated it is not required until occupation of the 175th dwelling on our site, we have now proposed that the money is paid prior to first occupation to assist with early delivery of the junction improvements.

Summary

Whilst Miller Homes is confident that the proposal currently meets the requirements of the development plan, we are also mindful of the additional issues raised by Members during the Committee on the 24th March. We have therefore responded in a manner which we genuinely believe reflects the importance which we have given to such concerns, whilst critically ensuring the development remains viable and can actually be delivered with all the benefits the scheme will achieve.

Given the significant delays encountered to-date we request the application proceeds back to the next Planning Committee which we understand is on the 21st April 2022.

Yours sincerely,



Helen Dawkins
Area Planning Director
Miller Homes Midlands

Energy & Sustainability Statement

Miller Homes Limited

March 2022



Land at Shurdington Road,
Leckhampton

31/03/2022



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1.0 Introduction

1.1 Context

This Statement was prepared by Energy & Design Ltd on behalf of Miller Homes Limited to support a planning application for the proposed 350 dwelling development of Land at Shurdington Road, Leckhampton.

This energy and sustainability statement shows that the requirement will be met to comply with Gloucester, Cheltenham and Tewkesbury Joint Core Strategy, adopted in November 2017 covering the period 2011-2031 policy SD3: sustainable Design and Construction as follows:

Policy SD3: Sustainable Design and Construction

- 1. Development proposals will demonstrate how they contribute to the aims of sustainability by increasing energy efficiency, minimising waste and avoiding the unnecessary pollution of air, harm to the water environment, and contamination of land or interference in other natural systems. In doing so, proposals (including changes to existing buildings) will be expected to achieve national standards*
- 2. All development will be expected to be adaptable to climate change in respect of the design, layout, siting, orientation and function of both buildings and associated external spaces. Proposals must demonstrate that development is designed to use water efficiently, will not adversely affect water quality, and will not hinder the ability of a water body to meet the requirements of the Water Framework Directive;*
- 3. All development will be expected to incorporate the principles of waste minimisation and re-use. Planning applications for major development must be accompanied by a waste minimisation statement, which demonstrates how any waste arising during the demolition, construction and subsequent occupation of the development will be minimised and sustainably managed*
- 4. To avoid unnecessary sterilisation of identified mineral resources, prior extraction should be undertaken where it is practical, taking into account environmental acceptability and economic viability relating both to extraction of the mineral(s) and subsequent implementation of the non-minerals development of the site*
- 5. Major planning applications must be submitted with an Energy Statement that clearly indicates the methods used to calculate predicted annual energy demand and associated annual Carbon Dioxide (CO₂) emissions.*

This policy contributes towards achieving Objectives 5, 6 and 9.

1.2. Description of Development

Land at Shurdington Road, Leckhampton proposes 350 plots. These plots comprise of a range of detached, semi-detached, terraced housing & apartments.

The current site is shown below.



1.3. Project Brief

The development is being designed to achieve a % reduction above the Target Emission Rate (TER) as set out in Part L of the Building Regulations (2013).

For the purpose of this energy statement, we will be basing all the plots on using L1a2013 however some of the site will need to be built to L12021 which will pass by default as this is equivalent to 31%.

2.0 Methodology

2.1 Assessment Methodology

Energy & Design Ltd have modelled sample types using SAP 2012 methodology to calculate the energy demand of the dwellings.

This will allow us to show compliance in two steps.

- 1) Baseline Energy Demand – this will be calculated and given in Total CO₂ emissions (kgCO₂/year). SAP uses the Target Emission Rate (TER = CO₂ kilograms, per M₂ of total useful floor area, per year) to create the baseline for compliance with the approved document Part L1a2013. This is then multiplied by the total useful floor area to give the overall CO₂ emissions.
- 2) Improved Fabric with Low and Zero Carbon (LZC) technologies – various fabrics & technologies will be looked at to get the reduction of CO₂ emissions (kgCO₂/year) of 31% in total.

3.0 Baseline Energy Demand

3.1 The Development Baseline

To evaluate the proposed energy strategy, it is important to determine firstly the base line. In this case it is the Target Emission Rate for CO₂ emissions per year.

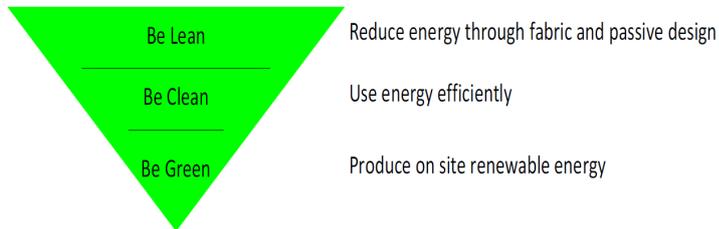
The proposed dwellings have been modelled in SAP L1a2013 and the total maximum CO₂ emissions permitted to comply with L1a2013 are 576,582.06 kgCO₂/year.

The base line energy demand is shown below:

Target Emission Rate: Compliant with AD L 2013	
Total CO ₂ emissions – kgCO ₂ /year	576,582.06

4.0 CO₂ Reduction Strategy - Fabric First Approach

4.1 Energy Hierarchy



The proposed dwellings have been designed in accordance with the ‘energy hierarchy’, which aims to reduce energy demand through passive design measures and a fabric first approach before utilising low carbon energy and the production of on-site renewable energy.

Most importantly to the delivery of low carbon and energy efficient buildings is the ‘Fabric First’ principle which recognises the most effective way of minimising carbon emissions is to reduce the demand for heat and power through a well-insulated, energy efficient building fabric and services.

Reducing the primary energy demand of a building using an efficient fabric and services is widely regarded as best practice and is promoted by the Zero Carbon Hub so this should be the first and most important step to reducing carbon emissions.

This ‘fabric first’ approach has several benefits including:

- Little to no reliance on an occupier’s behaviour to deliver carbon reductions. Achieving carbon savings from renewable energy technologies requires education, awareness and often, behavioural changes from occupants.
- Virtually no maintenance and/or replacement costs to maintain carbon reductions through improved fabric; and
- Carbon savings delivered are ‘locked-in’ for the lifetime of the building (60 years or more) rather than the much shorter lifespan (around 25 years) of a renewable energy technology.

4.2 Efficiency Measures

The proposed design will aim to reduce thermal energy demand by targeting improved insulation levels, air leakage and fabric u-values in line with current Building Regulations requirements.

The following measures to reduce energy use and carbon emissions have been included in the design of the new dwellings:

- Design of new homes to optimise natural daylight in all the habitable spaces with suitable window sizes relative to living spaces and bedrooms;
- Design and layout to promote passive solar gains, maximise natural daylight, sunlight and ventilation, with the majority of homes orientated to the South;
- Development which balances minimising the direct adverse impact of shading from other buildings and landscape features and improving access to passive solar gains;
- High performance glazing with appropriate window u-values and g-values to reduce heat loss and optimise positive solar gain while reducing the potential for overheating.
- 100% low energy lighting.
- Bespoke individual PSI values - these have been calculated and used, this assists in Fabric Energy Efficiency by designing out the cold bridges which may occur, if using the Approved details.
- TMP – the TMP (Thermal Mass Perimeter) has now been calculated rather than using default figures, this now gives a more accurate reflection of the actual as built dwelling, closing the gap between design and as built performance.
- Boilers – The Baxi Assure range of boilers has been used, these can give improvements of approx. 5% over other manufacturers L1a2013 compliant boilers.

4.3 Proposed Fabric First Specification

The following is the values of the proposed fabric.

Element	Limiting Average Values - Part L1a 2013	Proposed Average Values
Ground Floor U-Value (W/m ² K)	0.25	0.19
External Wall U-Value (W/m ² K)	0.30	0.27
Party Wall U-Value (W/m ² K)	0.20	0.00 (fully filled & sealed)
Roof - Insulated at ceiling U-Value (W/m ² K)	0.20	0.07
Roof - Insulated at Slope U-Value (W/m ² K)	0.20	0.13
Window U-Value (W/m ² K)	2.00	1.30
Door U-Value (W/m ² K)	2.00	1.50
Design Air Permeability m ³ /h.m ² at 50 Pa	10.00	4.50

5.0 Low and Zero Carbon (LZC) technologies

5.1 Technologies

The following technologies will be assessed for the appropriateness in the development.

- Combined Heat and Power (CHP)
- Air Source Heat Pumps (ASHP)
- Ground Source Heat Pumps (GSHP)
- Wind Power
- Biomass Technology
- Solar Hot Water (SHW) Technology
- Photovoltaic (PV) Technology

5.2 Combined Heat and Power (CHP)

District Heating Networks (DHN) comprise a centralised heat generator, typically a gas fired Combined Heat and Power (CHP) engine. CHP systems generate electricity and waste heat which can be fed into a network of insulated pipes which deliver low carbon heat to buildings to provide heating and hot water via individual heat transfer units.

DHNs and CHP are suited to development with high thermal demand, typically provided by sufficient density or a large anchor load, i.e., high-density flats, leisure centres and industrial process with different heat demand profiles.

There are no DHN's around the proposed development.

For a development of highly insulated, low density and high efficiency homes such as those proposed limits the heating demand of development and therefore the feasibility and viability of the installation of CHP and district heating.

For these reasons, CHP & DHN are considered **not suitable** for this development.

5.3 Air Source Heat Pump (ASHP)

ASHP technology extract heat from the external air and condense this energy to heat a smaller space within a dwelling or non-domestic building. A pump circulates a refrigerant through a coil to absorb energy from the air. This refrigerant is then compressed to raise its temperature which can then be used for space heating and domestic hot water.

Advantages

- Mature technology
- Can assist in cooling
- Approx. 250% efficient using electricity

Disadvantages

- Hot water cylinder required
- Either oversized radiators or underfloor heating is required
- Currently CO2 carbon factors for electricity are high compared to a gas system
- Can be noisy

Conclusion

Due to the potential of high CO2 emissions, ASHP has been deemed **not suitable for this development.**

5.4 Ground Source Heat Pump (GSHP)

GSHP technology exploits seasonal temperature differences between the ground and air. Fluid is pumped through pipes laid in the ground, taking up heat which is then extracted by the heat pump and released at a higher temperature to drive a space heating system. The pipework is placed either horizontally or vertically in the ground.

Advantages

- More efficient than ASHP
- Mature technology
- Can assist in cooling
- Approx. 320% efficient using electricity

Disadvantages

- Costly to install
- Hot water cylinder required
- Either oversized radiators or underfloor heating is required
- Currently CO2 carbon factors for electricity are high compared to a gas system
- Can be noisy

Conclusion

Due to the cost and the potential of high CO2 emissions, GSHP has been deemed **not suitable for this development.**

5.5 Wind Power

Wind turbines are available in various sizes from large rotors able to supply whole communities, small roof or wall-mounted units for individual dwellings.

Advantages

- Generation of clean energy

Disadvantages

- Costly to install
- Maintenance costs
- Can be noisy (hum of generator)

Conclusion

The <http://www.renew-reuse-recycle.com/> predictor suggest that the wind speed is 4.4m/s at 10 meters above ground. This is below the minimum of 5.0m/s for a technical viability.

Wind speed at 10m above ground level (m/s)		
4.5	4.5	4.4
4.5	4.4	4.4
4.4	4.4	4.5

Due to it being below 5.0, Wind power has been deemed **not suitable for this development.**

5.6 Biomass Technology

Biomass boilers work on the principle that the combustion of wood chip or pellets can create heat for space heating and hot water.

Advantages

- Considerable reduction in CO₂ emissions

Disadvantages

- Can be costly to run compared to a gas boiler
- Space for a plant room to store fuel and plant
- Regular maintenance may be required
- A local source of fuel (reduce transport emissions)

Conclusion

Due to the cost and the requirement of space for plant and fuel storage, Biomass has been deemed **not suitable for this development.**

5.7 Solar Hot Water (SHW) Technology

Solar thermal technology harnesses solar energy to generate heated water.

Advantages

- Mature Technology
- Approx. 50% of hot water demand can be met
- Low maintenance

Disadvantages

- Not always aesthetically pleasing
- The benefit of installation is limited to the water heating demand
- A Large hot water cylinder is required
- If system oversized can contribute to overheating
- Access for maintenance
- Not as many installers as previously
- Benefits not as good as similar technologies

Conclusion

SHW has been deemed **suitable for this development on dwellings with suitable roof orientations.**

5.8 Photovoltaic (PV) Technology

Photovoltaic (PV) technology involves the conversion of the sun's energy into electricity.

Advantages

- Mature Technology
- Low maintenance
- Easily integrated

Disadvantages

- Not always aesthetically pleasing
- Poor design can lead to lower-than-expected yields
- Access for maintenance

Conclusion

Due to the benefits gained from this technology, for appropriate plots with suitable roof orientations, PV has been deemed **suitable for this development.**

5.11 Conclusion

The following technologies have been deemed suitable for this development.

- Photovoltaic (PV) Technology
- Solar Hot Water (SHW) Technology

5.12 Proposed fabric & LZC Results

Photovoltaics (PV) has been chosen as the preferred technologies for this development.

To achieve the required 31% reduction in kgCO₂/year it has been calculated that the following is required:

- 316KWp of PV in an unshaded position at 45-degrees is required across the site

After incorporating the improved fabric and PV, the total site demand is 392,572.90kgCO₂/year a 31.91% saving on the base line

Target & Design Emission Rate: Compliant with AD L 2013		
Target Total CO ₂ emissions – kgCO ₂ /year	576,582.06	
Design Total CO ₂ emissions – kgCO ₂ /year	392,572.90	
Total achieved reduction	184,009.17	31.91%

The proposed specification may change but will achieve a minimum of 19% reduction in carbon emissions (kg CO₂/year) using L1a2013 methodology.

6.0 Water Conservation

6.1 Water Calculator

In line with 'Policy SD3 Sustainable Design and Construction'. Policy SD3 encourages all new development to be designed to use water efficiently.

The water consumption will be under 110 Litres per person per day by means of low water use fixtures and water restrictors, compared to the Part G building regulations which is 125 Litres per person per day. An example of how this can be done is below.

CSH Wat tool May 09



Job no:	01/04/2022
Date:	01/04/2022
Assessor name:	Matthew Hurd
Registration no:	BREAM-900
Development name:	Shurdlington Road, Leckhampton

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WATER EFFICIENCY CALCULATOR FOR NEW DWELLINGS - (BASIC CALCULATOR)																					
Installation Type	Unit of measure	Type 1		Type 2		Type 3		Type 4		Type 5		Type 6		Type 7		Type 8		Type 9		Type 10	
		Capacity/flow rate	Litres/person/day																		
Is a dual or single flush WC specified?		Dual		Select option:		Click to Select		Click to Select		Click to Select											
WC	Full flush volume	4	5.84		0.00		0.00		0.00		0.00		0.00		0.00		0.00		0.00		0.00
	Part flush volume	2.6	7.70		0.00		0.00		0.00		0.00		0.00		0.00		0.00		0.00		0.00
Taps (excluding kitchen and external taps)	Flow rate (litres / minute)	5	9.48		0.00		0.00		0.00		0.00		0.00		0.00		0.00		0.00		0.00
Are both a Bath & Shower Present?		Bath & Shower		Select option:																	
Bath	Capacity to overflow	181	19.91		0.00		0.00		0.00		0.00		0.00		0.00		0.00		0.00		0.00
Shower	Flow rate (litres / minute)	8	34.96		0.00		0.00		0.00		0.00		0.00		0.00		0.00		0.00		0.00
Kitchen sink taps	Flow rate (litres / minute)	6	13.00		0.00		0.00		0.00		0.00		0.00		0.00		0.00		0.00		0.00
Has a washing machine been specified?		No		Select option:																	
Washing Machine	Litres / kg		17.16		0.00		0.00		0.00		0.00		0.00		0.00		0.00		0.00		0.00
Has a dishwasher been specified?		No		Select option:																	
Dishwasher	Litres / place setting		4.50		0.00		0.00		0.00		0.00		0.00		0.00		0.00		0.00		0.00
Has a waste disposal unit been specified?		No		Select option:																	
Water Softener	Litres / person / day		0.00		0.00		0.00		0.00		0.00		0.00		0.00		0.00		0.00		0.00
	Calculated Use	112.5		0.0		0.0		0.0		0.0		0.0		0.0		0.0		0.0		0.0	
	Normalisation factor	0.91		0.91		0.91		0.91		0.91		0.91		0.91		0.91		0.91		0.91	
Code for Sustainable Homes	Total Consumption	102.4		0.0		0.0		0.0		0.0		0.0		0.0		0.0		0.0		0.0	
	Mandatory level	Level 3/4		-		-		-		-		-		-		-		-		-	
Building Regulations 17.K	External use	5.0		5.0		5.0		5.0		5.0		5.0		5.0		5.0		5.0		5.0	
	Total Consumption	107.4		0.0		0.0		0.0		0.0		0.0		0.0		0.0		0.0		0.0	
	17.K Compliance?	Yes		-		-		-		-		-		-		-		-		-	

7.0 EV Charging

7.1 Electric Vehicle Charging

The following strategy has been previously agreed with GCC Highways.

EV charging point will be provided to every dwelling with an allocated parking space, and for those dwellings with unallocated parking an EV charging point will be provided per 10 dwellings.

The charging points supplied will be provided with a 16AMP external plus socket on a separate circuit, with a separate RCD and earth rod to comply with BS7671:2018 18th Edition

Further details and locations will be supplied as the site progresses.

See appendix C for the proposed EV Charging Strategy Plan

8.0 Resource Efficiency

In line with 'Policy SD3 Sustainable Design and Construction'. Policy SD3 encourages all new developments to be designed to be efficient with resources both during construction and in operation of the development

8.1 Household Waste

Cheltenham Borough Council currently operate a household collection service through which households can along with garden waste recycle materials including metal foils, tins, paper, plastic bottles, cardboard, and glass. Residents will be provided with an information pack detailing the Council's current collection arrangements for waste and recycling and advising of the nearest recycling.

8.2 Construction Waste

Site Waste will have best practise target benchmarks for resource efficiency. Where possible materials will be diverted from landfill using various methods

8.3 Materials

Material choices will be made to mitigate impacts on the environment including but not limited to the following:

- Have a Global Warming Potential (GWP) of < 5 in manufacture and installation
- Obtain certification where possible to confirm it is responsibly sourced
- Materials will be preferred with a low Environmental impact as per the BRE green Guide
- Design Buildings where possible to use less energy and reduce resources

9.0 Conclusion

9.1 Carbon Reduction (Plots to L1a2013)

By use of enhanced fabric specifications and PV it is shown that the required reduction of 20% from the Target Emission Rate (TER) as set out in Part L of the Building Regulations (2013) has been met by achieving a **reduction of 31.91% carbon emissions (kgCO₂/year) using L1a2013**

9.2 Carbon Reduction (Plots to L12021*)

By use of enhanced fabric specifications and PV the target to meet L12021 should be met by achieving a **reduction of 31% carbon emissions (kgCO₂/year) compared to L1a2013**

9.3 Water consumption

The water consumption will be under 110 Litres per person per day by means of low water use fixtures and water restrictors

9.4 Electric Vehicle Charging

EV charging point will be provided to every dwelling with an allocated parking space, and for those dwellings with unallocated parking an EV charging point will be provided per 10 dwellings

** The L12021 regulations software is not yet finalised as such specifications may change to achieve the final Approved Document requirements.*

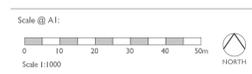
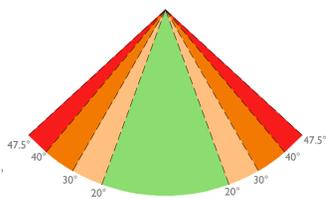
Appendix A – Site Layout

Appendix B – Solar Analysis Plan



- Key
- Solar Orientation Under 20°
 - Solar Orientation Between 20-30°
 - Solar Orientation Between 30-40°
 - Solar Orientation Between 40-47.5°

156 - Total



Rev	Date	Drawn	Checked
B	01.04.22	KEL	BB

ORIENTATION EXTENDED TO 47.5 DEGREES

Date: SEPTEMBER 2021
 Drawn by: KEL Checked by: BB
 Dwg No: CB_70_064_017 Rev: B

Project: LAND AT SHURDINGTON ROAD, LECKHAMPTON, CHELTENHAM

Title: SOLAR ANALYSIS PLAN

Client: **miller homes**



Appendix C - EV Charging Strategy Plan



North Eastern Crossing Point Extract



North Western Crossing Point Extract

Key
 ▲ Indicative Location of EV Charging Points
 = 192



Rev	Date	Drawn	Checked
E	10.11.21	KJM	BB

UPDATED TO MATCH LATEST OVERALL LAYOUT

Date: MAY 2021
 Drawn by: KJM Checked by: BB
 Dwg No: CB_70_064_016 Rev: E

Project: LAND AT SHURDINGTON ROAD, LECKHAMPTON, CHELTENHAM

Title: EV CHARGING STRATEGY PLAN

Client: **miller homes**

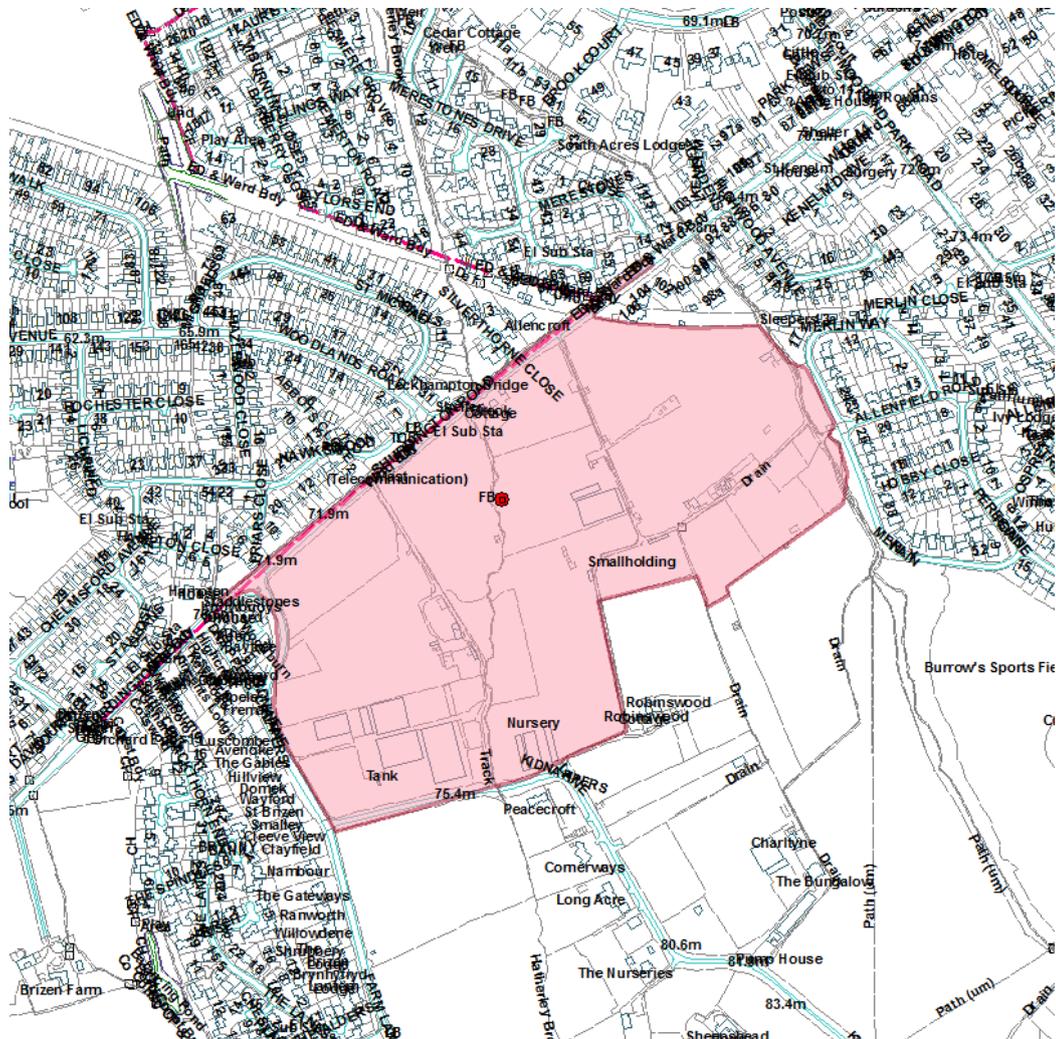


Appendix D - Results

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APPLICATION NO: 20/01788/FUL	OFFICER: Michelle Payne
DATE REGISTERED: 16th October 2020	DATE OF EXPIRY: 15th January 2021
DATE VALIDATED: 16th October 2020	DATE OF SITE VISIT:
WARD: Leckhampton	PARISH: Leckhampton With Warden Hill
APPLICANT:	Miller Homes
AGENT:	RPS Consulting Services Ltd
LOCATION:	Land At Shurdington Road Cheltenham
PROPOSAL:	Full planning application for residential development comprising 350 dwellings, open space, cycleways, footpaths, landscaping, access roads and other associated infrastructure

RECOMMENDATION: Permit subject to conditions and a S106 agreement



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site is located on the southern side of Shurdington Road (A46) at the southwestern edge of the borough and comprises some 18.075 hectares of land. The site is outside of, but immediately adjacent to, Cheltenham's Principal Urban Area (PUA) and forms part of the Leckhampton mixed-use allocation in the Cheltenham Plan (policy MD4).
- 1.2 To the east, the site is bound by the Moorend Stream with residential properties in Merlin Way beyond. Kidnappers Lane runs along the western and south-western boundary of the site with residential properties adjacent at its northern end. The north-eastern boundary is formed by fields in pasture and small holdings. Hatherley Brook crosses the site centrally from south to north. Residential properties are located on Shurdington Road to the north, and opposite the site.
- 1.3 The site is relatively level, sloping gently from south to north. There are also a number of mature trees and hedges within the site and along field boundaries. Public rights of way run along the southern boundary of the site running west from Kidnappers Lane to a path adjacent to Merlin Way to the north.
- 1.4 Part of the site extends into the northern part of the Leckhampton area of Local Green Space (LGS) located southeast of the site.
- 1.5 The site is not within a protected landscape; however, the Cotswolds Area of Outstanding Natural Beauty (AONB) and Green Belt lies to the south of the site.
- 1.6 The new Leckhampton High School is currently under construction on the southern part of the MD4 mixed-use allocated site, on Kidnappers Lane.
- 1.7 The application seeks full planning permission for a new residential development of 350 dwellings, to include a policy compliant (40%) level of affordable housing which equates to 140 dwellings. The scheme would also provide for cycleways, footpaths, landscaping, access roads and other associated infrastructure, public open space, a community orchard and allotments, children's play space, and SuDS features.
- 1.8 The application has been submitted following extensive pre-application discussions.
- 1.9 In addition to drawings, the application has been accompanied by a number of detailed reports and statements some of which have been revised/addended during the course of the application; and all have been available to view on the Council's website (with superseded documents marked as such where appropriate).
- 1.10 The application is before the planning committee at the request Councillor Baker. The reasons for the referral are *"the size and scale of the application, its likely impact upon the neighbourhood and the opportunities to make this a carbon neutral development."*
- 1.11 The application was also called-in by former Councillor Sudbury *"due to the interest in the near and wider area of the development. This is particularly in relation to highways improvements, density of the development and provision of onsite space for wildlife and humans to play as well as environmental impact of the type of construction."*
- 1.12 In addition, a number of objections have been received, including objections from the Parish Council and Civic Society.
- 1.13 Members will recall that the application originally appeared on the December committee agenda but was deferred due to the amount of additional interest the report had generated.

- 1.14 Since that time, the Highways response has been updated and now includes an additional planning obligation for improvements at the A46/Moorend Park Road junction.
- 1.15 Members are advised that the Secretary of State (SoS) has been asked to intervene in the application and therefore, should Members be minded to grant planning permission, the Council will not be able to issue the decision until such time as the SoS has decided whether to call in the application.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Airport Safeguarding over 45m
Flood Zone 2

Relevant Planning History:

13/01605/OUT

REFUSE

31st July 2014

Residential development of up to 650 dwellings; mixed use local centre of up to 1.94ha comprising a local convenience retail unit Class A1 Use (400sqm), additional retail unit Class A1 Use for a potential pharmacy (100sqm), Class D1 Use GP surgery (1,200sqm,) and up to 4,500sqm of additional floorspace to comprise one or more of the following uses, namely Class A Uses, Class B1 offices, Class C2 care home, and Class D1 Uses including a potential dentist practice, childrens nursery and/or cottage hospital; a primary school of up to 1.72ha; strategic open space including allotments; access roads, cycleways, footpaths, open space/landscaping and associated works; details of the principal means of access; with all other matters to be reserved

17/00832/SCOPE

ISSUED

7th August 2017

Environmental Impact Assessment Scoping request for residential development, associated open space, amenities and infrastructure

19/02303/OUT

PERMIT

18th June 2020

Outline application for the construction of up to 12 new dwellings, to include road and drainage infrastructure, parking and landscaping with all matters reserved except means of access to the site

21/00045/REM

UNDETERMINED

Approval of reserved matters (appearance, landscaping, layout and scale) following the grant of outline planning permission ref. 19/02303/OUT for the construction of up to 12 new dwellings, to include road and drainage infrastructure, parking and landscaping with all matters reserved except means of access to the site

3. POLICIES AND GUIDANCE

National Planning Policy Framework 2021 (NPPF)

Section 2 Achieving sustainable development

Section 3 Plan-making

Section 4 Decision-making

Section 5 Delivering a sufficient supply of homes

Section 8 Promoting healthy and safe communities

Section 9 Promoting sustainable transport

Section 11 Making effective use of land

Section 12 Achieving well-designed places

Section 13 Protecting Green Belt land

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

Section 15 Conserving and enhancing the natural environment

Adopted Cheltenham Plan 2020 (CP) Policies

D1 Design
L1 Landscape and Setting
BG1 Cotswold Beechwoods Special Area Of Conservation Recreation Pressure
BG2 Cotswold Beechwoods Special Area of Conservation Air Quality
H2 Land Allocated for Mixed-Use Development
MD4 Leckhampton
SL1 Safe and Sustainable Living
GI1 Local Green Space
GI2 Protection and replacement of trees
GI3 Trees and Development
C11 Securing community infrastructure benefits
C12 Sports and open space provision in new residential development
C14 Broadband Provision

Adopted Joint Core Strategy 2017 (JCS) Policies

SP2 Distribution of New Development
SD3 Sustainable Design and Construction
SD4 Design Requirements
SD6 Landscape
SD7 The Cotswolds Area of Outstanding Natural Beauty
SD8 Historic Environment
SD9 Biodiversity and Geodiversity
SD10 Residential Development
SD11 Housing Mix and Standards
SD12 Affordable Housing
SD14 Health and Environmental Quality
INF1 Transport Network
INF2 Flood Risk Management
INF3 Green Infrastructure
INF4 Social and Community Infrastructure
INF6 Infrastructure Delivery
INF7 Developer Contributions

Supplementary Planning Guidance/Documents

Development on Garden Land and Infill Sites in Cheltenham (2009)

4. CONSULTATION RESPONSES

Strategic Land Use Team

27th January 2021

The site

The application site is situated outside of the existing urban area but within an area allocated for housing development in the adopted Cheltenham Plan.

Policy Framework

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. Therefore, in determining this application, the following must be considered:

The adopted development plan for the area:

- The Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (December 2017)
- The Cheltenham Plan (July 2020)
- Relevant saved policies of the Cheltenham Borough Local Plan Second Review 2006

Relevant material considerations, which include:

- The National Planning Policy Framework (NPPF)
- National Planning Practice Guidance (nPPG)

Joint Core Strategy

Relevant JCS policies:

- Policy SP2: Distribution of New Development
- Policy SD3: Sustainable Design and Construction
- Policy SD4: Design Requirements
- Policy SD6: Landscape
- Policy SD7: The Cotswolds Area of Outstanding Natural Beauty
- Policy SD8: Historic Environment
- Policy SD9: Biodiversity and Geodiversity
- Policy SD10: Residential Development
- Policy SD11: Housing Mix and Standards
- Policy SD12: Affordable Housing
- Policy SD14: Health and Environmental Quality
- Policy INF1: Transport Network
- Policy INF2: Flood Risk Management
- Policy INF3: Green Infrastructure
- Policy INF4: Social and Community Infrastructure
- Policy INF6: Infrastructure Delivery
- Policy INF7: Developer Contributions

Cheltenham Plan

Relevant Cheltenham Plan policies:

- Policy D1: Design
- Policy L1: Landscape and Setting
- Policy BG1: Cotswold Beechwoods Special Area of Conservation Recreation Pressure
- Policy BG2: Cotswold Beechwoods Special Area of Conservation Air Quality
- Policy H2: Land Allocated for Mixed-Use Development
- Policy SL1: Safe and Sustainable Living
- Policy MD4: Leckhampton
- Policy GI1: Local Green Space
- Policy GI2: Protection and Replacement of Trees
- Policy GI3: Trees and Development
- Policy CI1: Securing Community Infrastructure Benefits
- Policy CI2: Sports and Open Space Provision in New Residential Development
- Policy CI4: Broadband Provision

Principle of Development

Paragraph 11 of the NPPF states:

Plans and decisions should apply a presumption in favour of sustainable development.

For decision-taking this means:

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

In this case, the development plan is made up of the JCS and Cheltenham Plan. Distribution of development is set out in the JCS. Policy SD10 states:

2. Housing development will be permitted at sites allocated for housing through the development plan, including Strategic Allocations and allocations in district and neighbourhood plans

The site is located within the Leckhampton mixed-use allocation in the Cheltenham Plan. In Policies H2 and MD4 the site, shown on the map below, is allocated for approximately 350 dwellings and a secondary school (subject to a separate planning permission).



The Cheltenham Plan Policy MD4 also contains the following site specific requirements:

- Approximately 350 dwellings on land north of Kidnappers Lane

- Provision of a secondary of school with six forms of entry on land to the south of Kidnappers Lane
- Safe, easy and convenient pedestrian and cycle links within the site and to key centres
- A layout and form that respects the existing urban and rural characteristics of the vicinity
- A layout and form of development that respects the character, significance and setting of heritage assets that may be affected by the development
- A layout and form of development that respects the visual sensitivity and landscape character of the site as part of the setting for the AONB

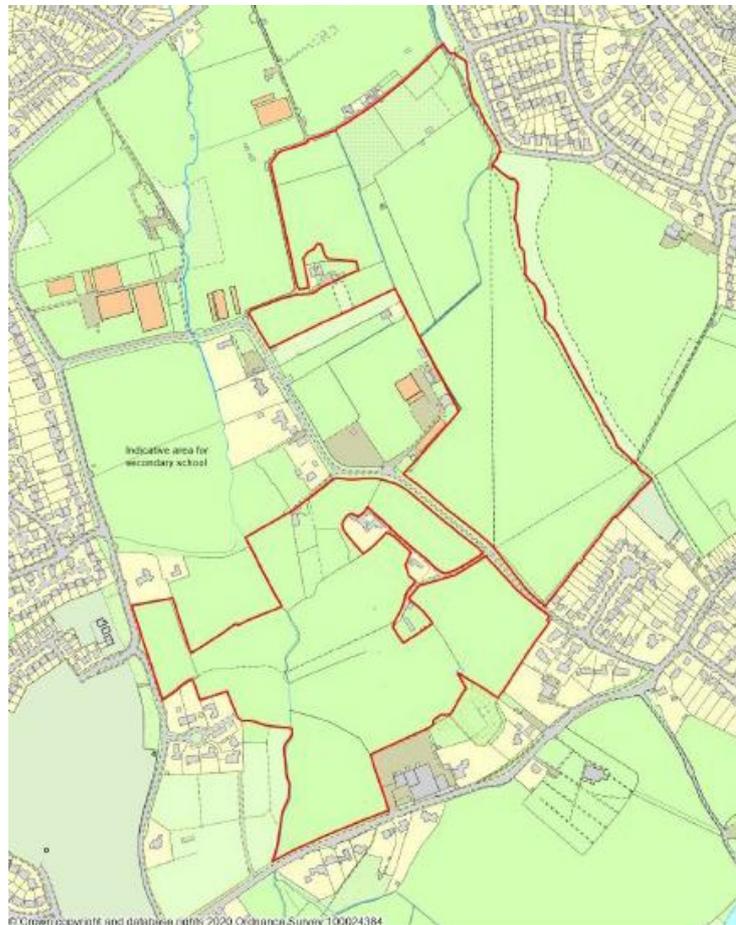
The current proposal conforms to the general principle of policy MD4 in that it provides for 350 dwellings within the boundary of the site. It should be noted that a smaller site on Shurdington Road is excluded from this application but is within the MD4 boundary. When combined the total number of dwellings will be above the 350 in the policy. However, the figures in Policy H2 and MD4 are approximate and the general principle of a total of around 370 dwellings on the allocation is acceptable.

Local Green Space

Policy G11 of the Cheltenham Plan says:

Development will not be permitted within a Local Green Space, designated either within the Cheltenham Plan or an approved Neighbourhood Plan, unless there are very special circumstances which outweigh the harm to the Local Green Space. Particular attention will be paid to the views of the local community in assessing any development proposals that affect a designated Local Green Space.

The outline for the Leckhampton LGS is shown in red on the map below:



Part of the site falls within the northern part of the LGS area. Various smallholdings in differing states of repair currently occupy the area. A well-used footpath runs along the northern end of the LGS. The rural feeling experienced on the footpath was part of the reason that the LGS in that area was included for protection. Although the application includes changes to the LGS area, they do not include any building. The resulting allotments and green space area are likely to provide an enhance enjoyment of the Local Green Space.

Landscape and Design

Although the site is allocated for development in the Cheltenham Plan JCS Policy SD6: Landscape still applies. Of particular importance are the following two paragraphs:

2. Proposals will have regard to the local distinctiveness and historic character of the different landscapes in the JCS area, drawing, as appropriate, upon existing Landscape Character Assessments and the Landscape Character and Sensitivity Analysis. They will be required to demonstrate how the development will protect or enhance landscape character and avoid detrimental effects on types, patterns and features which make a significant contribution to the character, history and setting of a settlement or area;

3. All applications for development will consider the landscape and visual sensitivity of the area in which they are to be located or which they may affect. Planning applications will be supported by a Landscape and Visual Impact Assessment where, at the discretion of the Local Planning Authority, one is required. Proposals for appropriate mitigation and enhancement measures should also accompany applications.

Transport

Transport issues within the site's locality are difficult, with particular issues at peak times on Shurdington Road and Church Road. With the new secondary school being built it is especially critical that this development can prove that highway performance will not be impacted.

Five year housing land supply

Cheltenham Borough Council cannot currently demonstrate a five year housing land supply. Therefore, the 'tilted balance' of paragraph 11 is relevant. However, footnote 6 of the NPPF says that LGS and AONB policies in the NPPF are not out-of-date and still apply to this application.

Conclusions

The general principle of development on this site has been established in the Cheltenham Plan. The contribution that the site will make to housing supply and affordable housing supply also weigh in favour of the proposal. However, the proposals should also meet policy requirements set out in MD4 as well as other relevant JCS and Cheltenham Plan policies. Particular care should be given to the impact of the development on the AONB, Local Green Space and highway network.

GCC Highways Development Management

21st December 2020

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 recommends that this application be deferred.

The justification for this decision is provided below.

The Highway Authority and the Applicant are discussing this application to ensure that the Transport Assessment and scheme designs reflect current national and local policy, and the proposals are complementary to the consented secondary school highway works. Whilst these discussions continue with the Highway Authority it is asked that this application is not determined.

The Highway Authority therefore submits a response of deferral.

26th November 2021 – revised comments

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 and financial obligations.

The justification for this decision is provided below.

This application forms part of the Cheltenham Plan, allocation MD 4, the policy details site specific requirements. From a transport perspective the site should provide “safe, easy and convenient pedestrian and cycle links within the site and to key centres” and references the findings of 13/01605/full which was determined by the planning inspectorate to be reflected in any future scheme.

The proposal seeks to provide 350 dwellings which are served off 2 vehicle access points from the Shurdington Road. The accesses proposed are a priority junction and a new roundabout. The roundabout proposal also realigns Kidnappers Lane. No other vehicle accesses are proposed external to the site. The proposal also includes a series of walking and cycling connections to the existing community and within the proposal itself.

The applicant has prepared a Transport Assessment which considers the impact of the proposal from a multimodal perspective, this includes modelling on the potential impact on the Shurdington Road which is recognised as a congested corridor. It also considers routes to key destinations and how access to those services could be improved.

The local and national policy for access focuses on prioritising walking and cycling trips, we must also consider the vehicle impact but this must be read against the NPPF tests of “severe” or have “an unacceptable impact on highway safety”. In principle the proposal is acceptable as it provides the anticipated number of dwellings in the Cheltenham Plan, and consequently the traffic generation from the allocation was considered at the time of the adoption of the plan. It still remains necessary to consider the impact on local junctions and what mitigation might be required.

The proposal is expected to generate approximately 127 departures and 51 arrival vehicle trips in the AM peak and 79 departures and 126 arrives in the PM peak, these are 08:00-09:00 and 17:00-18:00 respectively. This is split between the 2 access points and the transport modelling shows trips are dispersed around the network.

This has potential implications at the junctions of Moorend Park Road and Leckhampton Lane.

With regards to Moorend Park Road there is already a consented scheme in place to improve this junction associated with the Farm Lane development, this improvement is being refined and provide the optimum solution for this junction recognising the competing demands of different road users, not further alteration is required beyond the consented proposals.

The Leckhampton Lane Junction is proposed to be amended to provide a degree of space for right turning traffic. There is a balance to be had in providing more capacity and maintaining pedestrian space, and considering the needs to pedestrians is a key priority as such the reduction of footway width is not acceptable. Furthermore, increasing capacity could result in an increase of rat running whereas the A46 is the more suitable route. Therefore, the proposal looks to provide an improvement within the current kerblines. This approach is considered to be acceptable.

The Kidnappers Lane junction with Shurdington Road is proposed to be closed and replaced with a cycleway. An alternative roundabout junction is proposed, this is considered to be a more suitable solution recognising the additional turning movements the development will generate alongside the new secondary school trips. It also allows for improved walking and cycling infrastructure to be provided as more space becomes available.

The proposal gives significant potential to reduce the walking distances from the existing residential communities to the new Leckhampton Secondary School. New and improved connections will be made from Merlin Way, Shurdington Road and Kidnappers Lane, the routes in the site accommodate pedestrians and cyclists, and provide more attractive routes than otherwise would exist. The proposal also provides missing footway infrastructure on the A46. This is considered to be a benefit of the scheme and contributes to its sustainability credentials.

The proposed streets within the proposal create a low-speed environment which includes measures to prioritise walking and cycling movements. Car and bicycle parking provision is agreed including electric vehicle provisions, but some refinement of details on these points is required so conditions are proposed to address this.

The proposal also includes a travel plan which will be secured by planning condition and ensured through a financial bond.

The proposal does require a consultation for highway legislation beyond any planning consultation to enable the development, and the proposal is reliant on this occurring. It is therefore necessary to include conditions which limit the developments construction until those processes have been progressed and orders implemented. The applicant should submit details of the required traffic regulation order to prohibit driving along the length of Kidnappers Lane which is to be closed at their earliest opportunity given the timescale associated with the implementation of such an order.

Overall, the proposal is considered to be acceptable and proposes suitable mitigation through offsite improvements, enhanced walking and cycling connections and planning obligations.

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

Conformity with Submitted Details

The Development hereby approved shall not be occupied until the access, parking and turning facilities that that individual building to the nearest public highway has been provided as shown on drawing CB_70_064_001 Rev R.

Reason: To ensure conformity with submitted details.

Highway improvements Southern Development Parcel

The Development served from the proposed southern (roundabout) access hereby approved shall not be occupied until the highway improvements works comprising:

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- Roundabout, realignment of Kidnappers Lane, crossings and active travel infrastructure as shown on drawing 04649-PA-001 Revision P08
- Closure of the Junction of Kidnappers Lane and A46 Shurdington Road

Have been constructed and completed.

Reason: To ensure the safe and free flow of traffic onto the highway.

Highway improvements Northern Development Parcel

The Development served from the proposed northern access (priority junction) hereby approved shall not be occupied until the highway improvements works comprising:

- Priority Junction, Crossings and footway improvements as shown on drawing 04649-PA-002 Revision P06

Have been constructed and completed.

Reason: To ensure the safe and free flow of traffic onto the highway.

Highway improvements

The 50th Dwelling hereby approved shall not be occupied until the highway improvements works comprising:

- Junction Improvement at Leckhampton Lane as shown on drawing 04649-PA-003 Revision P04

Have been constructed and completed.

Reason: To ensure the safe and free flow of traffic onto the highway.

Highway improvements

The Development hereby approved shall not be occupied until the highway improvements works comprising:

- Controlled Crossing as shown on drawing ITB2049-GA-056 rev C

Have been constructed and completed.

Reason: To ensure the safe and free flow of traffic onto the highway.

Bicycle Parking

The Development hereby approved shall not be occupied until sheltered, secure and accessible bicycle parking has been provided in accordance with details which shall first be submitted to and approved in writing by the Local Planning Authority and thereafter the approved cycle parking shall be kept available for the parking of bicycles only.

Reason: To promote sustainable travel and healthy communities

Electric Vehicle Charging Points

Notwithstanding the details submitted the development hereby permitted shall not be first occupied until at least 1 parking space for each proposed dwellings or 1 per 10 spaces for communal parking areas, has been fitted with an electric vehicle charging point. The charging points shall comply with BS EN 62196 Mode 3 or 4 charging and BS EN 61851 and Manual for Gloucestershire Streets. The electric vehicle charging points shall be retained for the lifetime of the development unless they need to be replaced in which case the replacement charging points shall be of the same specification or a higher specification in terms of charging performance.

Reason: To promote sustainable travel and healthy communities.

Residential Travel Plan

The Residential Travel Plan hereby approved, dated 09 October 2020 shall be implemented and monitored in accordance with the regime contained within the Plan. In the event of failing to meet the targets within the Plan a revised Plan shall be submitted to and approved in writing by the Local Planning Authority to address any shortfalls, and where necessary make provision for and promote improved sustainable forms of access to and from the site. The Plan thereafter shall be implemented and updated in agreement with the Local Planning Authority and thereafter implemented as amended.

Reason: To reduce vehicle movements and promote sustainable access.

Construction Management Plan

Prior to commencement of the development hereby permitted details of a construction management plan shall be submitted to and approved in writing by the Local Planning Authority. The approved plan shall be adhered to throughout the demolition/construction period. The plan/statement shall include but not be restricted to:

- 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);
- Advisory routes for construction traffic;
- Any temporary access to the site;
- Locations for loading/unloading and storage of plant, waste and construction materials;
- Method of preventing mud and dust being carried onto the highway;
- Arrangements for turning vehicles;
- Arrangements to receive abnormal loads or unusually large vehicles;
- Joint highway condition survey;
- Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.

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.

Provision for street tree planting

No works or development shall take place until full details of all proposed street tree planting, root protection systems, future management plan, and the proposed times of planting, have been approved in writing by the local planning authority, and all tree planting shall be carried out in accordance with those details and at those times.

Reason: To ensure the continued wellbeing of the trees in the interests of the amenity and environmental quality of the locality.

Informatives

Works on the Public Highway

The development hereby approved includes the carrying out of work on the adopted highway. You are advised that before undertaking work on the adopted highway you must enter into a highway agreement under Section 278 of the Highways Act 1980 with the County Council, which would specify the works and the terms and conditions under which they are to be carried out.

Contact the Highway Authority's Legal Agreements Development Management Team at highwaylegalagreements@gloucestershire.gov.uk allowing sufficient time for the preparation and signing of the Agreement. You will be required to pay fees to cover the Council's costs in undertaking the following actions:

Drafting the Agreement

A Monitoring Fee

Approving the highway details

Inspecting the highway works

Planning permission is not permission to work in the highway. A Highway Agreement under Section 278 of the Highways Act 1980 must be completed, the bond secured and the Highway Authority's technical approval and inspection fees paid before any drawings will be considered and approved.

Traffic Regulation Order (TRO)

You are advised that a Traffic Regulation Order (TRO) is required. You must submit a plan to scale of an indicative scheme for a TRO, along with timescales for commencement and completion of the development. Please be aware that the statutory TRO process is not straightforward, involving advertisement and consultation of the proposal(s).

You should expect a minimum of six months to elapse between the Highway Authority's TRO Team confirming that it has all the information necessary to enable it to proceed and the TRO being advertised. You will not be permitted to implement the TRO measures until the TRO has been sealed, and we cannot always guarantee the outcome of the process.

We cannot begin the TRO process until the appropriate fee has been received. To arrange for a TRO to be processed contact the Highway Authority's Legal Agreements Development Management Team at highwaylegalagreements@gloucestershire.gov.uk

The cost of implementing any lining, signing or resurfacing required by the TRO is separate to the TRO fees, which solely cover the administration required to prepare, consult, amend and seal the TRO.

Highway to be adopted

The development hereby approved includes the construction of new highway. To be considered for adoption and ongoing maintenance at the public expense it must be constructed to the Highway Authority's standards and terms for the phasing of the development. You are advised that you must enter into a highway agreement under Section 38 of the Highways Act 1980. The development will be bound by Sections 219 to 225 (the Advance Payments Code) of the Highways Act 1980.

Contact the Highway Authority's Legal Agreements Development Management Team at highwaylegalagreements@gloucestershire.gov.uk. You will be required to pay fees to cover the Councils cost's in undertaking the following actions:

- Drafting the Agreement
- Set up costs
- Approving the highway details
- Inspecting the highway works

You should enter into discussions with statutory undertakers as soon as possible to co-ordinate the laying of services under any new highways to be adopted by the Highway Authority.

The Highway Authority's technical approval inspection fees must be paid before any drawings will be considered and approved. Once technical approval has been granted a Highway Agreement under Section 38 of the Highways Act 1980 must be completed and the bond secured.

Street Trees

All new streets must be tree lines as required in the National Planning Policy Framework. All proposed street trees must be suitable for transport corridors as defined by Trees and Design Action Group (TDAG). Details should be provided of what management systems are to be included, this includes root protections, watering and ongoing management. Street trees are likely to be subject to a commuted sum.

Public Right of Way Impacted

There is a public right of way running through the site, the applicant will be required to contact the PROW team to arrange for an official diversion, if the applicant cannot guarantee the safety of the path users during the construction phase then they must apply to the PROW department on 08000 514514 or highways@gloucestershire.gov.uk to arrange a temporary closure of the right of way for the duration of any works. We advise you to seek your own independent legal advice on the use of the public right of way for vehicular traffic.

The site is traversed by a public right of way and this permission does not authorise additional use by motor vehicles, or obstruction, or diversion.

Impact on the highway network during construction

The development hereby approved and any associated highway works required, is likely to impact on the operation of the highway network during its construction (and any demolition required). You are advised to contact the Highway Authorities Network Management Team at Network&TrafficManagement@gloucestershire.gov.uk before undertaking any work, to discuss any temporary traffic management measures required, such as footway, Public Right of Way, carriageway closures or temporary parking restrictions a minimum of eight weeks prior to any activity on site to enable Temporary Traffic Regulation Orders to be prepared and a programme of Temporary Traffic Management measures to be agreed.

Protection of Visibility Splays

The applicant's attention is drawn to the need to ensure that the provision of the visibility splay(s) required by this consent is safeguarded in any sale of the application site or part(s) thereof.

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 principle 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.

Planning Obligations

Specific Purpose – Travel Plan Bond and Monitoring

Contribution - £65,250.00

Trigger – Prior to the First Occupation of any Dwelling

Retention Period – 10 Years from the First Occupation of Any Dwelling

Specific Purpose – Public Right of Way Enhancement, Connection to Merlin Way

Contribution - £15,000

Trigger – Prior to commencement

Retention Period - 5 years from Receipt

8th March 2022 – updated comments

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 and financial obligations.

Page 71

The justification for this decision is provided below.

This application forms part of the Cheltenham Plan, allocation MD 4, the policy details site specific requirements. From a transport perspective the site should provide “safe, easy and convenient pedestrian and cycle links within the site and to key centres” and references the findings of 13/01605/full which was determined by the planning inspectorate to be reflected in any future scheme.

The proposal seeks to provide 350 dwellings which are served off 2 vehicle access points from the Shurdington Road. The accesses proposed are a priority junction and a new roundabout. The roundabout proposal also realigns Kidnappers Lane. No other vehicle accesses are proposed external to the site. The proposal also includes a series of walking and cycling connections to the existing community and within the proposal itself.

The applicant has prepared a Transport Assessment which considers the impact of the proposal from a multimodal perspective, this includes modelling on the potential impact on the Shurdington Road which is recognised as a congested corridor. It also considers routes to key destinations and how access to those services could be improved.

The local and national policy for access focuses on prioritising walking and cycling trips, we must also consider the vehicle impact, but this must be read against the NPPF tests of “severe” or have “an unacceptable impact on highway safety”. In principle the proposal is acceptable as it provides the anticipated number of dwellings in the Cheltenham Plan, and consequently the traffic generation from the allocation was considered at the time of the adoption of the plan. It still remains necessary to consider the impact on local junctions and what mitigation might be required.

The proposal is expected to generate approximately 127 departures and 51 arrival vehicle trips in the AM peak and 79 departures and 126 arrivals in the PM peak, these are 08:00-09:00 and 17:00-18:00 respectively. This is split between the 2 access points and the transport modelling shows trips are dispersed around the network.

This has potential implications at the junctions of Moorend Park Road and Leckhampton Lane.

With regards to Moorend Park Road there is already a consented scheme in place to improve this junction associated with the Farm Lane development. A further improvement has been suggested for this junction recognising the competing demands of different road users. The applicant proposes to provide a contribution to the Highway Authority so that should the additional works be required that funds are available to implement it. This approach safeguards the delivery of the “I-Transport” proposal and ensures that the modelling and mitigations align. Consequently, the impact of the development is mitigated and could not be considered to be severe.

The Leckhampton Lane Junction is proposed to be amended to provide a degree of space for right turning traffic. There is a balance to be had in providing more capacity and maintaining pedestrian space and considering the needs to pedestrians is a key priority as such the reduction of footway width is not acceptable. Furthermore, increasing capacity could result in an increase of rat running whereas the A46 is the more suitable route. Therefore, the proposal looks to provide an improvement within the current kerblines. This approach is considered to be acceptable.

The Kidnappers Lane junction with Shurdington Road is proposed to be closed and replaced with a cycleway. An alternative roundabout junction is proposed, this is considered to be a more suitable solution recognising the additional turning movements the development will generate alongside the new secondary school trips. It also allows for improved walking and cycling infrastructure to be provided as more space becomes available.

The proposal gives significant potential to reduce the walking distances from the existing residential communities to the new Leckhampton Secondary School. New and improved connections will be made from Merlin Way, Shurdington Road and Kidnappers Lane, the routes in the site accommodate pedestrians and cyclists, and provide more attractive routes than otherwise would exist. The proposal also provides missing footway infrastructure on the A46. This is considered to be a benefit of the scheme and contributes to its sustainability credentials.

The proposed streets within the proposal create a low-speed environment which includes measures to prioritise walking and cycling movements. Car and bicycle parking provision is agreed including electric vehicle provisions, but some refinement of details on these points is required so conditions are proposed to address this. The proposal also includes a travel plan which will be secured by planning condition and ensured through a financial bond.

The proposal does require a consultation for highway legislation beyond any planning consultation to enable the development, and the proposal is reliant on this occurring. It is therefore necessary to include conditions which limit the developments construction until those processes have been progressed and orders implemented. The applicant should submit details of the required traffic regulation order to prohibit driving along the length of Kidnappers Lane which is to be closed at their earliest opportunity given the timescale associated with the implementation of such an order.

Overall, the proposal is considered to be acceptable and proposes suitable mitigation through offsite improvements, enhanced walking and cycling connections and planning obligations.

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.

Officer comment [Please note the conditions/informatives are repeated/unchanged in the updated comments with the exception of the Planning Obligations which now include the following:

Specific Purpose – Junction improvement A46/Moorend Park Road
Contribution - £86,567.35
Trigger – Prior to occupation of the 175th dwelling
Retention Period – 5 years from Receipt

Ryder Landscape (acting as Council's Specialist Landscape Advisor)

2nd February 2021

See Appendix B

12th November 2021 – updated comments

See Appendix C

22nd November 2021 – further update

See Appendix D

Housing Enabling

2nd February 2021

See Appendix E

1st October 2021 – revised comments

Level of Affordable Housing Provision

The Joint Core Strategy Policy SD12: Affordable Housing states that “on sites of 11 dwellings or more... a minimum of 40% affordable housing will be sought within the Borough of Cheltenham”.

This application will comprise of approximately 350 residential units. Therefore at 40% in line with JCS Policy SD12: Affordable Housing the Council will be seeking 140 affordable homes.

The latest LHNA that has been commissioned also requires a mix of approx. 70:30 rented to intermediate housing.

The majority of the principles surrounding affordable housing delivery on this scheme have been covered in the Housing Enabling comments dated 02.02.21.

Dwelling Mix

The Council and applicant (Miller Homes) are in agreement regarding the affordable housing mix to be provided on this scheme, captured in the dwelling mix table below. To be clear, having regard to local needs and affordability considerations, we will seek the following mix of affordable dwellings on this scheme:

Clustering and Affordable Housing Distribution

	40%	Social Rent	Affordable Rent (Capped at LHA)	Shared Ownership	Total	%
1b2p M4(2) Cat 2 flat, 50m2.		12	0	0	12	9%
1b2p flat, 50m2.		12	0	0	12	9%
1b2p Bungalow, M4(3) (2)(b), 60m2.		4	0	0	4	3%
1b2p Bungalow M4(2) Cat 2 , 50m2.		4	0	0	4	3%
1b2p House, 50m2.		0	0	4	4	3%
2b4p House, 71m2.		0	18	18	36	26%
2b4p House, M4(2) Cat 2, 79m2.		0	14	0	14	10%
2b4p Bungalow M4(2) Cat 2, 71m2.		0	4	0	4	3%
3b5p House, 82m2		0	10	12	22	16%
3b5p M4(2) Cat 2 House, 93m2		0	3	0	3	2%
3b6p House, 93m2.		0	8	8	16	11%
4b7p House, 108m2.		6	0	0	6	4%
4b7p House, 121m2, Cat 2.		1	0	0	1	1%
5b8p House, 121m2.		2	0	0	2	1%
Total		41	57	42	140	100%
%			98 (70%)	42 (30%)	100%	

Examining the clustering and affordable housing distribution, this officer is satisfied that the revised affordable housing plan (reference CB_70_064_004 Affordable Housing Plan REV G-OVERALL) meets the majority of our affordable housing requirements.

Nevertheless, to facilitate the creation of resilient communities, this officer would strongly suggest making the following alterations to the affordable housing plan, as set out below:

- Swapping Plots 250/251/252 with Plots 244/245/246
- Switching Plot 308 with Plot 128
- Switching Plot 307 with Plot 109
- Switching Plots 93/94 with Plot 170/171

Discussions with our Registered Provider partners has supported relocating these homes to assist in creating sustainable communities.

This officer is happy to discuss with the agent to reach a practical solution to this issue.

Accessibility

This Officer would expect the proposed 4 x 1b2p M4(3) wheelchair accessible homes (60m²) to meet M4(3)(2)(b) wheelchair accessible standards. This point should be reflected within the Section 106 agreement, affordable housing schedule and accompanying affordable housing plan.

22nd November 2021 – further revised comments

Following on from this Officer's previous Housing Enabling comments concerning the Land off Shurdington Road, Planning Reference 20/01788/FUL dated 02.02.2021 and 01.10.2021 respectively, the Council and Miller Homes (represented by Pioneer Property Services) have agreed with the Housing Strategy and Enabling Officer on the following affordable housing mix, comprised of 41 social rented homes, 57 affordable rented homes and 42 shared ownership homes: (please refer to table below).

The affordable housing mix agreed between the Housing Strategy and Enabling Officer and Miller Homes satisfies the policy requirements of JCS Policy SD12: Affordable Housing.

Description	Persons	Sqm	Sqft	Social Rent	Affordable Rent	Shared Ownership	Total
1-bed flat M4(2)	2	51	544	24	0	0	24
1-bed bungalow M4(3)(2)(b)	2	60	647	4	0	0	4
1-bed bungalow M4(2)	2	50	539	4	0	0	4
1-bed house	2	51	549	0	0	4	4
2-bed coach house	4	71	764	0	0	6	6
2-bed house	4	71	764	0	18	12	30
2-bed house M4(2)	4	79	850	0	14	0	14
2-bed bungalow M4(2)	4	72	779	0	4	0	4
3-bed house	5	84	908	0	3	4	7
3-bed house	5	83	893	0	7	8	15
3-bedhouse M4(2)	5	93	1001	0	3	0	3
3-bed house	6	93	1001	0	4	8	12
3-bed house	6	95	1021	0	4	0	4
4-bed house	7	118	1274	6	0	0	6
4-bed house M4(2)	7	121	1303	1	0	0	1
5-bed house	8	127	1372	2	0	0	2
Grand Total				41	57	42	140

For ease of reference, the affordable housing mix captured in Table 1 above will supersede all previous discussions between the Housing Strategy and Enabling Officer and Miller Homes and represents the final agreed affordable housing mix.

Amendments to Affordable Housing Mix dated 01.10.21

Above and beyond previous comments provided by the Housing Enabling Officer relating to this scheme, Miller Homes have agreed that 4 x 1b2p Social rented M4(3)(2)(b) bungalows will be provided on this scheme (subject to planning permission being granted), instead of 4 x 1b2p Social Rented M4(3)(2)(a) bungalows. In summary, this will mean that disabled households can immediately access these properties, instead of waiting in potentially unsuitable accommodation for minor adaptations to be made to these new properties.

In exchange for this agreement regarding the M4(3) bungalows, the Council has not to make any further changes to the latest proposed scheme layout (Revised Affordable Housing Layout, Reference CB_70_0064_003 G, dated 31.08.21).

Section 106 Agreement

The Council will ensure that both the latest affordable housing planning layout, referred to above, and the final Affordable Housing Mix table (see Table 1) are captured within the final iteration of the Section 106 agreement relating to this scheme. This will give the Council confidence that the affordable homes will be delivered as agreed.

Architects Panel

8th December 2020

Design Concept

The panel had no objection to the principle of this large housing development and believed the site provided a great opportunity for a high quality design solution that could set the standard for future housing schemes in Cheltenham.

The main criticism of this scheme is that the laudable statements made in the Design and Access Statement, setting out the designer's good intentions, have not been followed through in the submitted proposals. The scheme has certain commendable aspects, for example the central "green corridor", the public orchard and the allotments, the linking footpaths and cycle routes, but the built areas don't meet up to the design expectations promised.

The overall impression of the development is that it is a series of very similar private housing estates connected together by a string of non-descript access roads with no unique sense of place.

Page 5.4 of the D&A refers to four distinct "character areas" that define the design. The panel couldn't see these manifested in the submitted design proposals. The scale, layout and type of architecture is too similar to generate different character areas of interest. The resultant scheme puts too much emphasis on the network of roads and the needs of the private car and not enough on unique place making requirements set out in the Cheltenham Borough Council Guidance Notes.

The D&A talks of a wide range of different types of housing but the scheme doesn't offer the variety that could be made available or how these enhance the character and sense of place. The panel felt the introduction of more apartments or even terrace housing would increase the number of dwellings, add more variety of built form as well as opportunities for more open amenity spaces. A better, more 'design' and 'character' led approach, with greater variety, areas with a higher density and less traffic and road domination should be encouraged as more units could be accommodated within a better overall environment.

Design Detail

The architecture is not offensive but rather bland. Attempts to add interest by applying different cladding materials to standard house types is not enough to create variation of form and certainly doesn't relate in any way to the local architecture of Cheltenham as the D&A suggests.

Given current concerns over global warming, the panel was surprised that sustainable design did not have more of an influence over the design of the houses and the overall site layout. The reluctance to consider on site renewable energy options but to rely on "fabric first" high levels of insulation to satisfy sustainability policy, needs to be questioned in more detail. Statements disregarding Codes for Sustainable Homes, and simply saying the design will exceed the Building Regulations, are not enough and full construction details should be submitted and properly appraised by the planning authority to ensure this development goes a long way to meet government targets. Promoting the use of UPVC windows, for example, is not going to reduce the impact of global warming.

The landscaping proposals along the main access roads and where the streets are narrow is not fully resolved. Hedges planted right against house external walls is not an appropriate way to provide token greenery, and many trees look too close to some properties which will threaten their long term survival. Incorporating access roads that are predominantly pedestrianised could enable space for more planting and prevent additional road parking which will be inevitable with the current road design.

The quality of the detailing and materiality are essential to the success of any scheme of this scale, on a site leading into historic areas of Cheltenham and in a location as prominent as Shurdinton Road. The panel felt sufficient detail must be provided to assess proposals and to secure a high quality of materials and detailing (eg articulation of brickwork) in the planning application and through the use of planning conditions if the LPA are minded to approve a scheme of this scale and importance.

Overall the panel felt the scheme represented a wasted opportunity in that what is proposed is not particularly special but rather yet another mediocre housing scheme. With a little more imagination the development could be so much more exciting architecturally, introduce more variety and thus create a more unique sense of place.

Recommendation

Not supported

Cheltenham Civic Society

8th December 2020

The Civic Society supports the principle of developing this plot, but this scheme has been designed for the benefit of the developers rather than the people who will be living here for years to come. It needs more attention to detail to make it somewhere people will want to move to, and to stay.

Traffic

We share the concerns expressed by many commenters about the traffic issues that will be generated by this development, as well as by the planned secondary school and other neighbouring new residential developments. The roundabout at the western end of the development is a positive development. However, the north-eastern access is likely to be used by more than half of the traffic from the new houses, a minimum of 400-500 vehicle movements a day, a significant proportion of which will be making a right turn towards Cheltenham. There needs to be more thought given to this junction.

There are no shops or services on site or within easy walking distance. The nearest shops in Woodlands Road are nearly a mile away. Morrisons and the nearest pharmacy are twice

that distance away. The adjacent Redrow development is also entirely housing. This will create the need for many more car journeys.

The service entrance to the Cheltenham Secondary School designated for "Staff, Deliveries/Coach Vehicular Entrance" will also feed onto Kidnappers Lane to the west of the entrance to the Millers site. Kidnapper's Lane currently has no pavements along its full length from Farm Lane to Church Road. The 'school side' of Kidnapper's Lane consists of a wide tree and vegetation filled verge which could be widened as part of the current construction work. The lack of at least one pavement on this part of the road alongside the Millers development would be a considerable risk to the increased pedestrian and cycling traffic. This matter was raised during public comments on the school's proposals but needs to be made again. The pedestrian crossing points improve access to the bus stops on Shurdington Road.

Space Standards

This is a very high density development: the result of trying to fit 350 units onto the site. This has resulted in some very small units, more appropriate to a city centre development than this semi-rural location. If you compare the size of plots and properties surrounding this site, the proposed density is immediately visible.

If these proposed houses are to provide a sustainable lifetime home for residents they need more space. This could be just by increased plot area to allow space for future extension and privacy. The pandemic lockdown has highlighted the need to be able to work from home, children requiring space in their bedrooms for home schooling, worries about food supply encouraging people to grow some of their food, and difficulties of crowded households and relationships. There needs to be space for securely storing bikes, recycling boxes and wheelie bins, gardening equipment, possibly a greenhouse or conservatory, and desk space for adults and children to work.

The lack of capacity for residents to adapt their homes to their changing needs will lead to a high turnover of occupants, which is detrimental to sustaining a community.

Community spaces

We welcome the innovative plans for a community orchard and allotment space. We would like more detail on how they will be managed, and for this to be pinned down in the planning permission.

Given this innovative green infrastructure, perhaps Miller Homes should consider working towards the Building with Nature accreditation scheme. This could give it a wider, national profile and could be a selling point when marketing houses - and would encourage the developers to do even better.

The play areas are limited and there is no space for informal games, e.g. football within the development. Has there been any discussion with the new secondary school as to whether leisure facilities can be made available?

Other than the green infrastructure, this development is all houses. There are no community or commercial buildings. The lack of a centre will make it hard to create a community. Residents will have to travel the best part of a mile away to access goods and services. The distance to local services means this is likely to be a very car dependent community as mentioned earlier.

Carbon emissions

This development makes no contribution to Cheltenham's Carbon neutral goal: indeed, it is likely to be a net producer of carbon emissions.

Given it is a very car-dependent development, could EV charging points be built into every home?

There is a lot of emphasis on the high standard of insulation, but not on the sources of the energy. Despite the government commitment to no new gas boilers being installed after 2025, Miller Homes' Energy & Sustainability Statement assumes that all dwellings will be provided with gas fired heating systems. Instead the estate should be built with its own Combined Heat and Power (CHP) system or ground source heat pumps, and solar panels wherever possible. These measures would make a positive contribution to carbon neutrality and could be a selling point for potential buyers.

Severn Trent Water Ltd
22nd November 2020

Thank you for the opportunity to comment on this planning application. Please find our response noted below:

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:

- 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
- 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 may be a public sewer located within the application site. Although our statutory sewer records do not show any public sewers within the area you have specified, there may be sewers that have been recently adopted under the Transfer Of Sewer Regulations 2011. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent and contact must be made with 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 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. Alternately you can call the office on 0345 266 7930

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

CBC Tree Officer
15th December 2020

- 1) Agree with most quality categorisations (as per BS 5837)-regarding the quality of all trees, hedgerows and groups of trees.
- 2) The quality of most trees within such groups, hedges and individually are not high but cumulatively, they are significant and the area has a significant arboricultural texture-ie tree cover is significant. Much cover is non-native trees-some of which have an incongruous

nature for the setting, but most will have arboricultural merit. The Tree protection plan is helpful, but unless studied in detail does not give a clear "snapshot" of the extent of tree removals and retention. A clearer tree removal/retention plan would be welcome.

3) To mitigate for lost countryside, some open space is earmarked for designation. However the tree planting potential is limited within these open spaces as there will be pressure for land not only from trees.

4) Other than open space, there appears to be insufficient scope for street trees as soft landscape features within the proposed built up areas. Deer were seen whilst on site on 24/11/20. As such, it will be necessary that all new tree planting is sufficiently protected from deer.

5) Many trees on the boundary and alongside the brook are in a poor state of repair and are in an inappropriate structural condition for retention without significant remedial works. For example, whilst the re-pollarding of many of the willow trees will be necessary, future management needs to consider significant costs of future management. The same can be said for trees on the boundary and their management into the future. This has been referred to in para 4.3.6 of the Arb Impact Assessment, but there is no detail

6) G61-small (B2-moderate quality) apple copse-recent very heavy handed "pruning"/topping has taken place leaving the trees as 1.5-2metre poles. This has significantly reduced their visual amenity and arboricultural value.

7) It is noted that there is to be several incursions into the proposed Root Protection Area of several individual and groups of trees. A method statement for low impact construction methods is necessary as a part of any application process.

8) There is no landscape plan-such a plan should be included as a part of the application and not left to be a planning condition.

Conclusion

- It is considered that whilst much of the arboricultural fabric of the boundary and alongside the brook is to be retained, there appears to be little scope for new tree planting to mitigate for anticipated losses. The reduction in the number of dwellings would facilitate a less compact application and more potential for greater planting
- A clearer tree removal/retention plan should be produced so as to be more easily able to visualise the scale of tree retention and loss.
- More detail is necessary to address the current condition of trees to be retained if the areas in which they are located are to be retained as public open space.
- A full landscape plan is required.
- Details of service runs and their location should be submitted as a part of the application.
- Foundation design of all structures must take account of local soil type and tree species

29th September 2021 – revised comments

The revised removal and retention drawing is helpful and it is now easier to understand the full implications of existing on site trees.

Whilst there is no objection to proposed tree removals (such trees are mostly of limited value individually), it is unclear as to what is being planted to mitigate for their removal.

Whilst there is indicative tree planting shown on the updated Planning Layout (Drawing no CB_70_064_101Rev N/K/N) and the proposed street trees are welcome, it is unclear what species of tree are to be planted and generally, it is considered that there is insufficient tree planting numbers being proposed within the street scene.

Where possible, a rich palette of new trees should line Shurdington Road. Significant potentially very large landscape trees eg Sequoiadendron/Quercus sp/Pinus sp (giant redwood/oak species/pine species) could also make a positive statement and local landmark if planted on the roundabout entrance into the estate.

It is noted that many trees are to be planted within the proposed open spaces. Again there is little/no detail.

It would be much preferable if a detailed landscaping scheme is submitted as a part of the application rather than being left as a condition attached to any permission. Such a landscape scheme must show species, sizes, locations, protection (taking account of the local deer population) and tree pit details. Where trees are to be planted within the street scene, new topsoil should be incorporated into tree pits and trees should be protected temporarily with wire cages. The use of root deflectors should also be incorporated so as to help ensure new trees are not under pressure for removal following root related surface disruption. The palette of trees to be planted should be a mix of native and exotic trees and take account of the proposed site, and adjacent constraints (lamp columns, parking areas/honey dew, falling tree debris etc. Similarly there are no trees shown to be planted within proposed new rear gardens. This should be reconsidered and new appropriate species should be planted within larger rear gardens as a minimum.

It is noted that the TPOd trees (T33, 34, 36+ 38 (3 oak + an ash)) are to be retained.

Paragraph 5.6.1 of the tree survey /AIA states that "the proposed hard surfaces encroach into the RPA's of sixteen trees (T9, T18, T19, T22, T23, T26, T28, T32, T52, T56, T57, T59, T60, T63, T66 & T69) however for thirteen of these trees the encroachment is well within the Design Recommendations set out in BS5837:2012 which states that up to 20% of the RPA can be surfaced without adversely affecting trees. For ten of these trees the percentage of encroachment ranges from 0.3% to 8.9% and for T18, T56 & T60 it is 14.7%, 13.4% & 12.4% respectively". A Method Statement should be created detailing how such hard surfaces are to be laid down within the Root Protection Area of all of the above and any other retained trees. This Method Statement should incorporate the use of hand digging and the avoidance of severing any roots with a diameter greater than 25mm.

Such a Method Statement should also describe a timetable of arboricultural monitoring so as to ensure construction conundrums are addressed by a suitably qualified and experienced arboriculturist.

The Tree Protection Plan shows the location of tree protective fencing is not shown to the BS5837 (2012) standard. It is essential that such robust protection is clearly stipulated so as to help ensure retained trees are successfully retained with no significant impact during the course of any construction.

It is noted that many of the retained trees are located along the course of the brook bisecting the site. Whilst the majority of these trees are "B" class trees, a high proportion of them are willow and ash. It is anticipated that many/most of the ash will succumb to ash die-back and as such their management must become under a formal management regime. Similarly, many of the willow are very large and have not been actively managed for many years. As such, it is necessary that a short, medium and long term management plan is submitted and agreed so as to ensure trees along the brook can be safely retained into the future, not only as a source of ecological diversity but also as an acceptably safe play space for children.

GCC Lead Local Flood Authority (LLFA)

25th November 2020

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.

Flood Risk

As discussed in the Flood Risk Assessment (June 2019), hydraulic modelling has been carried out and approved by the Environment Agency. The layout has been designed so that

all the properties and sustainable drainage features are outside of flood zone 2 and the areas at risk of surface water flooding according to the Risk of Flooding from Surface Water map.

Surface water management

Discharge strategy

The site is on Charmouth Mudstone, which is not conducive for infiltration. The proposal is therefore to discharge surface water into the Hatherley Brook and its tributary.

Discharge rates

The maximum surface water discharge rate (56.1 l/s for the 1 in 100 year rate plus 40% for climate change) will be limited to approximately the greenfield runoff rate for QBar (47.5 l/s).

Drainage strategy and indicative plan

Surface water will be stored in three ponds that serve the three hydraulic catchments on the site. They have been designed to store water in events up to the 1 in 100 year rainfall event plus 40% for climate change and simulations of the network on MicroDrainage show that they are a suitable size. The ponds will offer management of water quality and the opportunity for providing amenity and biodiversity benefits.

The MicroDrainage simulations show that the development will not flood in a 1 in 30 year rainfall event and that the flooding of the network in a 1 in 100 year rainfall event will be confined to the highways. Although this meets the Non-statutory technical standards for sustainable drainage, the flooding from manhole SB11 (Catchment B1) appears to be directed off the site onto the Shurdington Road. While this is an acceptable strategy for exceedance flows, in events up to 1 in 100 year rainfall event, surface water should not be leaving the site in this manner.

Exceedance flow paths

In rainfall events that exceed the design of the drainage, surface water will be directed along the highways to the balancing ponds and to their respective watercourses or off the site at the two access points.

LLFA Recommendation

The applicant has demonstrated that the strategy meets national standards for sustainable drainage and should not be putting the development itself or elsewhere at increased risk of flooding. If the applicant is able to minimise the flooding at manhole SB11 (Catchment B1), as described above, then the LLFA will recommend no objection subject to the following condition:

Condition: No development shall be brought in to use/occupied until a SuDS management and maintenance plan for the lifetime of the development which shall 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, has been 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.

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.

27th September 2021 - revised comments

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.

In addition to our previous comments from 25th November 2020 the LLFA also recommends the following condition for the management of surface water during the construction period of the development. There have been a number of recent developments that have caused surface water issues to neighbouring properties during their construction and considering the location of this development in the upper part of the catchment, it is important that surface water is managed appropriately.

Condition: No development shall commence on site until a Construction Phase Surface Water Management Plan has been submitted to and approved in writing by the Local Planning Authority. The plan will outline what measures will be used throughout the period of the construction of the development to ensure surface water does not leave the site in an uncontrolled manner and put properties elsewhere at increased risk of flooding. The construction phase shall be implemented in accordance with the approved plans until the agreed Sustainable Drainage System Strategy is fully operational.

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.

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.

7th December 2021 – further revised comments

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.

Following the LLFAs comments on the 25 November 2020 and 27 September 2021, another Drainage Plan (B17427-PPL-501-P4) has been submitted. This shows that the pipe between manholes SB1-11 and SB1-12 has been upsized, which will minimise the amount of highway flooding in the 1 in 100 year rainfall event plus 40% for climate change.

LLFA Recommendation

As before, the LLFA has no objections subject to the following conditions:

Condition: No development shall be brought in to use/occupied until a SuDS management and maintenance plan for the lifetime of the development which shall 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, has been 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.

Condition: No development shall commence on site until a Construction Phase Surface Water Management Plan has been submitted to and approved in writing by the Local Planning Authority. The plan will outline what measures will be used throughout the period of the construction of the development to ensure surface water does not leave the site in an uncontrolled manner and put properties elsewhere at increased risk of flooding. The construction phase shall be implemented in accordance with the approved plans until the agreed Sustainable Drainage System Strategy is fully operational.

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.

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.

Environment Agency 26th November 2020

Thank you for referring the above consultation, which we received on 6 November 2020. Based on the information submitted, we do not object to the proposed development and would offer the following comments to assist your consideration at this time.

Flood Risk

Having assessed the Flood Risk Assessment (FRA) submitted by Patrick Parsons dated June 2019 in conjunction with the hydraulic modelling addendum prepared by Jeremy Benn Associates (JBA) dated 28 April 2017, we can confirm that the modelling work undertaken by JBA has been reviewed by the Environment Agency as part of an official flood map challenge and the subsequent outlines incorporated within the Flood Map for Planning.

Hence the extents shown within Figure 1.1 of the FRA are deemed to be representative of the current flood risk and show the majority of the site located in Flood Zone 1.

The addendum prepared by JBA also looked at the impacts of the latest climate change guidance as set out in Table 1.1 of the FRA as well as potential blockage scenarios.

Neither of these additional runs impacts upon the proposed layout as shown in the "Overall Planning Layout" dated 23.09.20. However, for the record we would wish to point out that there are inaccuracies within the penultimate paragraph of text of the FRA document within the introductory section of chapter 2.1.

For "More Vulnerable" development the considered lifetime of the development is 100 End years, not the stated 50 years. As a result the relevant climate change uplifts for such developments are 35% and 70% as set out in Table 1.1 and not the 20% and 40% quoted. Fortunately the modelling report has used the correct allowances.

In conclusion as all extents for all forms of flooding will be contained within the green open space corridors either side of the watercourses, we have no objections to the proposals from a flood risk perspective.

I trust the above will assist in your determination of the application and please do not hesitate to contact me if you have any queries.

29th September 2021 – revised comments

Thank you for referring the above consultation, which we received on 9 September 2021. Based on the revised plans and additional information submitted, we have no further comments to add in addition to those provided in our letter dated 26 November 2020 (reference SV/2020/110793/01-L01).

For completeness however, we would just raise the following:

On 27 July 2021 the guidance on considering climate change in Flood Risk Assessments (FRAs) and planning decisions was updated to reflect the latest projections in UK Climate Projections 2018 (UKCP18) relating to peak river flow allowances. Where a valid planning application has already been submitted to the Planning Authority we will not raise concerns on the use of the previous allowances. However, in the interests of longer term sustainability, you may wish to use the new allowances where practicable. More information is available here: <https://www.gov.uk/guidance/flood-risk-assessments-climate-change-allowances>. Any new or future applications, including variations, will need to use the new allowances.

GCC Archaeology 27th November 2020

Thank you for consulting the archaeology department on this application.

An archaeological evaluation was undertaken by Cotswold Archaeology between October and November 2011 within the proposed development site. The evaluation has identified a limited number of archaeological features within the site, comprising ditches, pits and postholes. Although a number of the features encountered remain undated, the remainder ranged in date from the Romano-British to the modern period and included a Roman ditch, an area of medieval activity, and agricultural features dating to the medieval, post-medieval and modern periods.

The evaluation has established there is potential for archaeological remains within the proposed development site as outlined in the Heritage Statement submitted with the application. I therefore recommend that a programme of archaeological investigation is made a condition of planning permission so to ensure archaeological remains impacted by the proposed development can be investigated and recorded. Details will need to be discussed with this department.

To facilitate the archaeological work I recommend that a condition based on model condition 55 from Appendix A of Circular 11/95 is attached to any planning permission which may be given for this development, ie;

'No development shall take place within the application site until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority'.

Reason: It is important to agree a programme of archaeological work in advance of the commencement of development, so as to make provision for the investigation and recording of any archaeological remains that may be destroyed by ground works required for the scheme. The archaeological programme will advance understanding of any heritage assets which will be lost, in accordance with paragraph 199 of the National Planning Policy Framework

I have no further observations.

22nd June 2021 – revised comments

Thank you for consulting the archaeology department on the additional details submitted with the application. Further archaeological evaluation was carried out in February 2021 in the northern part of the site and the report has been submitted with the application. The subsequent evaluation identified further pits and ditches dating to the medieval period.

My advice provided previously on this application remains the same, for an archaeological condition to be placed on planning permission to allow for programme of archaeological investigation (excavation) in areas where archaeological remains of interest have been identified in the two phases of evaluation within the site. For convenience I reiterate the recommended condition:-

'No development shall take place within the application site until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority'.

Reason: It is important to agree a programme of archaeological work in advance of the commencement of development, so as to make provision for the investigation and recording of any archaeological remains that may be destroyed by ground works required for the scheme. The archaeological programme will advance understanding of any heritage assets which will be lost, in accordance with paragraph 199 of the National Planning Policy Framework

I have no further observations.

1st October 2021 – revised comments

Thank you for consulting the archaeology department on the additional information submitted in regards to this application. I can confirm that I have no further comments to make from those made previously.

Ramblers Association

22nd November 2020

The inclusion of non-motorised routes across the proposed development is welcome however the plan falls short and should commit to further developments to fully support and implement the objectives of the Gloucestershire Strategy for Walking and Cycling and the DEFRA Rights of Way Circular 1/09. The objectives of the DoT Gear Change document should also be included.

The development plan should explicitly recognise the need to improve connectivity with the existing extended PROW network and develop for the future, recognising the potential for further development. The the development should actively seek to enhance the network to encourage the use of the network for walking, and cycling, for recreational and commuting of all age groups. Footpath green route should be established not only within the development but to link with the neighbouring areas.

The connection to PROW ZCH80 is an obvious corridor for members of the school adjacent to the southern boundary of the site. The bridge over the Hatherly Brook must be widened and the surfaces improved to facilitate connection with CHL6 and the new hoggin path.

It clearly wrong that development on the scale that is proposed here should not seek to enhance the amenity of the PROW CHL6 and the further links to the PROW network.

The plan should also recognise the importance of the development as route to the school and improve the alignment with school entrances, enhance width to safely accommodate cycling and walking where necessary, improved crossings and pavement widths. It is noted

that the track running from the Shurdington Road along the eastern edge of the 'Brooke Cottage' development is marked as an existing right of way, although this is not how on the Gloucestershire definitive map. It is important that the developer secures the permanent status of the new routes as PROWs.

Major developments such as this should be championing the future direction of increased use of walking routes and facilitate this through the design and implementation of improved non-motorised routes.

Building Control

9th November 2020

Please contact Cheltenham and Tewkesbury Building Control on 01242 264321 for further information.

Parish Council

4th December 2020

See Appendix A

18th October 2021 – revised comments

The Parish Council is grateful for being given the extra time to make these comments. They should be read in conjunction with the Parish Council's main comments submitted on 4 December 2020. All of those earlier comments remain apposite except that the revised plans have addressed the issue of the cycle track and footpath which should now be able to run all the way from Merlin Way to the new secondary school.

These additional comments are in response to documents added to the application documents since that date including points raised in the Miller Homes covering letter to the revised plans. The Parish Council is also responding to representations made by local residents to the earlier consultation. Particular concerns of residents are over the possible risk of flooding to areas west of the A46 and the problem of traffic congestion and road safety taking into account also the new secondary school adjacent to the site.

Risk of flooding during the construction phase

The issue of flood risk to the development and to downstream areas of Cheltenham has been discussed in detail in the Parish Council's response of 4 December 2020. The Council would like however to strongly support the comments by the Lead Local Flooding Agency on the need for a Construction Phase Surface Water Management Plan particularly to avoid any the risk of flooding to properties along the A46 during construction, through for example heavy water flows down roads onto the A46. Storms with rainfall of around 40 mm/hr occur several times a decade on the scarp of Leckhampton Hill feeding into Hatherley Brook and Moorend Stream. It must be anticipated that such a storm will occur at least once during the construction phase with heavy rainfall on the site as well as high flow along the two watercourses.

There are underground water flows in the gravel and sand beds in the area and some houses on the west side of the A46 experience water flow into their gardens coming under the A46. Residents are concerned that this might be made worse by the development disturbing possible underground flows within the site. It might be prudent during construction to note any gravel beds and flows that are encountered. Residents are also concerned to ensure that there is provision for management of the balancing ponds for the whole life of the development because of the overflow risk to housing along the A46 and along Hatherley Brook and Moorend Stream.

Leckhampton with Warden Hill Parish Council

In its comments of 4 December 2020 the Parish Council recommended that the longer term flooding risk to downstream housing along Hatherley Brook might need to be considered. This was not because of risk of flooding due to runoff from the site but because building on

the site will remove any future option to build very large retention ponds on the site in order to help protect downstream housing from flood flow in Hatherley Brook caused by the more severe storms expected with global warming.

Highways and traffic congestion Taking into account the likely extra traffic generated by the new secondary school, the traffic congestion on the A46 is a major impediment to sustainable development. Although the Miller Homes covering letter seems to suggest that the traffic issues are nearly resolved there are no revised plans showing how the traffic congestion can be successfully mitigated. Enough time must be allowed for public consultation on any future traffic proposals before the application can go forward to the planning committee. The validity of the MD4 allocation, of which the Miller development is part, also depends on meeting the condition set by Inspector Burden that the proposed traffic mitigation at the A46/Moorend Park Road junction must be shown to work. An additional highways issue has arisen more recently over the multitude of crossing points and traffic lights proposed to be installed on the A46 between the Moorend Park Road junction and Kidnappers Lane. We understand that this issue has arisen because the Kendrick Homes development was given outline planning permission ahead of the Miller Homes development and was allowed a separate access to the A46. We believe there is still time to reduce the associated road crossings and we also believe that the two developments ought to share a single road access onto the A46.

Future of the northern part of the smallholdings The issue over the northern part of the smallholdings, which was covered in the Parish Council's response of 4 December 2020, remains unresolved. Following that response the Council drafted a letter to each of the smallholders seeking to ascertain whether they would be interested in continuing as tenants if that option was available. The land agents, Bruton Knowles, agreed to forward the letters to the tenants but then changed their mind. The Council understands this was on the instruction of the landowner. The Council has therefore been unable to clarify the position in the way agreed previously with Miller Homes. Even if the existing tenants did not want to continue their tenancies others might be interested including residents in the new housing. Part of the northern smallholdings along the public footpath could easily be converted into a line of allotments. But it is not clear that this would actually conserve the rural character and interest of the path. The way forward needs to be resolved urgently if the application is to go to the Planning Committee in the near future.

Open space and local footpath network

The additional response from Natural England dated 11 October 2021 asks for 6.5 ha of on site green and open space to be designed, delivered and managed for the lifetime of the development. The figure of 6.5 ha corresponds to the proposed open space shown in the Revised Overall Planning Layout if one includes the balancing ponds, course of Hatherley Brook and roadside green area. The purpose of this 6.5 ha area is to provide sufficient recreation space to make it less likely that residents would want to drive to the Cotswold Beechwoods for walking and dog walking.

A whole session of the Local Plan Examination in Public (EIP) in 2019 was devoted to this issue of protecting the Cotswold Beechwoods reflecting their high national priority for conservation. The biggest threat to the Beechwoods comes from residents of the Gloucester - Cheltenham area driving up to the Beechwoods for country walking and dog walking. The residents who do this regularly, rather than walking closer to their homes, are motivated by wishing to walk in open countryside.

In the EIP session in 2019 attention was drawn to the proximity of the Miller Homes and Kendrick Homes developments to the footpath network of the Leckhampton Fields Local Green Space (LGS). Some 2 ha of the LGS is actually included in the 6.5 ha of open green space within the Miller Homes site. The open countryside and footpath network provided by the LGS is a big asset to the Miller Homes application. But conversely the public footpath through the Miller site is very important to the footpath network providing local walking routes for the very many existing residents that walk on the Leckhampton Fields. This emphasises

the importance of keeping the LGS and its footpath network as rural as possible not just for the future residents in the Miller Homes estate but for the very many existing local residents who might otherwise be more inclined to drive up into the Beechwoods.

Encouraging residents to walk locally is very beneficial to health and wellbeing and helps to reduce carbon emissions compared to driving into the Cotswolds. The Council notes that the footpaths through the community orchard and allotments and through the other green space areas in the site will contribute to the footpath network. This is an important benefit of the development to the wider community.

The application is proposing to try to preserve the rural character of the public footpath as it passes through the site by planting a tall hedgerow along the north side of the path to screen the housing from view from the path. In addition overhanging trees could be planted that could create an avenue. But it will take many years for hedges and trees to grow to sufficient height. One might therefore also want to consider something quicker growing to provide screening in the short term such as a trellis fence supporting vigorous climbing plants. A construction phase plan is needed to ensure that use of the footpath network is not interrupted during construction and so that the beauty and rural character of the path is preserved over both the short term and long term.

There must be maximum retention of existing hedges and trees. Currently the revised plans show the existing hedge being removed along the public footpath at its western end where the path turns south to run through Robinswood Field. The plans show only a small hedge in this area or no hedge at all so that the public footpath would be passing directly by houses. The plans need to retain the whole of the existing hedgerow either side of the public footpath in this area and also along the footpath in Robinswood Field where the hedge contains a wide variety of trees including damsons and sloes.

Protection of other hedgerows and trees

The Revised Overall Planning Layout, like the original layout dated 15 Oct 2020, raises concerns over protection of the hedgerows. In particular the tall dense hedgerow along the public footpath in Robinswood Field is barely shown in either layout and this raises concern over whether there might be some intention to remove or severely cut back this hedgerow. The hedgerow is shown more boldly in the revised land use plan, but nevertheless there seems to be an ambiguity between the plans that needs to be corrected. Not only must this hedgerow be shown appropriately in the plans but there must be very clear instructions and safeguards to ensure its full protection. The hedgerow is protected by law (<https://www.gov.uk/guidance/countryside-hedgerows-regulation-and-management>) as a countryside hedgerow for its length and age and the land on both sides is also valued landscape.

Unfortunately it is well known that developers do often cut down protected hedgerows and trees accidentally and sometimes deliberately, for example to damage landscape in the hope of gaining planning permission or to improve the saleability of properties by opening up views. When Inspector Ord in her JCS findings in July 2016 ruled that development should be confined to the Northern Fields the developers (Bovis Homes and Miller Homes) immediately erected a 1.9 metre chain link fence along the footpath in Robinswood Field. Given the height and cost of this fence its only realistic purpose was to urbanise the landscape in the hope of countering the JCS decision. It was Bovis Homes that did this and not Miller Homes, but it shows the need to avoid any ambiguity and to have strong safeguards. The hedgerows along Kidnappers Lane are also very important for screening the housing from view from Leckhampton Hill and Miller Homes in discussion with the Parish Council undertook to protect and reinforce them. These hedgerows are clearly shown as being retained on the revised layout.

The CBC Tree Officer in comments dated 29 September 2021 has recommended that many more trees should be planted within the development include more large trees. The Parish Council strongly supports this recommendation. As far as the Council can discern the site

layout does conserve the existing large trees on the site except in the east corner of the site adjacent to the Moorend Stream footpath where a significant tree seems to be missing from the revised overall planning layout. This tree is at the point where the Hoggin footpath through the community orchard is supposed to connect to the public footpath along Moorend Stream. This footpath connection also seems to be missing from the layout. This may simply be because the public footpath is not clearly shown, but it is important to remove any ambiguity and ensure that the Hoggin path does link to the Moorend Stream path so that the community orchard can form part of the wider footpath network. This was certainly the clear intention of Miller Homes in earlier discussions with the Parish Council.

Electric vehicle charging points

The proposal to include EV charging points is very sensible and welcome. However the Parish Council is puzzled by the strategy which appears to be to install charging points only for those houses that have their own driveway. It seems more important to provide collective charging points for those houses that do not have driveways and instead use collective parking spaces. Houses that have their own driveway can easily connect cars directly to their home electricity supply and fast charging is not needed for vehicles parked at home on the drive. The opposite is true for vehicles parked in the collective parking spaces where charging would otherwise require running a long electricity cable across pavements and roads potentially creating serious hazards. Given the government policy to phase out petrol and diesel it would surely make best sense to install EV charging that serves all properties.

Valued landscape and development on area R2/R3

In its response of 4 December 2020 the Parish Council argued that development cannot be permitted on areas R2/R3 because they are valued landscape. The covering letter from Miller dated 20 August 2021 seeks to rebut this argument on the basis that R2/R3 are in the allocation and the valued landscape designation should not be used to exclude them. However the Parish Council is not arguing for R2/R3 to be removed from the allocation but only that the land cannot be used for housing or any other purpose that does not sufficiently protect the valued landscape. The land can be used for green and open space like the other green and open space within the site. As noted in the Parish Council's response of 4 December 2020, Inspector Ord in her JCS findings explicitly excluded R2/R3 from the area where she recommended that housing could be permitted. In the final JCS session on Leckhampton she strongly rejected arguments from the JCS team to allow further development saying that it would cause too much damage to the landscape.

Neighbourhood Plan Policies

The Council's draft neighbourhood plan that is currently at the Reg 14 consultation stage and is emerging evidence in the planning system has a section of policies on protecting the valued landscape and development on the Northern Fields that bears directly on the application. This is in addition to the policy on MD4 in the Cheltenham Plan that "development at this location will need to take into account landscape impacts, highways issues and green space". Also relevant is the Cheltenham Plan Policy L1: Landscape and setting - "Development will only be permitted where it would not harm the setting of Cheltenham including views into or out of areas of acknowledged importance." This applies particularly to areas R2/R3 and the need to preserve a good urban edge as viewed from Leckhampton Hill and to not allow development to break through this edge.

Gloucestershire Centre for Environmental Records

29th November 2020

Biodiversity report available to view.

Historic England

20th November 2020

Thank you for your letter of 10 November 2020 regarding the above application for planning permission. On the basis of the information available to date, we do not wish to offer any

comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.

It is not necessary for us to be consulted on this application again, unless there are material changes to the proposals. However, if you would like detailed advice from us, please contact us to explain your request.

16th September 2021 – revised comments

Thank you for your letter of 8 September 2021 regarding further information on the above application for planning permission. On the basis of this information, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.

It is not necessary for us to be consulted on this application again, unless there are material changes to the proposals. However, if you would like detailed advice from us, please contact us to explain your request.

Natural England

25th March 2021

Thank you for your consultation on the above dated 28 January 2021 which was received by Natural England on the same day. We are sorry for the delay replying.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

SUMMARY OF NATURAL ENGLAND'S ADVICE - FURTHER INFORMATION REQUIRED TO DETERMINE IMPACTS ON DESIGNATED SITES – HABITATS REGULATIONS ASSESSMENT (HRA - STAGE 2 'APPROPRIATE ASSESSMENT') NEEDED

As submitted, the application could, in combination with other new residential development in the Council's area, have potential significant effects on The Cotswolds Beechwoods Special Area of Conservation (SAC). Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation.

The following information is required:

- (i) Further consideration of how the proposed open/green space on the application site will accommodate the recreation needs of new homeowners.
- (ii) Measures to safeguard the SAC through education and awareness raising among new homeowners.

The Council should carry out an appropriate assessment of the proposed scheme and associated safeguarding measures.

Without this information, Natural England may need to object to the proposal. Please re-consult Natural England once this information has been obtained.

The application site lies within the setting of the Cotswolds Area of Outstanding Natural Beauty (AONB) and we provide comments on this theme and other natural environment issues below.

Protected landscapes – Cotswolds Area of Outstanding Natural Beauty (AONB)

The proposed development is for a site within the setting of a nationally designated landscape namely the Cotswolds AONB. Natural England advises that the planning authority uses national and local policies, together with local landscape expertise and information to determine the proposal. The policy and statutory framework to guide your decision and the role of local advice are explained below.

We note the application site's inclusion in the adopted Cheltenham Plan. Your decision should be guided by paragraph 042 of the National Planning Policy Framework Policy Practice Guidance which states:

How should development within the setting of National Parks, the Broads and Areas of Outstanding Natural Beauty be dealt with?

Land within the setting of these areas often makes an important contribution to maintaining their natural beauty, and where poorly located or designed development can do significant harm. This is especially the case where long views from or to the designated landscape are identified as important, or where the landscape character of land within and adjoining the designated area is complementary. Development within the settings of these areas will therefore need sensitive handling that takes these potential impacts into account.

Alongside national policy you should also apply landscape policies set out in your development plan, or appropriate saved policies e.g. SD7 of the Gloucester, Cheltenham and Tewkesbury joint core strategy (JCS). Chapter 8 of the Council's adopted plan (July 2020) also refers.

We also advise that you consult the Cotswolds Conservation Board. Their knowledge of the site and its wider landscape setting, together with the aims and objectives of the AONB's statutory management plan, will be a valuable contribution to the planning decision. Where available, a local Landscape Character Assessment can also be a helpful guide to the landscape's sensitivity to this type of development and its capacity to accommodate the proposed development.

The statutory purpose of the AONB is to conserve and enhance the area's natural beauty. You should assess the application carefully as to whether the proposed development would have a significant impact on or harm that statutory purpose. Relevant to this is the duty on public bodies to 'have regard' for that statutory purpose in carrying out their functions (S85 of the Countryside and Rights of Way Act, 2000). The Planning Practice Guidance confirms that this duty also applies to proposals outside the designated area but impacting on its natural beauty.

Internationally and nationally designated sites – additional information required

The application site is within a zone of influence around a European designated site (also commonly referred to as Natura 2000 sites), and therefore has the potential to affect its interest features. European sites are afforded protection under the Conservation of Habitats and Species Regulations 2017, as amended (the 'Habitats Regulations'). The application site is within 5.5Km of the Cotswolds Beechwoods Special Area of Conservation (SAC) which is a European site. The site is also notified at a national level as the Cotswold Commons & Beechwoods Site of Special Scientific Interest (SSSI) and National Nature Reserve (NNR). Please see the subsequent sections of this letter for our advice relating to SSSI features.

In considering the European site interest, Natural England advises that you, as a competent authority under the provisions of the Habitats Regulations, should have regard for any potential impacts that a plan or project may have. The Conservation objectives for each European site explain how the site should be restored and/or maintained and may be helpful in assessing what, if any, potential impacts a plan or project may have.

Natural England notes that the Council's ecology advisors have stated that an HRA is required (email 8.2.21). As competent authority under the provisions of the Habitats Regulations, it is your responsibility to produce the HRA.

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Natural England therefore advises that an Appropriate Assessment should now be undertaken, and the following information is provided to assist you with that assessment and to identify what information you may need from the applicant to inform your assessment:

Policy SD9 'biodiversity & geodiversity' of the adopted Gloucester, Cheltenham and Tewkesbury JCS and Cheltenham policy BG11 refer. Most recently a visitor survey of the SAC has been published² indicating a 15.4km zone from within which visitors travel to the site, most often by private car. Work has been commissioned by the collaborating Local Planning Authorities to identify suitable mitigation measures within the zone. Until those measures have been identified and agreed we advise that the following should be considered in an HRA when determining applications for residential development within the zone of influence:

- Distance between application site and nearest boundary of SAC
- Route to SAC/mode of transport
- Type of development (E.g. use class C3)
- Alternative recreation resources available – on site and off site
- Education and awareness raising measures – e.g. Suitable information in the form of a Homeowner Information Pack.

With regard to alternative recreation resources available within the site and off site, consideration is needed in respect of residual effects and how these may be mitigated. In terms of off-site recreation provision reference should be made to the adopted Joint Core Strategy Green Infrastructure Strategy (2014) for contextual information regarding potential enhancements that support new or improved informal recreation opportunities in the locality. Our separate advice below regarding green infrastructure is also relevant may serve to support mitigation measures addressing recreation pressure both on the SAC and local designated sites with public access (our SSSI advice refers below).

With respect to Homeowner Information Packs (HIP); in terms of format the HIP should present information describing informal recreation opportunities in the following sequence:

- Public space on your doorstep
- A short drive by car or bus
- Further afield – e.g. The Cotswolds, the Severn Estuary, the Forest of Dean.

The proposed HIP leaflet for Hunts Grove, Quedgeley (produced by Crest Nicholson. Gloucester City Council and FPCR provides a useful example).

Please re-consult Natural England when your appropriate assessment is available.

Sites of Special Scientific Interest (SSSI)

The following SSSIs with public access lie within 5km of the application site:

- Leckhampton Hill & Charlton Kings Common SSSI
- Cleeve Common SSSI
- Crickley Hill & Barrow wake SSSI
- Cotswold Commons & Beechwoods SSSI (& National Nature Reserve)

Our advice above in relation to the Cotswold Beechwoods SAC applies similarly to these SSSIs. Provided that suitable safeguarding, education and awareness raising measures are incorporated into the proposed scheme we would not anticipate damaging effects on the notified features of these SSSIs.

Please note that if your authority is minded to grant planning permission contrary to the advice in this letter, you are required under Section 28I (6) of the Wildlife and Countryside Act 1981 (as amended) to notify Natural England of the permission, the terms on which it is proposed to grant it and how, if at all, your authority has taken account of Natural England's advice. You must also allow a further period of 21 days before the operation can commence.

Green infrastructure

Multi-functional green infrastructure (GI) can perform a range of functions including improved flood risk management, provision of accessible green space, climate change adaptation and biodiversity enhancement. Natural England notes the incorporation of GI into this development.

Adopted Joint Core Strategy policy INF3 and the JCS Councils' Green Infrastructure Strategy 2014 refer.

Careful consideration should be given to what opportunities exist to integrate green infrastructure delivery with measures that serve to offer alternative walking, running and cycling routes for new residents. Such measures may form part of a package that positively manages additional recreation pressure on local resources such as the SSSIs named above and the Cotswold Beechwoods SAC.

Further general advice on the protected species and other natural environment issues is provided at Annex A.

If you have any queries relating to the advice in this letter please contact me on 07554 459452.

Should the applicant wish to discuss the further information required and scope for mitigation with Natural England, we would be happy to provide advice through our Discretionary Advice Service.

Please consult us again once the information requested above, has been provided.

11th October 2021 – revised comments

Thank you for your consultation on the above dated 09 September 2021 which was received by Natural England on the same day. We are grateful for the extra time to reply.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development. This advice letter supplements and updates our previous response dated 25.3.21 (our reference 341806).

SUMMARY OF NATURAL ENGLAND'S ADVICE

NO OBJECTION - SUBJECT TO APPROPRIATE MITIGATION BEING SECURED

We consider that without appropriate mitigation the application would, in combination with residential and tourist related development in the wider area:

- have an adverse effect on the integrity of the Cotswold Beechwoods Special Area of Conservation <https://designatedsites.naturalengland.org.uk/>.
- damage or destroy the interest features for which the Cotswolds and Commons and Beechwoods Site of Special Scientific Interest has been notified.

In order to mitigate these adverse effects and make the development acceptable, the following mitigation options should be secured:

Mitigation as set out in the submitted 'shadow' Habitats Regulations Assessment (HRA) Appropriate Assessment must be secured.

- (i) 6.5Ha of on site green and open space to be designed, delivered and managed for the lifetime of the development
- (ii) Education & awareness raising measures in the form of a Homeowner Information Pack for each new dwelling.

We advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures.

Natural England's further advice on designated sites/landscapes and advice on other natural environment issues is set out below.

Further advice on mitigation

Natural England notes that the Habitats Regulations Assessment (Including stage 2 - Appropriate Assessment) has not been produced by your authority, but by the applicant. As competent authority, it is your responsibility to produce the HRA and be accountable for its conclusions. We provide the advice enclosed on the assumption that your authority intends to adopt this appropriate assessment to fulfil your duty as competent authority.

Natural England notes that your authority, as competent authority, has undertaken an appropriate assessment of the proposal in accordance with Regulation 63 of the Conservation of Species and Habitats Regulations 2017 (as amended). Natural England is a statutory consultee on the appropriate assessment stage of the Habitats Regulations Assessment process.

Your appropriate assessment concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of any of the sites in question. Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the proposal, Natural England advises that we concur with the assessment conclusions, providing that all mitigation measures are appropriately secured in any permission given.

Note - In order to secure the proposed green and open space illustrated in the submitted 'Planning Layout' drawing a suitable Landscape and Ecology Management Plan (LEMP) should be drawn up. This should include the final design details of the green and open space and reference suitable provision for its creation, management, monitoring and funding for the lifetime of the development. A suitable planning condition should be drawn up to secure the LEMP.

Note – With regard to section 5.7 of the Shadow HRA and associated Appendix A (Alternative Green Space Assessment) we draw the Council's attention to the following important information about the creation of a suitable Homeowner Information Pack:

In terms of format the Homeowner Information Pack should present information describing informal recreation opportunities in the following sequence:

- Public space on your doorstep
- A short drive by car or bus
- Further afield – e.g. The Cotswolds, the Severn Estuary, the Forest of Dean.

The proposed HIP leaflet for Hunts Grove, Quedgeley (produced by Crest Nicholson. Gloucester City Council and FPCR provides a useful example).

Sites of Special Scientific Interest (SSSI)

Our previous advice in relation to SSSI still stands, i.e:

The following SSSIs with public access lie within 5km of the application site:

- Leckhampton Hill & Charlton Kings Common SSSI
- Cleeve Common SSSI
- Crickley Hill & Barrow wake SSSI
- Cotswold Commons & Beechwoods SSSI (& National Nature Reserve)

Our advice above in relation to the Cotswold Beechwoods SAC applies similarly to these SSSIs. Provided that suitable safeguarding (provision of on site green and open space) ,

education and awareness raising measures are incorporated into the proposed scheme we would not anticipate damaging effects on the notified features of these SSSIs.

Please note that if your authority is minded to grant planning permission contrary to the advice in this letter, you are required under Section 28I (6) of the Wildlife and Countryside Act 1981 (as amended) to notify Natural England of the permission, the terms on which it is proposed to grant it and how, if at all, your authority has taken account of Natural England's advice. You must also allow a further period of 21 days before the operation can commence.

Should the developer wish to discuss the detail of measures to mitigate the effects described above with Natural England, we recommend that they seek advice through our Discretionary Advice Service.

If you have any queries relating to the advice in this letter please contact me on 07554 459452.

We would not expect to provide further advice on the discharge of planning conditions or obligations attached to any planning permission.

Should the proposal change, please consult us again.

Vision 21

2nd December 2020

This proposal has just come to my attention and Vision 21 has serious concerns about it.

Irrespective of an inadequacy in transport infrastructure provision surrounding this development, if permission is given, 350 new houses will be built in the next few years. Vision 21 is concerned that they will be built only to current standard energy specifications, which we know are much lower than what we realistically now need to have in place if we are to meet the Government target of a net zero carbon UK by 2050, let alone meet Cheltenham's 2030 climate ambitions. As such, this development needs to be built with the future in mind and it needs to be net carbon neutral.

The approach that the energy and sustainability consultants have recommended is as follows:

It is proposed that following current national policy guidance and local planning requirements as set out, the dwellings are constructed to meet - and exceed where possible - the appropriate national standards through an approach which seeks to consider a range of sustainable construction issues.

This sounds good but the statement lacks ambition and is nothing more than a grouping of weasel words. This is evident by the fact that there isn't any commitment to install electric vehicle charging points as standard. There is no mention of installing any micro-generation technology (solar panels or heat exchangers for example), nor any mention of installing any district heat and power system. They are planning to instal gas boilers to heat the homes.

This latter point is particularly galling, since in its Spring Statement the Government has announced that by 2025, all new homes will be banned from installing gas boilers and will instead be heated by low-carbon alternatives. The ban is inspired by an attempt to reduce Britain's carbon emissions and follows recommendations from the Committee on Climate Change in their recently published report "UK housing: Fit for the future?" that fossil fuel heating be replaced with renewable alternatives such as heat pumps.

This development needs to be a demonstration of how Cheltenham intends to develop a carbon neutral future, which means the scheme, as presently put forward, must be rejected and replaced with a new proposal that lives up to Cheltenham Boroughs' aspirations in which:

- All homes should be insulated to a standard that allows for them to be heated by heat exchange
- Heat exchangers (air, ground or water) should be installed in all of them (some use of water may be possible given the creation of several water bodies in the scheme)
- Solar panels should be installed on all south facing roofs
- Electric vehicle charging points should be installed on every home

I hope you are able to give the matter your consideration.

Environmental Health

22nd October 2021

AIR QUALITY

Initial response due to report being wrong - using corrupted data.

Revised report has corrected the data used in its modelling and assessment, but still has some errors:

AQMA changed September 2020. This is referenced in Sections 4.4 - 4.7, which are considerably out of date. Details of the revised AQMA have been available on the CBC website for a considerable time, along with a copy of a Detailed Modelling Report, prepared in October 2019. The report uses 2015 monitoring data, which again is slightly out of date, as data up to 2020 is available via the CBC website, although the 2020 monitored levels were considerably abnormal, due to prolonged periods of lockdown. The 2015 data set does include monitoring points in closer proximity to the application site, so its use is appropriate, here. Together, these factors mean this report makes a conservative assessment of predicted pollution levels.

Appendix B1 details "Model Verification". Results of modelling reported in Table B2 suggest a lack of accuracy in the model used to predict levels of NO_x (and hence NO₂). So modelled NO₂ results are factored by the "trend line gradient" to produce the values in another table labelled B2 on pg. 66 (this should actually be Table B3, I presume). These results show better correlation between the model and measured results, which are just within the 25% error recommended in LAQM TG16, with the exception of one location. Therefore we can consider the modelled results a valid estimate of levels of pollution affecting the area and its surroundings.

Off-site effects of development

NO₂ 2022 Prediction

Table 6.1 details predicted changes in annual NO₂ levels at existing residential receptors. This shows negligible changes at all locations, and predicted levels are well below legal limits (none are within 10% of limit.)

PM₁₀ & PM_{2.5} 2022 Prediction

Similarly the predicted changes to levels of PM₁₀ and PM_{2.5} are deemed "negligible", and within current limits.

2026 Prediction

Table 6.4 Includes predicted levels of NO₂, PM₁₀ and PM_{2.5} at the same locations. These also all fall within current legal limits.

New Population Exposure

Similar to the above modelled effects, the report indicates in Table 6.5 predicted levels of NO₂, PM₁₀ and PM_{2.5} at residential locations within the development. As with off-site effects, predicted levels are expected to be well within legal limits.

In considering all the modelling outlined above, we must note that this report indicates compliance with current legal limits. There is widespread expectation that legal limits are likely to be reduced in coming years, and WHO has recently published revised Air Quality Guideline (AQG) Levels which are considerably lower than current legal limits, but this has not been adopted into UK law at this stage. Therefore there are no valid local air quality reasons to refuse this application.

Impacts during construction

The "Dust Impact Risk Assessment" provided indicates a medium risk of impact on sensitive properties. I would therefore suggest a condition is attached to any permission for this development to include a requirement for the developer to submit a dust management plan for approval before the commencement of works on site. Alternatively, this may form part of a larger Construction Management Plan. The dust management plan should include, as a minimum mitigation measures identified in section 7.2 of this report.

6th October 2021 - Noise Control

The detail is noted of the applicant's Acoustic Design Statement ref JAE11502_Report01_Rev0. The document outlines a scheme to control noise at the development, principally from traffic on Shurdington Road.

It is noted that the elevated daytime, external noise levels indicate that external amenity areas of housing should not be located on the North-west edge of the site alongside the road. Furthermore, additional mitigation is required to reduce daytime noise exposure at those properties.

It is noted that the elevated night-time, internal noise levels also require that a good acoustic design process must be demonstrated in this development. In particular,

- o there is a likely need to follow the recommendations of the submitted acoustic report outlined in:-
 - o the Acoustic Design Statement (Section 4 of the report)
 - o Appendix C: Façade Schedule, with respect to those plots identified as requiring improved façade design.

- o Evidence of the scheme to be submitted to the Local Planning Authority should include suppliers' test data confirming the performance of the details of glazing systems and ventilation provisions.

The following recommended condition takes account of the requirements for suitable and sufficient noise control:-

Condition

Noise attenuation scheme

Before use of the development commences, a noise mitigation scheme shall be submitted in writing and approved in writing by the Local Planning Authority detailing measures to ensure that any noise associated with the development does not cause detriment to amenity or a nuisance. The scheme shall be maintained and not altered without the prior permission of the Local Planning Authority.

Reason: To protect the amenity of the locality, in accordance with Local Planning Policy.

Land Contamination

Given past employment use at the site, the following three Contaminated Land Conditions should be applied:-

Condition CLN08A

Site invest risk assess and remediation

Prior to the commencement of development, a site investigation and risk assessment shall be carried out to assess the potential nature and extent of any contamination on the site, whether or not it originates on the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR11 and shall include:

- a) a survey of the extent, scale and nature of contamination
- b) an assessment of the potential risks to:
 - human health
 - property (including buildings, crops, livestock, pets, woodland and service lines and pipes)
 - adjoining land
 - ecological systems
 - groundwaters and surface water
 - archaeological sites and ancient monuments
- c) an appraisal of remedial options to mitigate against any potentially significant risks identified from the risk assessment.

Where remediation is required, a detailed remediation scheme to bring the site to a condition suitable for the intended use shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme shall ensure that the site will not qualify as contaminated land under Part 2a of the Environmental Protection Act (1990) in relation to the intended use of the land after remediation.

The site investigation, risk assessment report, and proposed remediation scheme shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any development.

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).

Condition CLN09A

Implementation of remediation scheme

Prior to the commencement of development, other than that necessary to comply with the requirements of this condition, 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).

Condition CLN10A

Unexpected contamination

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).

GCC Community Infrastructure Team

7th October 2021

SECTION 1 – General Information

This application has been assessed for impact on various GCC community infrastructure in accordance with the “Local Development Guide” (LDG). The LDG was updated in March 2021 (following a targeted consultation which took place in Spring 2020). The LDG is considered a material consideration in the determination of the impact of proposed development on infrastructure.

<https://www.gloucestershire.gov.uk/planning-and-environment/planning-policy/gloucestershire-localdevelopment-guide/>

The assessment also takes account of CIL Regulations 2010 (as amended)

In support of the data provided please note the following: -

Education

Following a recent Planning Appeal Decision, Gloucestershire County Council (GCC) has undertaken to review its Pupil Product Ratios (PPRs) which are used to calculate the impact of new development on school capacity and in turn justify the developer contributions being sought towards the provision of additional education infrastructure.

GCC is committed to undertaking a full review of its Pupil Product Ratios (PPRs), which will subsequently be consulted upon. In the meantime, GCC has reviewed its PPRs, taking account of comments made by the Planning Inspector in the above appeal, and, using information that is currently available adjusting its calculations per 100 dwellings. This information can be found in the Interim Position Statement on PPRs which was published by Gloucestershire County Council in June 2021. The Interim Position Statement (IPS) is available on Gloucestershire County Council’s website which you can access on the below link.

<https://www.gloucestershire.gov.uk/education-and-learning/school-planning-and-projects/gloucestershireschool-places-strategy-and-projects/>

The latest School Places Strategy 2021 – 2026 is also available on the Gloucestershire County Council website (see the link above). The School Place Strategy (SPS) is a document that sets out the pupil place needs in mainstream schools in Gloucestershire between 2021-2026. The SPS examines the duties placed upon GCC by the Department for Education (DfE) and it explains how school places are planned and developed. The 2021-2026 update was approved by Cabinet on 24 March 2021 and came into effect on 1 April 2021.

Cost Multipliers - The DfE has not produced cost multipliers since 2008/09, so in the subsequent years GCC has applied the annual percentage increase or decrease in the BCIS Public Sector Tender Price Index (BCIS All-In TPI from 2019/20) during the previous 12 months to produce a revised annual cost multiplier in line with current building costs, as per

the wording of the s106 legal agreements. GCC calculates the percentage increase using the BCIS indices published at the start of the financial year and uses this for all indexation calculations during the year for consistency and transparency.

This assessment is valid for 1 year, except in cases where a contribution was not previously sought because there were surplus school places and where subsequent additional development has affected schools in the same area, GCC will reassess the education requirement.

Any contributions agreed in a S106 Agreement will be subject to the appropriate indices.

Libraries

- Under the provisions of the Public Libraries and Museums Act 1964, Gloucestershire County Council is a Library Authority and has a statutory duty to provide a comprehensive and efficient library service for all persons desiring to make use of it. This duty applies not only to the existing population of the County, but also to new residents generated through new development which add to the demand on a specific library which those new residents can be expected to use.
- New development will be assessed by the County Council to determine its likely impact on existing local library services and the scope of resultant mitigation works that are required.
- Consideration will be given to the existing capacity of the library using the national recommended floorspace benchmark of 30 sq metres per 1,000 population (as set out in the Public Libraries, Archives and new development: A Standard Charge Approach, 2010).
- Planning obligations required towards improving customer access to services within the footprint of an existing library will be in the form of a financial contribution, and calculated using the County Council's established per dwelling charge of £196.00.
- Planning obligations required towards new library floorspace and fit out (i.e. extension to an existing building or construction of a new library building) will be considered by the County Council on a case-by-case basis.

SECTION 2 – Education and Library Impact - Site Specific Assessment

A summary of the likely contributions (note these figures can be subject to change over time because of for example; updated multipliers and education forecasts) is found below.

Education: SUMMARY: Developer Contributions for 20/01788/FUL Land At Shurdington Road Cheltenham

Phase of Education	Name of closest non-selective school and/or the education planning area.	No of qualifying dwellings (QD)	Multipliers	Total Pupil Yield from QD	Contribution Requested (£)	Number of places requested
Primary	Hatherley-Leckhampton Primary Planning Area	350	£14,954	134.75	£796,300.50	53.25 places (Surplus places have been credited to development.)
Secondary - 11-16	Cheltenham Secondary Area	350	£19,312	59.50	£0.00	0 places
Secondary - 16-18	Cheltenham Secondary Area	350	£22,803	21.00	£0.00	0 places

Calculation: Multiplier x Pupil Yield = Maximum Contribution

GCC has included the planning area for each of the phases of education as without further investigation of the schools; an appropriate project may not be achievable on a particular site.

Please see further clarification of this education summary below.

This application is for a full planning application for a residential development comprising 350 dwellings, open space, cycleways, footpaths, landscaping, access roads and other associated infrastructure.

- 9161840 Hatherley-Leckhampton Primary Planning Area
 - o 9161800 Swindon Road Primary Planning Area
 - o 9161810 Whaddon Primary Planning Area
 - o 9161970 Brockworth Primary Planning Area
- 9162500 Cheltenham Secondary Planning Area
 - o 9162600 Gloucester Secondary Planning Area (for catchment school)

The schools factored into the review are determined by identifying the site from the LPA planning portal and then identifying the closest schools using the following publically available tools to provide straight line distance, before calculating travel distances (if further information is required please refer to tab 2 of the corresponding excel education data sheet)

- <https://www.gloucestershire.gov.uk/education-and-learning/find-a-school/>
- <https://get-information-schools.service.gov.uk/>

Primary Places Impact:

The proposal is for 350 dwellings. This number of dwellings would be expected to generate an additional demand for 134.75 primary places. There is some surplus capacity available across the primary schools <=2 miles which has been credited to the development. Gloucestershire County Council is seeking a primary contribution of £796,300.50 towards places arising from this development (if further information is required, please refer to tab 3 of the corresponding excel education data sheet).

- The closest school to the development location is Warden Hill Primary School (0.4 miles) in the 9161840 Hatherley-Leckhampton Primary Planning Area. All of the 8 schools in this primary planning area are <=2miles from this development.
- There are 6 other schools <=2miles, including one school which has selective admissions based on faith.
All 14 schools have been included in the assessment.
- Schools should be considered to be full at 95% capacity to allow for some flexibility for in-year admissions; see Local Development Guide <https://www.gloucestershire.gov.uk/planning-andenvironment/planning-policy/gloucestershire-local-development-guide/> page 14, pt. 56.
- When assessing forecast surplus or shortfall we look to the penultimate year of forecasts as they are calculated using NHS GP data; therefore the final year of forecasts will not include all births for that forecast year.
- When considering forecast data and the schools within the scope for a development we can determine 95% of the relevant forecast year to ascertain the level of surplus/deficit of places in order to calculate whether there are places to credit to a development.

	Closest School	Planning Area Schools	All Schools <=2 miles
Total Capacity	420.00	3150.00	4613.00
95%	399.00	2992.50	4382.35
Forecast year 2023/24 for school(s)	411.00	2911.00	4307.00
Surplus places available to credit to development	-12.00	81.50	75.35
Primary Yield from proposed development	134.75	134.75	134.75
Number of places required	134.75	53.25	59.40

Library Impact - Site Specific Assessment

The nearest library to the application site, and the library most likely to be used by residents of the new development, is Up Hatherley Library.

The new development will generate a need for additional resources at this library, and this is costed on the basis of £196.00 per dwelling. A financial contribution of £68,600 is therefore required to make this application acceptable in planning terms.

The financial contribution will be put towards improvements to existing library provision to mitigate the impact of increasing numbers of library users arising from this development.

A contribution to GCC of £68,600 is required (based on 350 dwellings), and which would be used at Up Hatherley Library to improve customer access to services through refurbishment and upgrades to the existing building, improvements to stock, IT and digital technology, and increased services.

SECTION 3 – Compliance with CIL Regulation 122 and paragraphs 54 and 56 of the NPPF (2021)

Regulation 122(2) of the Community Infrastructure Levy Regulations, 2010 provides that a planning obligation may only be taken into account as a reason for granting planning permission where it meets the following tests:

- a) necessary to make the development acceptable in planning terms;
- b) directly related to the development; and
- c) fairly and reasonably related in scale and kind to the development.

As a result of these regulations, Local Authorities and applicants need to ensure that planning obligations are genuinely 'necessary' and 'directly' related to the development'. As such, the regulations restrict Local Authorities ability to use Section 106 Agreements to fund generic infrastructure projects, unless the above tests are met. Where planning obligations do not meet the above tests, it is 'unlawful' for those obligations to be taken into account when determining an application.

Amendments to the Community Infrastructure Levy Regulations 2010 were introduced on 1 September 2019. The most noticeable change of the amendment is the 'lifting' of the 'pooling restriction' and the 'lifting' of the prohibition on section 106 obligations in respect of the provision of the funding or provisions of infrastructure listed on an authority's published 'regulation 123 list' as infrastructure that it intends will be, or may be, wholly or partly funded by CIL (as a result of the deletion of Regulation 123).

Any development granted planning permission on or after 1 September 2019 may now be subject to section 106 obligations contributing to infrastructure that has already benefited from contributions from five or more planning obligations since 6 April 2010 and authorities are allowed to use funds from both section 106 contributions and CIL for the same infrastructure. However, the tests in Regulation 122 continue to apply.

The Department for Education has updated its guidance in the form of a document entitled "Securing developer contributions for education (November 2019), paragraph 4 (page 6) states:

"In two-tier areas where education and planning responsibility are not held within the same local authority, planning obligations may be the most effective mechanism for securing developer contributions for education, subject to the tests outlined in paragraph 1 [the 3 statutory tests set out in 1.3 above]. The use of planning obligations where there is a demonstrable link between the development

and its education requirements can provide certainty over the amount and timing of the funding you need to deliver sufficient school places. We recommend that planning obligations allow enough time for developer contributions to be spent (often this is 10 years, or no time limit is specified)”

Regulation 122 test in relation to education contributions required for 20/01788/FUL Land At Shurdington Road Cheltenham

The education contribution that is required for this proposed development is based on up to date pupil yield data and the Interim Position Statement is necessary to fund the provision of the additional primary places generated by this development. The proposal is for 350 dwellings all of which are qualifying dwellings for education.

This number of qualifying dwellings would be expected to generate an additional demand for 134.75 primary places. There is some surplus capacity available across the primary schools <=2 miles which has been credited to the development. Gloucestershire County Council is therefore seeking a contribution of £796,300.50 towards 53.25 places. This primary contribution will be allocated and spent towards primary provision in the Hatherley-Leckhampton Primary Planning Area.

The primary contribution that is required for this proposed development is directly related to the proposed development in that the contribution has been calculated based on specific formulas relative to the numbers of children generated by this development.

This developer contribution is fairly and reasonably related in scale and kind to the development. The contribution requirement has been calculated using an up to date formula related to pupil yields data and the scale of growth and based only on the numbers of additional pupils arising from the proposed qualified dwellings.

Regulation 122 test in relation to the library contributions required for 20/01788/FUL Land At Shurdington Road Cheltenham

The contribution is necessary to make the development acceptable in planning terms as it will be used on improvements to existing library provision to mitigate the impact of increasing numbers of library users arising from this development.

The contribution is directly related to the development as it is to be used at the library nearest to the application site which is at Up Hatherley Library and is based on the total number of new dwellings generated by the development (350 dwellings).

The contribution is fairly and reasonably related in scale and kind to the development as it is calculated using GCC's established per dwelling tariff (£196). The calculation for library contributions is £196 multiplied by the total number of proposed dwellings (in this case 350 dwellings x £196 = £68,600).

SECTION 4 – CIL/S106 Funding Position

There are currently no mechanisms or mutually agreed financial arrangements in place between the LPA as CIL Charging Authority and GCC to fund GCC strategic infrastructure from the CIL regime to mitigate the impact of development as it occurs.

The level of CIL charged on a development does not cover the amount of developer contributions that would be required to contribute towards the strategic infrastructure necessary to mitigate the impact of that development.

Wild Service (acting as Council's Specialist Ecological Advisor)

8th February 2021

I have reviewed the Preliminary Ecological Appraisal (HDA 2020) and my response with regards to Ecology is provided below.

Ecology

Sites of Nature Conservation Concern

The site is located within 5.4km of the Cotswolds Beechwoods SAC also lies near Leckhampton Hill SSSI (1.6km) and Badgeworth SSSI (2.5km). Current knowledge indicates that the proposed development of 350 dwellings could result in a small contribution towards a cumulative increase in recreational pressure in combination with other plans or projects. The proposed green spaces included in the plan will provide on-site public open green spaces, which while welcomed will not be extensive in size.

It will therefore also be necessary for a Home Owner Information Pack (HIP) to be provided to each household detailing local green spaces and links to them via public transport, footpaths and cycle tracks. The HIP should also highlight the sensitivities of nearby site of nature conservation concern and provide guidelines on how visitors can minimise their impact on such sites.

It may also be necessary for developer contribution towards maintaining Chiltern Beechwoods SAC and Leckhampton Hill SSSI in order to mitigate for the predicted small rise in visitor numbers to these areas, which in combination with the increases in visitor numbers to these sites from nearby new developments such as Redrow's development on Church Lane, Redrow's proposed development on Farm Lane and Hitchen's proposed development on Kidnappers Lane; will impact negatively on these protected and sensitive sites. It is advised that other developers in the area would also be requested to contribute to a protected sites management fund, with the proportion contributed to be proportional to the number of houses to be built (and hence the predicted visitor pressure on sensitive sites)

Habitats and Species

The habitats of highest nature conservation interest directly associated with the site are the Hatherley Brook and its woodland which flows through the centre of the site, and the unnamed stream which flows along the eastern site boundary will be retained and enhanced. Measures to protect the integrity of this receptor are recommended in the Ecology report including provision of appropriate buffers, and measures to avoid adverse effects of lighting, recreation, invasive species, pollution and changes in hydrology. However, some woodland will be lost due to development.

The traditional orchard is also a valuable ecological feature and Priority Habitat under the NERC Act 2006 and some of this habitat will be lost due to the development. The network of established and hedgerows (some of which are species rich and qualify as 'important' under the Hedgerow Regulations 1997 – e.g., hedgerows 30 and 31 along southern boundary) provide valuable habitat. Some species rich hedgerows will be lost due to the development. Recommendations for the enhancement of associated woodland, woodland edge and grassland habitats are also provided.

Bat surveys undertaken in 2019 have confirmed bat roosts in trees T15, T5, T47 and building B23. The wooded brook corridor, hedgerows and tree lines provide foraging habitat for various species including particularly light sensitive lesser horseshoe, brown long-eared and barbastelle. The retention and protection (including avoidance of lighting) of such foraging corridors and at roosts is recommended. It is noted that T15 and B23 will need to be removed in the current proposals and application for a Bat Mitigation Licence from Natural England with details of mitigation and compensation is proposed.

The reptile surveys undertaken in 2019 (based on six rather than seven visits) recorded a large slow-worm population on site. The site is considered to be of local value to slow-worms and retention and enhancement of suitable habitat for this species is recommended.

Badger surveys in 2019 revealed two used outlying setts C and D, while outlying setts B and E were not in use during the surveys. Under the current development proposals sett C needs to be closed and sett D needs to be temporarily closed under a Natural England badger

licence. No update surveys have yet been undertaken to confirm current activity levels at these setts.

While the terrestrial habitat on site was identified as being suitable for great crested newts (GCN), surveys undertaken in 2017 did not find evidence of GCN being present in any of the ponds within 500m of the site. No update surveys have been undertaken.

A dormouse survey undertaken in 2017 did not find any evidence of dormice and no update surveys have been undertaken.

No evidence of water vole or otter using the watercourses was found during the surveys for these species undertaken in 2019.

The breeding bird survey undertaken in 2010 reported an assemblage of bird species of moderate ecological value with 13 notable bird species. The avian habitats of greatest interest within the site were identified to be the hedgerow, treelines, scrub, orchard and woodland, occurring on field boundaries and around the site margins. Mitigation and enhancement/planting recommendations to enable the recorded bird species to survive on the site are recommended in the Ecology report. No update surveys undertaken.

Recommendations

1. While the Ecology report outlines the impacts of the development on nearby protected sites particularly the SAC, a formal shadow Appropriate Assessment (AA) report should be prepared by the applicant's ecologist and should assess the impact of this proposed development in combination with other developments in the area (recently undertaken and proposed developments as mentioned above). The AA should also confirm the production of a HIP and consider whether developer contribution to the management of Cotswolds Beechwood SAC and Leckhampton Hill SSSI is necessary in order to mitigate for recreational pressures of the development on the SAC and SSSI. (Any proposed contribution to be decided following discussion between the developer and Cheltenham Borough Council (CBC).) This shadow Appropriate Assessment would be required prior to determination.

2. The HIP should be submitted to CBC for review prior to commencement.

3. Updated dormouse surveys are required to establish the presence or absence of dormice, due to the former dormouse surveys being over three years old and the recent discovery of dormouse on the Leckhampton School site in 2019. The results of these surveys along with the updated mitigation and landscaping recommendations should be submitted to CBC prior to determination.

4. Should dormice be present then it will be necessary to obtain an EPS Mitigation Licence from Natural England. Confirmation of an EPS licence for dormice will need to be sent to CBC prior to commencement.

5. The bat surveys of suitable roosting features were undertaken in 2019 and should any of these features need to be removed (such as known roosts Building B23 and Tree T15, T5, T47) then the bat surveys will need to be updated to confirm the presence or absence of roosting bats. The results of these surveys along with the updated mitigation and landscaping recommendations and should be submitted to CBC prior to determination.

6. Should bats be roosting in any features to be removed (i.e., currently B23 and T15), then it will be necessary to obtain an EPS Mitigation Licence from Natural England. Confirmation of an EPS licence for bats will need to be sent to CBC prior to commencement.

7. An update badger survey of the site should be undertaken to confirm current activity levels at the four outlying setts and confirm that no new setts have been excavated recently. The survey results along with updated mitigation recommendations should be submitted to CBC prior to determination.

8. Confirmation of a Natural England badger licence to destroy Setts C and temporarily close Setts D will need to be sent to CBC prior to commencement.

9. Surveys of ponds within 500m of the site found no evidence of GCN in 2017, however, Habitat Suitability Index assessments of ponds within 500m of the site (not separated by major dispersal barriers) should be updated. Any ponds identified as average or above suitability for GCN should be surveyed to determine presence/absence of GCN from ponds (eDNA or bottle trapping methods are acceptable). These updated results should be used to update the GCN mitigation recommendations in the Construction and Ecological Management Plan (CEMP) and the habitat enhancements in the LEMP. The survey results along with updated mitigation recommendations should be submitted to CBC prior to determination.

10. As the site currently supports a very good population of slow-worms of local importance, it is essential that sufficient tall grassland areas are retained/created to enable this species to survive, especially considering the development of neighbouring areas will reduce the available habitat. This habitat should be incorporated into the Landscape and Ecological Management Plan (LEMP).

11. The breeding bird surveys were undertaken in 2010 and no update survey has been carried out since. Prior to determination, confirmation from the project ecologists is required to explain whether the current habitats on site have changed sufficiently to require an updated breeding bird survey or not. Should the project ecologists deem it necessary to update the breeding bird survey, then the results of the updated bird survey are required prior to determination.

12. Hedgehogs have been recently recorded on the nearby Leckhampton School site (2019) and as the current development proposals could risk harming this NERC Priority Species, mitigation and enhancement for hedgehogs is recommended (e.g., hedgehog tunnel installation as base of fences). Mitigation for hedgehogs should be incorporated into the Construction Ecological Management Plan and Landscape and Ecology Management Plan. To be submitted to CBC prior to commencement.

13. Retention and protection of watercourses, woodland, hedgerows (especially species-rich) and orchard is recommended and where it is not possible to retain these habitats in their entirety, compensatory planning is required in order to achieve positive Biodiversity Net Gain (see point 13 below).

14. A Construction and Ecological Management Plan should be submitted to CBC for approval prior to commencement. The CEMP should include and expand on the mitigation recommendations for protected/notable species and ecologically valuable habitats (including orchards, Hatherley Brook, wooded areas, hedgerows) outlined in the Ecology reports. This should include an invasive species method statement for those Schedule 9 species found on site, a reptile translocation and mitigation strategy, bat mitigation, bird mitigation, badger mitigation, hedgehog mitigation including hedgehog tunnels in fencing (as this species is known to be present in the locality) and dormouse mitigation (as this species is now known to be present in the locality). The CEMP should also include a bat sensitive lighting plan for the scheme as outlined in the Ecology report of 2020. The lighting plan should show light spill around the site in lux and must demonstrate that bat foraging corridors and roosting features will not be illuminated.

15. A 10-year Landscape and Ecology Management Plan should be submitted to CBC for approval prior to commencement. The LEMP should expand on the habitat enhancement and creation recommendations outlined in the Ecology reports. The LEMP must include detailed management prescriptions for retained and created habitats (including for Hatherley Brook, the stream, the orchards, hedgerows and wooded areas, grassland).

16. It is noted that some areas of valuable habitat (parts of the traditional orchard, species rich hedgerow and woodland) will be lost due to the development. Therefore, a Biodiversity Net Gain (BNG) report is required in order to demonstrate that the development can achieve positive biodiversity net gain using the DEFRA metric. Should positive net gain not currently be possible, the current scheme will need to be modified to achieve this. The BNG report should be submitted to CBC for approval prior to commencement.

National Planning Policy Framework (NPPF) and Local Plan Policy (Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011 - 2031) (adopted December 2017) Context:

- *NPPF Para 170 – 177 (Conserving and Enhancing the Natural Environment), National Planning Policy Framework*
- *SD9 Biodiversity and Geobiodiversity*
- *INF3 Green Infrastructure*

Wildlife legislation context:

- *Wildlife and Countryside Act 1981 (as amended)*
- *Conservation of Habitats and Species Regulations 2017*
- *Natural Environment and Rural Communities Act (NERC) 2006*
- *Protection of Badgers Act 1992*

7th April 2021 – updated comments

I have made revisions to the following comments, which I have identified by the number given in my original planning reply:

3. Dormouse surveys are out of date and will need to be updated this year, 100 tubes to be set out to double survey effort and thus shorten standard survey time to determine presence/absence. We would need to review dormouse report detailing mitigation/enhancements prior to determination.

5. Bat surveys currently relatively up to date, so update bat surveys to confirm presence/absence of roosting bats on trees/buildings to be removed prior to works should be conditioned. As part of that condition we would need to review a bat report detailing mitigation/enhancements to confirm that surveys had occurred along with any mitigation and if/once planning permission granted we would need to see any bat mitigation licence if bats were found to be present.

7. Badger surveys are relatively up to date, so update badger surveys of any setts to be removed prior to works should be conditioned. As part of that condition, we would need to review a badger report to confirm surveys had occurred along with any mitigation/enhancements and once/if planning granted we would need to see the badger licence as a condition.

9. Pond 340m away will need update Habitat Suitability Index assessment and report with suitable recommendations for mitigation/enhancements/further surveys as necessary will need to be submitted to us for review prior to determination.

11. Breeding bird survey is out of date, however, as site is now considerably smaller than when the previous survey was undertaken one update survey visit is considered proportionate. The bird report detailing mitigation/enhancements will need to be submitted to us for review prior to determination.

6th October 2021 – additional comments

I have reviewed the Newt Technical note and appreciate that it was not possible to survey the pond 4 as no access permission was given. However, the Newt Technical Note has provided further information/analysis relating to the GCN query. I therefore can agree with

the applicant's ecologist's conclusion that it is considered highly unlikely that Great Crested Newts (GCN) would be present at the site based on their latest review of survey information and other local projects.

It is also noted that the reptile mitigation methodology (translocation) will minimise the risk of any GCN (in the unlikely event any are found) being harmed during the works. (Presumably this reptile mitigation will be conditioned.)

In the unlikely event that a Great Crested Newt is encountered during site works, then works should stop and the project ecologist should be contacted on how best to proceed. (This could be a condition too)

I have also reviewed the updated bird survey report, which concluded that 'the site is considered to be of no higher than moderate local interest for birds on the basis of the quality and extent of habitats present, the species of nature conservation interest recorded and their respective abundance'. However, the proposals for the site should seek to maintain and enhance opportunities for bird species of nature conservation interest recorded during the survey and in order to maximise biodiversity net gain for the project. It is noted and recommended that habitats of higher ornithological interest including woodland edges, hedgerows, scattered mature trees, orchard and scrub, will be largely retained along the Hatherley Brook corridor and other areas of public open space.

The recommendations for natural habitat retention and creation in Sections 6.5 of the Bird Survey report should be followed and could be conditioned. These are outlined below:

- Retention of mature trees, hedgerows and scrub within the development areas where possible to do so;
- Enhancement of retained habitats within the stream corridors including woodland, scrub and grassland habitats through the provision of replacement/complementary species-rich native tree and scrub planting, retention of deadwood habitats where safe to do so, and sensitive management of the existing woodland, scrub and retained semi-improved grassland to improve sward diversity;
- Creation of 'ecotone' habitats bordering the retained woodland associated with the Hatherley Brook corridor comprising a gradation from woodland to scrub to rough and meadow grassland habitats;
- Inclusion of new native tree, species-rich scrub, hedgerow and orchard planting within the landscape scheme;
- Use of high value plants for foraging birds within the landscape planting scheme. This should include fruit and nut producing species in addition to those with high pollen and nectar yields (attracting invertebrate prey); and
- Provision of a range of bird boxes situated on new buildings and/or existing trees within the site.

In addition, the bird mitigation recommendations of Sections 6.6 and 6.7 of the Bird Survey Report should also be followed and could be conditioned, as outlined below:

- It is recommended that any hedgerow, scrub or tree management works should be carried out during January and/or February, in order to allow the majority of fruit and nuts to be eaten by birds prior to removal and to avoid impacts on nesting birds (see below).
- All breeding birds should be afforded the basic level of protection provided by the 1981 Wildlife and Countryside Act (as amended), i.e. protection of nest sites during the breeding season. It is recommended that any tree felling, ground clearance, hedgerow management, scrub clearance and building demolition works are done outside of the bird nesting season (generally taken as March to September inclusive) to avoid risk of an offence being committed. In the event that this is not possible, these

works should be overseen by a suitably qualified ecologist who would check for nesting birds prior to and during works. In the event that nesting birds are present, it will be necessary to delay works in the vicinity of an active nest until nesting is complete.

19th November 2021 – additional comments

I have reviewed the Dormouse report and note that sufficient survey effort was used and no dormice were found to be present.

However, due to the known presence of this species to the south of the site, it is considered possible that Dormice may use the site on an occasional or transitory basis. In the event that site clearance is delayed for a period of more than two years after the 2021 Dormouse survey was undertaken, in view of the close proximity of a Dormouse population to the site it is recommended that the site be re-surveyed for dormice (using dormouse tubes with a search effort of 20 points or more as described in the Dormouse conservation handbook) to confirm the continued absence of this species.

As a precautionary measure, in case any displaced dormice south of the site move to the development site, it is recommended that any sections of hedgerow, woodland, orchard and scrub to be removed are carried out in accordance with the precautionary Reasonable Avoidance Measures (RAMs) set out in the Dormouse Report and included below in order to minimise risk of killing/injuring dormice:

- Woody vegetation removal works should be undertaken between October and May inclusive which is outside the Dormouse breeding season (with due regard given to potential presence of nesting birds if works are carried out between March and May).
- Clearance should only be carried out during periods of dry weather when the air temperature remains above 5°C.
- Any woody vegetation to be removed should be carefully cut down using hand held tools prior to removal from the site. Where trees are to be removed, consideration should be given to use of soft felling techniques (i.e. gentle lowering of cut vegetation to ground level).
- Contractors should be briefed prior to works to ensure that cutting is carried out in a sensitive manner, and that evidence of Dormouse (e.g. nests) can be identified if found during works.
- A suitably qualified ecologist should be present during vegetation cutting to check clearance areas for the presence of Dormouse nests or other evidence of Dormouse prior to and during works.
- In the unlikely event that a Dormouse is encountered, the works must stop and Natural England notified to agree an appropriate course of action.

The above measures should also be detailed in the CEMP along with other mitigation methods, which should be submitted to CBC prior to commencement.

Considering the disturbance caused by the ongoing development to the south of the site, retention and inclusion of dormouse habitat planting is necessary, to ensure that future populations of dormice can expand into this area. This could also serve as an enhancement/biodiversity net gain for the area. The Biodiversity Net Gain (BNG) report should demonstrate that the development can achieve positive biodiversity net gain using the DEFRA metric, especially for dormouse habitats. Should positive net gain not currently be possible, the current scheme will need to be modified to achieve this. The BNG report should be submitted to CBC for approval prior to commencement.

More specifically, in order to maintain suitable habitat for Dormouse at the site, opportunities provided by the existing hedgerows, woodland, scrub and orchard habitats should be included within the scheme and these habitats should be retained where possible. Where appropriate, new native tree, native species-rich hedgerow and native shrub planting should

include native fruit and nut producing species of high value to foraging Dormice and other wildlife, and should seek to enhance connectivity provided by habitats along the site boundaries. Habitat retention and creation of new habitats should be detailed in the LEMP, which should be submitted to CBC prior to commencement.

As dormice are nocturnal and sensitive to light pollution, the lighting scheme design for the proposed development should avoid light spill onto areas of scrub, trees, woodland, orchard and hedgerow habitat within and adjacent to the site, in order to avoid potential impacts on nocturnal wildlife such as dormice. A lighting plan showing light spill as lux contours and demonstrating avoidance of illuminating hedgerows and other dormouse habitat, should be submitted to CBC for approval prior to commencement.

Cheltenham and Tewkesbury Cycling Campaign 2nd February 2022

Comments: Cheltenham & Tewkesbury Cycling Campaign would like to object to the proposed development on land at Shurdington Road (20/01788/FUL) on grounds that the proposed additions and modifications to the highway network will not deliver the ambitions of the submitted transport plan, nor are they aligned to the local transport plan, CBC's CP5 sustainable transport policy, and the council's declared council emergency.

Whilst we note there has been engagement with Gloucestershire County Council highways department, we wish to highlight three key areas of concern that are not considered in their response;

1) The proposed north-south cycling link, a vital piece of infrastructure within the development boundary, is shown as a 3.5 shared use path. LTN 1/20 key principle 2 recognises that 'cyclists must be treated as vehicles and not pedestrians'. Section 6.5 of the same guidance recognises that shared use paths are now inappropriate in urban environments due to the very different needs of pedestrians and cycle users, and this is reflected in the Gloucestershire local transport planning document PD2.1 section 3.3.8 which states " It is also clear that cycling and walking - as two vital active travel modes - should not conflict with each other". LTN 1/20 Section 6.5.5 further advises "Where a shared use facility is being considered, early engagement with relevant interested parties should be undertaken, particularly those representing disabled people, and pedestrians and cyclists generally. Engaging with such groups is an important step towards the scheme meeting the authority's Public Sector Equality Duty". There is no evidence that such duty has been disposed.

This will be a route with periods of very high pedestrian use as children and families make their way to school, and to be a viable and desirable route, we recommend there should be a planning condition for separation of a pedestrian footpath and a discrete cycleway, the latter of which guidance recommends should be of minimum 3m width.

2) We have separately raised concerns with Gloucestershire County Council about the proposed highways modifications that enable the development. In summary here, we record that whilst there are elements of modern cycle infrastructure, there are substantial gaps in the network which, when assessed against current cycle safety standards fall well short. This includes pinch points on cycle routes, frequent requirements to stop and wait for traffic signals, sharp ninety degree turns, and extensive use of narrow shared paths contrary to current guidance highlighted above. The general strategic road geometry surrounding the development is loose, enabling motor vehicles to retain high speeds even at key crossing points for pedestrians, and at points of conflict with cycle users. The A46 Shurdington Road carries over 10,000 vehicles per day, including heavy goods traffic, and compounded by the decision to retain a 40mph limit, the proposed development will be separated from the majority of trip destinations in Cheltenham by undesirable and low quality cycle infrastructure, increasing reliance on motor vehicle use even for short trips. We believe that the shared paths represent no more than a token gesture and that a revised approach is required. If there is no ability to downgrade the strategic A46 route or create sufficient separated space

west to east within the development, then fresh consideration of modal filtering to create accessible parallel routes is likely to be required.

3) We note particular concern for the proposals at the junction of Shurdington Road and Moorend Park Road which create several new points of conflict between different street users. The design here also fails to make any provision for cyclists making a return journey towards the development from the town centre. We believe that a planning condition should specify the requirement to review this junction in light of the LTN 1/20 safety standards, and to make proposals appropriate for a junction with high volumes of strategic network traffic.

The campaign is happy to work with the developed to support them in meeting their duty to engage with local stakeholder groups, and to provide appropriate infrastructure in support of their stated transport plan ambitions.

5. PUBLICITY AND REPRESENTATIONS

- 5.1 On initial receipt of the application, letters of notification were sent to 100 nearby properties. In addition, 8 site notices were posted and an advert was published in the Gloucestershire Echo.
- 5.2 On receipt of revised plans, further letters were sent to 224 neighbours/objectors, and revised site notices were posted.
- 5.3 During the course of the application, in response to the publicity, 144 representations have been received; 135 of which are objection. There have also been a number of repeat and additional objections from some local residents. All of the comments have been made available to Members separately but the main concerns are summarised below:
 - impact on the local highway network / increase in traffic on Shurdington Road
 - use of shared pedestrian and cycle routes
 - new toucan crossing
 - lack of infrastructure to support the development
 - landscape impact
 - increased air pollution
 - biodiversity impacts
 - loss of green space
 - drainage and flooding /sewerage
 - overdevelopment
 - design is out-of-keeping with surrounding developments
 - lack of sustainability credentials
- 5.4 The applicant also undertook their own consultation exercise prior to the submission of the application. A public exhibition was held in September 2018 at the Brizen Young People's Centre which was attended by 182 people including local residents, representatives from local societies and groups and Borough and Parish Councillors. Other engagement methods used included a freephone telephone line, project website and dedicated e-mail address for interested parties to receive further information and provide feedback. The feedback mostly centred on highway impacts (specifically the A46) and the lack of local infrastructure to support the additional dwellings.

6. OFFICER COMMENTS

6.1 Determining Issues

6.1.1 The key issues in determining this application are:

- the principle of developing the site for housing;
- design, layout and sustainability;
- access, parking and highway safety impacts;
- drainage and flooding;
- landscape and visual impact;
- ecological impacts;
- amenity impacts;
- affordable housing and developer contributions / s106 obligations.

6.2 Policy Background / Principle of Development

6.2.1 Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

6.2.2 Paragraph 11 of the National Planning Policy Framework sets out a presumption in favour of sustainable development which in decision making means:

- c) *approving development proposals that accord with an up-to-date development plan without delay; or*
- d) *where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*
 - i) *the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
 - ii) *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*

6.2.3 The development plan comprises saved policies of the Cheltenham Borough Local Plan Second Review 2006 (CBLP); adopted policies of the Cheltenham Plan 2020 (CP); and adopted policies of the Tewkesbury, Gloucester and Cheltenham Joint Core Strategy 2017 (JCS).

6.2.4 Material considerations include the National Planning Policy Framework 2021 (NPPF), and Planning Practice Guidance (nPPG).

6.2.5 JCS policy SD10 advises that *“Housing development will be permitted at sites allocated for housing through the development plan, including Strategic Allocations and allocations in district and neighbourhood plans”*.

6.2.6 As previously noted, this site forms part of the Leckhampton mixed-use allocation in the CP (policy MD4); the policy includes the following site specific requirements:

- Approximately 350 dwellings on land north of Kidnappers Lane
- Provision of a secondary school with six forms of entry on land to the south of Kidnappers Lane

- Safe, easy and convenient pedestrian and cycle links within the site and to key centres
- A layout and form that respects the existing urban and rural characteristics of the vicinity
- A layout and form of development that respects the character, significance and setting of heritage assets that may be affected by the development
- A layout and form of development that respects the visual sensitivity and landscape character of the site as part of the setting for the AONB

6.2.7 It is acknowledged that outline planning permission for up to 12 dwellings has already been granted on a small parcel of land within the MD4 site boundary (but excluded from this application); however, the figures given in policy MD4 are approximate.

6.2.8 Furthermore, although part of the site falls with the Leckhampton LGS wherein CP policy G11 seeks to prevent development “*unless there are very special circumstances which outweigh the harm to the Local Green Space*”; the application does not propose any buildings within the LGS.

6.2.9 As such, the general principle of the proposed development must be acceptable subject to other material considerations addressed in the report below.

6.3 Design, Layout and Sustainability

6.3.1 Chapter 12 of the NPPF places great emphasis on the importance of design in decision making, and states at paragraph 126 that “*Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities*”.

6.3.2 CP policy D1 requires all new development to adequately reflect principles of urban and architectural design; and to complement and respect neighbouring development, and the character of the locality and/or landscape. The policy reiterates the requirements of JCS policy SD4 which calls for proposals for development to:

- respond positively to, and respect the character of, the site and its surroundings, and be of a scale, type, density and materials appropriate to the site and its setting;
- create clear and logical layouts;
- avoid or mitigate any potential disturbance, including visual intrusion, noise, smell and pollution;
- ensure that landscaped areas are of a high quality design;
- be designed to contribute to safe communities including reducing the risk of fire, conflicts between traffic and cyclists or pedestrians, and the likelihood and fear of crime;
- provide access for all potential users, including people with disabilities, and ensure the highest standards of inclusive design; and
- be designed to integrate, where appropriate, with existing development, and prioritise movement by sustainable transport modes.

Layout

6.3.4 The Design and Access Statement (DAS) which accompanies the application sets out how the layout has evolved during the design process, with the layout now proposed largely agreed at pre-application stage; albeit further changes have been secured during the course of the application. The layout seeks to respond to the constraints and opportunities of the site, with the development addressing a central green corridor, and existing landscape features given prominence within the development.

6.3.5 The DAS also states that the layout has been designed to deliver a sequence of routes, streets and blocks of varying character to ensure that the development creates a distinctive sense of place, but one that responds and connects physically and visually to surrounding development and the wider landscape setting. Four character areas are proposed across the site, the DAS going on to state that *“The aim of the character areas is not to provide stark variation, but subtle detail, tonal and occasional material changes,...to ensure that the development has an overall cohesive sense of place and is distinctive in terms of high quality and indigenous features.”*

6.3.6 The site would be accessed from the Shurdington Road in two places. The eastern access would serve the eastern part of the site only; whilst the main access to the west would also serve the new secondary school to the south of the site.

6.3.7 A network of pedestrian footways and cycleways would provide linkages throughout the development with desire lines to and from the school to the site and surrounding development having dictated the routes to enable safe routes for children and parents that are overlooked by development and enable walking and cycling opportunities.

6.3.8 Improvements have also been secured during the course of the application to include a footpath/cycleway up to the site boundary to the east with a view to improving connectivity through to Merlin Way; albeit GCC would need to use their powers to complete the link on third party land. The layout also now provides for a footway up to the boundary with the smaller development site to the north that benefits from outline planning permission, to ensure the potential for a future link in this location. Moreover, throughout the site, the cycleways have been widened from 3m to 3.5m, and enhanced cycle crossing points have been introduced to make cycling safer and a more desirable mode of transport than the car.

6.3.9 In addition, the layout provides for a Locally Equipped Area of Play (LEAP) located along the Hatherley Brook corridor, with two further Local Areas of Play (LAPS).

6.3.10 SuDS infrastructure comprising three balancing ponds would also be located alongside the green corridors; and would, in addition to providing surface water attenuation, provide amenity and biodiversity benefits.

6.3.11 Additional green open space, community orchards and allotments would be provided on the designated LGS land.

6.3.12 The majority of buildings proposed across the site are two storeys in height with single storey garages; however, some limited focal buildings within the site are up to three storeys high. The general scale of the buildings is considered to be appropriate in this context and largely consistent with nearby developments. Accommodation across the site ranges from one bedroom apartments to five bedroom houses.

6.3.13 The layout has been designed to ensure that the affordable homes are integrated with open-market homes to promote social inclusion, and are distributed throughout the site.

Design

6.3.14 The buildings themselves take a relatively traditional pitched roof form which is considered to be appropriate for the context. The DAS sets out that a simple palette of external materials is proposed, with subtle variations in brick type and roofing tile, that would *“present a defined and attractive development”*.

6.3.15 Officers are satisfied that such a simple but varied palette of materials would ensure that overall the development would have a coherent appearance and create an identity of its own, whilst responding to nearby developments.

6.3.16 The external design of the affordable units, in terms of elevation, detailing and materials, is broadly consistent with the open market homes to ensure that visually they are seamlessly integrated into the wider scheme.

Sustainability

6.3.17 NPPF paragraph 152 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.

6.3.18 NPPF paragraph 154 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”.

6.3.19 JCS policy SD3 also requires development proposals to be designed and constructed in such a way as to maximise the principles of sustainability, and to:

- demonstrate how they contribute to the aims of sustainability by increasing energy efficiency, minimising waste and avoiding the unnecessary pollution of air, harm to the water environment, and contamination of land or interference in other natural systems. In doing so, proposals...will be expected to meet national standards;
- be adaptable to climate change in respect of the design, layout, siting, orientation and function of both buildings and associated external spaces; and
- incorporate principles of waste minimisation and re-use.

6.3.20 The policy also requires major applications to be accompanied by an Energy Statement that indicates the methods used to calculate predicted annual energy demand and association annual Carbon Dioxide (CO₂) emissions.

6.3.21 The Energy Statement (ES) which initially accompanied the application set out that the scheme would achieve a 1.29% CO₂ reduction beyond that required by Part L of the Building Regulations through improved fabric measures.

6.3.22 However, during the course of the application, in response to concerns raised by a number of parties, the ES has been updated to include feasibility appraisals of additional renewable or low carbon energy systems. As a result, it is now intended to include solar PV panels on those dwellings which have suitable roof orientations; a Solar Analysis Plan demonstrates that 146 of the properties are suitable.

6.3.23 The revised ES sets out that following the introduction of the solar PV panels, the scheme would now deliver an overall reduction in site wide CO₂ emissions of 20% over the 2013 Part L Building Regulations standards.

6.3.24 The application now also proposes an electric vehicle (EV) charging point for every dwelling with an allocated parking space, and 1 EV charging point per 10 spaces for those properties sharing communal parking areas.

6.3.25 Officers are therefore satisfied that, following the introduction of solar PV panels and EV charging points, the sustainability credentials of the proposed development are now acceptable and would go some way to meeting Cheltenham’s ‘Climate Emergency’

commitments. It is important that the scheme achieves a high level of sustainability while remaining a viable and deliverable development.

6.3.26 Accordingly, as a whole, the proposed scheme is considered to meet the requirements of CP policy D1, and JCS policies SD3 and SD4.

6.4 Access, Parking and Highway Safety

6.4.1 Adopted JCS policy INF1 requires all development proposals to provide safe and efficient access to the highway network for all transport modes; and provide connections where appropriate, to existing walking, cycling and passenger transport networks to ensure that credible travel choices are provided by sustainable modes. The policy states that planning permission will only be granted where the impacts of the development are not considered to be severe, and requires developers to assess the impact of proposals through a Transport Assessment.

6.4.2 The above policy generally reflects the advice set out within the NPPF at Section 9; however, the following paragraphs of the NPPF set out additional relevant requirements:

110. In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:

- a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;*
- b) safe and suitable access to the site can be achieved for all users;*
- c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code; and*
- d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.*

111. Development should only be prevented or 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.

112. Within this context, applications for development should:

- a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;*
- b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;*
- c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;*
- d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and*
- e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.*

113. All developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a

transport statement or transport assessment so that the likely impacts of the proposal can be assessed.

6.4.3 As previously noted, the application proposes two vehicle access points from Shurdington Road; a priority junction and a new roundabout. The roundabout proposal also realigns Kidnappers Lane, with the existing junction with Shurdington Road proposed to be closed and replaced with a cycleway.

6.4.4 A new Toucan Crossing point is proposed to the east of the site on the Shurdington Road which would form part of a series of wider infrastructure improvements.

6.4.5 From a highways perspective, the access, parking and highway safety impacts associated with the proposed development have been fully assessed by the Highways Development Management Team (HDM) at the County Council, as the Highway Authority acting in its role as Statutory Consultee, and their full comments can be read in Section 4 above.A.

6.4.6 In their initial response, HDM requested a deferral to allow for continued discussions to take place with the applicant to ensure that the Transport Assessment and scheme designs reflect current national and local policy, and that the proposals were complementary to the consented secondary school highway works.

6.4.7 Subsequently, HDM have now responded to advise that no highway objection is raised subject to conditions and financial obligations.

6.4.8 With regard to the highways impact of the development, particularly on the Shurdington Road, which has been raised as a concern by many of the objectors, HDM set out that the applicant has prepared a Transport Assessment which considers the impact of the proposal from a multimodal perspective, to include modelling on the potential impact on the Shurdington Road which is recognised as a congested corridor. It also considers routes to key destinations and how access to those services could be improved.

6.4.9 In terms of trip generation, the proposed development is expected to generate 127 departures and 51 arrival vehicle trips in the AM peak (08:00-09:00) and 79 departures and 126 arrives in the PM peak (17:00-18:00); and these would be split between the two access points. The transport modelling shows the trips would be dispersed around the network and this has potential implications at the junctions of Moorend Park Road and Leckhampton Lane.

6.4.10 With regard to the Moorend Park Road junction, HDM advise that there is already a consented scheme in place to improve this junction associated with the Farm Lane development.

6.4.11 They further advise that the Leckhampton Lane junction is proposed to be amended to provide a degree of space for right-turning traffic but there is a balance to be had in providing more capacity whilst maintaining pedestrian space. In considering the needs of pedestrians as a key priority, a reduction in the footway width is not acceptable. Furthermore, increasing capacity could result in an increase of rat running whereas the A46 is the more suitable route. The proposal therefore looks to provide an improvement within the current kerblines, and this is considered to be acceptable.

6.4.12 In addition, HDM acknowledge that the proposal has the significant potential to reduce walking distances from the existing residential communities to the new Leckhampton High School; with new and improved connections made from Merlin Way, Shurdington Road and Kidnappers Lane. Within the site, the proposal would create a low-speed environment which includes measures to prioritise walking and cycling movements; the proposed pedestrian and cycle routes providing more attractive routes than would otherwise exist.

The proposal also provides missing footway infrastructure on the A46 which is considered to be a benefit of the scheme and contributes to its sustainability credentials.

6.4.13 HDM therefore conclude that:

Overall, the proposal is considered to be acceptable and proposes suitable mitigation through offsite improvements, enhanced walking and cycling connections and planning obligations.

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.

6.4.14 Officers are therefore satisfied that the proposed development is acceptable in highway terms, and is compliant with JCS policy INF1 and the relevant paragraphs of the NPPF.

6.5 Drainage and Flooding

6.5.1 Adopted JCS plan policy INF2 advises that development proposals must avoid areas at risk of flooding, and must not increase the level of risk to the safety of occupiers of a site, the local community or the wider environment either on the site or elsewhere. Additionally, where possible, the policy requires new development to contribute to a reduction in existing flood risk; and to incorporate Sustainable Drainage Systems (SuDS) where appropriate.

6.7.2 The application has been accompanied by a Flood Risk Assessment (FRA) which has been reviewed by the Lead Local Flood Authority (LLFA) at the County Council, as a statutory consultee for surface water flood risk and management. Again, the comments can be read in full at Section 4 above.

6.7.3 The FRA sets out that detailed hydraulic modelling has been carried out to assess the existing flood risk to the site, to include blockage analysis of culverts crossing the A46, Shurdington Road. The outcome of this model has been reviewed by the Environment Agency (EA), with the published Flood Zones subsequently updated to reflect this.

6.7.4 Much of the site is located within Flood Zone 1. Where parts of the site fall within areas of Flood Zone 2, the layout has been designed so that the housing and sustainable drainage features are located outside of zone 2 and areas at risk of surface water flooding.

6.7.5 It is proposed that surface water would be discharged into the Hatherley Brook and its tributary; with surface water stored in three SuDS ponds serving three hydraulic catchments on the site. The LLFA have confirmed that *"They have been designed to store water in events up to the 1 in 100 year rainfall event plus 40% for climate change and simulations of the network on MicroDrainage show that they are a suitable size"*.

6.7.6 In their initial response however, the LLFA also highlighted that:

The MicroDrainage simulations show that the development will not flood in a 1 in 30 year rainfall event and that the flooding of the network in a 1 in 100 year rainfall event will be confined to the highways. Although this meets the Non-statutory technical standards for sustainable drainage, the flooding from manhole SB11 (Catchment B1) appears to be directed off the site onto the Shurdington Road. While this is an acceptable strategy for exceedance flows, in events up to 1 in 100 year rainfall event, surface water should not be leaving the site in this manner.

6.7.7 The Drainage Strategy has therefore been updated to show an increase in the size of the pipe between manholes SB1-11 and SB1-12 which the LLFA have welcomed; confirming that this *“will minimise the amount of highway flooding in the 1 in 100 year rainfall event plus 40% for climate change.”*

6.7.8 The LLFA therefore raise no objection subject to conditions; one of which requires a Construction Phase Surface Water Management Plan to be submitted. The LLFA noting that *“There have been a number of recent developments that have caused surface water issues to neighbouring properties during their construction and considering the location of this development in the upper part of the catchment, it is important that surface water is managed appropriately”*.

6.7.9 In addition, the application has been reviewed by the Environment Agency who conclude that *“as all extents for all forms of flooding will be contained within the green open space corridors either side of the watercourses, we have no objections to the proposals from a flood risk perspective.”*

6.7.10 It is noted that some local concerns have been raised in relation to sewerage and Severn Trent have been consulted on the application. In their response they raise *“no objections to the proposals”* subject to the subsequent approval of a detailed scheme for the disposal of foul and surface water.

6.7.11 Officers are therefore satisfied that the proposed development is acceptable in relation to flooding and drainage, and is compliant with JCS policy INF2 and the relevant paragraphs of the NPPF.

6.6 Landscape and Visual Impact

6.6.1 JCS policy SD6 advises that all development proposals must consider the landscape and visual sensitivity of the area in which they are located or which they may affect; and this is reiterated in CP policy L1.

6.6.2 Additionally, JCS policy SD7 requires all development proposals within the setting of the Cotswolds AONB *“to conserve and, where appropriate, enhance its landscape, scenic beauty, wildlife, cultural heritage and other special qualities”* and be consistent with policies set out in the Cotswolds AONB Management Plan (CMP).

6.6.3 The relevant CMP policies are CE1 and CE11. Policy CE1 requires development proposals that are likely to impact on the landscape of the Cotswolds AONB, to have regard to the scenic quality of the location and its setting and ensure that views – including those into and out of the AONB – and visual amenity are conserved and enhanced.

6.6.4 Policy CE11 goes on to advise that proposals for major development in the setting of the AONB, including site allocations in Local Plans, must comply with national planning policy and guidance, and have regard to guidance on major development provided in Appendix 9 of the CMP.

6.6.5 Whilst the application site is not within the AONB, or Green Belt, it is in reasonably close proximity and, as such, the landscape impacts associated with the development must be considered.

6.6.6 The application has been accompanied by a Landscape and Visual Appraisal (LVA) and Green Infrastructure Strategy (GIS) both of which have been reviewed, in conjunction with the other documents that support the application, by Ryder Landscape Consultants (RL) acting as the Council’s specialist Landscape Advisor.

6.6.7 In their initial review of the application (see Appendix B), RL highlighted a number of anomalies and missing information in the submission, and further design detail and additional information was sought to address the concerns.

6.6.8 Following the submission of additional information, and subsequent reviews by RL (Appendices C and D), officers are satisfied that, overall, the landscape and visual impacts of the development are acceptable. With regard to the landscape effects on the AONB, particularly on views from Leckhampton Hill, RL comments that *“these have been assessed fairly and as debated at Inquiries and summarised by different Planning Inspectors the landscape and visual effects on the AONB are deemed acceptable.”*

6.6.9 With regard to local landscape changes, RL considers the effect on the application site to be *“Moderate at least and the type of effect will be Adverse”* but acknowledges that *“This landscape effect is inevitable as a result of development and I know was taken into account when the area was allocated under MD4.”* They go on to consider the impact on the nearby Lotts Meadow site to be Minor, and the effect on the land north of the new secondary school to be Minor/Negligible.

6.6.10 RL also agrees with the LVA conclusions that the majority of quality trees and hedgerows have been retained as landscape features and that the scheme makes the most of the two brooks that cross the site as Green Infrastructure associated with the development.

6.6.11 They also welcome the additional street trees that have been incorporated into the proposals during the course of the application in response to paragraph 131 of the updated NPPF.

6.6.12 As such, whilst RL have some residual concerns, officers are satisfied that specific matters of detail can be resolved through the discharge of conditions.

6.7 Ecological Impacts

6.7.1 JCS policy SD9 seeks to ensure that all development, wherever possible, makes a positive contribution to biodiversity and geodiversity, and that important habitats and species are protected. Where developers are unable to avoid harm to biodiversity, mitigation measures should be incorporated into the design of the development. The policy reflects the advice set out within the NPPF at paragraph 180.

Protected species

6.7.2 As submitted, the application was accompanied by an Ecological Appraisal (EA), Badger Survey, Bat Survey, Dormouse Survey, Reptiles Survey, and Water Vole and Otter Survey; all of which have been reviewed by Wild Service (the Ecological Consultancy for the Gloucestershire Wildlife Trust) acting as the Council's specialist Ecological Advisor (WS). Their detailed responses can be read in full at Section 4 above.

6.7.3 The surveys confirmed bat roosts in some trees and one building on site; a large slow-worm population; and Badger setts. No evidence was found of Great Crested Newts, dormice, or water vole or otters.

6.7.4 The Dormouse Survey, however, was undertaken in 2017 and therefore an updated survey was requested and subsequently submitted. WS in reviewing the updated survey were satisfied *“that sufficient effort was used and no dormice were found to be present”*. An updated Bird Survey Report was also requested and reviewed.

6.7.5 WS advise that a Construction and Ecological Management Plan (CEMP) would need to be conditioned should permission be granted to include and expand on the mitigation recommendations for protected/notable species and ecological valuable habitats (including

orchards, Hatherley Brook, wooded areas, hedgerows) outlined in the various reports. This should include an invasive species method statement for species found on site, a reptile translocation and mitigation strategy, bat mitigation, bird mitigation, badger mitigation, hedgehog mitigation including hedgehog tunnels in fencing (as this species is known to be present in the locality) and dormouse mitigation (as this species is now known to be present in the locality). The CEMP would also need to include a bat sensitive lighting plan for the scheme as outlined in the Ecology report of 2020.

Cotswolds Beechwoods Special Area of Conservation (SAC) and Cotswold Commons & Beechwoods Site of Special Scientific Interest (SSSI)

6.7.6 Natural England (NE) have been consulted on the application. In their initial response, they raised concerns that the proposed development, in combination with other new residential developments in the area, could have potential significant effects on The Cotswolds Beechwoods Special Area of Conservation (SAC) and therefore sought additional information in order to determine the significance of these impacts and the scope for mitigation.

6.7.7 Following the submission of additional information, NE now raise no objection to the proposed development subject to appropriate mitigation being secured by condition; namely, the provision of the 6.5 ha of on-site green open space, and the provision of Homeowner Information Packs providing information on informal recreation opportunities within the local area.

6.7.8 NE also highlight the need to secure a CEMP as per the advice of the Ecological Advisor.

6.8 Amenity Impacts

6.8.1 Adopted CP policy SL1 states that development will only be permitted where it will not cause unacceptable harm to the amenity of adjoining land users and living conditions in the locality. CP paragraph 14.4 advising that:

In assessing the impacts of a development including any potential harm, the Council will have regard to matters including loss of daylight; loss of outlook; loss of privacy; and potential disturbance from noise, smells, dust, fumes, vibration, glare from artificial lighting, hours of operation, and traffic / travel patterns.

6.8.2 Adopted JCS policy SD14 reiterates this advice and also seeks to ensure high quality developments that “*protect and seek to improve environmental quality*”.

6.8.3 In addition, paragraph 130 of the NPPF highlights the need to ensure that developments achieve a high standard of amenity for both existing and future users.

Air Quality

6.8.4 As submitted, the application was accompanied by an Air Quality Assessment (AQA); however, there were a number of errors in the original report, as identified in an objection from Clean Air Cheltenham. The Council’s Senior Environmental Health Officer (EHO) agreed with the points raised in the objection and confirmed that whilst data was taken from the Council’s website, a series of errors were made in transposing the data and therefore the modelled data was wholly incorrect.

6.8.5 The Air Quality Assessment has therefore been updated during the course of the application to address these errors and subsequently reviewed again by the EHO whose comments can be read in full at Section 4. The EHO concludes that

In considering all the modelling outlined above, we must note that this report indicates compliance with current legal limits. There is widespread expectation that legal limits are likely to be reduced in coming years, and WHO has recently published revised Air Quality Guideline (AQG) Levels which are considerably lower than current legal limits, but this has not been adopted into UK law at this stage. Therefore there are no valid local air quality reasons to refuse this application.

6.8.6 The EHO has however advised that the assessment of Construction Dust in the AQA indicates a medium risk of impact on sensitive properties; and therefore suggests a condition requiring the submission of a Dust Management Plan, should permission be granted, to include, as a minimum, the mitigation measures identified in section 7.2 of the AQA.

Noise

6.8.7 From a noise perspective, the Acoustic Design Statement submitted with the application has been reviewed by the EHO who notes *“that the elevated daytime, external noise levels indicate that external amenity areas of housing should not be located on the North-west edge of the site alongside the road”* and that *“additional mitigation is required to reduce daytime noise exposure at those properties”*. They go on to note that *“the elevated night-time, internal noise levels also require that a good acoustic design process must be demonstrated in this development.*

6.8.8 A condition is therefore recommended that requires a suitable noise mitigation scheme to be submitted and agreed, should permission be granted.

Land Contamination

6.8.9 Additional conditions relating to contaminated land have also been suggested by the EHO but no fundamental objection is raised in this respect.

Toucan crossing

6.8.10 The amenity concerns raised by the resident at 104 Shurdington Road in relation to the proposed Toucan Crossing outside his home have been duly noted; however, the transport statement sets out this is the preferred location in order to allow for vehicles to be able to turn right out of the development onto Shurdington Road whilst the lights are red to traffic. Detailed design matters would need to be agreed through a S278 agreement with the local highways authority.

6.9 Affordable Housing and Developer Contributions / S106 Obligations

Affordable housing

6.9.1 Paragraph 60 of the NPPF states that to support the government’s objective of boosting the supply of homes, the needs of groups with specific housing requirements must be addressed. Within this context, paragraph 62 goes on to state that the size, type and tenure of housing needed for different groups in the community should be reflected in strategic policies.

6.9.2 JCS policy SD12 seeks the provision of affordable housing in new residential developments. In Cheltenham, outside of Strategic Allocation sites, a minimum of 40% affordable housing is sought on sites of 11 dwellings or more.

6.9.3 As previously noted, this application proposes a policy compliant level of affordable housing, which equates to 140 dwellings.

6.9.4 The affordable housing provision has been amended during the course of application in liaison with the Council's Housing Enabling Officer, whose comments are set out in full in Section .

6.9.5 The agreed affordable housing mix comprises 41 social rented homes, 57 affordable rented homes and 42 shared ownership homes, and satisfies the policy requirements. The affordable housing provision would be secured via an S106 Agreement.

Developer contributions

6.9.6 JCS policy INF6 states that where site proposals generate infrastructure requirements, new development will be served and supported by adequate on and/or off-site infrastructure and services which are fairly and reasonably related to the scale and type of development proposed. Regard to the cumulative impacts on existing infrastructure and services must also be considered. Planning permission should only be granted where sufficient provision has been made to meet the needs of new development and/or which are required to mitigate the impact of the development upon existing communities.

6.9.7 In addition, JCS policy INF7 advises that financial contributions will be sought through the S106 and CIL mechanisms as appropriate. The S106 mechanism being used to secure site-specific obligations.

6.9.8 For a development of this nature, contributions towards education and libraries will normally be sought.

6.9.9 Gloucestershire County Council have commented on the proposed development and set out the infrastructure and services requirements for education and libraries provision arising from the development and the contributions required to make the development acceptable in planning terms. Their comments are set out in full at Section 4.

6.9.10 The contributions sought by the County are £796,300.50 towards primary education, and £68,600 towards improvements to existing library provision.

6.9.11 The necessary education and libraries contributions towards an off-site provision would be secured via an S106 agreement. There are no formal mechanisms or agreed financial arrangements currently in place between CBC (as CIL Charging Authority) and GCC to fund the required strategic (education and libraries) infrastructure from CIL.

6.9.12 The following Highways contributions are also required.

Specific Purpose – Travel Plan Bond and Monitoring
Contribution - £65,250.00
Trigger – Prior to the First Occupation of any Dwelling
Retention Period – 10 Years from the First Occupation of Any Dwelling

Specific Purpose – Public Right of Way Enhancement, Connection to Merlin Way
Contribution - £15,000
Trigger – Prior to commencement
Retention Period - 5 years from Receipt

Specific Purpose – Junction improvement A46/Moorend Park Road
Contribution - £86,567.35
Trigger – Prior to occupation of the 175th dwelling
Retention Period – 5 years from Receipt

Other S106 obligations

6.9.12 Other obligations to be secured via the S106 agreement relate to the management and maintenance of the public open space, LAPS, allotments, and community orchard.

6.10 Other considerations

Public Sector Equalities Duty (PSED)

6.10.1 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.

6.10.2 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.

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

7. CONCLUSION AND RECOMMENDATION

7.1 Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise.

7.2 Furthermore, paragraph 11 of the National Planning Policy Framework 2021 sets out a presumption in favour of sustainable development which in decision making means:

- c) *approving development proposals that accord with an up-to-date development plan without delay; or*
- d) *where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*
 - i) *the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
 - ii) *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*

7.3 The site to which this application relates forms part of the Leckhampton mixed-use allocation in the Cheltenham Plan 2020 (policy MD4); as such, the general principle of developing the site for approximately 350 houses has already been established and remains acceptable.

7.4 The application has been submitted following extensive pre-application discussions, and has been subject to additional design refinements during the course of the application. Officers are therefore satisfied that the overall design and layout of the scheme is acceptable and would result in a high quality development that will create an identity of its own, whilst responding to nearby developments, and will be a good place to live.

- 7.5 The application proposes a policy compliant (40%) level of affordable housing; and would make a valuable contribution to the borough's housing stock.
- 7.6 The sustainability credentials of the proposed development have been improved during the course of the application to include solar PV panels and EV charging points, which will go some way to meeting Cheltenham's 'Climate Emergency' commitments, whilst ensuring that this remains a viable and deliverable scheme. Overall, as amended, the scheme would achieve a site wide 20% reduction in CO2 emissions over that required by the 2013 Part L Building Regulations standards.
- 7.7 The proposed development has been fully assessed by the Highways Development Management Team (HDM) at the County Council, as the Highway Authority acting in its role as Statutory Consultee. The applicant has worked closely with HDM to ensure that the Transport Assessment and proposal reflect current national and local policy, and that the proposals are complementary to the consented secondary school highway works. HDM now raise no highway objection subject to a number of conditions and financial obligations, concluding that "*Overall, the proposal is considered to be acceptable and proposes suitable mitigation through offsite improvements, enhanced walking and cycling connections and planning obligations.*"
- 7.8 The application has been accompanied by a Drainage Strategy and Flood Risk Assessment (FRA) which have been reviewed by the Lead Local Flood Authority (LLFA) as a statutory consultee. Following the submission of revised information, the LLFA raise no objection to the proposals subject to conditions. The LLFA are satisfied that the "applicant has demonstrated that the strategy meets national standards for sustainable drainage and should not be putting the development itself or elsewhere at increased risk of flooding."
- 7.9 The FRA has also been assessed by the Environment Agency (EA) who conclude that "as all extents for all forms of flooding will be contained within the green open space corridors either side of the watercourses, we have no objections to the proposals from a flood risk perspective." In addition, Severn Trent raise no objection subject to a condition.
- 7.10 The application has been reviewed by Natural England and Wild Service (the Council's specialist Ecology Advisor) and the ecological impacts of the proposed development have been found to be acceptable subject a number of conditions, to include the submission of a 10-year Landscape and Ecology Management Plan (LEMP) prior to the commencement of development. The LEMP would be required to expand on the habitat enhancement and creation recommendations outlined in the Ecology reports, and include detailed management prescriptions for retained and created habitats (including for Hatherley Brook, the stream, the orchards, hedgerows and wooded areas, grassland).
- 7.11 With regard to the landscape and visual impacts of the development, officers are satisfied that, overall, the impacts are acceptable. Ryder Landscape Consultants (acting as the Council's specialist Landscape Advisor) have reviewed the application and, whilst there are some residual concerns, officers are satisfied that specific matters of detail can be resolved through the discharge of conditions.
- 7.12 With all of the above in mind, taking into account the economic, social, and environmental aspects of the application, officers are satisfied that the proposed development would be in accordance with relevant national and local planning policy.
- 7.13 The officer recommendation is to grant planning permission subject to a signed S106 legal agreement, and the following schedule of conditions:

8. SUGGESTED CONDITIONS

- 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 Prior to the commencement of development, a phasing plan which indicates the phases through which the development hereby approved shall be delivered on site shall be submitted to and approved in writing by the Local Planning Authority.

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

- 4 Prior to the commencement of development within each phase, a Construction Method Statement or Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority.

The approved plan/statement shall be adhered to throughout the construction process and shall include, but not be restricted to:

- i) Provision of parking for vehicles of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
- ii) Any temporary access to the phase;
- iii) Locations for the loading/unloading and storage of plant, waste and construction materials;
- iv) Measures to control the emission of noise, dust and dirt during demolition and construction;
- v) Method of preventing mud and dust being carried onto the highway;
- vi) Arrangements for turning vehicles;
- vii) Arrangements to receive abnormal loads or unusually large vehicles;
- viii) Joint highway condition survey; and
- ix) Methods of communicating the Construction Management Plan or Construction Method Statement to staff, visitors, and neighbouring residents and businesses.

Reason: In the interests of the safe operation of the adopted highway in the lead into development both during the demolition and construction phase of the development, and to prevent any loss of amenity to neighbouring land users, having regard to adopted policy SL1 of the Cheltenham Plan (2020), policies SD14 and INF1 of the Joint Core Strategy (2017), and paragraphs 110 and 112 of the National Planning Policy Framework (2021). Approval is required upfront because without proper mitigation the works could have an unacceptable impact during construction.

- 5 Prior to the commencement of development within each phase, drainage plans for the disposal of foul and surface water flows for that phase shall be submitted to and approved by the Local Planning Authority. The scheme shall thereafter be implemented in accordance with the approved details before the phase is first brought into use.

Reason: 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, having regard to adopted policy INF2 of the Joint Core Strategy (2017). Approval

is required upfront because the design of the drainage is an integral part of the development and its acceptability.

- 6 Prior to the commencement of development within each phase, a Construction Phase Surface Water Management Plan for that phase shall be submitted to and approved in writing by the Local Planning Authority. The plan shall outline what measures will be used throughout the construction period of the development to ensure that surface water does not leave the site in an uncontrolled manner and put properties elsewhere at increased risk of flooding. The construction phase shall be implemented in strict accordance with the approved plans until the agreed Sustainable Drainage System Strategy is fully operational.

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 because without proper mitigation the works could have an unacceptable impact during construction.

- 7 Prior to the commencement of development within each phase (other than development or works required by this condition), a programme of archaeological works for that phase shall be carried out in accordance with a Written Scheme of Investigation, details of which shall have first been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that archaeological remains and features are preserved in situ or, if this is not feasible, to enable a record of the remains of archaeological interest to be made prior to their disturbance, having regard to adopted policy HE2 of the Cheltenham Plan (2020) and Historic Environment Good Practice Advice Note 2. Approval is required upfront so as to make provision for the investigation and recording of any archaeological remains that may be destroyed by ground works required for the scheme.

- 8 Prior to the commencement of development within each phase, a site investigation and risk assessment shall be carried out for that phase to assess the potential nature and extent of any contamination on the site, whether or not it originates on the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR11 and shall include:

- a) a survey of the extent, scale and nature of contamination
- b) an assessment of the potential risks to:
 - human health
 - property (including buildings, crops, livestock, pets, woodland and service lines and pipes)
 - adjoining land
 - ecological systems
 - groundwaters and surface water
 - archaeological sites and ancient monuments
- c) an appraisal of remedial options to mitigate against any potentially significant risks identified from the risk assessment.

Where remediation is required, a detailed remediation scheme to bring the site to a condition suitable for the intended use shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme shall ensure that the site will not qualify as contaminated land under Part 2a of the Environmental Protection Act (1990) in relation to the intended use of the land after remediation.

The site investigation, risk assessment report, and proposed remediation scheme for the phase shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any development within that phase.

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).

- 9 Prior to the commencement of development within each phase, other than that necessary for that phase to comply with the requirements of this condition, the approved remediation scheme necessary to bring the phase 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).

- 10 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).

- 11 Prior to the commencement of development within each phase, a Noise Mitigation Scheme for that phase shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall detail measures to ensure that any noise associated with the development does not cause detriment to amenity or a nuisance. The scheme shall thereafter be implemented in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

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

- 12 Prior to the commencement of development within each phase, full details of all proposed street tree planting, root protection systems, future management plan, and the proposed times of planting for that phase, shall be submitted to and approved in writing by the Local Planning Authority. All street tree planting shall thereafter be carried out in accordance with the approved details.

Reason: To ensure the continued wellbeing of the trees in the interests of the amenity and environmental quality of the locality, having regard to policy GI3 of the Cheltenham Plan (2020), policy INF3 of the Joint Core Strategy (2017) and paragraph 131 of the National Planning Policy Framework (2021).

- 13 Prior to the commencement of development within each phase, the following information for that phase shall be submitted to and approved in writing by the Local Planning Authority:

(a) a full site survey showing:

- i) the datum used to calibrate the site levels;
- ii) levels along all site boundaries at regular intervals;
- iii) levels across the site at regular intervals;
- iv) finished floor levels or other datum of adjacent buildings; and
- v) cross section drawings clearly showing existing ground levels in relationship with the finished floor and eaves levels of adjacent buildings

(b) full details showing:

- i) the proposed finished floor level of all buildings and ground levels including hard surfaces; and
- ii) cross section drawings showing the proposed finished floor and eaves levels of all buildings and ground levels including hard surfaces.

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.

- 14 Before each phase of development is brought into operation, a Landscape and Ecological Management Plan (LEMP) for that phase shall be submitted to and approved in writing by the Local Planning Authority. The content of the LEMP shall include, but not be limited to, the following:

- a) Description and evaluation of features to be managed;
- b) Ecological trends and constraints on site that might influence management;
- c) Aims and objectives of management, including mitigation and enhancement for species identified on site
- d) Appropriate management options for achieving aims and objectives;
- e) Prescriptions for management actions;
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a ten-year period);
- g) Details of the body or organisation responsible for implementation of the plan, along with funding mechanism(s) for that body or organisation; and
- h) Ongoing monitoring and remedial measures, including where monitoring shows that conservation aims and objectives of the LEMP are not being met.

The approved plan shall be implemented in accordance with the approved details.

Reason: To ensure the protection and enhancement of the landscape and biodiversity value of the site, in accordance with adopted policies SD6 and SD9 of the Joint Core Strategy (2017), ODPM Circular 06/2005, and paragraphs 8, 174 and 180 of the National Planning Policy Framework (2021). This is also in accordance with Section 40 of the Natural Environment and Rural Communities Act 2006, which confers a general biodiversity duty upon Local Authorities.

- 15 Prior to the commencement of development within each phase, including preparatory works, a Construction Environmental Management Plan (CEMP) for that phase shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall include the following:

- a) a risk assessment of potentially damaging construction activities;
- b) identification of biodiversity protection zones (e.g. buffers to areas of retained habitat);

- c) practical measures (both physical measures and sensitive working practices, such as protective fencing, exclusion barriers and warning signs) to avoid or reduce impacts during construction (particularly in relation to works within any areas of retained habitat);
- d) the location and timing of sensitive works to avoid harm to biodiversity features (in relation to breeding birds in particular);
- e) the times during construction when specialist ecologists need to be present on site to oversee works (as required);
- f) responsible persons and lines of communication; and
- g) the role and responsibilities on site of an Ecological Clerk of Works (ECoW) or similarly competent person (as necessary).

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless the ECoW otherwise sets out alternative details which are subsequently agreed by the Local Planning Authority.

Reason: To ensure the protection of biodiversity on the site during construction, in accordance with adopted policy SD9 of the Joint Core Strategy (2017), ODPM Circular 06/2005, and paragraphs 8, 174 and 180 of the National Planning Policy Framework (2021). This is also in accordance with Section 40 of the Natural Environment and Rural Communities Act 2006, which confers a general biodiversity duty upon Local Authorities.

- 16 Prior to the commencement of development within each phase, full details of a hard and/or soft landscaping scheme for that phase shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall identify all walls, fences, trees, hedgerows and other planting which are to be retained, and provide details of all new walls, fences, or other boundary treatments; finished ground levels; new hard surfacing of open parts of the site which shall be permeable or drained to a permeable area; a planting specification to include [species, size, position and method of planting of all new trees and shrubs]; and a programme of implementation.

All hard and/or soft landscaping works shall be carried out in accordance with the approved details prior to first occupation of that phase 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). Approval is required upfront because the landscaping is an integral part of the development and its acceptability.

- 17 Prior to first occupation of the development within each phase, a SuDS Management and Maintenance Plan for that phase, for the lifetime of the development, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall 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, The approved plan shall thereafter 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 to avoid flooding, having regard to adopted policy INF2 of the Joint Core Strategy (2017).

- 18 No external facing or roofing materials shall be applied unless in accordance with: a) a detailed written specification of the materials; and b) physical samples of the materials. The details of which shall have first been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the external appearance of the development is appropriate to its surroundings in accordance with adopted policy D1 of the Cheltenham Plan (2020), and adopted policy SD4 of the Joint Core Strategy (2017).

- 19 No boundary treatments, including boundary walls, fences or other means of enclosure shall be constructed within a phase unless in accordance with details which shall have first been submitted to and approved in writing by the Local Planning Authority. The boundary treatments shall thereafter be implemented in accordance with the approved details prior to first occupation of the phase.

Reason: To ensure that the external appearance of the development is appropriate to its surroundings in accordance with saved policy D1 of the Cheltenham Plan (2020), and adopted policy SD4 of the Joint Core Strategy (2017).

- 20 No dwelling shall be occupied until the access, parking and turning facilities from that individual building to the nearest public highway have been provided in accordance with Drawing No. CB_70_064_001 Rev R.

Reason: To ensure that safe and suitable access is provided and maintained in the interests of highway safety, having regard to adopted policy INF1 of the Joint Core Strategy (2017), and paragraphs 110 and 112 of the National Planning Policy Framework (2021).

- 21 The part of the development served from the proposed southern (roundabout) access shall not be occupied until the following highway improvements works have been constructed and completed:
- a) Roundabout, realignment of Kidnappers Lane, crossings and active travel infrastructure as shown on Drawing No. 04649-PA-001 Rev P08; and
 - b) Closure of the junction of Kidnappers Lane and A46 Shurdington Road.

Reason: To ensure the safe and free flow of traffic onto the highway, having regard to policy INF1 of the Joint Core Strategy (2017), and paragraphs 110 and 112 of the National Planning Policy Framework (2021).

- 22 The part of the development served from the proposed northern (priority junction) access shall not be occupied until the following highway improvements have been constructed and completed:
- a) Priority Junction, crossings and footway improvements as shown on Drawing No. 04649-PA-002 Rev P06.

Reason: To ensure the safe and free flow of traffic onto the highway, having regard to policy INF1 of the Joint Core Strategy (2017), and paragraphs 110 and 112 of the National Planning Policy Framework (2021).

- 23 The 50th dwelling hereby approved shall not be occupied until the following highway improvements works have been constructed and completed:
- a) Junction improvement at Leckhampton Lane as shown on Drawing No. 04649-PA-003 Rev P04.

Reason: To ensure the safe and free flow of traffic onto the highway, having regard to policy INF1 of the Joint Core Strategy (2017), and paragraphs 110 and 112 of the National Planning Policy Framework (2021).

- 24 The development shall not be occupied until the following highway improvements works have been constructed and completed:
a) Controlled Crossing as shown on Drawing No. ITB2049-GA-056 Rev C

Reason: To ensure the safe and free flow of traffic onto the highway, having regard to policy INF1 of the Joint Core Strategy (2017), and paragraphs 110 and 112 of the National Planning Policy Framework (2021).

- 25 No dwelling shall be occupied until sheltered, secure and accessible bicycle parking has been provided for that dwelling in accordance with details which shall have first be submitted to and approved in writing by the Local Planning Authority. The approved cycle parking shall thereafter be kept available for the parking of bicycles only.

Reason: To promote sustainable travel and healthy communities, having regard to policy INF1 of the Joint Core Strategy (2017), and paragraphs 110 and 112 of the National Planning Policy Framework (2021).

- 26 Notwithstanding the submitted details, no dwelling shall be occupied until at least 1 parking space for that dwelling, or 1 per 10 spaces for communal parking areas, has been fitted with an electric vehicle charging point. The charging points shall comply with BS EN 62196 Mode 3 or 4 charging and BS EN 61851 and Manual for Gloucestershire Streets. The electric vehicle charging points shall be retained for the lifetime of the development unless they need to be replaced in which case the replacement charging points shall be of the same specification or a higher specification in terms of charging performance.

Reason: To promote sustainable travel and healthy communities, having regard to policy INF1 of the Joint Core Strategy (2017), and paragraphs 110 and 112 of the National Planning Policy Framework (2021).

- 27 The approved Residential Travel Plan (i-Transport Ref: MG/AI/ITB12049-102A R, dated 9th October 2020) shall be implemented and monitored in accordance with the regime contained within the plan. In the event of failing to meet the targets within the plan, a revised plan shall be submitted to and approved in writing by the Local Planning Authority to address any shortfalls, and where necessary make provision for and promote improved sustainable forms of access to and from the site. The plan shall thereafter be implemented and updated in agreement with the Local Planning Authority, as amended.

Reason: To reduce vehicle movements and promote sustainable travel, having regard to adopted policy INF1 of the Joint Core Strategy (2017), and paragraphs 110 and 112 of the National Planning Policy Framework (2021).

- 28 Prior to first occupation of the development, details of a Homeowner Information Pack (HIP) providing information on recreation resources in the locality shall be submitted to and approved in writing by the Local Planning Authority. The pack should present information describing informal recreation opportunities in the following sequence:

- On the doorstep
- A short drive by car or bus
- Further afield – e.g. The Cotswolds, the Severn Estuary, the Forest of Dean.

Each dwelling shall be provided with an approved HIP on occupation.

Reason: To ensure that appropriate measures to mitigate for any adverse effects to the Cotswold Beechwoods SAC that could potentially occur as a result of the proposal are suitably addressed, having regard to adopted policies SD9 and INF3 of the Joint Core Strategy (2017), policy BG1 of the Cheltenham Plan (2020), and paragraphs 180, and 181 of the National Planning Policy Framework (2021).

INFORMATIVES

- 1 The development hereby approved includes the carrying out of work on the adopted highway. You are advised that before undertaking work on the adopted highway you must enter into a highway agreement under Section 278 of the Highways Act 1980 with the County Council, which would specify the works and the terms and conditions under which they are to be carried out.

Contact the Highway Authority's Legal Agreements Development Management Team at highwaylegalagreements@gloucestershire.gov.uk allowing sufficient time for the preparation and signing of the Agreement. You will be required to pay fees to cover the Councils costs in undertaking the following actions:

Drafting the Agreement
A Monitoring Fee
Approving the highway details
Inspecting the highway works

Planning permission is not permission to work in the highway. A Highway Agreement under Section 278 of the Highways Act 1980 must be completed, the bond secured and the Highway Authority's technical approval and inspection fees paid before any drawings will be considered and approved.

- 2 You are advised that a Traffic Regulation Order (TRO) is required. You must submit a plan to scale of an indicative scheme for a TRO, along with timescales for commencement and completion of the development. Please be aware that the statutory TRO process is not straightforward, involving advertisement and consultation of the proposal(s).

You should expect a minimum of six months to elapse between the Highway Authority's TRO Team confirming that it has all the information necessary to enable it to proceed and the TRO being advertised. You will not be permitted to implement the TRO measures until the TRO has been sealed, and we cannot always guarantee the outcome of the process.

We cannot begin the TRO process until the appropriate fee has been received. To arrange for a TRO to be processed, contact the Highway Authority's Legal Agreements Development Management Team at highwaylegalagreements@gloucestershire.gov.uk

The cost of implementing any lining, signing or resurfacing required by the TRO is separate to the TRO fees, which solely cover the administration required to prepare, consult, amend and seal the TRO.

- 3 The development hereby approved includes the construction of new highway. To be considered for adoption and ongoing maintenance at the public expense it must be constructed to the Highway Authority's standards and terms for the phasing of the development. You are advised that you must enter into a highway agreement under Section 38 of the Highways Act 1980. The development will be bound by Sections 219 to 225 (the Advance Payments Code) of the Highways Act 1980.

Contact the Highway Authority's Legal Agreements Development Management Team at highwaylegalagreements@gloucestershire.gov.uk. You will be required to pay fees to cover the Councils cost's in undertaking the following actions:

- Drafting the Agreement
- Set up costs
- Approving the highway details
- Inspecting the highway works

You should enter into discussions with statutory undertakers as soon as possible to co-ordinate the laying of services under any new highways to be adopted by the Highway Authority.

The Highway Authority's technical approval inspection fees must be paid before any drawings will be considered and approved. Once technical approval has been granted a Highway Agreement under Section 38 of the Highways Act 1980 must be completed and the bond secured.

- 4 All new streets must be tree lined as required in the National Planning Policy Framework. All proposed street trees must be suitable for transport corridors as defined by Trees and Design Action Group (TDAG). Details should be provided of what management systems are to be included, this includes root protections, watering and ongoing management. Street trees are likely to be subject to a commuted sum.
- 5 There is a public right of way running through the site, the applicant will be required to contact the PROW team to arrange for an official diversion, if the applicant cannot guarantee the safety of the path users during the construction phase then they must apply to the PROW department on 08000 514514 or highways@gloucestershire.gov.uk to arrange a temporary closure of the right of way for the duration of any works. We advise you to seek your own independent legal advice on the use of the public right of way for vehicular traffic. This permission does not authorise additional use by motor vehicles, or obstruction, or diversion.
- 6 The development hereby approved and any associated highway works required, is likely to impact on the operation of the highway network during its construction (and any demolition required). You are advised to contact the Highway Authorities Network Management Team at Network&TrafficManagement@gloucestershire.gov.uk before undertaking any work, to discuss any temporary traffic management measures required, such as footway, Public Right of Way, carriageway closures or temporary parking restrictions a minimum of eight weeks prior to any activity on site to enable Temporary Traffic Regulation Orders to be prepared and a programme of Temporary Traffic Management measures to be agreed.
- 7 The applicant's attention is drawn to the need to ensure that the provision of the visibility splay(s) required by this consent is safeguarded in any sale of the application site or part(s) thereof.
- 8 It is expected that contractors are registered with the Considerate Constructors Scheme and comply with the code of conduct in full, but particular reference is made to "respecting the community" which states:

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

- 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 Construction Environmental Management Plan (CEMP) should clearly identify how the principle 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.

APPLICATION NO: 20/01788/FUL	OFFICER: Miss Michelle Payne
DATE REGISTERED: 16th October 2020	DATE OF EXPIRY : 15th January 2021
WARD: Leckhampton	PARISH: LECKH
APPLICANT:	Miller Homes
LOCATION:	Land At Shurdington Road Cheltenham
PROPOSAL:	Full planning application for residential development comprising 350 dwellings, open space, cycleways, footpaths, landscaping, access roads and other associated infrastructure

REPRESENTATIONS

Number of contributors	149
Number of objections	140
Number of representations	7
Number of supporting	2

35 Wells Close
Hatherley
Cheltenham
Gloucestershire
GL51 3BX

Comments: 12th January 2021

I am resident in Warden Hill and I am concerned about the disposal of sewage into the same system as we use here which already takes the additional sewage from the Redrow House building on Farm Lane. The new school being built on Kidnappers Lane also means more traffic on Shurdington Road already busier from the Redrow Homes .

These issues need to be solved , people need homes but their surroundings and facilities need to be addressed so that the area can cope without causing horrid problems for those in established homes already in the area .

42 Merlin Way
Cheltenham
Gloucestershire
GL53 0LU

Comments: 7th January 2021

As per the flyer sent out, please note our comments reference the above.

We have concerns that with the increase in people using the public footpath that runs along the boundary of Merlin Way / Hatherley brook to access Burrow playing field and Lotts meadow, that the natural hedgerow that runs along this boundary will be destroyed even further by people and dog walkers not using the correct access points and making entries through bushes and hedgerows.

55 Farmington Road
Cheltenham
Gloucestershire
GL51 6AG

Comments: 15th December 2020

Object based on the impact of the proposed road network, particularly due to multiple failures against modern design standards (LTN 1/20), and severance of routes to new school for high risk road users (children) travelling to this education establishment.

Safe and effective cycle and pedestrian links are vital in this area, as established in Policy MD5 Leckhampton. The construction of the new school will significantly increase the number of vulnerable road users in the area, particularly children and young people travelling by cycle and foot. The success of the approved transport plan also relies on significant active travel use to the school.

In previously circulated documentation, shown on the Gloucestershire County Council website, Kidnappers lane is shown as part of a vital active transport corridor (<https://www.gloucestershire.gov.uk/media/2090385/footways.pdf>), with continuous segregated pedestrian and cycling infrastructure to and along the A46 and into Woodlands Road, supported by a Toucan crossing. There are no points of unprotected conflict between children and vehicles travelling into the residential area and to the school.

The proposed scheme instead introduces a new main roundabout, fails to make provision for adequate continuous cycle routes to the school, and introduces at least two points of unprotected conflict between children travelling on foot or cycle, and motor vehicles. The proposed road infrastructure will significantly increase risk of injury and fatality to children travelling to the school.

Specific risks;

1) There is no cycle route that meets the standards of LTN 1/20 between Woodlands Road and the School. Specifically, they are not 'coherent', 'direct' or 'comfortable', and are of insufficient width to accommodate mixed pedestrian and cycle use at peak times.

2) The introduction of a roundabout introduces a major hazard for cycle users, particularly due to the lack of protected parallel routes. As a normal roundabout with flared approaches, it scores 0% (Critical fail), indicating a high risk of casualties. This is compounded by the limited number of arms and wide approaches meaning vehicle speeds are likely to be above 20mph on approach. This is a dangerous piece of infrastructure to children and young people accessing the school, particularly as the lack of a legible and direct alternative route incentivises people cycling to use the road network. Either an alternative high quality route, or a signalised junction with protected turns is required. A roundabout is not safe for a junction with high numbers of young cyclists, and is against LTN 1/20.

3) The use of the vestigial element of Kidnappers lane from the A46 to the West of the proposed roundabout introduces an unprotected crossing for pedestrians and cyclists a short distance from the roundabout exit. Particularly during school drop off/pick up, this area will see intense vehicle activity, and the road creates severance of a safe route.

4) The exit point onto Kidnappers Lane at the Southern margin does not connect to safe cycle infrastructure, and the narrow lane will represent a high risk final step for children accessing the main school entrance as drawn. Again, there is also no protected crossing provision at this point for children using cycles.

5) It is unclear how the proposed 'middle' north crossing (closest to Hawkswood Road) will connect to continuous safe cycle infrastructure. If this connection is not made, it will mean children are required to travel on roads, either to reach the West or East entrance. Given high volumes of cars at drop off and pickup, this has substantial risk.

6) There is heavy reliance on shared use paths throughout the scheme, including the main desire lines. This is advised against by LTN 1/20 6.5. Path widths are generally unsuitable for mixed cycle and pedestrian use, particularly given the intensity of use created by school access. LTN 1/20 would recommend a continuous provision of a fully segregated cycle lane of at least 3m width, with separate pedestrian facilities, or if (against guidance) a shared path is used, it should be of width at least 4.5m to avoid conflict and enable accessibility.

In summary, despite the claim in the transport statement that the scheme delivers 'excellent pedestrian / cycle permeability in the local area', none of the elements proposed deliver to current design standards. In particular, the failure to create segregated and continuous protected facilities for pedestrians and cyclists, and the introduction of major new hazards (roundabout, and unprotected crossings) means that children and young people will be continually exposed to unnecessary risk.

The scheme should not be allowed to proceed without demonstrating a solution compliant to LTN 1/20 standard for users on all approaches and transits.

Comments: 26th September 2021

Many thanks for the opportunity to comment again on these plans. My objection is specific to the sub-standard cyclepaths provided through the scheme, particularly the vital north south link from the crossing to the new Leckhampton School.

The school transport plan anticipates at least 1000 users along this path during peak hours, including potential for a high proportion of cycle users if appropriate connecting infrastructure is delivered. As proposed, this is a 3.5m wide cyclepath is actually a shared use route that will be used by both pedestrian and cycle traffic, particularly children walking in groups, and two way traffic as parents return from having dropped children at the school.

LTN 1/20 (Cycle Infrastructure Design) establishes clearly that pedestrian and cycle users have very different needs, travelling at different speeds. It regards shared use as a 'last resort', particularly when flows are expected to be high (above 300/hour peak, which applies for this route). It also recognises equality risks due to the poor quality of space provided.

This is also reflected in Gloucestershire's new Local Transport Plan (Policy Document 2 - cycle) which states 'that cycling and walking - as two vital active travel modes - should not conflict with each other'.

As such, the proposed 3.5m path is inadequate, and will be a barrier to achieving the transport aims of the development, and the school within the wider development context.

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The appropriate design solution (LTN1/20 compliant) would be a minimum 3.0m wide bidirectional cycleway that is kerb separated and distinctive from a separate 2.0m wide footway. There is generous space within the development to enable this along a vital transport corridor.

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Similarly, to the west along Kidnapper's Lane, the proposed pavement widths are grossly inadequate, and will introduce substantial danger when traffic induced by school pickup and drop off is introduced. These should be resized to accommodate appropriate active travel infrastructure, with consideration given to extra protection given the high likelihood of pavement parking and turning vehicles during busy school periods.

Given the potential popularity of the route, some public Sheffield stands on hard standing should be considered at key points (such as the emergency link intersection), to enable visiting cycle users to enjoy the additional amenity provided by the development.

Finally, the proposed roundabout is of a significantly car-dominant design, with wide geometry that facilitates vehicles maintaining high speeds around footways that will carry high numbers of children. The preferred solution in current guidance would be a signalised junction, and at the very least, tighter geometry that designs in appropriate slowing and speeds will be more appropriate in this development.

45 Princes Road
Cheltenham
Gloucestershire
GL50 2TX

Comments: 16th December 2020

I object to this application.

I have extensive experience of defending the Leckhampton Fields from unsustainable development and my take on this latest application is as follows.

The case in support of 350 homes is strong and is based on the fact that the application is supported by the Cheltenham Plan, 40% of the homes will be 'affordable' and the Borough has consistently failed to deliver its legal requirement for a 5 year housing supply, making any outright objection extremely difficult to make.

However, a very good case can be made that the Joint Core Strategy highlighted the need to protect the area's Valued Landscape and that only about 200 houses should be built. The current application includes two fields, known as R2 and R3 in the JCS, which the Inspector said should not be built on. To do so, would adversely impact Valued Landscape and increase local traffic congestion, which will soon have to contend with the new secondary school (which I support incidentally, as do many within the community), which was never addressed within the JCS because that strategic requirement for more school places did not 'officially' exist at that time.

Although this approach would theoretically mean 150 less of our much needed houses, that reduction is not so great in practice, as the Berry's Nursery will now have 25 dwellings and the Bovis land about half that number.

Legitimate flooding concerns would also be mitigated if the full 350 houses were not built.

It will now be up to the CBC Planning Committee to listen to the public and consider all the pros and cons, with a view to rejecting this application until a new design is submitted, based on a more reasonable and smaller number of houses. That would also have the added advantage of allowing even more green space between the new houses, in keeping with the natural beauty of the whole area.

47 Merestones Drive
Cheltenham
Gloucestershire
GL50 2SU

Comments: 17th December 2020
Objection.

9 Naunton Lane
Cheltenham
Gloucestershire
GL53 7BN

Comments: 13th January 2021
I object to this application as there is not strong enough evidence of infrastructure within the local area to support this.

5 Merlin Close
Cheltenham
Gloucestershire
GL53 0NF

Comments: 13th January 2021
I object strongly on the following grounds

1 Traffic - queues presently 1 mile long at the M.Park Rd traffic lights. This development plus the High School should not be allowed.. Shurdington Road a main access road to both the M5 and M4 - bad for business in Cheltenham

2 Pollution Levels These very high, particularly again on M.Park Road. Waterford Court has many elderly residents - unacceptable levels of pollution for them very bad indeed.

3 Biodiversity - Effect on many species of wildlife

4 Loss of amenity - Further erosion of green spaces for residents to have access to

13 Rochester Close
Cheltenham
Gloucestershire
GL51 3DJ

Comments: 14th January 2021

We are writing to object to the above planning application on the following grounds.

1. Increase of traffic from all the new homes. The Shurdington Road is at capacity several times a day already making moving around the area slow and frustrating as well as increasing the air pollution. If a further 350 homes are going to be built with each house on average having 2 cars this will further exacerbate the problem for everyone. No one will be able to get anywhere at certain times of the day. This is without the increase of traffic in the area of a new school.
2. Where will all the water from these house go? With tarmac and gravel mostly replacing green fields, runoff water will all be making its way onto roads to further increase the problems already experienced in the surrounding areas. We realise that drainage will be incorporated into the plan and hopefully will address our concerns but experience shows that it is not always sufficient. We also are aware that there are green spaces planned for the development but this does not replace the existing fields. We realise that further development is needed to cope with housing pressures but does so many houses need to be put in one place.
3. The doctor's surgery is over subscribed with patients now are there any provisions for the new residents of these houses. We apologise if this information has been covered in the planning documents but because there are so many of them we have only looked at the most relevant of these.
4. We are aware that our comments probably won't make any difference to the final outcome but feel that we had to make our concerns known. We love living here and want to continue to do so along with others but are not sure that this new development will improve the area's appeal if the number of houses on the plan comes to fruition in the future.

8 Allenfield Road
Cheltenham
Gloucestershire
GL53 0LY

Comments: 14th January 2021

I wish to object strongly to the proposed development by Miller Homes, which is planned for one of the last rural settings off Shurdington Road in Leckhampton.

Having lived close by for over 30 years I am alarmed that the council will accept proposals to build upon a much loved walking route for many in this area. The land provides a beautiful green space with old orchards, animal grazing and market gardens.

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The proposed development of 350 houses will urbanise the area creating a large increase in the traffic and pollution on Shurdington Road. This is hugely problematic now!

The houses will be crammed in to a small space and cause further strain on local doctor's surgeries and schools. Leckhampton has already played victim to Tewkesbury Councils development off Farm Lane, taking away recreational amenities and blighting the landscape with ugly development.

Previously the number of proposed houses of the Shurdington Road was 200, now this application has reverted to the numbers on an earlier application which requested permission for 350 houses. Greed on the part of developers?

There are many brown field sites in the centre of town, not so easy for developers to build upon, I feel the council should have a strict policy for encouraging domestic use and for these sites to be developed, rather than our centre becoming a derelict ghost town. The proposed Leckhampton development just adds to the loss of recreational land and constitutes further concreting over of our landscape.

Please think very carefully over the plans that have been submitted and save this much loved and used area from planning blight.

PS might I also add that the proposed development will seriously affect the local wildlife population, including deer and woodpeckers

Comments: 1st October 2021

I want to object to the proposed development by Bloor Homes of 350 houses close to the Shurdington Road. The number of homes is excessive and subsequent increase in traffic will add to congestion and air pollution. The loss of rural landscape and wildlife will be significant. I have found it difficult to navigate your website but would like my objections to be recorded.

55 St Michaels Road
Cheltenham
Gloucestershire
GL51 3RP

Comments: 14th January 2021

This is such a beautiful area. We've had enough building round here now.

The roads are already too busy, (Out of the pandemic) the pavements along Shurdington Road are too narrow for more foot traffic without a lot of adjustments. I used to get the bus daily when I lived over in Stroud and just the slightest issue like a broken down car could add an hour onto my journey.

These fields are full of nature. On one walk I saw 6 different deer and a whole host of different birds. We have newts in our new wildlife pond just down the road I wouldn't be surprised if they came from here. I hadn't seen a newt for years!

These fields have never been over farmed as they were just small holdings before. They are full of life. This would be the perfect area for a woodland that could be made accessible for the elderly and disabled who might find Leckhampton too steep and inaccessible. We have no accessible woodland near town.

Many people exercise themselves, children, dogs and horses in this area we need to encourage this and the connection with nature. Not fill it with houses.

What a beautiful area this could be to learn in for the students of the new school and Leckhampton and Warden Hill schools.

Please consider the life that all ready lives here both the people who use these fields for pleasure and the nature who call these fields home.

22 Brizen Lane
Cheltenham
Gloucestershire
GL53 0NG

Comments: 17th January 2021

The extra houses will result in extra traffic congestion on the a46 and other roads

28 Wisteria Court
Up Hatherley
Cheltenham
Gloucestershire
GL51 3WG

Comments: 27th January 2021

I believe this amount of housing would cause further traffic issues on shurdington road and more so on bath road, unless properly managed.

Brockworth Community Centre
Court Road
Brockworth
GL3 4ET

Comments: 20th January 2021

Brockworth Parish Council considered this application at its Planning Highways and Environment Committee meeting on 16th December 2020.

After considering the proposed plans the Brockworth Parish Council strongly OBJECT to this application due to the cumulative and negative impact it would have on traffic, highways safety and congestion along the A46 travel corridor, which extends as far and impacts negatively on Brockworth residents.

Comments: 16th September 2021

Brockworth Parish Council's Planning & Highways considered the revised plans at its meeting on 15th September 2021.

The Committee considered these revised plans and agreed to continue to OBJECT to this application in the strongest possible terms for the following reasons:

This development would result in significant impact and pressure on local infrastructure and there is inadequate provision of local facilities to support health, education and transport for the growing population, impacting the wider area.

There is a lack of cycle provision from the site to the wider area. We would request that safe cycling and walking routes along the Shurdington Road route is considered linking new development to Cheltenham, Brockworth and Gloucester providing a safe alternative to car use.

This development would have a negative and cumulative impact on traffic, highways safety and congestion along the A46 travel corridor which extends as far as and negatively impacts on Brockworth residents.

The committee fully supports the stance, arguments and evidence provided by Leckhampton Parish Council.

92 Shurdington Road
Cheltenham
Gloucestershire
GL53 0JH

Comments: 4th May 2021

We strongly object to the development by Miller Homes. Our property is adjacent to Hatherley Brook and, as mentioned by other people, we are also extremely concerned about the impact on flooding risk from the proposed development. It has already been well-documented that Hatherley Brook is prone to bursting over its banks following heavy rain and with climate change adversely affecting weather patterns, it is likely to increase the chance of this in the future. Adding a significant development of houses on this land will increase water run off and remove the ability to use this land to hold back flood water in the future.

We feel it is of paramount importance that the flood risk to properties near Hatherley Brook is taken into strong consideration by the planning team.

We urge you to object this application by Miller homes

Comments: 28th September 2021

We sent in the comments below relating to the above application after the closing date for comments earlier this year. I note our thoughts are not published on the list of responses to the planning application online. Please could you confirm that they will be taken into consideration when reviewing the application by Miller Homes? We are still, like many local residents, extremely concerned about the impact the new development could have on flooding risk to local homes. I can't see any reference made to this concern in the revised documents. Please could you point me towards any further work done on this, in case I have missed it?

3 Silverthorn Close
Cheltenham
Gloucestershire
GL53 0JF

Comments: 16th December 2020

On the map accessible through Public Access, this development seems to have incorporated the smaller development already under way - roughly opposite Silverthorn Close (GL53 0JF). Details of the existing development appear to have disappeared from the record. Can you advise, please?

Thanks

Comments: 30th September 2021

It's a pity that the developer has not used the time available to make other than cosmetic changes - a large number of 'revised' drawings does not equal a large number of significant changes - quite the reverse.

For example, although the proposed link to Merlin Way is useful, much more useful would be a proposal to get foot and cycle traffic heading for the new secondary school off the Shurdington Road at the earliest opportunity (by eg linking a revised foot/cycle path to a new north-side foot/cycle path beside the A46 provided by others).

There is no proposal to upgrade the heating systems in the proposed houses, despite the announced and rapidly approaching withdrawal of gas heating appliances and the strong and growing emphasis on global warming. Also on a 'green' note, less than a third of the houses are provided with EV charging points.

On the specific issue of road safety, there is no proposal to connect the enclosed small Kendrick development's road system with Miller's - thus removing Kendrick's unnecessary access point to a narrow and very busy section of the A46. It must surely be within the planner's remit to force everyone (both Kendrick and Miller developers) to use the far-better placed and bidirectional Miller east access point.

There appears to be no commitment in the proposal for the long-term maintenance of SuDS. There is no mention of safety to children near the SuDS ponds.

Where is the foul water strategy to be found? - with the undoubtedly increased flood risk, this is of great interest to residents 'downstream' of the development, if not to the developers themselves.

Comments: 3rd October 2021

No provision has been made to add a 'turn right' lane to the A46 when approaching the 'eastern' access point to this development from the west (ie, approaching Cheltenham). Without such a lane, the already-congested A46 will be brought to a standstill on many new occasions.

The access envisioned for the separate Kendrick development only makes this situation worse...do we really want more chaos on an already overloaded road: please ensure it's integrated with the Miller road system as a condition of grant!

11 Nourse Close
Cheltenham
Gloucestershire
GL53 0NQ

Comments: 5th January 2021

I strongly object to the scale and nature of the project.

Whilst I am all for new housing developments the infrastructure is not and still shall not be in place to support the demand and such a growth in the surrounding areas.

We have had two major developments in the area within the last two years which are still to be finished where we still do not know to true scale and impact of these and shall not be fully realised until completion

We have the Redrow housing estate and the new school being built which is already causing problems due to the current structures in place. The plans submitted shall not improve this. The A46 / Shurdington road, bath road are currently bad enough as it is and farm lane & kidnappers lane are too narrow to support continual traffic in both directions. Its hard enough having the roads resurfaced which are horrific and this shall only make matter worse than they already are.

The landscape itself shall be ruined, the proposed types of houses do not fit in with the surrounding areas and as per the above the major developments within close proximity and residents shall also suffer due to the new developments not having suitable / sufficient space for the amount of vehicles required to be parked. (we are already being asked about staff of the school being able to park in the residential areas which shall no doubt be the case for pupils when fully up and running)

Common sense needs to be taken in to consideration regarding flood risk. It is in a potential flood risk zone due to the location of Hatherley Brook which runs straight through the middle and is situated next to Lotts Meadow in the south, and Robinswood and The Northern Fields in the north. We see homes in Tewkesbury underwater enough of which in recent times we see our local residents of warden hill / hatherley being effected due to the drainage systems not being able to cope.

The "protected" land has already been developed enough, this needs to be thrown out.

16 Rochester Close
Cheltenham
Gloucestershire
GL51 3DJ

Comments: 13th January 2021

As with many of the comments that have been made i would agree:

*shurdington road is gridlocked most morning now so adding another 500+ cars to the mix will make the issue worse.

*this land is currently left predominantly 'wild', where will the deer,foxes,badgers,bees,birds etc etc all go? their habitat has already been squeezed.

*are the drains/sewers being upgraded in the surrounding area to cope with the extra waste?

*houses that are being proposed are going to be 'real world affordable'? or the £200,000+ 2 bed affordable?

19 Brizen Lane
Cheltenham
Gloucestershire
GL53 0NG

Comments: 20th January 2021

It seems surprising that 350 new homes are being considered in an area that has just been inundated with new homes.

The traffic is already horrendous.

The air quality is poor.

There is already danger of flooding in this and surrounding areas during periods of heavy rain.

I would oppose this development for the above reasons.

Little Gables
Well Place
Cheltenham
Gloucestershire
GL50 2PJ

Comments: 29th January 2021

I am absolutely appalled that there continues to be a desire to build on this agricultural land below the Cotswolds. This is an area that should be used for farming and horticulture not housing ...and on doing do provide a green amenity to the town.

5 Arden Road
Cheltenham
Gloucestershire
GL53 0HG

Comments: 11th December 2020

I would like to express my agreement with the comments and objections made by Leckhampton and Warden Hill Parish Council.

My particular concerns relate to the large increase in traffic which will be generated by the proposed development, not just on the A46, but especially along the Bath Road, and area which is already overburdened and which suffers from traffic fumes and poor air quality.

I also object to the inclusion of areas R2 and R3 in the proposed development. Building on these sites would destroy attractive countryside which provides a great amenity for local people, as a walking route, as well as taking away fine views towards and from Leckhampton Hill.

3 Merlin Close
Cheltenham
Gloucestershire
GL53 0NF

Comments: 17th December 2020

Three storey buildings will not be in keeping with houses in the local area
Path -many residents use the footpath and our green space will be converted to housing and concrete
Small holdings that residents and their families have enjoyed for decades looking at animals will be destroyed
Allotments have been reduced to such a small size I would like this to be increased
Traffic on the a46 is already a problem during rush hours and this will be made worse.
Flooding is already an issue and the concrete drives will cause more run off aka therefore more flooding
Pollution with more cars and more heating will affect our clean air
Crowded roads and pavements will be made worse
The houses themselves look very close together and I would like to see less houses and more space.

9 Hidcote Avenue
Up Hatherley
Cheltenham
Gloucestershire
GL51 3FB

Comments: 17th December 2020

For the sake of our youth we need more houses. We need them desperately. For those worried about drainage then engineer away the problem. For those who are worried about the extra traffic pollution in 5 years we will be more electric that combustion engine, and there is a good chance we will be getting in and out of driverless cars to get us from a to b. To the climate argument how many leap on that to prevent developement, and the prosperity it brings, and yet still have gas central heating and no solar panels on their roof. No to nimbyism and build please.

Waterwood
Merestones Road
Cheltenham
Gloucestershire
GL50 2RS

Comments: 4th January 2021

Letter attached

49 St Michaels Road
Cheltenham
Gloucestershire
GL51 3RP

Comments: 14th January 2021

I object to the proposal on the following grounds:

Traffic and Pollution

Shurdington Road is already extremely busy at peak times and the number of homes planned in this development (350), alongside other developments including the Redrow development (370) mean that the congestion and associated air pollution and noise will be further increased. The addition of the roundabout will only further delay traffic making the noise and pollution for local residents worse. The proximity of homes to the road is poorly considered, and the footpath on Shurdington Road near to the crossing point is very narrow causing a danger to pedestrians and cyclists. Particularly as this is likely to be a key route used for the new Secondary School, and also a route used for access to local shops and amenities in Warden Hill.

Wildlife and Human Environment

The land is currently green space and used by a diverse range of wildlife, including deer, foxes, bats and many bird species. The network of paths is heavily used and enjoyed by people including myself on the South side of Cheltenham. I am concerned that the density of proposed housing and minimal green space will negatively impact the current residents, wildlife, and those in the proposed new housing. The green spaces and associated paths should be wider with consideration for cycleways that connect more effectively to the surrounding area and at the same time provide an opportunity for wildlife to exist. The development appears to be piece meal without due consideration for existing or future development in the area. In particular the green areas do not connect within the development, and I have struggled to find any indication of how wildlife corridors and by association footpaths and cycleways would connect effectively in the future.

The previous application for the development of 650 house by Miller and Bovis Homes on this site and adjacent area was refused on the basis of severe cumulative traffic congestion and damage to the landscape. Breaking up the application and attempting to get it through does not change the underlying issues, especially given the other ongoing developments in the area.

17 Chelmsford Avenue
Cheltenham
Gloucestershire
GL51 3DL

Comments: 13th January 2021

Research regarding long term impact on travel on the Shurdington Road insufficient to convince me that this will have anything other than a negative impact on the local community. I see nothing in these manicured plans to compensate for the loss of habitat for local wildlife.

23 Lichfield Drive
Cheltenham
Gloucestershire
GL51 3DQ

Comments: 13th January 2021

I strongly object to the proposed building of 350 new house on the land at Shurdington Road by Miller Homes for the following reasons:

Flooding:

As a resident of Lichfield Drive, Warden Hill, flooding is a major problem here already. The garden of our property floods severely everytime we have heavy rainfall, as the rainwater runs down from the Shurdington road. On 23 December 2020, my partner and I spent 4.5 hours outside, continually bailing buckets of water out of our garden to prevent the flood water reaching our house. This was the FOURTH time we'd had to do this in 2020. On this latest occasion, we called Severn Trent to see if there was an underlying problem with a damaged mains pipes etc on our property. The ST engineers visited our property and confirmed that there is no underlying mains issue and the flooding is simply caused by the sheer volume of flood water coming down the hill and that we're just "incredibly unlucky". We have lived at this property for 5 years and the flooding problem seems be getting worse year on year. Shurdington Road has always been notoriously bad for flooding and what with the new Redrow development, and the proposed building of a new school, I am extremely concerned about how much the worse the flooding problem is going to become in future years as more green space is concreted over. I note that many of the mature trees in the field on the stretch of road between Woodlands Drive and Silverthorne Close have already been felled. It is extremely unfair on the owners of properties in Warden Hill and the areas around Shurdington Road that are already prone to flooding, if more building is permitted in this area which will inevitably make an existing flood problem even worse for so many homeowners.

Traffic

The Shurdington Road is an extremely busy stretch of road and is already overly-congested, especially in peak times. The Redrow development and the building of the new secondary school is going to compound this problem even further (please don't try and fool anyone that the children attending the new school are all going to walk/cycle to school; it just isn't going to happen!). Anyone needing to use this road, or trying to exit from Warden Hill estate during peak periods, knows how gridlocked the traffic is already. Should we really be encouraging more cars onto the roads in this area? The pollution caused by vehicle emissions along Shurdington Road is already pretty horrendous. The only upside of lockdown in March/April 2020 was the reduction in traffic along

Shurdington Road and I couldn't quite believe how much cleaner and better the air quality was during that period.

Loss of habitat/green space.

When my partner and I moved to Warden Hill 5 years ago, one of the reasons we moved here was because of the beautiful green space within walking distance of the property. And now it's all disappearing, field by field. As a firm believer in the positive effects of wildlife and nature on our mental health, I believe it should be a fundamental human right for everyone to be able to access wild green spaces, to escape the stresses of our lives, relax and unwind. Although just a stone's throw from the busy Shurdington Road, these fields are packed with an abundance of wildlife, including badgers, foxes, roe deer, squirrels and an array of birds such as buzzards, kestrels, owls, and many of our favourite songbird species. Hatherley Brook provides habitats for newts, frogs and toads and the fields are home to many insect varieties. Where are all of these creatures supposed to go? They have already been squeezed into condensed spaces as it is. At a time when the Government has just declared a climate emergency, we need to make space for our wildlife and leave green spaces for both humans and animals to access and enjoy. This doesn't mean just keeping one manicured playing field or recreation area; it means preserving wild spaces where nature can thrive and humans can enjoy visiting, to relax and unwind. The current proposals will mean the final fields near to where I live will be built on and lost forever. To be able to walk in green space, I will therefore have to jump in my car and drive somewhere first, ironically having to join the the already over-congested Shurdington Road to do so. Climate emergency? Leave your car at home and walk more? This is what some of us are trying to do but continual plundering of our local green spaces is making this impossible. Cheltenham used to be a beautiful place to live. What on earth has happened?

I believe previous applications for this site have been refused on the grounds of landscape value and traffic congestion. So what has changed this time around?

I object most strongly to this latest application.

19 Gordon Road
Cheltenham
Gloucestershire
GL53 0ES

Comments: 24th January 2021

We , the undersigned, protest most strongly against the above Planning Application for the following reasons:-

- 1) The building of 350 dwellings will result in 350 -500 extra vehicles on the local roads. Shurdington Road and Church Road are already very congested at peak times of the day and this Plan can only make matters worse.
- 2) Air pollution will increase dramatically and will be a danger to the health of the local population, particularly children. This is especially important in view of the prospect of the new secondary school to be built in the immediate vicinity.

3) The new school will mean a considerable increase in the number of children on the roads and pavements of the local area thus making it an extremely dangerous environment for them.

4) An increase risk of flooding from the many streams and water courses coming off the hill.

5) The loss of Green Space which, we thought, was protected in the original Local Plan. These Spaces and footpaths are of vital importance to the health and welfare of the population of not only the local people but to Cheltenham as a whole.

This Application must be refused.

144 Hatherley Road
Cheltenham
Gloucestershire
GL51 6EW

Comments: 24th January 2021

I am writing to object to the amount of housing proposed for 350 homes on land near Shurdington Road Leckhampton. I understand the need for more homes in Cheltenham, however 350 homes is far too many.

The area itself is truly beautiful, a real oasis and has never been more used as an oasis of tranquility than in lockdowns. It's accessible for both people of Leckhampton and Warden Hill and home to the most beautiful family of deer.

Both the Shurdington Road and Farm Lane are already far too congested and busy. The increase in traffic and pollution will affect existing residents. There are already huge tailbacks of traffic and this huge number of homes will make this far worse.

I ask you to consider reducing the number of housing and to really consider the impact the housing will have on nearby residents.

I'm so sad to see the plans for this special land to be destroyed.

Comments: 24th January 2021

I ask careful consideration is given and that the number of houses is reduced. 350 is a huge amount that will Irrevocably change Leckhampton. Farm Lane and Shurdington road are already so so congested and there is nowhere else for the traffic to go! Not to mention flooding concerns. Please consider this very carefully as take note of any residents comments you receive.

May I also say that many Leckhampton residents are unaware of the planning process and plans by Miller homes. The consultation process has been very poorly publicised.

Comments: 1st October 2021

350 homes is far too many on this site, which is currently a much valued site of natural beauty where local residents enjoy being able to escape to an open space, without having to drive out of Cheltenham.

The traffic on a Shurdington Road is already nose to tail and the area cannot cater for more cars. Air pollution from the increased traffic is also a worry, particularly as Cheltenham already has high levels of air pollution in comparison to the rest of the country.

For local residents it will really change Leckhampton, making it busy, built up and polluted.

I am also shocked at the lack of public consultation. Many residents directly affected have not been informed of the proposed plans. For a development of this size, and the deeply negative impact it will have on the local area and its residents, proper consultation should be conducted to allow residents to properly air their views.

20 Brizen Lane
Cheltenham
Gloucestershire
GL53 0NG

Comments: 16th November 2020

I am writing as a Borough Councillor to request this item is dealt with by planning committee and not an officer decision. This is due to the interest in the near and wider area of the development. This is particularly in relation to highways improvements, density of the development and provision of onsite space for wildlife and humans to play as well as environmental impact of the type of construction.

12 Fairfield Park Road
Cheltenham
Gloucestershire
GL53 7PQ

Comments: 24th November 2020

I object to this planning application - whilst the new secondary school is close by road infrastructure in this area is poor with severe congestion on local roads and the A46. Another significant development in this area will make congestion and pollution worse on already overstretched infrastructure. This significant housing development should be rejected for this reason alone.

Comments: 15th September 2021

These revised plans are nothing more than wallpapering over the cracks of a flawed submission of a significant development in the wrong place from an environmental, ecological & infrastructure perspective.

Congestion, traffic pollution, flooding risk in the area are all reasons why such a significant development should be rejected by the council.

42 Holmer Crescent
Up Hatherley
Cheltenham
Gloucestershire
GL51 3LR

Comments: 1st December 2020

I was really disappointed to see the lack of thought and confused layout/masterplan submitted for this planning application. There appears to be a very limited amount of considered development planning undertaken. It rather looks like the requirement for the provision of a green spine has been seen as a constraint and the development forced in between it and Kidnappers Lane without any attempt to inter-relate the two. The same goes for the interaction with the existing Kidnappers Lane section which is accessed from within the development rather than providing a discrete separate access more aligned to the properties opposite. The development wants to create an entirely new island development which just isn't appropriate and really isn't of any quality that would work in this context. The poor quality residential layout appears to be sandwiched between a green corridor to the north and Kidnappers Lane to the south, taking no visual or spatial planning cues from either to enhance the development. This development would sit happily within any inner city urban environment and be an area to avoid.

Character and street scene changed along Kidnappers Lane

The new access from the roundabout is out of character with the current Kidnappers Lane, this is as a result of the proposed buildings density, character, layout and due to the proximity of properties to the kerb. There is no sense of the existing area and one might assume from this entrance that Kidnappers Lane is no-longer accessed from this point.

It is quite clear why this has happened when you see the Character Area Plan. The road is marked first as a Spine road (not a Lane), then as an internal road (not a Lane) and finally as Kidnappers Lane, with the first few properties positioned unlike any of the existing found along the Lane. This messy confused mix of types and densities all happens within a stretch of 100 metres. The Spine road properties do not blend or complement any of the existing properties on Shurdington Road, they are completely different in density, character and form. This high density low quality continues until the first access where the development then changes to another form of low quality high density affordable homes as if now within a residential setting and not the beginning of the existing Lane. The Lane should be treated as such from the exit of the roundabout, it is not reasonable or appropriate to suggest it is anything but Kidnappers Lane, to suggest otherwise is laughable.

The new buildings should be in-keeping with the current properties on Shurdington Road and then Kidnappers Lane, however, the proposed development could not be more different. The new access road rounds the corner to connect to the original Kidnappers

Lane where some larger houses appear right up to the edge of the highway to create a narrow gateway completely out of keeping with the bungalows and rural nature/street scene along the existing Kidnapper Lane. There is a clear disregard for the existing beautiful nature of the area and the character of residential properties along Shurdington Rd and Kidnappers Lane.

If this developer were to up their game there is far more profit to be made by creating a mix of housing densities appropriate to the area, using the green space to ensure the development complements the existing setting. It is quite obvious that Kidnappers new and old needs to match or complement one another. The proposal could not be further from this and the elevations seem absurd in nature and different to any housing nearby. The elevations show low cost, poor quality housing, which does not complement the area.

General layout poor

The master plan/layout is extremely poor throughout and would benefit from analysis of the existing area. I have circled in red the worst parts of the proposed development. Alleyways leading to secluded rear parking areas and green spaces without any natural surveillance. The green spine is largely unusable and isolated and provides no connectivity to the wider green corridors in the area. The new houses on the new stretch of road from the roundabout to Kidnappers should be of the same standard as the existing properties on Kidnappers. They do not abut the pavement, they are not within 2 to 5 metres of the road, they are not high density. It is a rural low density road with properties set well back from the road. There are 30 to 40 residential properties pushed in, close to a major busy junction, not only will people have to suffer living there but people will have to drive through it. The number of vehicles passing in close proximity to these frontages could result in the need for an Air Quality Management Area, even if this isn't necessary new residents will have poor health as a result of the proximity of these houses to such a busy road. Court yard parking is visible from the road, this is likely to be used as play areas and bin stores similar to those found on Princess Elizabeth. Courtyard parking has been known to be bad practice for as long as 20 years now. The development has so many courtyard areas it is difficult to quantify in number. These will not be used as intended but become barren areas left to be ill maintained and because they have poor natural surveillance will create future policing issues. This is a new gateway to Cheltenham along Shurdington Rd, it is as if the design has been created from a remote desk by someone that has never visited the area... Every current property on Shurdington Rd has its own private driveway to this point, not a shared grass area and it is not within the urban core.

No Consultation

I am disappointed there has been very little stakeholder consultation and no public consultation on this matter. When will the consultation be undertaken by this developer with the local community. I am not aware of any such process having taken place. I would expect this to happen on a development of this scale. This is a requirement not an option, they need to demonstrate this process has been undertaken. I look forward to the event in the coming weeks. COVID compliant clearly. I suggest they come along to Burrows Field and take questions. Or provide a portal for interaction.

Summary - A stand-alone development with no relationship with the green spaces or existing residential areas

Given the beautiful surroundings and existing quality of the adjacent residential properties this development needs to blend not stand alone. This is inappropriate in every way in its current form, particularly given the new access realigns/stops up part of Kidnappers and creates a new section. This is an opportunity to create a high quality entrance to the development which continues through to the new school and existing residential area. The most disappointing thing about the design is that there is so much wasted land and space. Unfortunately what you will see is a mess that makes it look over developed and haphazard in nature. Poor quality is put at the gateway of the new main junction on Shurdington Road and the Old Kidnappers Lane is lost to an estate access. Rather than provide a transition from the low density form of Kidnappers Lane the new stretch of road it jumps to poor quality, high density, budget build affordable housing of a residential street and worse still full urban high density blocks. This doesn't work and isn't appropriate. It provides both a poor environment and street scene for existing residents and a poor living standard for the new residents. Affordable homes should be life homes and be of a quality that people wish to live in and complement the existing area. They should not be the cheapest build cost possible, delivered in a way that both reduces their occupants quality of life and blights the surrounding area. This doesn't benefit anyone and isn't necessary in this location. This development has huge potential and this first submission is woefully inadequate. I hope the developers of this site will up their game to meet the high standards Cheltenham as a Town rightfully expects. It may help them further to reduce the total number of houses and develop a better mix in this location.

42 Pilley Crescent
Cheltenham
Gloucestershire
GL53 9ET

Comments: 14th January 2021

There are already too many housing developments in this area impacting on the GP surgeries and schools.

The much needed secondary school is supposed to serve those in the 'Leckhampton Corridor' who are outside of the catchment of Balcarras and soon Bournside.

I expect the developers think they can guarantee their house buyers a place in the desired leckhampton primary (already over subscribed) and the new Leckhampton High School but this should not be the case.

Traffic pollution is also a factor to be considered and the impact on green spaces in Leckhampton/Shurdington.

63 Leckhampton Road
Cheltenham
Gloucestershire
GL53 0BS

Comments: 15th January 2021

We wish to state our objection to Miller Homes application for planning permission for 350 houses on Shurdington Road Leckhampton.

Our precious green belt south of Cheltenham is being systematically chopped away, the wonderful views spoiled for generations to come to say nothing of the ecological issues involved here.

There is also the worry about flooding and our already overloaded roads locally at peak times which will be increased with the new school.

Please do not allow any of this site to be built on.

10 Hobby Close
Cheltenham
Gloucestershire
GL53 0LP

Comments: 15th January 2021

I am a local resident and the impact of this development will affect my standard of living considerably.

Concerns include increased traffic especially on Shurdington Rd which at peak times is very congested already as are Church Rd, Moorend Park Rd Kidnappers Lane. This will only be exasperated by the new secondary school which is very much needed for local children. The primary schools are already oversubscribed and show no evidence of being less so.

350 houses is far too many as the majority of families will have 2 children and 2 cars. I doubt whether any consideration has been given to sustainability- water recycling, solar panels etc. Miller Houses refused to build a primary school on the land which shows their lack of care for the community.

The land although containing small holdings has been deliberately run down for at least the last 20 years and is in need of some sympathetic development. I have always thought an educational farm park would be ideal. Everyone benefits with interaction with animals and learning how to grow food.

I am not naive enough to presume the council has the funds to initiate a project like this but investors could be sought and eventually provide employment and profit.

In brief then too many houses and too expensive for local people.

4 Chestnut Place
Cheltenham
Gloucestershire
GL53 0QE

Comments: 11th January 2021

I object to the above application, as it stands, on the grounds that it will be the cause of severe cumulative traffic congestion and damage to the landscape.

It should be noted that a previous application for the development of 650 houses by Miller and Bovis Homes was refused by Cheltenham Borough Council principally on the above grounds in 2014, a decision which was upheld on appeal by the Secretary of State in 2016.

In terms of the cumulative impact on traffic, although this development has fewer houses, when you add in the effect of the new 370 Redrow houses nearby and the new secondary school in Kidnappers Lane/Farm Lane the impact will actually be greater. The application includes development in fields R2 and R3, which JCS examiner Inspector Ord concluded was unacceptable on Landscape grounds. The R2/R3 area is also part of the area identified by the Secretary of State in 2016 as valued landscape that should be protected and enhanced in accordance with the National Planning Policy Framework (NPPF).

4 Pickering Close
Cheltenham
Gloucestershire
GL53 0LE

Comments: 11th January 2021

I write to strongly object to building further houses in this area. My house backs onto Shurdington Road, and twice in the last month my garden has been under water with flood water running off Leckhampton Hill and new housing concreting over land. Even though my house has suspended floors, flood water has got under the building in recent years and affected the electrics, and has taken over a year to dry out. The water affects the structure of the building and it took many months before internal doors closed properly.

The land in question with its small holdings and open space offers a welcome green space in an ever increasing housing mass encroaching over the green spaces in this area. If 2020 has taught us anything it is the value of green and open spaces for people to escape to, and the ability to get away from main roads and traffic. These smallholdings are part of the special landscape character that contributed to the area being identified as Valued Landscape by the Secretary of State in 2016.

I have lived in my current home for almost forty years, and have watched the traffic pollution in the area increase year on year. My journey to work, nine miles away, takes twice as long now, and even getting out of my road onto Moorend Park Road can take

four to five minutes in rush hour. The additional traffic and air pollution that will be created with the new school and new housing is a frightening prospect and will I believe create severe traffic congestion .

98A Shurdington Road
Cheltenham
GL53 0JH

Comments: 11th January 2021
Letter attached

19 The Lanes
Cheltenham
Gloucestershire
GL53 0PU

Comments: 11th January 2021
Letter attached

8 Larch Rise
Cheltenham
Gloucestershire
GL53 0PY

Comments: 11th January 2021

I respectfully request that thought is given to those of us who chose to live in what was, once, a pocket of peace. The Redrow development has been difficult to cope with due to increased noise, traffic and air pollution, not to mention the dreadful smell we have had to endure for the last 2 summers which comes from their sewage system. Whilst a new school is necessary, I do question the wisdom in the siting of it. The thought of another 350+ houses being squeezed in to this area, which already suffers from high air pollution, is not conducive to the mental health & wellbeing of residents who are both distressed and upset by the scale of destruction to this once, lovely area.

Please bear this in mind when making your decision. Some of us cannot afford to move. Thank you.

30 Waterford Court
Moorend Park Road
Cheltenham
Gloucestershire

Comments: 14th January 2021

I refer to the planning application for housing development by Miller Homes at Shurdington Road, Leckhampton and would wish to submit the following brief comments/objections.

- Many years ago, when I was a solicitor in Local Government, it was regarded as axiomatic by planners in Gloucestershire that a green lung of undeveloped land should be maintained at all costs to prevent Cheltenham from coalescing with Gloucester. The application site falls within this area. Why have things changed so drastically to the undoubted detriment of local amenity?
- Traffic volumes at present lead to enormous tailbacks along Shurdington road at the traffic lights at junction with Moorend Park road. The proposal will make this state of affairs far worse. Also traffic emissions, already at an unlawful level, will rise considerably to the detriment of the health of the mostly elderly residents of this area.

15 Woodlands Road
Cheltenham
Gloucestershire
GL51 3RS

Comments: 14th January 2021

With regard to the Miller Homes planning application I am neither writing in support or in opposing the proposals for the large site itself.

Having seen the nearby Redrow Brizen Park development that estate looks a good one with its mixture of housing stock etc.

However, there are implications for the surrounding area.

- 1) The A46 Shurdington Road is not really fit for purpose with ever increasing traffic flows and constant dangers for cyclists. With the new South Cheltenham secondary school such matters will become even more of a concern. New roundabouts/traffic lights might be needed especially at the junction with Woodlands Road.
- 2) A new community would rely on existing facilities to be found at Warden Hill re primary schools, shops and the post office.
- 3) From any church's point of view their pastoral role for any new community such as the Miller Homes proposals would add to the workload of church ministers (especially to the Anglican South Cheltenham Team).

4) The loss of footpaths through the present smallholdings will be a detrimental loss to the area as will be the loss of many fine trees.

Comments: 1st October 2021

Further to the e mail below from January and having seen the proposed various road alterations in the documents, I particularly note the sensible proposal for a roundabout at Kidnappers Lane junction, but I have heard from a respected source that the crossing refuge leading from the bus stop almost opposite Woodlands Road is to be removed with the inference that elderly bus users would have to walk back to where the new traffic lights and crossing will be - then having to walk back to Woodlands Road on the other side of the main road. The present refuge if removed might well lead to someone still crossing the road there be hit by moving traffic.

If that is not possible could not that bus stop be resited nearer to those new traffic lights?

8 Merlin Close
Cheltenham
Gloucestershire
GL53 0NF

Comments: 15th January 2021

Just read the notice on planning permission to build 350 new homes in the leckhampton area. I strongly oppose this planning request for the following reasons ...

leckhampton is an area of natural beauty and additional buildings will erode this historic enviable local pride

The leckhampton area in question is subject to flooding and building 350 new homes on a flood plane would be a great mistake

The leckhampton area has had a number of new houses built over recent years and the local roads are very busy especially where the schools are located. The proposed additional 350 houses would not only congest our roads but also be detrimental to the environment

The area in question is home for many rare breeds of birds, animals, plants and wildlife. The proposed housing plan would degrade the local environment and natural home for our protected species

2 Vicarage Close
Shurdington
Cheltenham
GL51 4TH

Comments: 15th January 2021

Letter attached

Brizen Lodge
Farm Lane
Leckhampton
Cheltenham
Gloucestershire
GL53 0NN

Comments: 17th January 2021

I am writing to object to this application on a number of grounds.

The application has used flooding data that does not reflect recent experience or climate change and put houses downstream at risk of flooding as well as the surrounding areas. It also threatens the ecology of the nearby stream.

There are more houses than the area and local amenities can support, particularly with the Redrow development and the 2 additional redrow areas planned.

There is no pavement along Kidnappers Lanes opposite the school as children from this development will expect to attend the school currently being built and this is not accounted for in either the schools planning or this development.

There number of affordable homes is misleading. Of the 40 ish planned, most of these will be flats. The remaining will have help to buy schemes but will not be "affordable" unless the council plans to put a ceiling price of £150K on the 3 bed houses, which is approximately what the average 1st buyer can afford. The homes are being built for profit by both the builder and the council who get a payment for each home built.

There is already a pollution problem in this area and this will exacerbate it.

There is already a traffic problem on the A46 and this development will make it infinitely worse. With a school being built adjacent to the site, this endangers pupils health as we know there is a strong link between pollution and childhood illnesses such as asthma and allergies.

The decision to approve the application doesn't seem to have any independent governance.

This development is contrary to the JCS recommendations.

This area is already highly overdeveloped with the new school and the 3 redrow development it cannot support another.

There are no planned amenities (saying that they will leave some green space when it is currently all green space is not an amenity) such as shops, doctors, dentists, primary schools, cafes or playgrounds.

There will not be enough parking spaces on the development as the majority of houses will house more than one adult with a car as well as many visitors.

There is adequate planned crossing to the school.

Closing Kidnappers Lane entrance to A46 will increase traffic.

As a nearby resident I am disappointed by the number of planning applications coming through in a short time frame, with a short window in which to comment in an international pandemic. I see no concessions to pandemic planning in this application such as wider pavements and spacing between residences and shared spaces, particularly in the flats.

Had I more time to consider this application, I am sure I would have come up with more reasons but as I am working full time and Homeschooling during a lockdown my time is limited. Please vote against this development.

14 Mead Road
Cheltenham
Gloucestershire
GL53 7DT

Comments: 17th January 2021

I am a resident of Leckhampton and would like my following comments on the application to be considered.

1. The transport assessment describes the available foot and cycle routes, but there is no guarantee that they will be used. Similarly, yes public transport is available, but there is no guarantee that people will use it. There is only a chance that people will use it if they have one goal for their journey. If they are carrying out more than one activity within the town, they will always use a car. Also, I know many, many people who refuse to use public transport, just because they do not like it. Unless, and until we have a fully integrated public transport across Gloucestershire and a complete change in culture towards public transport, traffic is going to be a problem each time more housing is built. I lived for many years in Germany and know how far away we are from being fully integrated, with a population that is happy to use public transport for any journey. Re: 4.4.8 - No roads in Leckhampton are 'lightly trafficked'. Was the assessment done during the 2020 lockdown? If so, it will not have been realistic.

The A46 is very heavily trafficked. As an experienced cyclist, I am very surprised by the report's suggestion that it would be safe for cyclists to use. I have cycled for decades around Cheltenham, but I would no longer cycle on the A46, especially in the dark or during rush hour, as I think it is too dangerous.

2. Reference is made to the proximity to the new school being built. I would like to point out that the momentum to build the school was driven by residents of the 'Leckhampton triangle', who are frequently unable to get school places for their children at either Balcarras or Bournside, which is a major problem. We have succeeded, over many years, in getting this project off the ground. Will building multiple homes immediately next to the new school push us to the back of the queue for school places at this school as well, leaving the children in the heart of Leckhampton without a local school?

3. I was interested by the report that refers to how many trees are of value and how many are not. Surely, at a time of extreme global warming, all trees are of value? Furthermore, there is no doubt that the proposed development would have a negative impact on the local landscape, which is highly valued by many.

I hope that my comments are not too late to be considered.

Comments: 27th September 2021

Schooling

The assessment of impact on secondary education includes the places available at Pittville School. This is disingenuous, as Pittville is not local to Leckhampton. Leckhampton High School is being built as a result of years of lobbying by parents of children living in the 'Leckhampton triangle', many of whom have been unable to get places for their children in either of the local schools (Bournside and Balcarras).

What is the assessed impact on the children in the Leckhampton triangle? Will they be guaranteed places at Leckhampton High, Balcarras or Bournside?

I believe the secondary school impact assessment should be carried out excluding Pittville school. This will show the true picture of the impact of this development on schooling for local children.

Attendance by as many children as possible at their local school should, and must be part of the Council's plan to meet sustainability and carbon reduction targets, as children are otherwise ferried across town in cars, or have to undertake inappropriate and long bus journeys when they could have simply walked to a local school.

Traffic

The transport assessment focuses on the impact on cars on the Shurdington Road. There is no assessment of the impact on existing cyclists and pedestrians. As I stated previously, I would no longer cycle on the Shurdington Road because it is so dangerous with the high levels of traffic. This development, with potentially at least 893 additional cars going in and out, will clearly generate more traffic, noise, pollution and congestion on roads that are already under heavy strain. Remember, it will be not only the Shurdington Road that will be affected - what about Church Road?

Of course the report doesn't consider the modelled increase to be significant, but if the numbers are allowed to build up bit by bit through more and more of these kinds of developments, where are we going to end up?

Biodiversity

In a similar way, the Ecological Summary doesn't consider the inevitable reduction in biodiversity to be of too much concern, despite recognising that there will definitely be a reduction. It suggests mitigation measures, but there is no indication that this will be done, or that it will be policed.

We have an Environment Bill currently going through Parliament that will mandate biodiversity targets for new developments. Many councils are already adopting the targets for planning applications. Has CBC adopted the Biodiversity Net Gain of 10% target? If not, shouldn't this development do so anyway? Any net reduction in biodiversity at this time is, to my mind, fundamentally wrong.

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These are just my primary concerns arising from the plans. There are more. Overall, in my view, a development of this size would be completely inappropriate in this location, and would be damaging to both the environment and the local community, as well as creating stress and misery through noise, congestion and, potentially, flooding. Please do consider whether something like this is justifiable at a time of climate crisis.

29, Meadowsweet Road
Shurdington
CHELTENHAM
GL53 0AS

Comments: 31st January 2021

The Shurdington Road is a veritable car park during rush hours as it is without more traffic being added to it.

The local primary schools are already oversubscribed so how building another 350 homes will help this I have no idea.

There are flood risks and the basic destruction of local green, natural habitats is reprehensible.

The new secondary school will have a total 900 capacity when full and there's enough demand to see that a reality already without building even more homes.

Comments: 10th September 2021

The revised plans still don't seem to address the traffic congestion issue, the house designs are not aesthetically pleasing and Leckhampton High School will already have enough students to fill to capacity without building another estate, thereby creating more problems of oversubscribed schools, traffic etc... The environmental cost is still too high.

Garden Flat
24 Warden Hill Road
Cheltenham
Gloucestershire
GL51 3AW

Comments: 15th April 2021

I am resending this in the hopes that the decision has not yet been finalised - use vacant other in-town land before, before, before any vital green spaces!

Comments: 25th November 2020

I am strongly objecting to the proposal from Miller Homes as it stands. In brief - there needs to be less housing, more green space must be retained and protected, use should be made of the land for recreation, education, protection of ever diminishing green spaces for local health and well-being and ecological appreciation- all vital.

I would suggest NO hardstanding allowed across the site, no (soon to be redundant) gas boilers, only two storey properties - no higher, provision made for a small opportunity for some retail - to help build community and reduce use of cars.

A fuller letter to follow by email,

129 Leckhampton Road
Cheltenham
Gloucestershire
GL53 0DQ

Comments: 30th November 2020

Clean Air Cheltenham objects to the planning application from Miller Homes for Land at Shurdington Road, planning application reference 20/01788/FUL.

Our submission clearly demonstrates that the Air Quality Assessment (AQA) report provided by RPS to accompany this planning application is so deficient that the air quality impact of the proposed development has not been properly assessed.

Failure to properly assess air quality impact makes any decision on the planning application liable to legal challenge.

The application must therefore be rejected, and Miller Homes instructed to prepare an AQA to a professional standard.

In summary, the grounds for our objection are:

1. The majority of the location of receptor sites are identified incorrectly - this invalidates the dispersion modelling on which the AQA rests
2. Incorrect data been used to check the dispersion modelling of NO₂. These obvious errors again invalidate the model verification on which the AQA rests.
3. The AQA fails to follow the DEFRA guidance in their Local Air Quality Management Technical Guidance (LAQM.TG16) regarding dispersion modelling of emissions.
4. The AQA does not 'sense check' the modelled NO₂ results against actual measurements of NO₂.

A document giving full evidence for these objections has been sent to Michelle Payne for upload.

Comments: 1st December 2020

Letter attached.

21 Merestones Drive
Cheltenham
Gloucestershire
GL50 2SU

Comments: 8th December 2020

I object to this application on the basis of the impact on the dwellings downstream of Hatherley Brook. I have lived in Merestones for 7 years and in that time have twice seen the waterway higher than the footbridges, as well as areas of the bank falling away. This development would put further pressure on the stream and increase the flood risk to the development houses and those downstream such as the Merestones estate.

I also feel the traffic impact of the new school being built on neighbouring land should be fully assessed before another planning application of significant size should be allowed.

It has also been reported that this area of Cheltenham already has higher than average traffic emissions in the air, and adding further housing (and therefore traffic) will only exacerbate this problem.

3 The Range
Gloucester
GL2 8NL

Comments: 8th December 2020

Gloucestershire Community Rail Partnership is a non-statutory community organisation. We have made a full representation which has been emailed to the case officer today

26 Moorend Park Road
Cheltenham
Gloucestershire
GL53 0JY

Comments: 9th January 2021

I object to this development for following reasons:

- increased air pollution in an area which is already affected badly by this.
- The new school is promoting children walking to school but the new development will mean increased congestion and our children therefore breathing in additional car fumes.
- Shurdington road traffic is already terrible at rush hour and this will become worse

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- I live on Moorend Park Road and there will be a knock on affect of increased traffic on our road.
- the proposed area is so valued by our community. It provides children with the priceless experience of walking through small holdings seeing chickens, sheep, picking blackberries etc. This will be lost.
- Loss of habitat of thousands of native animals and plants
- Every year the fields flood. If the houses in the development are protected from flooding then there will be an increased risk of flooding for houses near by because we will have lost our flood plains.
- The development is against previous recommendations by JAC in terms of number of recommended houses of the area.
- the community have had to defend our open space on many many occasions. I am concerned that the developers are taking advantage of our fatigue in responding to all these applications. Please leave us and our open space alone.

Hazelmere
57 Moorend Park Road
Cheltenham
Gloucestershire
GL53 0LG

Comments: 14th January 2021

We feel strongly that this development would have a significant detrimental impact on Cheltenham Borough Council's commitment to go Carbon neutral by 2030. The current public access across this green space is enjoyed by many local walkers and people wishing to exercise. In addition, removing the tree line and open fields would have a major negative impact on the houses around Merlin Way and the wider Leckhampton community.

2 Mimosa Avenue
Up Hatherley
Cheltenham
Gloucestershire
GL51 3WB

Comments: 15th January 2021

We object to these mainly on the following reasons.

1. Traffic congestion and pollution - the A46 is already severely congested and will become more so once the new school opens and other residential developments are completed. There is little scope to improve traffic flow and management so the inevitable consequence is unacceptable congestion with higher levels of pollution an unwelcome result of this. My son suffers from acute asthma with will be made worse by the resultant impact on air quality of this development.

2. Damage to the environment and loss of countryside for recreation purposes.
3. Potential flood risks to existing properties.

We ask that planning permission for these 350 homes be denied.

Little Bradwell
Kidnappers Lane
Cheltenham
Gloucestershire
GL53 0NX

Comments: 9th January 2021

We object on the grounds that it will have a negative impact on the character of Leckhampton and the historic Kidnappers Lane.

Also that it will negatively impact the well being of the local public.

This site, the footpaths running through it and Kidnappers Lane itself are enjoyed by hundreds of people - even more evident during lock down, for exercise, walking dogs, family outings etc...

Although the fields are not open to the public, it is the open setting that attracts people and gives value to the area. The wide views of Leckhampton Hill AONB are key vistas from the paths and from Shurdington Road that define the character of the area. This will be lost if the paths are reproved through a new development.

The proposed site will increase the built sprawl along the Shurdington Road and will join together Warden Hill, Leckhampton and Shurdington which loose their own distinctive characters.

There will also be a negative impact on the views from The Cotswold Hills AONB.

The impact on highways and infrastructure, drainage, air quality, school places, ecology and biodiversity, carbon emissions, affordable housing have been assessed by others and so are not included here, but are still areas of concern.

We appreciate that there is a need for additional, affordable housing, but following this unprecedented period the shape of our town will change. Surely there is an opportunity to find an alternative site, without building on open green fields?

Moorend Villa
7 Moorend Road
Cheltenham
Gloucestershire
GL53 0EP

Comments: 9th January 2021

Environment/wildlife

The area has numerous natural springs and the area is usually very wet, where will all this water go when the area is developed?

This land is used by a variety of wildlife, including deer, multiple bat species, and many bird species. The proposed development will remove this valuable habitat, and likely degrade the value of the adjacent Local Green Space allocation. Local nature in the area is already under pressure and has been displaced by new developments in recent years.

Traffic/pollution.safety

Traffic congestion is already a significant concern in the area: this will be worsened by the new secondary school and also as the changes to Leckhampton Primary school.

The Shurdington Road is one of the main routes into Cheltenham, over the past 5 years an increase has already been seen in the volume of traffic with the Redrow housing development on Farm Lane, the increase in pupil numbers at Leckhampton Primary school (which will further increase as the three-form entry extends to all year groups).

Kidnappers Lane will become a "rat-run". This lane has no footpaths and is inadequate for two-way traffic and will become very dangerous for all of us, including the school children and many walkers who use it.

The Shurdington Road is already extremely busy with long queues in both directions at peak times and school times. This development will bring with it huge amounts of extra traffic. The surrounding roads will become 'cut through' routes with traffic looking to avoid the queues. Extra pollutants will be suffered by local people, particularly as a large area of trees will have to be removed.

Footpaths and cycle routes:

The existing footpaths are already under pressure.

Existing footpaths are well used and need to be protected for all who currently use it

The A46 is barely wide enough for two people/a pram to walk along what is a very busy road. Farm Lane/Kidnappers Lane also have very narrow footpaths. These footpaths and others in the local area will come under pressure from the new Redrow development and the new Leckhampton High School. The additional burden from this proposed new development needs to be considered.

The traffic in the area is classed as "Severe", Whilst the on-site proposals are good, they don't connect to any footpaths or cycles paths which meet the standards required.

The current access points to Burrows playing field are predominantly from Moorend Grove and Church Road. These are supported by footpaths/road access. However, the current plans for the housing development appear to offer no improvement to other access points.

Wellbeing

With the secondary school being built, Leckhampton Primary School expanding and around 350 Redrow houses being built It is surprising that these have not been linked to the Burrows via footpath/cycle paths. People, especially children need to be able to move between these sites easily and safely.

Better footpath/cycle path linkage from all sides of the Burrows are needed. Better paths linking in via Kidnappers Lane and Merlin Way are needed. They could easily link directly onto the circular path at the Burrows.

The allocation of allotments seems way too small for the number of proposed houses

Any homes that are built need to be affordable for young/new families and first time buyers. This looks to be a development for well off people who want to get into the new school. Rich people will buy second homes to facilitate getting into the new school. It will become a magnet for second homes and buy to let and yet another executive homes site.

Additional point

Apparently, many of the "supporting" photographs showing the surrounding areas are out of date in that they do not adequately show the development that has taken place over the last couple of years. The lack of accuracy in these photographs implies a location and situation that no longer exists and therefore they are misleading and have no supporting role to play.

31 Mead Road
Cheltenham
Gloucestershire
GL53 7DY

Comments: 19th January 2021

My family have occupied the Glebe Land , so-called the Pig Field and surrounding fields, for generations (Great Grandfather, Grandfather and myself). The Northern Fields have landscape merit and the importance of the so-called Pig Field view of Leckhampton Hill across the Northern Fields from Shurdington (A46) Road is extremely valued by local residents and a joy for those visiting the town. Further consideration should be given to what can be done to protect this view in the event of any proposed development going ahead i.e. setting the proposed development further back from the road (creating a green or orchard) or designing the development such that the view can be maintained and uninterrupted (a gap through which to maintain the view). 2020 and the start of 2021 has shown us the importance protecting such landscape of merit and treasured views in terms of our general mental health and well being.

I recognise there has to be a balance between providing much needed new housing and protecting our valued landscape and views. Key areas of consideration for this particular development are the impact on the valued landscape and views (as mentioned), traffic congestion, flood risk, ecology, air pollution and supporting infrastructure i.e., nurseries, schools, doctors.

Questions still appear to remain on what the true impact of the inevitable increased traffic will be in this area. The A46 is a single carriage road and carries significant traffic in and out of Cheltenham at key times. Alternative routes are also congested with noteworthy concerns of congestion and safety on Church Road Leckhampton in particular, owing to the narrow nature of the road (due to parked cars), proximity to Leckhampton School and impact of the recent Redrow Development. It appears no one is clear what impact this development alongside the approved new Secondary school will have in truth (both during construction and eventual occupancy). We also need to ensure the public paths are of sufficient width (currently the public path opposite the so call pig field is only wide enough for single file walking) and consideration is given to further protecting cyclists along the A46 stretch of road and well as further considering bus routes (noting there is currently no bus lane).

Other comments submitted have noted concerns over flooding and potential issues with sewage. There appears to have been recent experience within/near by another development close to the proposed site whereby the issue of drainage has led to unpleasant smells and impacts of increased issues. Again it appears questions still remain on whether the size and scale of the proposed site will lead to issues of flooding and whether the existing drain/sewage infrastructure can take a development on this scale without any future issues.

In addition, whilst acknowledging the new secondary school which is being constructed, it is not clear what the plans are in terms of nurseries, primary schools, GPs and dentists etc and the overall future sustainability of the local area alongside other proposed developments.

The proposed development does include protection of certain green spaces. This is very welcome. As well as comments from others on what more can be done to protect the landscape of merit I would like to put forward a suggestion that an area is reserved in recognition of the heritage of the overall site (pig farm and small holdings). This area (potential orchards with rare breeds) would allow local residents (inc. those moving into any proposed development) to continue to gain a unique experience with their family and friends and learn more about the heritage of the area (attached is some pictures to bring this to life of my pigs and my Great Grandfather's pigs on the so called pig fields). The proposed site is often referred to as largely disused. Whilst not an inaccurate term, it is worth nothing this is largely by design (undertakings of the proposed development, short term tenancies). With more certainty the land would look very different to how it looks today.

I recognise these are not easy decisions, but further consideration of the above points would be welcomed, so we can ensure the final proposals, which will have a lasting impact, so strike the right balance.

(Photo attached)

Friends Of Bournside
C/o 80 Bournside Road
Cheltenham
GL51 3AH

Comments: 19th January 2021

Letter attached

28 Lambert Gardens
Cheltenham
GL51 4SW

Comments: 19th January 2021

I strongly object to this planning application. We do not need another 350 houses in this area, we already have plenty of houses being built, Brockworth, Redrow and the Cyber Park. The Shurdington Rd badly floods. We should be preserving some green fields for our health and wellbeing, not destroying them. Where will all the deer, badgers, foxes, etc go, we have destroyed enough of their habitat, we should be planting more trees, not keep building houses. We are all in danger of poor air quality, and poor health, due to the sheer number of cars that will be using the already congested Shurdington Rd. Have all these people that are coming here have local jobs, or are they going to travel to the big cities. PLEASE DO NOT LET THIS PLANNING APPLICATION GO AHEAD.

18 Waterford Court
Moorend Park Road
Cheltenham
Gloucestershire

Comments: 19th January 2021

This is an objection to a planning application to build by Miller of 350 houses on former Agricultural Land.

My objections are as follows.:

This proposed development is going to generate a substantial increase in the number of cars , potentially an extra 700. Shurdington Rd, can not be widened as most of this road has already built residential dwellings on each side. The amount of traffic is already forecast to increase substantially when the large school nearby is built. Shurdington Rd is already at capacity at peak times of each week day. Never mind on race days.

I own a flat at nearby Waterford Court and can testify as to the volume of traffic already using this road. It will be even more difficult to get out of Moor End Park Rd if/when extra development takes place.

The Leckhampton PC, have already checked the pollution levels on Shurdington Rd which are very high now, above WHO levels. They will be even worse. In summer when

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I have windows open in my flat, you can smell the road, the exhaust fumes can be smelt as well. I usually end up being forced to close my windows which is also unhealthy.

There is also a risk of flooding in this area.

At present the land has small holdings on it which makes for bio diversity.

Please reconsider whether planning permission is really viable for this area.

Please consider the effect this wanton development will have on all the people who are living along this road, which should also include the risks to their health from breathing in all the poisonous gasses emitted by the stopping and starting of cars, busses and heavy lorries at the nearby traffic lights at its junction with Moor End Park Rd.

Orchard View
Kidnappers Lane
Cheltenham
Gloucestershire
GL53 0NL

Comments: 22nd September 2021

We strongly oppose this proposal on a number of grounds.

Traffic - we are very concerned by the increase in traffic this development will cause, and the resulting increase in pollution (both air and noise). The traffic along the Shurdington Road during peak times is already at a standstill from the Moorend Park Road Junction back to the roundabout at Upper Hatherley Way.

Risk of flooding - since the Redrow development we have noted a significant increase in surface water in the surrounding areas during heavy rainfall, including parts of Kidnappers Lane which at times have become barely passable due to the water on the road.

Facilities - the infrastructure / facilities in the area are already v stretched and this new estate is not providing any further health or educational provisions.

Environments cost - loss of local green space and wildlife.

St Brizen
Kidnappers Lane
Cheltenham
Gloucestershire
GL53 0NL

Comments: 30th November 2020

The site layout plan suggests that the Shurdington Road end of Kidnappers Lane would become an even worse traffic hazard than it is now.

I would like to suggest that a road from the new roundabout on Shurdington Road should run directly through the new estate, ending with a mini roundabout in Kidnappers lane near the new school. This would make traffic flow far fairer for the whole community.

The current plan shows a road that would be eminently suitable for this purpose. It is shown as blocked off at the Kidnappers Lane end, presumably to keep traffic flow at a minimum to increase the saleability of the houses.

However the planners need to consider the knock-on effect of that layout as it would result in a massive increase in traffic entering Kidnappers Lane from the roundabout, thus seriously affect the lives of the people who already live there.

Given the opportunity to realistically address the school access problem at this starting point rather than wait until there is a massive traffic problem in the future, I beg the planners to bite the bullet and insist on a through road on this new estate. A mini roundabout is needed near the school for safety, so this would tie in perfectly.

Also Planners have a serious duty to protect some element of the environment for the people who already live here, i.e. taking priority over developer's profits.

On the current plan 350 people living in the 350 dwellings will have no direct vehicular access to the new school except via Kidnappers lane.

It is nonsense to expect/believe that parents will not drive their children to school, especially in the depths of winter. People in Warden Hill and Hatherley, and the estates at the top of farm Lane will also drop off their children by car. Parents in further parts of Leckhampton will not let their children walk down lonely Kidnappers Lane, and will drop off their children on their way to work. Kidnappers Lane is already a busy cut through from Leckhampton and Charlton Kings to the M5, Gloucester and Stroud, so please do not add to the traffic problems that already exist.

Comments: 18th January 2021

New homes are far more "much needed" in other parts of Cheltenham where those needing them won't have to pay a Leckhampton premium, which is exactly what Miller Homes are after.

House buyers are moving to Gloucester, not because there are no houses to buy in Cheltenham, but because they are too expensive. Miller homes can't pretend to be helping that problem by building in Leckhampton! Outside developers are led by profit, and the council should not think otherwise. 350 houses on that small area is absurd. For environmental reasons 200 houses is equally absurd.

Cheltenham is slowly losing its handsome appearance as the green belt is more and more consumed by estates built by outside developers. These days it's hard to distinguish one town from another as identical estates pop up in every space. Does Cheltenham really need to ruin its wonderful green surroundings by copying this ugly pattern? Miller Homes say there is a specific need in Leckhampton - really? Is there a need in Battledown, or Charlton Park Gate, or The Park? The answer would be yes if they could get land in those areas (imagine the premium they could achieve)!

In the 60s, when Warden Hill and Hatherley were being eaten up by Wimpey etc. Cheltenham Planners made a promise in writing to house buyers, and to the press, that the 'designated green belt' would never be built on. House buyers were actually told by their solicitors that the promise was legally binding. How did the council manage to deceive the public so spectacularly?

Wildlife that has occupied this Shurdington Road space for hundreds of years will be decimated. There is nowhere for them to go and they will simply die. Until the unwelcome school in Kidnappers Lane started cutting down ancient hedgerows and bringing in huge machinery this small area housed a large herd of muntjac deer, a huge colony of badgers, plus foxes, owls, greater and lesser woodpeckers, dormice, newts, rabbits, large deer, etc.. What will become of these animals, most especially the badgers? What has been secretly going on to get rid of wildlife in the area that has been gated off with 'keep out' signs? Where have the muntjac vanished to? Have badger setts been secretly damaged?

I ask the planners to consider keeping Cheltenham as an attractive place to visit (not just the town centre), and to directly consider the effect on the local environment in the location where Miller Homes want to build. That includes the people who live here. We are already alarmed by the school project. The prospect of being in the centre of a large housing estate is even worse. I am being driven out of my home, my neighbours have already gone. Can we trust the council to care?

Smalley
Kidnappers Lane
Cheltenham
Gloucestershire
GL53 0NL

Comments: 13th January 2021

My family and I will be directly and negatively impacted by this development. We strongly oppose the proposed development in its current form for a number of reasons outlined below.

Traffic

This proposed development will lead to increased pressure on the road network, an increase in noise and an increase in air pollution. There is already congestion along the local roads and the A46. This pressure will only increase once the new Leckhampton High School is completed. The submitted plans need to improve road access to the Shurdington Road and to the new Leckhampton High School.

Services

The development plans must include local services such as a new health centre (GP, dentist, etc), children's playground and local shops. New housing development in this area will attract young families and if these local services are not provided, the people moving to the new development will overwhelm the existing services which are already overstretched.

Visual impact

The proposed development of high density properties is not in keeping with the existing developments in the area.

Page 178

The buildings in this area are mainly bungalows and 2 story houses with access to nature. Furthermore, the proposed development uses red brick instead of the yellow stone work which is typical for this area and Cotswolds in general.

For the reasons stated above, I strongly object to the proposed development. Thank you for your consideration.

Comments: 29th November 2020

As one of the properties that sits directly opposite the proposed development (Kidnappers Lane), my family and I will be directly and negatively impacted by this development. We strongly oppose the proposed development in its current form for a number of reasons outlined below.

Traffic

This proposed development will lead to increased pressure on the road network, an increase in noise and an increase in air pollution. There is already congestion along the local roads and the A46. This pressure will increase once the new Leckhampton High School has been completed. It doesn't make any sense to add to the burden on the local transport network in this location.

Foot paths

The existing footpaths are already under pressure.

The A46 is barely wide enough for two people/a pram to walk along what is a very busy road. Farm Lane/Kidnappers Lane also have very narrow foot paths. These foot paths and others in the local area will come under pressure from the new Redrow development and the new Leckhampton High School. The additional burden from this proposed new development does not seem to have been considered at all.

Ecology

Local nature in the area is already under pressure and has been displaced by new developments in recent years. The loss of open green space to the development of the new school was a big loss for nature in the area and to remove yet more green space is very irresponsible.

Adding yet more property development to the area in this particular location will put an extra burden on the surrounding land and increase the risk of flooding.

Services

It is very strange that no provision has been made for local services on a development of this scale. It's unacceptable to place yet more of a burden on local services - why is there no GP, Dentist, small shop etc proposed as part of such a development. This doesn't seem to have been thought through at all.

Visual impact

The proposed development of high density properties is not in keeping with the existing developments in the area.

The buildings in this area are mainly bungalows and 2 story houses. The proposed 3 story homes are out of keeping with the character of the area and will spoil the overall character of the landscape.

We are in/close to an AONB and a development of this scale will significantly diminish the character of the area and the proposed designs are not in keeping with the Cheltenham Local Plan.

For the reasons stated above, I strongly object to the proposed development. Thank you for your consideration.

26 Merlin Way
Cheltenham
Gloucestershire
GL53 0LU

Comments: 14th January 2021

I am objecting due to increased traffic on the Shurdington road - which is already congested during the day. Increased traffic trying to get out of the estate will put increased pressure on this road network. I also object that this increased traffic will cause additional pollution which will impact residents and children walking to school. I am worried about wildlife currently living in this area will have to relocate. There are a family of deer that live there - this family will be displaced. The area and path around where the proposed building will take place have been used extensively by families through lockdown as a means of getting outside and mixing with nature on our doorstep. Families can currently make use of the paths and safely have somewhere to exercise.

16 Merlin Way
Cheltenham
Gloucestershire
GL53 0LT

Comments: 14th January 2021

I wish to object on flooding risks and traffic congestion.

Flooding - The area has always been susceptible to flooding, Hatherley Brook does fill up when there has been heavy rainfall, with water flow off Leckhampton Hill. During the severe floods of July 2007 Hatherley Brook overflowed and encroached the gardens of 15 and 17 Merlin Way, the properties whose gardens back onto the Brook. The proposed development will mean that there is no natural run off to hold back any excess water and so properties in Merlin Way will be susceptible to flooding and with climate change this could be on a more regular basis.

No mitigation has been made for extra traffic congestion on both the A46 Shurdington Road and also the A46 junction with Moorend Park Road. Congestion has increased greatly in recent years. With the new Secondary school and also with an existing development on the A46 opposite Silverthorne Close this will worsen for residents in the affected areas.

The Sleepers
Merlin Way
Cheltenham
Gloucestershire
GL53 0LS

Comments: 11th January 2021
Email attached.

17 Highwood Avenue
Cheltenham
Gloucestershire
GL53 0JJ

Comments: 26th November 2020

I strongly object to this proposal on the following grounds:

Traffic

The stretch of the Shurdington Road between the Up Hatherley Way and Moorend Park Road junctions is already extremely busy at peak times. The construction of such a large number of houses, coupled with traffic to the proposed new secondary school, will increase both congestion and air pollution along this road. Comments by the Secretary of State for Communities and Local Government on an earlier development proposal in the same location cite "severe residual cumulative transport impacts" as a major point of concern.

Damage to the character of the area and loss of local amenity

The land for development forms part of a rural "wedge" between Leckhampton and the edge of Cheltenham. The network of footpaths within it is well-used by local residents, an amenity that will be much diminished as a result of the development. The recently adopted Cheltenham Plan requires that any development on this site be of a layout and form that respects both its "rural characteristics" and the "visual sensitivity and landscape character of the site as part of the setting for the AONB". The proposed high-density urban development respects neither.

Flood risk

The eastern branch of Hatherley Brook has a history of flooding and poses a significant flood risk to properties adjacent to and downstream from the new development. The flood risk assessment for the site acknowledges that surface water will be drained into this watercourse. Nearby Lotts Meadow is currently very waterlogged, suggesting that surface water run-off from the new development could be high, increasing pressure on the brook.

Ecological impact

In the short time that I have lived nearby, I have observed that this land is used by a variety of wildlife, including deer, multiple bat species, and many bird species. The

proposed development will remove this valuable habitat, and likely degrade the value of the adjacent Local Green Space allocation.

Existence of alternative viable sites

The Cheltenham Plan indicates that large areas of land to the North and West of the town have already been allocated for development as part of the Joint Core Strategy. It also reveals that there is a surplus of land for employment development. This Miller Homes development will provide only a small fraction of the total new dwellings envisaged by the plan, which could apparently be made up elsewhere. With that in mind, the costs outlined above seem even harder to justify.

For the above reasons I ask that the council reject this planning application.

Comments: 14th January 2021

As an addendum to my comments on the above application dated 26 November 2020, I attach photographs showing recent flooding by Moorend Stream (Hatherley Brook Eastern Branch), adjacent to and within the proposed area for development, as well as overloading of the A46 culvert that carries the stream. (photos available to view in Documents tab)

This is at least the second occasion on which such flooding occurred in 2020 (see comments from 98 Shurdington Road, dated 18 November 2020), so it is definitely not an extreme or unusual event. I bring it to your attention to highlight the present risk of flooding in this area: if development is to proceed, careful consideration must be given to this risk to both new and existing homes.

11 Highwood Avenue
Cheltenham
Gloucestershire
GL53 0JJ

Comments: 14th January 2021

Detailed arguments are already covered by other residents' and the parish council's submissions but I object to the planning application because of concerns about:

- unacceptable damage to the valued landscape
- severe traffic congestion and increased air pollution (I am unconvinced by the reports submitted with the application and believe independent work is required)
- the potential for increased flooding risk
- the huge number of houses crammed into the space with deficient changes to road access to Shurdington Road

This green space in Leckhampton is slowly being eroded and it will be a huge loss to the community if the borough council allows this to continue.

The borough council also needs to look at all of the recent and proposed applications for the area in the round - the school, Miller, Kendrick, Redrow. The significant issues with the school were not addressed and if further applications are also not considered

appropriately, each will adversely effect the character of the area, wildlife, traffic and air pollution in an unmanaged and incremental way.

Work is also required to join up these applications and other work to ensure that any new walking or cycling paths actually form a useful network.

This application should be deferred until much further work is done to fully understand the impact of this and the neighbouring developments.

9 Highwood Avenue
Cheltenham
Gloucestershire
GL53 0JJ

Comments: 15th January 2021

I wish to register my objection to the Miller planning application for 350 homes on Shurdington Road.

There has already been considerable development in this area and more is planned with the Redrow development and plans for the new school. The area simply cannot take any more development.

The Shurdington Road is already far too busy, with traffic at a standstill in the morning and evening rush hour and that is without the traffic that already approved development including the new school will bring. To add another development of 350 houses (with many of them likely to own more than one car) would have a disastrous effect on the traffic situation not to mention pollution as cars idle while they are in a queue.

In my view there would also be unacceptable damage to the valued landscape of the Leckhampton Fields. This area is used by many local people for walks and general recreation. It is not enough to say that access to footpaths/cycle paths will be provided. If the views and tranquility of the area is spoiled by buildings and traffic it will not continue to have the value it does today. We are all now increasingly aware of climate change and global warming and building on our green spaces contributes hugely to that. We have a global responsibility to look after and cherish our environment. The small holdings on some of this land add enormously to the value of the area. I moved to this area because it was on the edge of the town with easy access to, and the feel of being in, the country side. The small holdings are very much part of that.

I feel strongly that this development will damage this area irrevocably and that as stated above there is already a huge amount of development going on here. Another 350 homes is a step too far.

I urge you to reject this application.

96 Shurdington Road
Cheltenham
Gloucestershire
GL53 0JH

Comments: 11th January 2021

We wish to make a "STRONG OBJECTION" to the above planning application, on the following grounds:

TRAFFIC

I feel that traffic on the Shurdington Road is already at "maximum levels" at rush hour times, with the resulting problems of major delays and pollution etc - nearby residents have similar concerns.

Current Traffic problems will obviously be made worse by the large number of new houses being built/planned on the South side of Cheltenham plus the new Senior School to be built soon.

PROPOSED NEW TOUCAN CROSSING

Close to the access to 94 to 104 Shurdington Road (7 dwellings in all) would make it very dangerous for people turning in and out the drive and people using the crossing.

Only a few years ago there were considerable local concerns about a new Bus Stop/Lay by being proposed at this same location (with worries about poor air condition, noise, privacy issues and security risks). We were very relieved when this matter was NOT APPROVED. We believe the same issues and planning concerns apply today.

Merestones Estate Residents, whose homes would back onto this new Toucan Crossing, have also expressed their Formal Objections in this regard.

By virtue of the new Senior School and the nearby Miller Homes and Bovis Homes planning applications, I understand there will be 4 separate crossings along this part of Shurdington Road - with 2 of them being in our local area and close to each other. We feel that the one crossing closest to our homes and directly outside 104 Shurdington Road is NOT NECESSARY and should be Withdrawn - to ensure greater safety and remove pollution aspects as mentioned above.

350 NEW HOUSES

Clearly destroying our nearby Countryside and Wildlife. Also 350 is far too many in total based on recent Borough Council public policy.

FLOODING

Already a major concern in the locality - likely to be made worse by the nearby extra new 350 houses. Flood Policies and local plans should be strictly adhered to.

We believe this information is very relevant to the Application and wish to make a FORMAL OBJECTION.

98 Shurdington Road
Cheltenham
Gloucestershire
GL53 0JH

Comments: 22nd November 2020

Letter attached

The traffic in the area is classed as "Severe" and no effective plan has been presented to reduce that state. Whilst the on-site proposals are good, they don't connect to any footpaths or cycle paths which meet the any standards required. This whole area of Cheltenham needs to be upgraded but I was unable to find a coherent plan with a budget from Gloucestershire Council, Tewkesbury or Cheltenham.

Comments: 24th January 2021

Letter available to view in Documents tab.

Comments: 19th November 2020

you will note the because of the COVID restrictions any public consultation is currently severely limited. Therefore, I believe it to not be in the public interest to close public opinions less than 30 days after the Government lifts the rules for the public. Which may or may not be 2 Dec.

In relation to Flood Risk:

My concern expressed at the 19/00334/OUT tribunal is that the combination of these proposals severely increases the flood risk to a brook which floods once or twice a year and is currently subject to the collapse of footpaths downstream of the A46.

Our house is awfully close to the Zone 3 at the culvert. All of the following developments develop nearly all of the land East of the A46, land which has low permeability.

If these are to be individual schemes who will maintain them as the brook East of the Road appears not to be maintained?

The Flooding implication of all of the following must be considered together.

- 20/01788/FUL Miller Homes 350 Houses Between A46 and kidnappers lane
- 19/00334/OUT 27 Homes Kidnappers Lane
- 19/01690/DEEM3 Lechhampton School
- 20/00332/FUL Burrows Playing Field Footpaths
- 19/02303/OUT 12 Homes Bovis Homes Ltd
- Burrows Playing field astro turf pitches are being added.

Council policy clearly says that if the risk to properties downstream are at risk they must be refused. We lay downstream! as does Council Properties!

Comments: 20th November 2020

Letter attached.

100 Shurdington Road
Cheltenham
Gloucestershire
GL53 0JH

Comments: 11th January 2021

Letter attached.

102 Shurdington Road
Cheltenham
Gloucestershire
GL53 0JH

Comments: 11th January 2021

Letter attached.

104 Shurdington Road
Cheltenham
Gloucestershire
GL53 0JH

Comments: 7th January 2021

Letter attached

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Comments: 1st May 2021

1. These comments are sent in addition to my earlier written comments to you, regarding the 2 above planning applications.

Our earlier comments were "Strong Objections", as were the comments of my neighbours.

2. The reason for this email today is in view of what should be classed as "major unforeseen developments" during Monday, Tuesday and today of this week (26, 27 and 28 April 2021) AND which have particular relevance to both the above planning applications, which have yet to be formally determined etc.

3. On 26.4.21 major works involving a JCB digger started on the entrance to the Kendrick site, which involved removing hedging/grass verge alongside the main A46 (Shurdington Road) - subsequent kerbing and tarmac work has been done.

It was also necessary to have temporary traffic lights placed at this location on the Shurdington Road.

4. As a nearby resident I was alerted by the noise as well as the very lengthy queues of traffic in both directions, arising from these traffic lights in situ.

5. It is now known that Gloucestershire County Council Highways had issued a Section 184 Licence to Kendrick Homes to install a temporary access, which we understand was NOT to the knowledge of CBC Planning Dept, nor the Leckhampton with Warden Hill Parish Council, nor local residents.

6. I can say that traffic queues have been considerable throughout the period this work has been taking place - going right up to Moorend Park Road Traffic lights junction (approx 400 metres) and beyond and likewise in the direction of Shurdington.

Pollution in its widest sense - "poor air quality, extra noise and breach of our privacy" have been very much a worry for us.

7. The traffic queues were so severe that I decided to take a series of evidential photos "for the decision makers" to best appreciate the events at some later date, when deciding on these 2 planning applications.

8. I forward for your attention 2 photos taken at approx 2.25 pm on this Monday afternoon - NOT RUSH HOUR.

Photo no 142522 (available to view in Documents tab) - shows the lengthy traffic queues back in the direction of Shurdington and the need for a flashing Ambulance to take an emergency driving procedure!

Photo no 142454 (available to view in Documents tab) - shows the lengthy traffic queues of about 400 metres right back up to the Moorend Park Road traffic lights and occasionally it was past the lights in the direction of Bath Road. In the traffic queue is a stationary Bus and another Ambulance.

FINAL COMMENTS

- I make the point that such queues will likely be a very common factor at this location, when at least 360 additional homes, especially with Kendrick Homes and Miller Homes having planned nearby accesses onto A46.

- The situation will also obviously be made worse with the extra traffic associated with the new senior school at Leckhampton (still to be built). There are of course considerable additional houses being built/planned in Leckhampton and near Brockworth.

- I can confirm that similar road works/ temporary traffic lights have taken place a number of times over recent years on this area of Shurdington Road, with resultant major traffic queues and pollution being significant.

- I have over these recent years made these identical written points and sending similar supporting photos showing lengthy

traffic queues associated with road works/Traffic lights - to Cheltenham Borough Council Planning Officers when considering local Planning Applications, Local Plan and JCS.

It is felt that the events of the last few days (as described above) are SO SIGNIFICANT , such that formal notice should be taken of them, when assessing the 2 above planning applications - even though the closing date for public comment is getting closer!

Comments: 11th October 2021

These comments are submitted relating to the above Miller Homes Revised Application.

This email is written as residents of Shurdington Road and close to the Proposed 350 Dwellings - we have many years experience of living in this location and have obvious knowledge of the increased traffic and associated Pollution that has resulted over the years.

This is our 3rd document submitted as an "Objection" to the Miller Homes Application for 350 homes on the Shurdington Road - in addition to other nearby proposed developments.

The 2 earlier documents (dated 6.1.21 and 28.4.21) and this latest one, should be read in full to have a detailed appreciation of our concerns - not only for ourselves, but also from our neighbours and those residents on the other side of the Shurdington Road (Park Ward).

One of our concerns in the initial application was the proposed siting of a Toucan Crossing right outside the front of our bungalow home, thereby causing increased Pollution, Breach of Privacy etc.

It is of major concern that this proposed Crossing still remains in the REVISED Application/Drawing, BUT IN ADDITION there is NOW a Proposed "Maintenance Bay" - close to the crossing, which appears to be situated in the "Middle of our Hedge".

As we have previously commented - to have 4 Crossings on this part of Shurdington Road seems excessive - this being on top of the nearby Moorend Park Road Traffic lights/crossing.

Interesting to note - throughout this application process Miller Homes have actually written that, it is their intention to also use the other crossing nearby (in the Kendrick application), as well as the one in their own Application (right outside my home).

We previously commented that Additional Pollution - in the precise location outside our home - was a "Local Community Concern" of the 2013/15 Application/Appeal by Bovis/Miller - and these concerns were clearly recognised by the Developers, GCC Highways and CBC Planning Officers - leading to the proposed bus stop/lay by being Formally Withdrawn by ALL parties.

The Question we keep asking is - If Additional Pollution was NOT allowed in 2015, why is it still being considered as acceptable in 2021 - in the same precise location - also when such matters are getting worse?

This email is sent to the best of our knowledge and understanding and we ask that you give this email your full consideration.

59 Merestones Drive
Cheltenham
Gloucestershire
GL50 2SU

Comments: 26th November 2020

I object to the new development as the Shurdington Road is already too busy, too noisy and creates high levels of pollution for those living on and backing on to this busy road.

The new entrance onto the new development from the North side of the site will just add to the congestion and noise, surely it would be safer to ease congestion and for all vehicles to be entering and exiting the new development from the new roundabout on the south side of the development which will help the flow.

I also object to the North Eastern Crossing which will be sited at the rear of mine and my neighbour's house, and almost under their bedroom window. It seems no consideration has been given to current residents and their proximity to the crossing. I run an Airbnb from my house and am concerned about the 'bleeping' noise from the crossing and would ask that it be moved South towards the bus stop/Warden Hill shops which is where most pedestrians will be coming and going, this would also be better access for primary schools as I'm sure Leckhampton Primary will not have capacity to cater for all.

Lastly, I object to three story dwellings in this area, all other properties around this area are bungalows and 2 story houses and three story dwellings will spoil the landscape.

10 Hobby Close
Cheltenham
Gloucestershire
GL53 0LP

Comments: 6th January 2021

I object on the grounds of visual and environmental impact on a semi-rural area ill suited to large scale development. I agree with the view that extra traffic created by the new High School will require at least three years to assess and therefore this application should be considered in the light of actual traffic increase over a period of time.

Comments: 6th January 2021

To be clear, I object to this application on the grounds of likely adverse visual impact and environmental disturbance. Increased traffic has not been sufficiently highlighted and cannot possibly be assessed accurately until the new High School has been up and running for long enough to gauge its impact on traffic numbers.

44 Shurdington Road
Cheltenham
Gloucestershire
GL53 0JE

Comments: 12th January 2021

The traffic on Shurdington Road is extremely busy and we deal with this on a daily basis. Along with the amount of traffic we also have to contend with constant breaking of speed limit. This will only impact these issues negatively.

7 Abbots Close
Hatherley
Cheltenham
Gloucestershire
GL51 3DX

Comments: 15th January 2021

I am a resident of Abbots Close, a hundred yards or so from the proposed new development.

There is already too much traffic on the Shurdington Road heading into Cheltenham. Forget what it looks like now, under Covid restrictions, another 350 houses with one or two cars each, the majority of which will feed out onto the Shurdington Road in either direction of a morning, will clog this road up further. Currently traffic can back up from the Moorend Park Road traffic lights for nearly a mile towards Shurdington itself, and this will make things worse. A single carriageway in each direction will need some kind of traffic lights or roundabout to feed in these new residents, which will exacerbate the situation. If we need new homes, why not shift development down towards Hatherley and the Morrison's shop? There is also more infrastructure in terms of shop and community centre down there.

11 Canterbury Walk
Cheltenham
Gloucestershire
GL51 3HQ

Comments: 15th January 2021

We write to object the planning application by Miller Homes to build 350 homes on land at Shurdington Road, Leckhampton, Cheltenham.

We are residents of Canterbury Walk, Warden Hill and currently suffering from significant flooding to our garden. This matter is currently under investigation by the lead flood authority. We are very concerned that any further building development in the Leckhampton/Warden Hill area will have a detrimental effect on our current situation and bring future flooding implications.

The interests of existing residents should not be compromised by future building development.

327 Old Bath Road
Cheltenham
Gloucestershire
GL53 9AJ

Comments: 15th January 2021

I am writing to comment on the Miller Homes planning application to build 350 houses at Shurdington Road (20/01788/FUL).

I have viewed the proposal and am saddened to see that the location for the estate would be a large area of beautiful countryside which I and my family often enjoy walking in. The ability to access a truly natural area with public rights of way without needing a vehicle to travel to it has been so important to us and to many others this year, but access to such area is being increasingly eroded in Cheltenham with the construction of more and more estates where there were previously fields.

Before my family moved to Leckhampton we lived in rented accommodation with no outdoor space in Tivoli: the proposed area for the Miller Homes construction was reachable on foot from our flat and provided an escape from our urban environment. Following the public footpath along hedges full of wild damsons and finding a field of sheep, a beautifully tended allotment, chickens and ducks - this is a magical, restorative experience that will be lost.

The special character of Leckhampton, and of Cheltenham more widely, comes from its proximity to the countryside. It is not a faceless urban sprawl of estates but is interspersed with pockets of unspoiled nature. This special character will be irretrievably destroyed if green areas like the Shurdington Road location are flattened and built on.

21 Hawkswood Road
Cheltenham
Gloucestershire
GL51 3DT

Comments: 15th January 2021

I write in respect of the Miller Homes Planning Application 20/01788/FUL for 350 homes on Leckhampton Fields.

I object to these mainly on the following reasons.

1. Unacceptable damage to the landscape and ecology/wildlife. Surveys have not been updated as regards protection of dormice, hedgehogs, great crested newts, bats etc, all of which reside in this area and are considered protected. The Construction of a Landscape and Ecology Mangement Plan needs to be produced and agreed before any development were even to be considered. As dormice have been found on the Northern

Fields, this will have implications for hedgerow/woodland retention and planting plans. The surveys must be done before any approval was even considered.

2. Traffic Congestion - Traffic mitigation was a condition for including the development in the Cheltenham Plan due to the high risk of severe traffic congestion. The development needs to be refused until the traffic impact from the new school and other existing developments is clear and the cumulative traffic is seen to be acceptable. We live opposite the A.46 off Woodlands Road. The traffic now is horrendous - future traffic following development of the school and dwellings will be catastrophic and will result in gridlock for the local area.

There is insufficient road width to accommodate any extra road width to make an extra lane. The mitigated measure with lanes 2.5 metres wide is allowed for cars only. The A.46 is a major road with bus routes (buses are 2.55 metres wide) and also large lorries which can be up to 2.6 metres wide. Government guidance is that where roads are wide enough, the bus lane should be 4.25 metres wide (the minimum should be 4 metres which allows buses to overtake cyclists). Therefore, the 2.5 metre width is infeasible and the application fails to meet Inspector Burden's condition for allowing the allocation of the Miller Development (as well as the school) in the Cheltenham Plan. I would like to know how the Council find it acceptable to overrule the Government officials, especially when our Prime Minister is stating how we should all save the environment, green spaces etc.

3. Flooding to The Woodlands and Warden Hill. We live opposite the proposed Miller development. Several gardens backing onto the Shurdington Road, still regularly flood in heavy rain. Recently the flood water only just stopped going into the premises. In earlier years, the water has gone through homes which has resulted in many months of misery for the residents, who had to dry out their properties, fit new furnishings, new electrics etc. One local gentleman has a chicken run which is constantly under flood due to water cascading across the A.46. He has now had to raise the floor of the run.

The vulnerability along Hatherley Brook needs checking, as development on the Northern Fields will remove the option to use the land to hold back flood water. Flooding appears to be by water flooding under the A.46 from these fields. This was considered in the flood risk analysis for the 2013 Bovis-Millar applications, along with the risk that underground flow could perforate any balancing pools. It was concluded that it was impossible to predict what may happen and remedial measures would be needed if problems arose either to the balancing pools or homes north of the A.46. Weather conditions have deteriorated since 2013 and the situation looks like it is only going to worsen, especially if all the developments are taking away land that could have soaked up the majority of rainfall.

Another question - who is responsible for maintaining the balancing pools? At one meeting about another proposed development in the area, we were told by the developers that it would be the responsibility of the Council. The Council said the developers would be responsible. Who is right? What measures will take place if the inevitable happens and homes flood. Will the Council be paying for refurbishment of homes affected??

We ask that planning permission for these 350 homes be denied.

19 Collum End Rise
Leckhampton
Cheltenham
Gloucestershire
GL53 0PA

Comments: 15th January 2021
Letter attached.

84 Farmfield Road
Cheltenham
Gloucestershire
GL51 3RA

Comments: 19th March 2021
Letter attached.

Gloucestershire Community Rail
Partnership

Comments: 10th December 2020
Letter attached.

49 The Park
Cheltenham
Gloucestershire
GL50 2SD

Comments: 16th December 2020

This development will impact the valued landscape, there is inappropriate infrastructure in place to accommodate this volume of new housing and it will increase local traffic congestion, especially on Shurdington Road, which is already backed up every day in the morning and evenings.

24 Chelmsford Avenue
Cheltenham
Gloucestershire
GL51 3DN

Comments: 15th January 2021

I object to the Miller Homes application in the strongest possible terms with regard to areas R2/R3, in 2016 inspector Ord concluded that development was unacceptable on landscape grounds. The R2/R3 area is also part of the area identified by the Secretary of State in 2016 as valued landscape that should be protected and enhanced in accordance with the National Planning Policy Framework (NPPF).

Added to this Dr Adrian Mears has written many papers providing valuable data on the concerns around traffic congestion, air pollution and potential flood risk, all of which for

some obscure reason seems to fall on 'deaf ears'. The whole of this area is being blighted by over zealous development, please do the right thing and refuse this application.

31 Princes Road
Cheltenham
Gloucestershire
GL50 2TX

Comments: 15th January 2021

I live in Tivoli, where the Shurdington Road is the main route out of town to Painswick, Nailsworth, Stroud, M5 South and (avoiding motorways), places like Bath. The development will not only detract from green space but put considerable additional strain on a road which is single file and can become blocked simply because a bus stops to pick up passengers. The lack of park & ride facilities to the south of town makes things even worse and the sprawl of this development will also remove a potential site from this, which would have alleviated some of these pressures. If locals begin rat-running to avoid an increasingly clogged A46, the situation in the Leckhampton and Birdlip areas will become even worse, particularly if road works commence on the A417. Please consider the effect of up to 700 cars coming and going on school runs, errands, etc., on this already congested road and area and call the application in until these issues have been resolved.

24 Brizen Lane
Cheltenham
Gloucestershire
GL53 0NG

Comments: 22nd January 2021

There have already been over 300 new houses built nearby in the last few years.

The traffic along Shurdington Road is already horrendous at peak times. This area is becoming saturated with new buildings.

There has been flooding in this area and this will only make it worse. The infrastructure in the area will not support more houses.

Environmentally this is an extremely worrying development.

I object strongly to this application.

8 Leckhampton Farm Court
Leckhampton
Cheltenham
Gloucestershire
GL51 3GS

Comments: 24th November 2020

I object to the above planning application on the following grounds:

1. Having read the Transport Assessment, it is difficult to detect any effective co-ordination between highways proposals put forward by Redrow, Gloucestershire County Council and Miller Homes, each of whom have put forward suggestions to mitigate the prospective traffic impacts of their developments. From the point of view of a road user, there needs to be comprehensive harmonisation of proposals such that all of the claimed benefits are evident and assured.

2. Many of the "supporting" photographs showing the surrounding areas are out of date in that they do not adequately show the development that has taken place over the last couple of years. The lack of accuracy in these photographs implies a location and situation that no longer exists and therefore they are misleading and have no supporting role to play.

3. The planning application says that the proposal falls within Policy MD4 of the Cheltenham Local Plan, and that this policy includes:

"A layout and form of development that respects the visual sensitivity and landscape character of the site as part of the setting for the AONB"

. The "layout and form of development" that Miller intends to construct on this site can be found far and wide across the country, and therefore there is no specific respect for or relevance to the visual sensitivity or landscape character of the site in Leckhampton. Miller Homes are proud of their "huge selection of new-build properties [which] covers the country from the South East up to Yorkshire, the North West and Scotland." Merely replicating their densely packed housing developments in Leckhampton, including the same house types as used elsewhere in the country, does not meet the requirements of the adopted Cheltenham Local Plan.

. The proposed development includes 2.5 and 3 storey buildings which do not reflect in any way the landscape character of Leckhampton. Regardless of how many or few of these buildings there may be, they are out of place and should be removed.

4. With regard to the proposed mitigation of the inevitable traffic problems associated with the proposed development, the application claims that the JCS Transport Evidence Base/Strategy confirms that the outcome of proposed changes resolves delays along the Shurdington Road corridor.

It is unlikely that this conclusion can be drawn from the JCS as the adopted JCS did not anticipate the high level of development currently being proposed. The JCS considered that this level of development was unsound and stated, as Leckhampton had been taken out of the JCS as a strategic allocation, a figure of about 200 dwellings might be appropriate. Importantly, the figure of 200 excludes the 900 pupil school currently under construction next door. Using the JCS evidence base to confirm that delays along the

Shurdington Road would be resolved for this amount of development is almost certainly inaccurate as well as inappropriate.

5. The application makes a glaringly mistaken assumption that the conditions attached to the Redrow development to the west of Farm Lane, will be/are being implemented. This is an ill-advised approach, as 12 of the 28 conditions attached to this development have been breached. More specifically, Redrow's conditions 16, 17, 18, 19, 20, 21, 27 and 28, as referred to in the Miller Homes application, concern supposed highway improvements and in June 2018, 7 of these 8 conditions had already been breached. In acknowledging these breaches, the local planning authority (Tewkesbury Borough Council), said:

"I fully understand that it can be frustrating for local residents when it appears that Developers are not meeting conditions attached to planning permissions. Nevertheless, the council's planning enforcement powers are discretionary and action will not be taken simply because there has been a breach of planning control."

TBC have decided not to make use of their own Planning Enforcement Policy and have made a mockery of so-called planning conditions. Miller Homes and CBC cannot rely, therefore, on the highway improvements associated with the Redrow development and the traffic implications of the Miller application need to be re-appraised.

6. The anticipated modal shift from private cars to walking, cycling and public transport, as expected of the occupiers of the proposed development, does not make any allowance for age, mobility, disability, bad weather, winter conditions or darkness. Despite there being some facilities within walking or cycling distance for those who are fit and able enough, there will be many other facilities which are not within walking or cycling distance for the majority, especially employment. The proximity of a supermarket is mentioned several times but it is highly unlikely that those wanting to do anything other than a very small amount of shopping will go on foot or by bicycle. The lack of any reference to these practical considerations calls into question the traffic assumptions incorporated into the application.

7. The general quality of the application is poor and invites inevitable questions over its veracity and reliability. Some examples include:

- . The use of an inconsistent and confusing mixture of miles and metres.
- . The out of date supporting photographs - see item 2. above.
- . Shurdington Lane is mentioned but there is no Shurdington Lane.
- . the "Shurdington development" is mentioned more than once and is described as 350 dwellings and associated access. Is this the Miller Homes application 20/01788/FUL currently under consideration? If so, Miller Homes and their associates need to know that it is not in Shurdington but is in Leckhampton. This fundamental confusion by Miller Homes undermines their understanding of where they want to build, the associated valued landscape at Leckhampton and its relationship to the AONB.

Conclusions

- Items 1, 4, 5 and 6 above each have a potentially significant and detrimental effect on the assessment of the traffic impacts of the proposed development. Inappropriate assumptions have been made, based on the wishful thinking of those who clearly do not know the area. The traffic impacts of the development need to be re-evaluated in order to have any credibility.

- The application reveals that the applicant thinks the occupiers of the development will fall into a generic profile which can then be manipulated into behaviour which fundamentally alters their inclination to use a private car. A similar generic view has been used to assume that house types and layouts used elsewhere in the country are appropriate for this site in Leckhampton. These questionable attitudes do not engender faith in the integrity of the application. The developer needs to inject some pragmatism into their thinking; the occupiers of the development need to reflect a realistic population following realistic behaviours, and the visual sensitivity and landscape character of the site, as required by the Cheltenham Local Plan, must be demonstrably taken on board.

- Miller Homes need to pay significantly more attention to the location and nature of their proposed development if they do not wish to alienate the existing community. The Local Plan with which they need to comply, includes requirements which are not being incorporated. The development does not comply with the JCS and it would be very unfortunate if the development were allowed to proceed even though it does not comply with the Cheltenham Local Plan either.

17 Beeches Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8NG

Comments: 24th November 2020

Living Streets Response to 20-01788-FUL - Miller Homes Development

This is to suggest changes to proposals to

1. Improve vehicular access to the main part of the development site
2. Improve connectivity to existing nursery and primary school for residents
3. Ensure a safer route for pupils of the proposed school from the southern part of Cheltenham avoiding Shurdington Road

Shurdington Road is a busy road.

There is only a continuous footway on its northern side - it is not particularly wide - 2 people passing need to squeeze up. A pushchair for triplets would have difficulties passing lampposts.

Often pedestrians have to wait awhile for the traffic to abate before crossing it to get to the bus stop on the other side.

Traffic proceeding along Shurdington Road towards Cheltenham will be halted whilst vehicles turning into the Northern part wait for a gap in the traffic leaving Cheltenham as there is no provisioning of a separate right turning lane.

The proposals suggest that vehicles leaving the northern part of the site will also need to wait a considerable time if they wish to turn right to Cheltenham.

Indeed it will often be quicker to turn left instead and drive round the proposed roundabout to turn in the direction they wish to travel.

This could be avoided by making the sole vehicular access to both the north and south portions from the proposed new roundabout.

It is proposed that vehicles wishing to drive to Cheltenham from the southern part of estate first turn right onto Kidnappers Lane.

This will be very difficult as at the end of the school day there will be much traffic from the school. That traffic will queue along Kidnappers Lane awaiting a break in the traffic along Shurdington Road from Cheltenham.

This situation will also occur at the start of the school day when pupils are being dropped off by their parents whom then return to Shurdington Road to go on their way. As this coincides with the residents leaving for work this is probably more likely to prove to be worse problem.

It would be better to make 4 exits from the roundabout where one services the North and South parts of the development exclusively.

Footway

Needs to be extended along the south side of Shurdington Road from the existing footway to the roadway of the new development on the western side of the Northern part of Miller Homes site.

From this new footway pedestrian access through the Miller Homes site to the new school bypassing much of Shurdington Road.

Facilities

The new residents will seek facilities such as creche and nursery education for their children.

An option is to use those provided on the Burrows Sports Field. These can be accessed from the public footpaths that lie on the southern and eastern side of Northern portion of the site.

However as they are unsurfaced baby buggies will get bogged down in the mud.

There is therefore a need to tarmac parts of those paths.

This could also provide an access route to Leckhampton Primary School

Indeed by widening the slab of concrete on footpath ZCH80 over the culverted brook it could serve as a cycleway to the new school from Allenfield Road - creating a route that avoids Shurdington Road.

This requires the creation of a new route that is not shown on the developer's plans directly opposite Allenfield Road.

Pedestrian Access to New School

Present

From Shurdington Road

A footway barely wide enough for 2 pedestrians to walk abreast on 1 side of Kidnappers Lane.

From Leckhampton - via Kidnappers Lane

No footways

Along Farm Lane

To Brizen Lane

A footway barely wide enough for 2 pedestrians to walk abreast on 1 side of Farm Lane.

Brizen Lane to West Barn House

A footway shared at times with passing traffic a person wide on 1 side of Farm Lane

West Barn House to Church Road

No footways.

This is totally inadequate.

Summarising

Miller Homes might be willing to provide sufficient access through their site for pedestrians and cyclists from Shurdington Road but the dangers from the traffic along Shurdington Road make this an undesirable route and other quieter access say via Merlin Way need to be promoted.

1 Charnwood Road
Cheltenham
Gloucestershire
GL53 0HN

Comments: 25th November 2020

350 homes is too many, too intensive for this area. The infrastructure won't cope for a start. A lot of green space is already being lost to the new secondary school, which is a top priority for Leckhampton and much needed.

Another huge housing estate along with the Brizen Lane development is not a priority and the detrimental effects and loss of open space outweigh the need.

7 Leckhampton Road
Cheltenham
Gloucestershire
GL53 0AX

Comments: 25th November 2020

My concern is that the current infrastructure i.e. Shurdington Road, Church Road, Farm Lane, Kidnappers Lane, is already overcrowded with traffic at peak times of the day - particularly between 7am - 9am. This new proposal of an additional 350 houses will add considerably to this. The new senior school that is being built will by Kidnappers Lane will certainly add even more traffic to these roads.

Comments: 29th September 2021

I would like to add my name to the people who have already objected to this planning application by Miller Homes.

I have serious concerns to this development for several reasons:

Because of the large number of houses and the impact this will have on the local area in terms of additional traffic, pollution, increased risk of flooding, damage to the environment, wildlife and the increased urbanisation of this area of Leckhampton.

Traffic levels along the Shurdington Road, Farm Lane, Kidnappers Lane, Church Road is already extremely busy - particularly in the mornings and evenings during the 'school run' and commuting to work times. The current infrastructure is already struggling with the level of traffic. The new school that is being built will bring many more cars onto the roads.

Noise and pollution levels will inevitably increase with more vehicles, when we need to lower pollution to improve air quality. The increase in traffic would further impact on people's health - particularly children's health.

This proposed development would also increase the risk of flooding - you only need to look at some of the photos submitted by local people to see the flooding that has already occurred in recent years.

I really hope that this planning application by Miller Homes is refused for the reasons I have already mentioned.

2 Merlin Close
Cheltenham
Gloucestershire
GL53 0NF

Comments: 26th November 2020

I strongly object to, and am deeply disheartened by, this planning proposal to build 350 new houses in Leckhampton.

There are many reasons for supporting the refusal of more development in the area:

In 2016 the Secretary of State concluded that "sections of this highway network are already operating at over-capacity levels". His advice should be heeded.

The Shurdington Road is a traffic jam at the best of times, with Church road, Leckhampton Road etc witnessing a rippling, chaotic effect. With the additional school traffic yet to be added, the traffic will become unbearable.

All further development of the green space east of the A46 will undoubtedly increase the water runoff to Hatherley Brook and the risk of flooding will be much higher. It is only natural for existing residents to want to protect their properties and the surrounding land.

The new Leckhampton School is in the process of being built. Isn't it defeating the object to build this already 'highly in demand' institution, only to saturate the catchment area with potential new applicants?

This proposal shows complete disregard for the existing wildlife in the area. You cannot expect those creatures that survive in the area to stick to the rules that will be applied. Animals do not understand allocated nature reserves, roads, walkways, allotments, and human activities. Undoubtedly, many potential residents will vilify 'intruding' creatures that are only roaming what was previously their territory. The increase in activity and noise will have such a detrimental effect on our local wildlife which include, a diverse number of birds, bats, foxes, dormice and reptiles to name but a few.

It is also despicable the way that decisions can be made remotely to run roughshod over the environment of the existing inhabitants of the area who are finding their rural setting becoming increasingly urban.

In conclusion,

Enough is Enough. This area was originally highlighted to be protected. That was before the 'powers that be' decided to back track. This is overkill. More development will undoubtedly be unsustainable for this area.

Therefore, I strongly object to the planning proposal for the building of more houses and change of use of the allocated land.

Thank you for your consideration in this matter.

Firth Lodge
106 Shurdington Road
Cheltenham
GL53 0JH

Comments: 3rd December 2020

I agree with all of those who are objecting to this planning application who have concerns over flooding, extra traffic, pollution etcetera, but I am also most disappointed that Miller Homes have not approached us in regards to the new access road that would need to be constructed immediately next to our boundary. You would think that an on site consultation to discuss the impact on us would be the very least that they should've done. I therefore strongly object to this development in its current form.

80 Rowanfield Road
Cheltenham
Gloucestershire
GL51 8AG

Comments: 4th June 2021

I object primarily for the same reasons as outlined by the Cheltenham Green Party. Any meaningful engagement with CBCs ambition (and duty) to combat climate change should require any new development to be at least carbon neutral. As seems clear from the developer's recent response on energy concerns (28 May), it will only do the bare minimum, which seems a long way short of what is fairly obviously required. Given recent legal decisions concerning obligations of governments (and companies) on steps to tackle climate change, it seems of increasing importance to give more than lip service to carbon neutrality targets.

1 Merestones Close
Cheltenham
Gloucestershire
GL50 2ST

Comments: 23rd November 2020

MERESTONES RESIDENTS ASSOCIATION

The Merestones Association is aware of the above Planning Application and submits the following comments on behalf of our membership which comprises some 150 households.

1. The Merestones Estate is located downstream from the above site and is directly in the watershed of both the Hatherley Brook and another tributary which discharges from the above site, all as shown on the plan. We have often registered our concerns on behalf of many of our 'Council Tax-Paying Members', who are located in the lower reaches of our estate as and when the water -levels rise which seems to be occurring more often. Whilst it is noted that Balancing Lakes are proposed within the proposals, we hold the Borough Council responsible in ensuring that the run-off calculations are correct.

(On this aspect we are sending a copy of this letter to all our affected members so they in turn can advise their respective Property Insurers)

2. There is however, one anomaly within the submitted documentation in that we are unable to be sure that the applicants have actually included any such retention facility in the vicinity of Balancing Lake 'B' on the plan which is essential. Any attempts to obtain any clarification on this point have been unsuccessful...from both the applicants and the Borough. We have therefore included it on the plan as shown.

3. Still on the subject of flooding, this seems like a heaven-sent opportunity to clean out all the debris/tree roots etc., along both water-courses passing through the Merestones Estate as shown on the plan. With such a large and overall comprehensive application, there cannot be much dispute that this request comprises an integral part.

4. Finally, it is essential that all these items, as well as any other infrastructure matters,

ARE COMPLETED PRIOR TO THE COMENCEMENT OF ANY HOUSING CONSTRUCTION.

14 Wells Close
Hatherley
Cheltenham
Gloucestershire
GL51 3BX

Comments: 17th December 2020

I am a resident of Wells Close, Warden Hill, having moved here in December, 2019. Over the last 6-8 months, I have become increasingly concerned at the way in which the local council appear to have authorised new housing developments to the east of A46/Shurdington Road, notably the Redrow Development, and more recently, the proposed Miller Housing Development. Whilst I accept and fully support the need for housing in this area, I feel that the urge to satisfy a Government-driven policy is outstripping a parallel need to protect pre-existing housing within the area, and I strongly feel that it is now time to redress the balance between 'new housing' and our failing sewerage/drainage infrastructure which seems to manifest itself all too often in this area. Prior to buying our bungalow, we carried out extensive research utilising 2019 Environmental Agency maps of the area. We quickly established two properties at the end of Wells Close were at risk of flooding, but our chosen property was shown as free from risk. However, after having occupied the property, we were also made aware that the above two bungalows had been badly flooded twice during a 15 yr period (2007 and again in 2016), but we were assured that our property had not been flooded.

In June 2020, Wells Close, Farmfield Road, Salisbury Avenue, and Lincoln Ave / Winchester Close were again the subject of heavy flooding, and following this event, many of our Wells Close residents reported sewer water had reached the top of their manhole, and in places had breached and contaminated gardens, particularly in the case of the two fore-mentioned bungalows, which were subjected to serious internal fabric / content water damage. Thankfully, we were more fortunate, having placed sandbags to cover ground-level air-vents and protect the internal (wooden) floors. During the 30-

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40minute downpour I watched all of our roof water being forced upwards from the land drain, as the drain system could not cope, an issue being repeated along the length of the street. Within the 10 minutes, I was standing in 6" of floodwater running the length and three sides of my property, with no outlet to allow it to drain away. Having barricaded my vents, I offered assistance to neighbours, and I was totally horrified to see 10" deep water encircling their newly purchased bungalow, having accessed their property from two directions : (1) runoff from Welsh Close Road, and (2) heavy runoff from across rear gardens, clearly flowing from Farmfield Road. We all felt totally helpless, and emotionally gutted for the young parents involved, with a newborn child. It was a heartbroken situation.

Following this event, a neighbour & resident of Wells Close arranged a meeting with representatives from Severn Trent Water, the Highways Department, and our local Lib Dem candidate, to discuss what action could be taken to alleviate our flooding issue. The meeting was held in July 2020, at the end of which we were informed that all of the parties concerned would work together to establish what action could be taken to improve our situation. To date, no material report has been forthcoming, so we feel that we are no further forward, albeit soon after the meeting we saw a kerbside drain-cleaner attended the Close in Aug /early Sept., and we believe that STW have now initiated a camera search of the local surface-water drains in the Close. We await a formal response to their findings, especially in the light of the renewed concern we have over the Miller Housing application, as it now appears that we have an escalating situation, with the potential for further pressures being added to our ageing system.

Historically, when Tewkesbury Planning Team permitted the Redrow Development east of Shurdington Road, they have allowed that developer to feed the authorised development's foul water into the ageing Warden Hill sewer system, (which we know was already showing its age and failings both in 2007 and 2016), well before they authorised that planning application. Likewise STW would have been aware of that flooding problem issue across the Warden Hill area, and yet they too authorised and countersigned the Redrow application.

We now have Miller Homes ambitiously offering to feed another 350 homes' sewer water supply into the ageing and overworked Warden Hill sewer system, with the inevitable consequences which are clearly likely as/when we get the next torrential downpour. In all their various reports, Miller Homes modelling agents refer to a mystic "1:100 and/or to a 1:1000 storm event". Perhaps someone could politely point out to them that this "event" they seem refer to is no longer valid, as we now know that we have already experienced three such events in the last 20 years, and armed with this knowledge, we can expect that this is likely to become the norm, particularly as climatic changes take effect, and our weather patterns become more extreme and storms become more common. It is time that these 'modelling practitioners' amended their outdated projections to provide realistic forecasting in line with real-time climatic data for future planning guidance. Such data is readily available on the web.

I also take note that STW have already undertaken some restorative work (back in 2017/18) to the main water ditch which runs along Farmfield Rd but it remains a fact that both the sewers and the surface water drains along this local area cannot cope with heavy rainfall. Add to this the sheer stench of sewer odour escaping from the manhole situated in the middle of Farmfield Road at the intersection with Wells Close / Morrison's footpath, it is clear that there s an ongoing issue at this location which STW have failed to rectify, as I am aware that the local resident, living immediately next to the manhole, has

repeatedly reported the problem but despite their attendance, the overpowering odour has continued through out the summer and autumn months this year.

Perhaps this manhole merits a closer inspection, and/or re-laying, as it certainly makes a very loud 'clunk' as vehicles drive across it. Similarly, as my wife and I walk along Farmfield Road several times a day, we frequently see kerbside drains struggling to deal with the results of any heavy rainfall, (primarily due to a build up of leaf debris). Likewise, we have noted regular build up of tree/leaf litter against the galvanised grid erected to protect the entrance to the land-drain running along the length of Farmfield Rd. Clearly this feature requires a regular 'spot check' by the council if we are to avoid unnecessary blockages and widespread flooding of properties along this road.

We have reviewed the Miller Housing proposal, along with the supporting Severn Trent Report (undertaken by Black & Vetch, 7th July 2017, and we would draw attention to the following:

They state : "There are known capacity issues along one of the downstream sewers in Lincoln Avenue and Sainsbury Avenue". (Appendix A. - Fig A.2).

We have been informed by neighbours that some work was carried out to the Salisbury Ave sewer, but would question whether this work has resolved our local flooding issues. If it has cured

flooding issues, why did we again experience such a significant blockage in this latest event (June 2020), which devastated several streets in the area, including our own. We are given to understand the pressures involved in the sewer system forced one manhole lid skywards, resulting in a spectacular artesian display in Salisbury Avenue.

In their planning model, the report authors fail to indicate to what extent they adjusted their modelling to allow for the near 80% clay content of the area's surface geology. This is a significant factor, as ground water infiltration simply does not exist across much of this area, an issue voiced by every gardener, builder and land drainage workman spoken to since our arrival here in December 2019. The authors also state: "There is a CSO (Combined Sewer Overflow) downstream of the development, but it (the CSO) is not affected by the development site". They concluded : "Capacity improvements are not likely to be required to accommodate flows from the new development. (viz. the Miller Homes site)."

Are they serious? How can they possibly say this when we know that the volume of surface water hitting our drains during the June 2020 event totally overwhelmed the local drainage system, and the manholes, which according to the earlier Redrow Development Modelling reports suggested ..."should only lead to a 60cm rise in foul-water levels within Warden Hill domestic manholes" were described locally as having swamped to lid level by rising sewer water, and in some places, overflowed across gardens and into homes in Wells Close, Salisbury Ave and Farmfield Rd. Clearly Tewkesbury Planning believed the report and authorised the plans for Redrow, yet we have evidence to show that it displaced manholes at Salisbury Ave and at Farmfield Rd.

On their 'Drainage Layout Plan Phase 1', the authors also indicate surface water is to drain to Pond A, and this 'pond' is then designed to overflow in to Hatherley Brook (which in turn flows towards Warden Hill, Woodlands Road and the St Michaels area, a cause for further concern for any future high volume rainfall events.

Likewise, the Patrick Parsons's (June, 2019) Risk Assessment Report, Fig 4.1 shows a map of JBA's Flood Mode. This map suggests that the report incorporates only a small snapshot of local flood risk areas, specifically around Shurdington Rd, Hawkswood Rd and Woodlands Rd areas west and North West of the proposed development. Do we therefore assume that they have excluded (or eliminated the impact) the well documented flooding events of the 2007 & 2017 events (previously mapped by the Environment Agency), specifically along Farmfield Rd, Wells Close, Salisbury Ave, Lincoln Ave and Winchester Avenue? One would have thought it would be very appropriate for them to have included this data in with their modelling data to give an accurate overall impact assessment to the effect of having this new '370 home development and its associated expanse of hard surface, on the local community / housing / sewer system ...viz Warden Hill. Note: The report recognises the value of a BGS geological report for this area, in which the surface geology is described as ground 'made up primarily of clay, and as such, prohibits the use of infiltration disposal of surface rainwater'. This means all surface water has to be disposed of by sub surface pipework, shallow drains or culverts, or existing natural brooks. This then enhances their inbuilt reliance on having to connect (A) (B) & (C) drainage Ponds to existing brooks. Their report also talks of "the majority of rainfall run-off from the ground from Leckhampton Hill as already being directed via 'Leck 2' and 'Leck 3'". It seems logical to conclude that the 2 brooks concerned would also be expected to deal with the inevitable 'excess overflow' from Pools (A) & (C) under this Miller Homes proposal. This will all add to the water input into the land north of Warden Hill, which in turn, would have an impact on Warden Hill groundwater.

The author refers to a '1 in 100' year storm event, and a '1 in 1000' yr event, and suggest that the drainage works designed for this estate are in accordance with "Sewers for Adoption Parameters to allow no flooding for up to 1:100 year storm, plus climate change. Sadly, these terms appear quite meaningless, as climatic change is upon us now, and already impacting on our weather, and it is not going away, anytime soon!

Severn Trent also conducted a SCA (Sewer Capacity Assessment) for this development back in July 2018, (Ref. DE-1704-859), in which they sought to establish the capacity of foul sewers located between the site (Millers Developments), and downstream trunk sewers, to receive all the sewage generated by this new development. (Note: This STW report was undertaken between July 2018 and June 2019, so they would have been aware of the impact of the 2017 flooding on our area). It would appear that they accepted, in principle, 2 x sewage discharge points for this new estate ... (Location unspecified in the document, hence TBA!), and added that ..."the risk of sewage flood damage is deemed negligible to the development, and adjacent 3rd party land". Do we therefore assume that when they have researched this issue, they have limited the 'impact boundary' to the immediate area around this new estate? If so, what about the Warden Hill area, with its long-running battle with sewage and surface water flooding, which is fully documented and they are they rare fully aware of Surely this should also have been a major issue to add to their matrix modelling as this would have had a significant bearing on the overall modelling for this new estate. Clearly the additional influx of sewer or surface water into this old drain & road system would only exacerbate an already fragile hydrological system in this area. I believe that Tewkesbury Council's willingness to grant Redrow Developers access to a pre-existing old sewer systems was a major failing for this area, as it will have compounded a pre-existing problem which is now being felt across Warden Hill, and to date, it does not appear to have been resolved.

Where does it all end? and ...What retail value will our 'forgotten homes' have in 10 or 20 yrs time, when the flooding risk map has been inevitably changed following years of hydrology neglect, and our local area becomes a mass of dark blue!

I would be grateful if you could include / address my concerns in your report when you respond to the Miller Homes Development application, which I believe is due to come back before Cheltenham Planning in Jan / Feb 2021.

Thank you in advance.

Comments: 1st December 2020

Could someone please inform us where Miller Homes's Phase 2 Foul Water will go to?

Whilst we accept there is need for further housing in this area, there is also a need to re-invest in our older pre-existing estates, and ensure repair / replace of failing surface and sub-surface water networks.

In June 2020, several areas of Warden Hill, Salisbury Avenue and Winchester Way experienced flooding after 40 minutes of torrential rain, which caused surface water drains and local sewers to fail, breaching manholes, and damaged several properties.

In April/May 2020 Tewkesbury Planning Authority granted Redrow Development permission to dispose of foul water directly into Warden Hill's existing sewer system. This was a very surprising move, as Warden Hill's sewers are already over 65 years old, and as such, have shown themselves to be failing occasionally under the increased pressure of prolonged heavy rainfall (Cf. in 2007 & in 2016, and now yet again in 2020). Severn Trent Water would have been aware of these issues in 2017/2018, but they too signed off the Redrow application.

We now have Miller Homes applying to erect 370 houses on this new development, in two separate Phases.

(1) Phase 1's sewer water is shown as running NE along the Shurdington Road, whereas

(2) Phase 2 appears unspecified. From the plan it would appear that this may eventually flow into the Warden Hill via the Shurdington Rd? If the latter is true, then we have real concern with this proposal.

Could we respectfully ask Cheltenham Planning to clarify this area of concern, as it would have repercussions for our estate. Warden Hill sewer / surface water drains clearly already struggle to cope with excessive rainfall events. Miller Homes modelling talk of their systems being designed to cope with 1:100 or 1:1000 storm events. This is inappropriate optimism, as severe rainfall events now impact on the UK every 3 -7 years, not every 100 years, and as such their 'modelling' is quite flawed, and totally out of step with real-time climatic data.

We are aware that S.T.W undertook repairs to the Salisbury Ave sewer, but as this again failed again in June 2020, one cannot help but question whether STW they successfully resolved the issue, as manhole lids were again blown clear with spectacular force. STW also undertook restorative work to a water ditch in Farmfield Rd (in 2017/2018), but it too remains a fact that the remedial work undertaken to date do not seem to have curtailed the latest flooding seen there in June 2020.

Where does this leave us, and what resale value can we expect for our homes and life savings investment in 5-10 years time should the flood risk for this area be exacerbated as a direct result of new developments such as that at the Redrow Homes and the new Miller Homes Developments?

I would thoroughly recommend your readers visit Miller Home's Planning Application Planning, available for public scrutiny, via <https://publicaccess.cheltenham.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=QI8BWZELLQM00>.

I would be grateful if you could include my concerns in your report when you respond to the Miller Homes Development application, which I believe is due to come back before the County Planning Team in the near future

73 Church Road
Leckhampton
Cheltenham
Gloucestershire
GL53 0PF

Comments: 21st December 2020

I support the representations submitted by the Parish Council. The application should be refused unless it is amended in the manner it recommends, for the reasons it has given.

74 Canterbury Walk
Cheltenham
Gloucestershire
GL51 3HF

Comments: 13th January 2021

Firstly the website given through the postal plan I received for Miller app chelt ,does not get recognised,so great idea for the public like me to not have access.

Like all projects over the country,the biggest shortfall the contractors make ,is not making the infrastructure a priority over all else.

For the sake of satisfying the new occupants and indeed the old neighbours,it would be so good to have a detailed meeting to help assess the needs of both parties.Any other move would be shortsighted and ignorant.

We know every sq metre used for a better infrastructure,means less property being built ,but this very greed needs to be curbed.

It's extremely important to use this discussion time to understand such measures of parking cars(the car will always be a factor),and proper ,well organised roads ,without making access for new and older residential properties,unattractive.

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It is very shortsighted for Miller to not engage and surface these very factors, because the worth of Miller's reputations can hang very much in these plans.

If by any way, the infrastructure, to include some retail conveniences, is ignored, then the hassles that go with this project will obviously follow for years on.

Comments: 13th January 2021

This project needs to have a serious consultation from Miller and neighbours and /or prospective residents.

The shortsighted views from contractors, that involve every sq metre being used for property, is a mistake from the outset.

The infrastructure is the most important part of any such project and with this concern, will inevitably make the whole project exciting and more attractive for all concerned.

I have seen the needs of the new and old residents ignored time and time again, but this always concludes with objections and ends up, the residents being totally dissatisfied with their new home.

If greed takes hold, then Miller homes would rather build an extra 10 homes, instead of surfacing the very conveniences as a must and not a possibility.

This is set out for Miller to listen to the very important part of any local community, and we want the needs to be considered before one inch of ground is developed, as a matter of respect.

4 Cornflower Way
Witcombe
Gloucester
GL3 4XJ

Comments: 13th January 2021

I strongly object to the current proposals. The traffic on the Shurdington Road is horrendous during rush hour as it is. The new school will only make this worse and new Miller houses on top will be the final straw - Shurdington Road simply cannot cope with another 350 houses. The pollution levels are unacceptable (I agree with the Clean Air Cheltenham report).

If any houses have to be built at all, the number should be as low as possible - certainly sub 200 and nowhere near 350.

Query whether local amenities (doctors etc) have the capacity to deal with a significant number of people/families moving into the area.

14 Nourse Close
Cheltenham
Gloucestershire
GL53 0NQ

Comments: 14th January 2021

This area has been swamped with development in recent times - when is enough enough!

It seems to matter little that the implications on local infrastructure, pollution, congestion etc. etc. are paid scant regard to and the usual valid and oft stated local objections and Inspectors reports have done nothing to hold back the already sanctioned and ongoing activity (Redrow and school).

Yet another building spree in a more critical and central position will only exacerbate the detrimental effect on the local community, particularly traffic congestion on the Shurdington road and adjoining areas and and the knock on effect on pollution levels. What a joy we have to look forward to when normal post Covid activity resumes, the school becomes operational and hundreds more houses are packed into Leckhampton!

Tewkesbury Council's blithe out-of-sight out-of-mind planning approach re the Redrow estate has blighted the area and is a precursor to the creation of just yet another built up suburb where there was once Leckhampton.

It is a forlorn hope that this planning application will be rejected given the mass scale of what is already afflicting us.

45 St Michaels Road
Cheltenham
Gloucestershire
GL51 3RP

Comments: 14th January 2021

I object to this application :-

- 1) Yet more Green field sites will be covered by bricks & mortar and tarmac.
- 2) There are sufficient Brownfield Sites within the Cheltenham Town to fulfil all new housing needs.
- 3) The only access from this site is onto the already 'nose to tail' traffic on the A46 Shurdington Rd
- 4) There will be even more traffic when the new Leckhampton School on Farm Lane is operational.
- 5) It will cause yet more water spill off into the local watercourses which are fed by the drain off from

the hill escarpment and cause more flooding off an already wet and boggy area of fields below the hill and Leckhampton Church Road.

There is a row of Natural Springs, between Farm Lane, Lott's Meadow and Burrows Sports field which drain into both the Hatherley Brook and tributary. Both these watercourses go on under the A46 and can cause serious flooding in Warden Hill and beyond.

6) STOP ANY MORE BUILDING ON THAT SIDE OF THE A46 AND PUT THE LAND BACK TO PRODUCTIVE FOOD AND ENVIRONMENTAL USE. PLANT SOME TREES - THAT WOULD SOAK UP THE EXCESS WATER.

This area would make an excellent green Lung & Space with copses of trees and open areas for the well being of the whole community.

Comments: 1st March 2021

I am looking at the P.C.I. map of the new housing applications in the area along the A46.
> Miller Homes application is huge, it takes most of the fields alongside the A46. back as far as Kidnappers Lane, along with other building applications in the area.

> A46 is almost impassable now, all those extra houses along with the new school traffic -

> it will be chaos, adding to all the traffic coming down Farm Lane from all those new houses.

> WE ARE BEING ASKED TO PLANT TREES to help save the planet, those combined developments will decimate the trees and green spaces in the area.

> This area would make an excellent GREEN LUNG and community amenity for the area and residents from further afield.

> If planned with that in mind, as a project on London's Queen Elizabeth Olympic Park, and 'Trees for tomorrow' featured in the Nat Trust Spring 2021 magazine.

> Pgs 26 - 29.

Comments: 1st March 2021

instead of bulding on green land Planning should insist on using brown land and unused spaces in the town and other built up areas being used first.

15 Wells Close
Hatherley
Cheltenham
Gloucestershire
GL51 3BX

Comments: 11th December 2020

I am very concerned about this planning proposal, especially where the Foul water from Miller Homes Phase 2 will be directed to.

In Warden Hill in June 2020 several areas of Warden Hill experienced flooding following torrential rain that caused surface water drains and local sewers to fail, breaching manholes and damaging a number of properties.

Warden Hill's existing sewer system is over 60 years old and has previously failed in July 2007, June 2016 and June 2020 due to intense torrential rainfall events. In April/May 2020 Tewkesbury Planning Authority granted Redrow Development permission to direct foul water into the existing Warden Hill Sewer system. Although Severn Trent Water (STW) was aware of the previous sewer failures they still approved the Redrow application.

Grateful if Cheltenham Planning could clarify where the foul water will be directed to as it could have significant repercussions for our estate. Warden Hill sewer / surface water drains already struggle to cope with excessive rainfall events. Miller Homes modelling of the systems being designed to cope with 1:100 or 1:1000 storm events is wholly inaccurate as severe rainfall events now impact on the UK every 3 -7 years.

Miller Homes have now applied to erect 370 houses on this new development, in two separate Phases.

(1) Phase 1's sewer water is shown as running NE along the Shurdington Road, whereas (2) Phase 2 appears unspecified. From the plan it would appear that this may eventually flow into the Warden Hill via the Shurdington Rd? If the latter is true, then we have real concern with this proposal.

Although STW undertook repairs to the Salisbury Ave sewer it again failed to cope with the intense rainfall in June 2020 so the problem remains unresolved. STW also undertook restorative work to a water ditch in Farmfield Rd (in 2017/2018), but the remedial work undertaken to date does not seem to have improved the situation.

There is a real need to keep investing in our older pre-existing estates and ensure repair / replace of failing surface and sub-surface water networks.

I would be grateful if you could include my concerns in your report when you respond to the Miller Homes Development application, which I believe is due to come back before the County Planning Team in the near future.

45 Campion Park
Up Hatherley
Cheltenham
Gloucestershire
GL51 3WA

Comments: 15th December 2020

The proposal is fundamentally flawed and irresponsible. my points are as follows:

The roads cannot cope, the A46 is already heavily congested at peak times and during the day which will get even worse with the new school. There will be no new main roads, all of the access roads will join the A46 Shurdington road increasing congestion. Buses and emergency vehicles will be delayed by even more traffic. This is dangerous.

Pollution levels will increase as a result of additional traffic.

There will be no additional Doctors Surgeries which are already heavily loaded.

Few, if any, of the houses will be affordable or for rent at reasonable prices. This is simply a development for well off people who want to get into the new school. Rich people will buy second homes to facilitate getting into the new school. It will become a magnet for second homes and buy to let and yet another executive homes site.

The area at Warden Hill is susceptible to flooding. The existing flood defences will struggle to cope with the water run off and will put existing housing and the main A46 road at risk of flood damage.

18 Brizen Lane
Cheltenham
Gloucestershire
GL53 0NG

Comments: 28th January 2022

We cannot possibly see how the A46 Shurdington Road can take any more traffic over and above the amount there is right now, especially at peak hours.

The reason why we state this is because luckily it isn't very often that we travel out of Cheltenham along the A46 towards the A417 junction at around 8:15 am on a non-holiday weekday morning, it being very recently on Tuesday 25th January 2022. Without exaggeration, the queue going into Cheltenham without any accidents/incidents was all the way back to the A46/A417 junction, waiting to enter the A46, and queuing for around half a mile along the A417 towards the M5 junction. We are sure that it won't be very long until traffic is queuing and waiting to get off the M5 to get on to the A417 and then along the A46 on this southern entrance into Cheltenham....it may be already happening on some mornings, we don't know. We are sure that the same traffic queues must be the same leaving Cheltenham, again especially at peak times. The above is combined with traffic coming from the Brockworth and Air Balloon directions and mixing with the traffic from the A417 at this roundabout where there is a terrible blockage.

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Please try it yourself some weekday mornings, which are NOT during any holiday periods, and you should witness what we did on a purely random morning. This CANNOT be allowed to carry on given that there are many developments in the pipeline all along the A46.

Forgive us, but in case you are not aware, the following developments right near to the A46 from Brockworth to Cheltenham are all being planned, and built, without consideration for any road infrastructure to support them:

350 Miller Homes + 12 Kendrick Homes + 26 Newland Homes are all proposed right next to, and near to, the A46 at Leckhampton, also a further 30 Redrow Homes at the junction of Farm Lane/Church Road which are extra to Redrow's 377 already being built. Additionally, 1,500 dwellings being built at Perrybrook, next to the A46 and very near to Brockworth, and 180+ proposed dwellings at Shurdington in the TBC Local Plan. This is a total of at least 2,470(ish) so far which means an estimate of at least 4,000 extra cars (maybe more) using the narrow A46 entrance to Cheltenham through Shurdington and rat-running other roads in the Leckhampton/Shurdington/Warden Hill areas, especially at peak times as we have stated.

These are all without taking into consideration the new LECKHAMPTON HIGH SCHOOL that will be up and running in September 2022, with all the extra traffic that it will also bring.

Please will you consider the points we have raised with urgency. Life cannot carry on in its present state because these developments will cause additional major tailbacks in and out of Cheltenham if/when they are given the 'green light'. Surely in your heart of hearts you must know that the traffic will be gridlock at peak times and awful at other times. You obviously have Government guidelines to follow but surely you also have the power to stop many of the developments that have been mentioned on the grounds of overdevelopment, with no infrastructure in place, giving treacherous traffic conditions.

A sobering thought: If a new roundabout is to be built at one of the Miller Homes entrances, as proposed, then there will be terrible queues on the A46 for many weeks/months to come....how will those endless queues be explained to the public ?

Comments: 27th January 2021

It should be noted that some of the Consultee's comments to this application are quite damning, most notably from the Architects Panel, Cheltenham Civic Society, Vision 21 (see below), Tree Officer and the Ramblers Association.

Others, such as the GCC Highways Planning Liaison Officer, appear very concerned and have asked for a deferment of the application. Therefore shouldn't there be alarm bells ringing about the many pitfalls of this development, especially with a view to the sheer volume of extra traffic on this critical entrance to Cheltenham that will greatly affect the lives of so many residents on either side of the A46 in both Warden Hill and Leckhampton, and other surrounding areas ? Not only is the traffic a major concern but there are many other issues, as pointed out in the Consultees and Public comments, such as poorly designed housing and frontages, with some 3-storey dwellings, lack of modern gas boilers, lack of carbon zero neutral homes, flooding worries downstream in Warden Hill, air pollution concerns, ecological concerns, poor landscape value....the list goes on !

On the subject of gas boilers etc; it is worth reading the Guardian article in the following link:

<https://www.theguardian.com/environment/2021/jan/23/buyers-of-brand-new-homes-face-20000-bill-to-make-them-greener>

Also, a recent Daily Telegraph article stated "Act now ! Install a zero-carbon, energy efficient boiler and replace your bulky and inefficient gas or oil boiler. With the domestic market moving away from gas installations and the UK Government banning the installation of gas boilers in all new homes by 2025, homeowners should be looking for alternative ways to heat their properties" The question has to be, why are Miller Homes not producing plans to build their homes with zero-carbon, energy efficient boilers installed ?

Additionally, there are recent strong objections from the Friends of Bournside (19th Jan in Documents Tab) with disturbing comments and huge concerns about flooding downstream of Warden Hill and showing alarming photos of recent bad flooding in the area where they live. Also, Up Hatherley Parish Council and Brockworth Parish Council have voiced big concerns in their very recent responses, especially about traffic.

All these comments by prominent organisations should be taken note of by Miller Homes, CBC Planning Officers and the Planning Committee.

Finally, flooding has hugely affected Warden Hill roads in past years, and now there being big concerns about it again if this development were to go ahead. Leckhampton with Warden Hill Parish Council campaigned vigorously in the past for something to be done in areas of Warden Hill that were badly flooded (notably David French Court and the Farmfield Road area), that is why £600,000 was spent on flood defences to the side of the A46 and to the west of Kidnappers Lane.

NB:

The following excellent extract is from Vision 21 in response to the Miller Homes application:

"This sounds good but the statement lacks ambition and is nothing more than a grouping of weasel words. This is evident by the fact that there isn't any commitment to install electric vehicle charging points as standard. There is no mention of installing any micro-generation technology (solar panels or heat exchangers for example), nor any mention of installing any district heat and power system. They are planning to install gas boilers to heat the homes.

This latter point is particularly galling, since in its Spring Statement the Government has announced that by 2025, all new homes will be banned from installing gas boilers and will instead be heated by low-carbon alternatives. The ban is inspired by an attempt to reduce Britain's carbon emissions and follows recommendations from the Committee on Climate Change in their recently published report "UK housing: Fit for the future?" that fossil fuel heating be replaced with renewable alternatives such as heat pumps.

This development needs to be a demonstration of how Cheltenham intends to develop a carbon neutral future, which means the scheme, as presently put forward, must be

rejected and replaced with a new proposal that lives up to Cheltenham Boroughs' aspirations in which:

All homes should be insulated to a standard that allows for them to be heated by heat exchange

Heat exchangers (air, ground or water) should be installed in all of them (some use of water may be possible given the creation of several water bodies in the scheme)

Solar panels should be installed on all south facing roofs

Electric vehicle charging points should be installed on every home"

Comments: 15th January 2021

The reasons for our objections are much the same as many other excellent objections about the traffic implications, infrastructure, air pollution, flooding, landscape value, ecology, etc; with a few additions.

TRAFFIC AND INFRASTRUCTURE: You have to believe us when we state that most people we know living in the Leckhampton area, and its surrounds, don't understand how the infrastructure will cope on one of the major routes into Cheltenham (the A46) and also on the surrounding lanes and roads i.e. Farm Lane, Kidnappers Lane, Leckhampton Lane and Church Road, in addition to other areas nearby. Additionally, please be aware that Kidnappers Lane, Farm Lane, Leckhampton Lane and Church Road are all narrow, rural, country lanes and roads.

We all know how bad it is at the moment, particularly at peak times, and can guarantee that it will only get very much worse when the 377 houses on the Redrow site, Leckhampton are built, 26 Hitchins homes off Kidnappers Lane, Leckhampton, 42 further Redrow homes (applied for this week, if built) at the junction of Farm Lane/Church Road, the 1,500 dwellings at Brockworth being built, 180+ proposed dwellings at Shurdington in the TBC Local Plan, and now the proposed Miller 350 dwellings on the Leckhampton fields. This is a total of at least 2,450(ish) so far which means an estimate of at least 4,000 extra cars (maybe more) using the A46 and other roads in the Leckhampton/Shurdington/Warden Hill areas, especially at peak times as we have stated.

All these extra houses, plus the proposed new school on the nearby fields, has got to make the traffic in the area approaching GRIDLOCK at times. As we have witnessed a few times, traffic going into Cheltenham in the mornings can be 'backed up' to, and even beyond, Shurdington towards the A417/A46 junction....and that is without any accidents in the surrounding area and/or on the M5. All these proposed developments, with all the extra traffic, is probably the reason why there is a present submission to CBC by Gloucestershire Highways which states, "The Highway Authority and the Applicant are discussing this application.....whilst these discussions continue with the Highway Authority it is asked that this application is not determined. The Highway Authority therefore submits a response of deferral."

The point here is that the consideration of this Miller Homes application for 350 homes, next to an extremely busy A46, should surely not be considered until Gloucestershire Highways has come up with a comprehensive solution to the traffic problems in this area (it was 200 homes previously, which we thought was 200 too many !). There is no evidence at the moment that any planning (or even thought) has started on the

necessary infrastructure, including provision for footpaths and cycleways for the proposed school, let alone a major 350 homes estate with all its infrastructure problems.

We, and so many others around the area where the proposed school is to be sited, find it very difficult to believe that a solution will ever be found for the transport infrastructure in order to mitigate the traffic impact because the roads are just about passable now without the addition of any bus lanes, cycle lanes and footpaths etc; Gloucestershire Highways are not listening to the residents and the local Leckhampton with Warden Hill Parish Council (LwWH PC), who know the area light years more than any Planner does.

We are sorry to say, but it is true, that no matter how many times developers come out with all these 'flowery' words and phrases about cycle lanes, bus lanes and footpaths being installed (in order to satisfy the planners) we just don't believe that they can be, or will be, on the very narrow Church Road, Leckhampton Lane, Farm Lane, Kidnappers Lane and A46 Shurdington Road. All of them are just about wide enough to fit a car each way.

Very importantly, we all know that a huge number of parents, in today's world, do the 'school run' and will drop their children off alongside the A46 Shurdington Road going into Cheltenham in the morning at peak time to get to the new school on time. Those children will, without doubt, frequently rush across the Shurdington Road, probably looking at their devices at the same time, only to be involved in a bad accident with a vehicle travelling the other way. It is a bad accident waiting to happen (maybe a death). How will Highways, Miller Homes and GCC feel then ? Will they take responsibility for their actions in allowing this development to be built ?

The three local Parish Councils namely Leckhampton with Warden Hill Parish Council, Shurdington Parish Council and Up Hatherley Parish Council have all strongly objected to previous proposed developments in the area, including the new proposed school, on all the grounds of traffic implications, infrastructure, air pollution, flooding, landscape impact, ecological issues etc; let alone the very narrow and dangerous country lanes. They have got to be the ones to listen to because they have the local day-to-day knowledge, as we do living in the area.

AIR POLLUTION: An article in last March's Planning Resource magazine stated that Cheltenham is listed as one of the 33 authorities ordered to take action on air quality. As you can imagine this is of huge importance when deciding where to site a new development i.e. next to the extremely busy A46 Shurdington Road and next to a school, air pollution being a major factor which affect young people's lungs.

FOOTPATHS: Since lockdown more people than ever are using, and have used, the Leckhampton footpaths for their recreation. On our exercise sessions we have regularly passed them using the footpaths that will be used for the proposed housing application. Many of the people we have spoken to are saddened by the terrible decision of this proposed permanent closure for a housing development.

GREEN ISSUES: We thought that Cheltenham Borough Council had recently shown itself to be a very green council in the fight against climate change. This means huge reductions to carbon zero on any new build.

LANDSCAPE VALUE: This area is famed for its Landscape Value which was absolutely reinforced by the JCS Inspector, Elizabeth Ord. This proposed development would 'stick out like a sore thumb' from the escarpment on Leckhampton Hill.

FLOODING: We know that it has been mentioned by a few other objectors, but please be aware that bad flooding has occurred from the Hatherley Brook during times of heavy rainfall....this will have to be strongly mitigated against. We can supply photos of flooding here if you are interested.

ECOLOGY: There will be a very negative impact on habitat and ecology and others have also commented on this point.

CBC Officers will be making a huge decision that will affect the lives of everybody in Leckhampton, and surrounds, for generations to come. We beg you to think hard and deep on the decisions you take. If the officer's recommendation was to permit then it will be despite the very many concerns from the community at large on the need for this development.

Lastly, but again very importantly, it is imperative that a site visit is undertaken by Cheltenham Borough Officers and Councillors for such a huge and important proposed development such as this, in order to physically observe it both on the site and at a high distance on the escarpment of Leckhampton Hill being in the AONB. The impact on the landscape will be huge, especially with the proposed 3 storey dwellings, matching the "eyesore" of the new red-coloured Redrow estate from the AONB,

PS A VERY ASTUTE NEIGHBOUR HAS RECENTLY CONTACTED US STATING THE FOLLOWING:

First pictures from the Gloucestershire Echo Live....a few trees on one side of the road, a rather pathetic gesture. No hedges or front gardens and nowhere for any flower beds. Very uninteresting streetscape. Cladding only gets discoloured over time (see The Berkeley Homes development, Century Court on Bath Rd and Middleton House on Pilley Lane). Bulk-buy monotonous shrubs in each front garden.

Where is the infrastructure for this development? More houses, yet not a shop, pharmacy, cafe, doctor's surgery or any other facility as part of the mix. Why not?

A development such as this, on top of the other 377 Redrow houses, with no facilities either, just makes for more traffic on local roads when you want a loaf of bread or some milk. Parking on, and around, the Bath Road is near impossible now and will only get worse for shopping once these extra houses are built.

More red brick houses. Where are the Cotswold stone and stone houses so redolent of Cheltenham and the Cotswolds? Another development that could be put in any other part of the country and not look out of place. I thought we were past the 'poor design' stage of development from the big builders and that we could look forward to something more unique where we live ?

Comments: 30th September 2021

1st comment submitted on Wed 27 Jan 2021.

We have taken a look at some of the supposed changes in the Miller Homes application and can find nothing they have altered that stands out....much of the application remains the same. Our first objection was published on 27th Jan 2021 and still stands, however we have highlighted a few recent comments/objections which state everything that we have highlighted, and more. These aren't the only ones but there are many other recent excellent comments/objections also.

These are a few of the recent comments/objections by others:

"I have serious concerns to this development for several reasons:

Because of the large number of houses and the impact this will have on the local area in terms of additional traffic, pollution, increased risk of flooding, damage to the environment, wildlife and the increased urbanisation of this area of Leckhampton.

Traffic levels along the Shurdington Road, Farm Lane, Kldnappers Lane, Church Road are already extremely busy - particularly in the mornings and evenings during the 'school run' and commuting to work times. The current infrastructure is already struggling with the level of traffic. The new school that is being built will bring many more cars onto the roads.

Noise and pollution levels will inevitably increase with more vehicles, when we need to lower pollution to improve air quality. The increase in traffic would further impact on people's health - particularly children's health.

This proposed development would also increase the risk of flooding - you only need to look at some of the photos submitted by local people to see the flooding that has already occurred in recent years.

I really hope that this planning application by Miller Homes is refused for the reasons I have already mentioned."

ALSO,

"We sent in the comments below relating to the above application after the closing date for comments earlier this year. I note our thoughts are not published on the list of responses to the planning application online. Please could you confirm that they will be taken into consideration when reviewing the application by Miller Homes? We are still, like many local residents, extremely concerned about the impact the new development could have on flooding risk to local homes. I can't see any reference made to this concern in the revised documents. Please could you point me towards any further work done on this, in case I have missed it?"

Having read the cover letter supplied by the development company accompanying the resubmission I can see nothing that in any way addresses my objections to this development on the grounds of pollution, scale, impact on traffic, developing a greenfield site etc; and continue to strongly object to it.

This morning at 8.15am there was a solid line of traffic along the entirety of the Shurdington Road and backing onto the A417 slip road. I do not understand how building a further 350 homes on a greenfield site in this area, before the school has even opened, can be considered acceptable?"

AND,

"This revised application shows little change regarding zero energy housing. This goes against Cheltenham Borough Council's declaration of a Climate Emergency. The definition of emergency is 'a serious situation requiring immediate action', therefore all new housing should be built to this spec.

The housing density is too great, the infrastructure already cracking at the seams, and loss of green space will take away the character of Leckhampton."

20 Allenfield Road
Cheltenham
Gloucestershire
GL53 0LY

Comments: 28th December 2020

I strongly object to the nature, scale and impact of this development.

Traffic congestion is already a significant concern in the area: this will be worsened by the new secondary school and also as the changes to Leckhampton Primary school. The Shurdington Road is one of the main routes into Cheltenham, over the past 5 years an increase has already been seen in the volume of traffic with the Redrow housing development on Farm Lane, the increase in pupil numbers at Leckhampton Primary school (which will further increase as the three-form entry extends to all year groups).

Other comments have remarked that the UK's slow transition to electric vehicles may reduce some pollutants and so negates this argument, but this does not reduce the numbers of vehicles on the roads and the problems these cause.

Considering that the majority of households now have 2 cars, the development is introducing over 600 cars into the area. Whilst developers have highlighted that cycle paths will be introduced, this development is not particularly close to any amenities. Living in this area it is clear that people only use bicycles or walk to take very short journeys. For the majority of travel to schools, work, the shops etc, they drive. The existing roads outside of this development are unsafe to cycle on, additional cars will make this worse.

The area proposed for development include green spaces well used by local people. Small holdings have also historically been on the land proposed for development. Plans show that 17 small allotment plots have been suggested to replace this for 350 properties, which seems utterly inadequate and tokenistic on the behalf of the developers. The magnitude and nature of this development also concerns me with regards to wildlife, and particularly the detrimental effect that the removal of hedgerows, and 'overgrown' green spaces will have on wildlife. I notice that hedgehogs, another

endangered species, but currently with populations living in the area, do not appear to have been included in the surveys. Further traffic, will further impact on all of these populations. Further more, reducing the amount of greenspace available, puts additional pressure on the green space that remains with increasing numbers of people and dogs accessing a smaller and smaller area, and further damaging the local ecology.

Finally, I am really angered at the lack of public consultancy that has occurred around this project. This development is occurring on the doorstep of lots of people and will significantly impact on many people's experience of living in the area; the green space that they are able to access, levels of pollution (cars, noise, light etc), congestion, and the safety of the local roads. It will have an impact on the local wildlife. And yet, I was unaware of any attempt by the developer to inform, consult or engage with the local area. It was by chance that I found out about the proposed plans. Regardless of whether or not the decision is taken that the development can go ahead, I think that this behaviour on the behalf of the developers is very wrong.

My understanding from previous applications to develop the area with just over 600 homes was rejected as this was viewed as too many new homes for the existing area to accommodate without a significant negative impact. Since then the Redrow development was contentiously given permission. Looking across the two sites, this seems to be an attempt to get a similar number of new homes in the same area, just spread across two sites. Surely this argument stands, that the local area cannot accommodate this number of new homes?

I appreciate that there is a need for affordable housing in Cheltenham. I question whether this housing proposed will actually find its way into 'affordable homes', as I suspect (as with the Redrow development) that this will become sought after and expensive housing owing to the location and local schools etc. However, it is the size and intensity of the development on a greenfield site that concerns me. I do not think that it is an acceptable scheme for the land it is planned for and I strongly object to it.

Comments: 27th September 2021

Having read the cover letter supplied by the development company accompanying the resubmission I can see nothing that in any way addresses my objections to this development on the grounds of pollution, scale, impact on traffic, developing a greenfield site and continue to strongly object to it.

This morning at 8.15am there was a solid line of traffic along the entirety of the Shurdington Road and backing onto the A417 slip road. I do not understand how building a further 350 homes on a greenfield site in this area, before the school has even opened, can be considered acceptable?

42 Fernleigh Crescent
Cheltenham
GL51 3QL

Comments: 17th January 2021

I would concur with the comment from GCC highways that this application should be deferred pending conclusion of the discussions between the applicant and GCC Highways.

Up Hatherley Parish Council
Woodbines Cottage
Sunnyfield Lane
Cheltenham
Gloucestershire
GL51 6JB

Comments: 17th January 2021

I am responding to the application on behalf of Up Hatherley Parish Council.

Our Parish is located in the SW of Cheltenham and whilst the proposed new housing lies within a neighbouring Parish the impact on the infrastructure and the landscape are of direct relevance to us.

At the time of the JCS/ local plan 5 years ago we expressed great concern about the impact of development in this area particularly on the road infrastructure and specifically on the already highly pressured arteries going into Cheltenham namely the Shurdington Road (A46) and Church Road. The situation since then as some development has progressed and traffic volumes generally have grown has only worsened and we would concur with GCC Highways that this application must be deferred until mitigation matters for this acute problem are considered and enacted.

We would also ask that Inspector Ord's proposal that in order to preserve an appropriate landscape in the area the development of areas R1 and R2 should not be allowed and thus this element of the Miller Homes proposal is rejected.

80 Bournside Road
Cheltenham
Gloucestershire
GL51 3AH

Comments: 29th January 2021
Letter Attached.

180B Leckhampton Road
Cheltenham
Gloucestershire
GL53 0AE

Comments: 6th January 2021

It appears as though the strategic plan for this area is being delivered in a piecemeal manner, over-riding previous objections. And of note, no longer provides safeguards, planning or consideration for the constraints and challenges of this area.

Traffic, Flooding, environment, aesthetics, health, education etc are all being pushed to the limit.

Whilst I have not yet read all 230 documents, I have established that the traffic figures are unrealistic, of 882 parking spaces, only 200 vehicles are going to exit/return via Shurdington Rs. Clearly false.

The flooding information does not reflect the true current local situation, fields and paths are flooded frequently as known by CBC data.

The high density of housing, and small footprint will provide challenges for family life especially given future home working needs.

This plan should be thrown out, it's unrealistic for this area. And will cause significant disruption for those of us that have lived here for 30 years and raised families.

Rowantree
31 Farmfield Road
Cheltenham
Gloucestershire
GL51 3RD

Comments: 14th January 2021

Air and noise pollution, increased traffic, depletion of green space

Comments: 13th September 2021

Busy roads, less green space, pollution.

5 Nourse Close
Cheltenham
Gloucestershire
GL53 0NQ

Comments: 15th January 2021

I object to this application :-

- 1) There are sufficient Brownfield Sites within the Cheltenham Town to fulfil all new housing needs.
- 2) The only access from this site is onto the already 'nose to tail' traffic on the A46 Shurdington Rd and the volume is increasing due to the Brizen View estate that is being built.
- 3) There will be even more traffic when the new Leckhampton School on Farm Lane is operational.
- 4) The quality of life and our surroundings for those of us that live within this area has already been hugely impacted by volume of traffic from new residents & building contractors from Brizen View and the new school. This area did have a rural feel which dwindling fast, please don't take what is left of it.

Green acres, Crippetts Lane
Leckhampton
CHELTENHAM
GL51 4XT

Comments: 24th November 2020

This application for yet another large development in this general area, which was until recently a "green lung" for the Southern half of Cheltenham Should be rejected. It is not needed, and If permitted, this proposed development would not only damage the local environment, but also lead to even greater congestion and air pollution on the A46 (Shurdington Road). This road would be (by far) the main access route to the estate for motor traffic.

Already the traffic on the A46 is excessive and causes considerable air pollution at busy times; and when the nearby REDROW estate is completed in a year or two, and in addition the large new Leckhampton High School is functioning in 2022, the traffic noise and air pollution will be horrendous unless drastic steps are taken to discourage motorists from using this route. The best way to do this would be for the Government to introduce a "Road Use" tax, to replace fuel duty. If this tax was sufficiently high, it would encourage people to reduce their motoring mileage by using alternative means of getting around - e.g. walking, cycling, using public transport or car-sharing, or by travelling less. But until some measure of this sort is in force no further development along this overcrowded highway should be permitted. (A congestion charge for using this road - and other overused roads in Cheltenham - is a possible alternative, but might be difficult to introduce.) In the absence of some such scheme, this new proposed development should NOT be permitted.

Also, the development's proposed architecture is inappropriate for a situation that is immediately adjacent to the Local Green Space in the Leckhampton fields. A more rural and less uniform appearance of the houses would be more in keeping with the location; and certainly there should be no three-storey buildings. (The nearby REDROW estate is a good example of what NOT to do!)

Comments: 18th January 2021

Further to my previous objection, I have now read the objection submitted by Leckhampton with Warden Hill Parish Council, and I wish to fully support their objection with which I entirely agree.

The Littlecroft
Shurdington Road
Cheltenham
Gloucestershire
GL53 0NJ

Comments: 14th January 2021

I am writing to object to the above planning application to build on Shurdington Road Leckhampton in Cheltenham.

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I believe the proposal is fundamentally wrong and should be refused for the following reasons:

This application will overload an already burdened local infrastructure, transport in and around the Shurdington road is already chaotic and most mornings at a stand still. No consideration has been made about the impact on the environment and on air pollution.

The new school development is already going to increase traffic congestion to unprecedented levels and consideration must be given to the detrimental effect this will have on local residents.

now that the High street is in terminal decline emphasis should be put on the redevelopment of our town centre, not on gobbling up green belt that is a local community asset.

The development falls within the green belt and our local plan is supposed to protect this. We should be keeping our countryside/greenbelt, for the benefit of future generations.

Developers should be asked to re-develop all brown field sites BEFORE taking any green spaces.

The land being considered for development around Leckhampton is very valuable asset to Cheltenham.

People come from many other areas of Cheltenham to walk the paths that criss-cross the fields. More and more people are to be found out with their animals and families at the week-ends particularly walking and enjoying the fresh air, views of Leckhampton Hill - and the chance to relax away from the stress of everyday living, which in turn, keeps people fit and happy.

Why let our countryside/greenbelt be developed when housing needs can change so easily. Look how everything is changing - our high streets for instance - It could be that in a very small number of years, housing will replace many of the empty shops, more and retailers are turning to the internet for sales and abandoning the high street.

Consideration should be given to the jobs and income derived from the tourism industry that brings people to Cheltenham, it is not just the shopping and regency areas which bring people to our town, it is the closeness of the countryside and the beauty of the landscape. If we allow the developers the opportunity they will ALWAYS take the most profitable land, i.e. greenbelt land in prime locations.

The last four previous inspectors recommended that large scale development in the Leckhampton area be rejected and that the rural character should be protected.

It appears to me that following the initial rejection of plans to build 1150 houses that the developers have decided to break planning applications into small packages and get them through piece meal.

We now already have the 450 houses being built adjacent to the proposed site and the impact of these are already being felt by local residents with additional delays and air pollution.

They also stated that the Shurdington road is already heavily congested and the air quality figures break EU air pollutant limits. The Shurdington road is already log jammed, most mornings I can't turn right out of my drive and have to do a 'U turn' at Morrison's round about.

Cheltenham is supposed to be an Air Quality Management Zone and this development will have a seriously detrimental effect on those people living along the boundary of the Shurdington road and Kidnappers Lane.

The Halcrow JCS Strategic Flood Risk Assessment, July 2011 identifies that Hatherley and Hambrook in Leckhampton are at high risk of flooding. Area's that have historical records showing incidents of flooding should be treated as flood zone 3A; at risk and not suitable for development.

Over 40 houses were flooded in 2007 in Warden hill, the Shurdington road floods regularly from the surface water runoff from Leckhampton hill and although there was some minimal flood defence work put in place this does not take into account the loss of protection that these open fields offer from flood risk.

Once the countryside is built on it is gone FOREVER, no one is denying that we need more housing but we have an responsibility to ensure that they are built in suitable locations, i.e. begin with brown field sites so as to enable us to retain as much of our unique landscape as possible.

42 Pilley Crescent
Cheltenham
Gloucestershire
GL53 9ET

Comments: 14th January 2021

I object strongly to Miller Homes Planning Application to build 350 homes at Shurdington Road, Leckhampton. This would impact greatly on the environment and surrounding area. The sole purpose of building the new Leckhampton High School was to ease the pressure on the existing Secondary School, NOT for extra places to then be required by the occupants of the proposed new builds.

35 Hawkswood Road
Cheltenham
Gloucestershire
GL51 3DT

Comments: 14th January 2021

Our environment and heritage is now under siege by profiteering construction companies who have settled around the town building 'wendy houses' with little forethought.

The A46 and Church Road are gridlocked in the morning and you risk your life if you try and cross them. I remember when I used to run out to Brockworth several years ago and regular as clockwork the traffic would be backed up from Moorend Road lights to the Greenway crossroads and sometime actually out to the A417 bridge.

The roundabout what a laugh, the area is already a pollution blackspot, you really need to be focusing on reducing the environmental impact when you build, not same old same old. If this planning application is permitted, it is likely to add an additional 700 or so cars to go along with these new houses, which doesn't include the school's traffic as well. You need to rethink this. Church Road is extremely busy in the morning, I guess you could have all the residents move their cars off the road, but I suppose if you did that they would probably be not very happy. Reason being as I said, that road is a horror!

350 houses, assuming 2 cars per house would create an additional 700 cars on already very heavily congested roads. In my view, the associated pollution adds up to bad news for the locals and those new to the area.

It is without doubt a failure on behalf of the council and local councillors if they cannot see that this area is part of the beauty of the intricate environment which is the Cotswold escarpment. We talk about environmental destruction in other parts of the world and vilify those responsible, yet here we are doing the same but dressing it up to make it acceptable to rob our children`s children of these green and special places.

So what are we going to do with all the pollution belching from those stationary cars as they chug up past Warden Hill and Church Lane? I suggest if you are a councillor you will need to either canvas harder next time we have elections or find yourself another job. Remember you should be representing our interests, the local people.

71 St Michaels Road
Cheltenham
Gloucestershire
GL51 3RP

Comments: 13th January 2021

Objection to this development on the following grounds:

- Warden Hill has been flooded several times in recent years and building over these fields can only make this worse.

- The A46 is already completely backed up with traffic in rush hour and pollution is already an issue. It does not have the capacity for traffic from the new school and the Redrow development, let alone another 350 homes.

In conclusion, the existing infrastructure issues for existing residents need to be solved before any more houses can be allowed to be built.

15 Peregrine Road
Cheltenham
Gloucestershire
GL53 0LN

Comments: 14th January 2021

As I live with my wife near the proposed development of 350 houses, I feel strongly about this application . This will cause so many problems affecting the countryside , the amount of traffic on Shurdington Road which is so often gridlocked now mornings and evenings, flooding to the land surrounding affecting local amenities & pollution .As the Burroughs Playing Fields are at the back of our house & Leckhampton Rovers Football Club have had some money donated to stop the field from flooding which it does every year , this tells you the problem is here already and will only increase with your proposed buildings .I feel local peoples opinions should be considered in this case and taken seriously .

33 Collum End Rise
Leckhampton
Cheltenham
Gloucestershire
GL53 0PA

Comments: 14th January 2021

I object to this proposal because of:

- 1 The effect on the landscape and character of the area.
- 2 The effect on the ecology of both the immediately surrounding area and the nearby AONB.
- 3 The effect on local traffic which already causes difficulties for local residents and is certain to be made worse by the recent expansion to Leckhampton Primary School and the new school being built on Kidnapper's Lane.

Visitors to Leckhampton always comment on the loveliness of the area. We need to recognise the value of this asset and protect it before yet more is lost to new development.

Leckhampton Rovers Football
Club

Comments: 20th November 2020

I am writing on behalf of Leckhampton Rovers Football Club (LRFC) regarding the above planning application. We are the second biggest club in Gloucestershire, run over 30 teams and have around 600 members, mainly children. The majority of our players live around Leckhampton. We will be the nearest sport club to the development and are in the process of securing the Burrows Playing Fields as our home ground.

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LRFC is just about to start a plan to develop the Burrows Playing Fields and pavilion in Moorend Grove, Leckhampton. This is a joint project with Cheltenham Borough Council. It will involve completely levelling the playing fields and refitting the pavilion. It will offer a fantastic sporting facility and community hub for the residents of Leckhampton and beyond. The project is costing around £850k and the majority of the money has been raised. It is starting in May 2021. The project has huge community support including the local MP, Parish Council, Cheltenham Borough Council, FA, ECB, LTA and over 130 formal letters of support.

The Burrows is the nearest green space to the Miller Homes development and is used by a wide range of people. The facilities include football, cricket, BMX track, playground and general recreational space for exercise. It is extremely popular. We are working hard to improve the infrastructure of the area and this will include cycle stands added and a circular footpath to encourage people to walk/cycle to the site. Parking is tight and can be an issue so these are really important for the local residents.

The current access points to the Burrows are predominantly from Moorend Grove and Church Road. These are supported by footpaths/road access. However, the current plans for the housing development appear to offer no improvement to other access points.

There is a new secondary school being built, Leckhampton Primary School is undergoing a significant expansion, around 350 Redrow houses have been built and now this development. It is surprising therefore that all of these have not been linked to the Burrows via footpath/cycle paths. The Burrows will support all of these for outdoor exercise and needs to have much better access from all sides.

We are a sport community partner of Leckhampton Primary School and are going to be the same for the new secondary school. This links all of us together to support the physical wellbeing of these communities. We want people, especially children to be able to move between these sites easily and safely.

Please can you reconsider the infrastructure supporting the new development and prioritise better footpath/cycle path linkage from all sides of the Burrows. We would like to see better paths linking in via Kidnappers Lane and Merlin Way especially. They could easily link directly onto the circular path at the Burrows.

If you wish to discuss this further then please contact me on the details below.

2 Arthur Bliss Gardens
Cheltenham
Gloucestershire
GL50 2LN

Comments: 30th November 2020

There has been quite enough development already in the designated area. The land is a precious green lung giving access by public footpath to Burrows Field and the adjoining meadow. Another 350 dwellings will affect the following.

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1. The Shurdington Road. At rush hours the traffic banks up already to the A417 roundabout. the pavement alongside is narrow and dangerous.
2. Burrows Field and the adjoining meadow are a precious green lung and will now be overused and turned into a mudbath.
3. The following wildlife use it: Deer, hedgehogs, bats, badgers.
4. A new school is planned but what about GP Services (existing ones cannot cope at the moment) Community centre, pub, local shops?
5. Hatherley Brook will see increased run off as the land is lost. There will be flooding.
6. another ecological disaster which we strongly object to. I also note that the publicity of this project has been minimised. Only one notice on the footpaths leading to Burrows.

34 Pilley Lane
Cheltenham
Gloucestershire
GL53 9ER

Comments: 6th January 2021

I have great reservations about the building of more houses in the area following the recent Redrow development. The speed of change being inflicted upon the local area is frightening.

With the new school also being built I have great concerns about the impact of pollution, noise and the lack of infrastructure to support hundreds more vehicles. The proposed area for the development does not have highways suitable to support hundreds more vehicles. Given the regular congestion and level of traffic already on the Shurdington Road, I fail to see how the roads will cope with hundreds more vehicles.

Additionally, the environmental impact of yet more building will be vast. Are there no brown field sites that would allow for the building of homes without such a large environmental impact?

10 Lambert Gardens
Shurdington
Cheltenham
GL51 4SW

Comments: 14th January 2021

It has been brought to our attention the application for the building of the 350 homes. At first this did not appear to cause us too many concerns as we are located in Shurdington village, however upon reflection the road and transport issues are really going to cause so many problems for anyone living along Shurdington Road and in the immediate area.

Although classed as Tewkesbury Borough (why I will never understand) all our needs with reference to shopping , medical dental etc are based in Cheltenham. I volunteer at

Cheltenham General hospital and when I have a shift start for 8.00 am I currently leave the village no later than 7.30 am to get in on time. With the increased traffic this will substantially increase my travelling time whilst I sit in queues of traffic.

Also in relation to medical appointments you have a set time are we going to have to allow 45 mins travel time instead of 20-25 at the moment. All these issues are going to enhance stress levels, impatient drivers etc.

There is also the flooding issue, Shurdington Road at times of heavy rain is almost always flooded from the run off from Leckhampton Hill. Adding more concrete to the ground means that the water has to find other ways off the hill and the proposals stated will not alleviate any of the concerns.

Whilst I appreciate that homes are required why is the council not looking at sites within Cheltenham Borough that are currently in need of repair, demolition or upgrading.

12A Moorend Street
Cheltenham
Gloucestershire
GL53 0EG

Comments: 14th January 2021

This development is excessive in the number of houses and the impact that it will have on traffic, air quality, public recreation and local services. There have already been substantial numbers of new houses built in this area, both estates and filling spaces in built up areas

37 Moorend Road
Cheltenham
Gloucestershire
GL53 0ER

Comments: 18th January 2021

KEEP RESTRICTED - DOES NOT WANT ADDRESS MADE PUBLIC

I would like to add my concerns regarding the planning application for 350 homes on Shurdington Road.

Although I appreciate the need for the building of new homes, I do not feel that the location for so many more new houses is appropriate because amongst other things:

- the traffic on the Shurdington Road is already excessive and will already increase with the building of the new school, this is both a pollution and environmental issue, another 350 homes-worth of cars will only add to this;

- the habitats and natural environment of the current area will be destroyed for local wildlife;

- the floodplain element of this area has already become an issue and could affect both the new homes and existing homes on both sides of Shurdington Road;

- the current footpaths appreciated by local residents, will be reduced and the remaining ones become even busier;

I could go on, but my major concern is the increased traffic and pollution, especially close to a road which is already a nightmare, particularly during rush hour, when the traffic is a constant flow both ways, with plenty of standing traffic pumping out fumes, as children walk past on their way to local schools.

I hope you will understand my concerns.

Flat 3
Leckhampton Farm House,
Leckhampton Farm Court,
Cheltenham,
GL51 3GS.

Comments: 18th January 2021

I am writing to you with serious concern about the proposed Miller Homes development on Shurdington Road.

This area has already seen a huge amount of development over the past few years. The massive Redrow estate (plus the proposed one off Church Lane) and the school is changing the area beyond recognition. The beauty of the area is that it is quiet, it has green space and it is close to the countryside. Redrow has already affected this hugely, but adding 350 new homes is going to further compromise this. It will have a huge affect on the local wildlife too, I am already seeing an increase in traffic around the area, which is affecting the wildlife.

The amount of building proposed here is starting to get ridiculous! As a local homeowner I am seriously worried about the fact I have been notified of two of these proposed developments within the space of a week, both in close proximity to my home.

Comments: 22nd September 2021

Already had a huge amount of building work in this area.

More green space lost, busier roads and more pollution.

87 Honeysuckle Avenue
Cheltenham
GL53 0AF

Comments: 2nd December 2020

Shurdington Road offers very limited footpath access and the access there is, is poorly maintained by the local authority. It is such that overgrown foliage makes it inevitable for pedestrians to have to walk on a very busy road as has been pointed out to the local authority during the course of 2020. Furthermore, Shurdington Road suffers from excess traffic during the morning and evening peak travel periods making bumper to bumper tailbacks inevitable most weekdays. The proposed planning application is therefore

considered to be excessive for the limitations of the local infrastructure and should be declined.

1 Chatsworth Drive
Cheltenham
Gloucestershire
GL53 0AG

Comments: 11th January 2021

I object to this application

Previous applications for this site, together with other local fields (650 Miller/Bovis), and another at Brizen (TBC) have been refused on grounds of landscape value and traffic congestion. I fail to see how breaking up the applications makes any difference to this refusal particularly considering the added traffic from the Redrow estate at Leckhampton Lane and the new Secondary School.

The density of housing is too high, much more than agreed in the JCS. Some houses are 3 storey high which will have an unacceptable visual impact and out of keeping with the surrounds.

A radical approach is needed with regards to traffic, making people use other forms of transport, and those alternatives need to be in place before the issues arise. We need to seriously consider banning traffic from the town centre and shopping streets like Bath Road, providing park and rides on the outskirts (Shurdington Road), rolling out the E-Scooter scheme to housing estates, providing better public transport, safe cycle routes etc. People will not stop using cars until there is a better alternative.

With the declaration of a climate emergency by our government and local councils we need to act on this immediately and build for the future. It is unbelievable that a housing estate of this size is being considered without using green alternatives to power them. When will CBC start to adhere to their commitments?

Please consider some of the simplest ways to help the wildlife which lives in this area (government advice in 2019 to house builders) Hedgehog Highways, Swift bricks, bat boxes, plant wildflower areas.

The Leckhampton Fields have always held a lot of water, soaking up run off from the hill. If this area is built on where will all this water go?

This area would be better used as a community green space, nature reserve, community garden for growing produce/orchards (it is good quality agricultural land), create small woodland areas to help fulfil the government's commitment to planting trees, provide an area where people can exercise direct from their doors, experience the outdoors to help their mental health... the list goes on!

Sadly Leckhampton is fast losing it's desirable features, and after 50 years here I'm not sure I will be staying!

Comments: 27th September 2021

Further to my comments made in January 2021,

This revised application shows little change regarding zero energy housing. This goes against Cheltenham Borough Council's declaration of a Climate Emergency. The definition of emergency is 'a serious situation requiring immediate action', therefore all new housing should be built to this spec.

The housing density is too great, the infrastructure already cracking at the seams, and loss of green space will take away the character of Leckhampton.

Cheltenham Green Party
157 Hewlett Road
Cheltenham
GL52 6UD

Comments: 1st December 2020

Letter attached.

57 Leckhampton Road
Cheltenham
Gloucestershire
GL53 0BJ

Comments: 5th January 2021

I'm broadly supportive of these plans although would prefer some rather less bland designs for the houses. Our country needs more housing, Cheltenham must take its share and this piece of land seems a good choice especially now that the area to its south has largely been protected.

As a frequent user of it, I will miss the quirky semi-rural nature of the public footpath on the south east of the site but it will still be available for use and will only have housing to one side.

Although being not far from the AONB, this piece of land isn't especially lovely and is close to other housing all of which was built within the last half century. It seems an eminently sensible site for some new housing. All of us live where once were fields or orchards (and before that forests) and should resist coming up with spurious Nimbyish reasons for denying other people a similar opportunity...

1 Charnwood Close
Cheltenham
Gloucestershire
GL53 0HL

Comments: 8th January 2021

Since I regularly drive in and out of Leckhampton, I wish to echo and emphasise the concerns about traffic flow expressed by our Parish Council.

Given the already difficult state of traffic queues along Church Road and Shurdington Road, the large volume of extra traffic that will be caused by the new secondary school, the expansion of Leckhampton primary school and now from this Miller proposal, mean that there should be an intense focus on ways to ameliorate what I predict will be a chaotic situation should the Miller development go ahead.

In addition, I am very concerned that Kidnappers Lane will suffer badly through becoming a "rat-run". This lane has no footpaths and is totally inadequate for two-way traffic and will become very dangerous for all of us, including the school children and many walkers who use it.

My concerns about this proposed development are thus threefold:

- 1) Traffic!
- 2) Traffic!
- 3) Traffic!

39 Moorend Road
Cheltenham
Gloucestershire
GL53 0ER

Comments: 8th January 2021

Firstly I am a Leckhampton resident for 20 years and live relatively close to Burrows Field and the area of these proposed houses.

My wife and I regularly enjoy walking the path that runs between the small holdings, some of which will disappear if this goes ahead.

I am not a NIMBY-ist and recognise that there is a need for additional housing. The question is what sort of housing?

Does Cheltenham need more £1m houses like the ones being built at the top of Leckhampton Hill not far from the Star College?
I don't think so.

What Cheltenham needs - like the rest of the country - are affordable homes and starter homes.

Local authorities need to demand this type of housing, but do they have the power to require this or are they cowed by the financial muscle of the builders who want to build houses that fit their economic picture of the area.

I have not read the application for this proposed housing. In a way the specifics are is not relevant - the question remains what sort of houses are being built? They need to be the right sort of houses for the future of the country, not what builders and this government want.

104 Shurdington Road
Cheltenham
Gloucestershire
GL53 0JH

Comments: 8th January 2021

1. I make the following comments as a "STRONG OBJECTION" to the above planning application

and I feel there are many very important issues to consider.

2. In the 40 years my husband and I have lived in our current bungalow home we have come to greatly value

the nearby fields etc and the associated wild life - we are horrified by their planned Destruction!

3 I also support ALL the Comments from my husband (sent on 6.1.21) - as briefly detailed below:

a. The Siting of a new Toucan Crossing right outside the front of our bungalow home allowing a full view

into our front garden, lounge and kitchen. This is in addition to the obvious noise, pollution, breach of privacy

and security risk, which would result. There are also similar Objections from the Merestones Estate Residents,

whose homes would back onto this new Toucan Crossing.

b. Excess Traffic on Shurdington Rd - associated current dangers and pollution etc.

c. Serious Flooding Risks.

d. Closeness of the new 350 homes to existing residents.

e. The proposed 350 Homes ignores recent JCS. Local Plan decisions, limiting the numbers of new houses to 200 on this location.

I understand my neighbours are also submitting similar comments of concern.

This email is sent to the best of my knowledge and understanding and I ask that you give this email your full consideration.

67 Moorend Road
Cheltenham
Gloucestershire
GL53 0ET

Comments: 8th January 2021

We object to Miller Homes' planning application to build 350 homes on land at Shurdington road because of:

- 1) The adverse impact on the landscape
- 2) The adverse impact on the view towards Leckhampton Hill
- 3) Increased traffic on local roads that are already at saturation point morning and evening
- 4) The adverse impact on air quality caused by the inevitable increase in traffic

85 Painswick Road
Cheltenham
Gloucestershire
GL50 2EX

Comments: 15th January 2021

I object to this application for two main reasons:

It is a further removal of open, wild space that provides recreational access for local residents. Particularly important at the moment with the increase in mental health illness. Also the removal of natural habitat for wildlife. I walk and run here regularly and if this building goes ahead I will need to use my car to travel to somewhere where I can enjoy open green space. As will many other local people. This will increase pollution and traffic on local roads. Which brings me to my second point which is the impact of an additional 350 dwellings on the local infrastructure- Shurdington Road is already heavily congested and this will increase significantly as well as other roads in the area which are already heavily used. If this development goes ahead we will lose a valuable local asset and spoil another area of our town. And lose more habitat for wildlife.

23 Lichfield Drive
Cheltenham
Gloucestershire
GL51 3DQ

Comments: 15th January 2021

I strongly object to this latest housing development.

As a resident of Warden Hill I'm extremely concerned about the lack of natural environment and also the flooding that may be caused by this development with the reduction of trees and natural habitat.

Flooding is already a major problem in this area and the reduction of green space and trees will just make this situation worse. We've get several garden floods each year from rainwater pouring down from Shurdington road.

However my biggest issue is with the natural habitat and beauty this area gave us. Theres little enough green space around and reducing this even more seems to be done purely for profit.

There seems to be no concern or regard to the wildlife or the wellbeing this area provides for walking or enjoying as it is.

I'm disgusted to see that the trees have already been hacked down(not cut - hacked downjudging by the mess) so I can only assume that this is a done deal.

Lets hope any house built on this land are not done to the same quality as the greenkeeping -all though there won't be any when the builder finally leave will there?

There seems to be an ongoing attitude just to buy up land and build and then repeat, putting even more burden on the local resources such as the local surgeries, schools.Lets just cram in houses as and where we can.

Pretty disgusted that this was even given proposal green light.

20 Wells Close
Hatherley
Cheltenham
Gloucestershire
GL51 3BX

Comments: 17th January 2021

Leave the beautiful fields and natural open space alone.Leave nature alone.We, humans benefit from seeing the fields and walking through them, for our mental health.Stop taking it away from us.The area is more prone to flooding than ever before and it also makes other nearby areas like Warden Hill flood even worse with the building thats going on in that Shurdington area now.Our drainage system cannot cope now with downpours and houses have flooded.

Comments: 9th February 2021

Shurdington Parish Council have been made aware of the planning application for 350 homes on land at Shurdington Road, Leckhampton. We apologise for not being able to respond fully by your 15th January deadline and hope you will accept our submission.

The Parish Councillors resolved at our meeting on the 8th February 20201 to support the recommendation already submitted by our neighbouring parish council - Leckhampton with Warden Hill PC. They are:

A.The proposed development on the valued landscape areas R2 and R3 should be removed. The boundary hedge at the north end of R2 needs to be enhanced with tall trees to screen the housing north of R2 from view from Leckhampton Hill.

B. Because of the failure of the traffic mitigation that was the condition for including the development in the Cheltenham Plan and the high risk of severe cumulative traffic

congestion, the development needs to be refused for the present until the traffic impact from the new secondary school and other existing development is sufficiently clear and the cumulative traffic congestion is shown to be acceptable.

C. The valued landscape and interesting character of the smallholdings area needs to be protected on both sides of the smallholding footpath and a sufficiently high screening hedge and trees provided along the northern border of the smallholdings to hide the development from view from the public footpath. The proposals need further work between Miller Homes and the Parish Council.

D. The treatment of ecology issues is generally good, but some surveys need updating particularly regarding dormice. The protection of hedgehogs also needs addressing. An enforceable Landscape and Ecology Management Plan (LEMP) and Construction Ecological Management Plan (CEMP) should also be produced. A Biodiversity Net Gain Report would be helpful.

E. There are possible flooding risks that need to be kept in mind during development, notably the risk to properties on the north side of the A46 from water flowing from the Northern Fields including flows under the A46. With climate change there is a possible risk that very heavy run-off down Hatherley Brook from a major storm could cause flooding in residential area west of the A46 along the course of the Brook. The future vulnerability along Hatherley Brook needs to be checked since development on the Northern Fields will remove the option to use the land to hold flood water back if needed.

F. Consideration should be given to making the development more supportive of CBC's aspirations for Carbon Neutral Cheltenham and for promoting cycling by connecting the cycle ways externally.

G. The Council also recommends that roads in the development should be given historic names relating to the field names and the use of the Northern Fields for agriculture since Saxon times.

76 Canterbury Walk
Cheltenham
Gloucestershire
GL51 3HF

Comments: 9th December 2020

The Shurdington Road is already extremely busy with long queues in both directions at peak times and school times. This is a very large proposed development and will bring with it huge amounts of extra traffic. The surrounding roads will become 'cut through' routes with traffic looking to avoid the queues. A lot of extra pollutants will be suffered by local people, particularly as a large area of trees will have to be removed. It is well documented that hedges are a vital wildlife habitat, these will be destroyed. The area has numerous natural springs and the area is usually very wet, where will all this water go when the area is developed? As someone who lives lower down the hill and already suffer from run off from the property next door I fear this will only get worse.

Flooding is rapidly becoming a national issue and all these new roads, driveways and patios will only make this worse in our local area.

Our doctors surgeries are already difficult to access due to the number of patients on their books, infant and junior schools are full and any addition to their size will also add to serious traffic issues for people living near them.

7 Merlin Way
Cheltenham
Gloucestershire
GL53 0LS

Comments: 15th January 2021

I am submitting my objections to the proposed Miller Homes planning application 20/01788/FUL

My objections cover two main points:

1. Landscape, pollution and ecology.
2. The planning application does not adhere to the national housing crisis in a meaningful way.

Regarding Point 1 :

In 2018 the JCS proposed 200 homes on the Northern fields. Now that number has increased to 350. That is an unacceptable number of proposed housing given the original JCS recommendation.

After reading the planning application documents, I support the arguments made by the Cheltenham Green Party on the planning application

I also support also the arguments about preserving the landscape, traffic and ecology made by the Leckhampton with Warden Hill Parish Council.

Section 2: I also object to the unacceptable damage to the valued landscape of the Leckhampton Fields.

Section 3: I also object to the development together with the new secondary school which could create severe traffic congestion in the term-time peak morning traffic period unless the proposed improvement to the traffic flow at the A46/Moorend Park Road intersection can be made to work.

Section 4: I strongly support further discussion regarding the future of the smallholdings along the public footpath. As the Parish Council have stated, these smallholdings are part of the special landscape character that contributed to the area being identified as Valued Landscape by the Secretary of State in 2016. There must be more significant effort to protect the landscape character along both sides of the footpath and create more than a narrow corridor. Living very close to the footpath, I use it regularly to walk around the Leckhampton fields. The small holdings are a valuable resource that, notably, provide character to the area as well as a useful green space. From my house, I can hear the cockerel crow in the mornings and sheep bleating in spring and summer time. On quiet early mornings I can hear woodpeckers and visits from deer are not unusual.

Regarding Point 2:

I cannot support housing developments which do not attempt to solve the national housing crisis. Houses are being built in Cheltenham that are deemed affordable. I have looked at a similar development at the Brizen Farm (Redrow) development and on their website I see that 'affordable' means shared ownership or renting from Sage Housing. Given that the dire shortage of housing in the UK is down to a chronic lack of council/social housing it is disingenuous to suggest that people can be effectively housed when so many developments are addressing first-time buying and increasing the number of private landlords. Meaningful attempts to tackle the housing crisis would propose the building of a significant number of council homes. Therefore, I conclude that land development in the 'sought after' Leckhampton area is purely about profit and not people.

I object strongly to this planning application.

Comments: 14th January 2021

My objections cover two main points:

1. Landscape, pollution and ecology.
2. The planning application does not adhere to the national housing crisis in a meaningful way.

In 2018 the JCS proposed 200 homes on the Northern fields. Now that number has increased to 350. That is an unacceptable number of proposed housing given the original JCS recommendation.

After reading the planning application documents, I support the arguments made by the Cheltenham Green Party on the planning application. I also support also the arguments about preserving the landscape, traffic and ecology made by the Leckhampton with Warden Hill Parish Council.

The Parish Council object to Section 2 of the planning application. I also object to the unacceptable damage to the valued landscape of the Leckhampton Fields.

The Parish Council object to Section 3 of the planning application. I also object to the development together with the new secondary school which could create severe traffic congestion in the term-time peak morning traffic period unless the proposed improvement to the traffic flow at the A46/Moorend Park Road intersection can be made to work.

The Parish Council object to Section 4 of the planning application. I strongly support further discussion regarding the future of the smallholdings along the public footpath. As the Parish Council have stated, these smallholdings are part of the special landscape character that contributed to the area being identified as Valued Landscape by the Secretary of State in 2016. There must be more significant effort to protect the landscape character along both sides of the footpath and create more than a narrow corridor. Living very close to the footpath, I use it regularly to walk around the Leckhampton fields. The small holdings are a valuable resource that, notably, provide character to the area as well as a useful green space. From my house, I can hear the cockerel crow in the mornings and sheep bleating in spring and summer time. On quiet early mornings I can hear woodpeckers and visits from deer are not unusual.

The second main issue is that I cannot support housing developments that do not attempt to solve the national housing crisis. Houses are being built in Cheltenham that are deemed affordable. I have looked at a similar development at the Brizen Farm (Redrow) development and on their website I see that 'affordable' means shared ownership or renting from Sage Housing. Given that the dire shortage of housing in the UK is largely down to a chronic lack of council/social housing it is disingenuous to suggest that people can be effectively housed when so many developments are only addressing the needs of first-time buying and increasing the number of private landlords. Meaningful attempts to tackle the housing crisis would propose the building of a significant number of council homes. Therefore, I conclude that land development in the 'sought after' area of Leckhampton is purely about profit and not people.

I object strongly to this planning application.

103 Cirencester Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8DB

Comments: 13th January 2021

SHURDINGTON ROAD GRIDLOCKED - NO MORE CARS, PLEASE. Can Miller homes put as a condition of purchase that each resident must own a bicycle?

10 Warwick Crescent
Charlton Kings
Cheltenham
Gloucestershire
GL52 6YZ

Comments: 14th January 2021

I wish to object to the proposed development. I grew up in the area and still have family there who will be severely impacted by this project. The reasons for my opposition are the same as many others, in summary being:

Number of houses - 350 is a considerable number and in excess of what is in the JCS. This will impact the volume of traffic and the associated issues this brings, on Shurdington Road and the surrounding lanes. The local services and amenities will also be stretched more than they are already are.

Visual impact - Three storey houses will affect the sky line and are not in keeping with other properties in the area. The view from the Cotswold AONB - Leckhampton Hill will be impacted. It would also affect the views from other parts of the AONB.

Environment - There is already issues with the amount of water coming off the hill. This development would add to this. People are appreciating green spaces and the benefit of walking and being in the countryside. This would also put pressure on other areas. Local nature would be significantly be impacted.

For the reasons stated above, I strongly object to the proposed development.

25 Timperley Way
Up Hatherley
Cheltenham
Gloucestershire
GL51 3RH

Comments: 15th December 2021

Letter attached.

6 Clare Place
Cheltenham
Gloucestershire
GL53 7NH

Comments: 2nd December 2021

I was completely dumbfounded when the Miller Homes application for 350 homes on land off Kidnappers Lane and Shurdington Road was brought to my attention. I cannot believe this is even being considered with the impact of this number of additional residents in an area where the infrastructure is already struggling to cope with present demands. I challenge any member of the planning committee to try driving in or out of Cheltenham on the Shurdington Road or along the Bath Road within a couple of hours of rush hour in the morning or evening on an average working day. This only gets worse as Christmas approaches, or when there are race meeting or festivals - activities which are necessary for the financial success and reputation of the town. It is preposterous to consider adding to the increased burden already caused by the existing development on land between Leckhampton Lane/Church Road and the Shurdington Road. The aforementioned roads cannot take even more traffic! A further complication is the presence of schools in the area. Leckhampton Primary School has a serious problem with traffic in Church Road at the present time, and any increased traffic can only exacerbate this situation. As for the large secondary school under construction in the area - to which it has been suggested that pupils will walk! - anybody with children will know that cold rainy and dark mornings are not conducive to walking for many people and the additional traffic this entails will further contribute to the congestion.

The next problem I wish to highlight is that of drainage. Housing development has already covered a considerable area of farmland near to this proposed development. The proposed development will cover even more, and water washing down from the slopes of Leckhampton Hill has to go somewhere. Increasing severe weather events have been forecast as the impact of global warming becomes even more evident and we are already seeing the impact of climate change. As a local resident who witnessed the impact of the rainstorm as far back as 2007 I would be most concerned that the measures which the developers claim to be putting in place will be woefully inadequate. The greater rate of runoff from impervious surfaces as opposed to fields will be felt by all of us who live in lower lying areas.

The impact on wildlife is also a consideration. Doormice are known to inhabit this area, but their nocturnal habit and the fact that they hibernate for a considerable part of the year makes them very hard to record and quantify. I would like to be assured that sufficient research has been undertaken by suitably qualified researchers, and not just a cursory inspection. Hedgehogs are also present in this area, and they are notoriously vulnerable to roads and cars. Once disturbed by construction work they invariably move

and are killed on the surrounding roads. Gloucestershire Wildlife Trust has data which is available for inspection on the decline of these and many other native animals and birds. My final point is the lack of infrastructure. There are no shops within convenient walking distance, nor doctors' surgeries, dentists, chemists, libraries, or even places of worship. All of these services will have to be accessed by the occupants of the houses, and they will have to drive there and back every time they make use of them. Many of the services are under severe strain anyway - local doctors, for example, are under considerable strain due to increased workload. On the above grounds I urge the planning committee to reject the planning application outright.

Brockworth Parish Council
Court Road
Brockworth
GL34ET

Comments: 23rd February 2022

Brockworth Parish Council considered the amended plans and continues to OBJECT to this application due to the continued concerns regarding the cumulative impact on the A46, congestion and road safety and that significant improvements to walking, cycling and public transport connectivity need to be made to ensure that the development is as sustainable as possible with good connectivity to the surrounding areas.

4 Pickering Close
Cheltenham
Gloucestershire
GL53 0LE

Comments: 7th December 2021

I'm horrified by the amount of houses planned for Leckhampton.

I have lived in the area for forty five years and my house backs onto the Shurdington Road. Three times this year the apple tree in my garden has been surrounded by a lake of water and on one occasion the water got under the floor boards of the house and knocked out the electrics and warped the doors.

As my neighbours pave over their driveways and more and more houses are built the flooding situation will worsen.

I'm also very concerned about the increased traffic and air pollution - as anyone will tell you trying to cross the Bath Road in the day time will confirm. I used to be able to drive to Gloucester in twelve minutes but it can now take 30 - 40 minutes due to increased traffic. A new senior school opening will mean constant traffic jams in the area at peak times. 350 houses will introduce a further 700 cars, and will completely destroy the village feel Leckhampton has always benefited from.

I strongly feel the council should concentrate on converting empty properties into accommodation for people to live in, and stop the mindless vandalism of building on every available green space.

4 Pickering Close
GL53 0LE

2 Kenelm Gardens
Cheltenham
Gloucestershire
GL53 0JW

Comments: 5th October 2021

As occupants of Kenelm Gardens, we notice the vast amount of traffic on the Shurdington Road at peak times. We object strongly to the proposed plans for the building of 350 homes which will dramatically increase the density of traffic and pollution.

The plans to give access to schoolchildren are a sign of the lack of planning to the huge increase of traffic these plans will produce.

Flooding is an ever increasing problem globally, but especially for Hatherley Brook.

As a scientist I am devastated by the proposed eradication of flora and fauna in this area of natural beauty.

Our future is not about profit for builders but about consideration for the welfare of our children and their environment.

25 Pilley Lane
Cheltenham
Gloucestershire
GL53 9EP

Comments: 28th September 2021

I object to the Miller Homes application. This will be another car-dependent development because it is devoid of any infrastructure. This is essential for such a large development. It will be very close to another car -dependent development, namely Redrow Homes, also without any facilities, making a total of nearly 800 houses without a shop, GP surgery or any other business. The nearest shops are in Salisbury Avenue, Morrison's supermarket or Bath Road shops, all too far to get to on foot. Climate emergency appears to have been totally forgotten. So much for encouraging people to walk or cycle. Traffic generated by these two huge developments and the new secondary school will be unsustainable.

A community is made up of residents of all ages with facilities that encourage people to 'stay local' such as shops, pubs and leisure facilities. A comment in a national paper recently said that community halls are integral to any village, town or neighbourhood.

This development, however, will create a housing estate mainly for those residents who are of working age and who can drive to work or the shops. Older people will not want to live in an area where there are no shops or facilities they can walk to, hence this development will be divisive socially.

In January the late Minister for Housing said that the government was setting out to 'build better' He also said that we should aspire to pass on our heritage and our unique built environment, and to avoid the development of 'anywhere' places that have little connection to local character.

Within the application there are many pictures of local housing styles in this area of Cheltenham, some older style houses and some new builds. Materials used are mainly brick and stone, yet wooden cladding is widely seen as a building material in these pictures, which is totally inappropriate in this area, and would be more suited to a seaside resort. The street scene as an example of the development is totally devoid of any character. There are no hedges for birds to nest in and wildlife to thrive in. Instead there are rows of metal railings in the small front gardens with no room for much planting of flowers and shrubs. This produces a monochrome effect on a large scale. There should be a mix of wooden fencing, brick walls and railings, all part of a traditional neighbourhood. Grassy areas between and around the houses do not support much wildlife. Sadly, this will be just another 'anywhere' development to the detriment of Cheltenham.

11 Canterbury Walk
Cheltenham
Gloucestershire
GL51 3HQ

Comments: 16th September 2021

As residents of Canterbury Walk, Warden Hill, we are suffering from serious surface water flooding to our garden which had only started 2-3 years ago, i.e. when development started in Kidnappers Lane. We have been in the property 16 years. We would request that the Planning Committee please, please bear this in mind when considering this and any other planning applications and possible affects on the water table. This flooding is having a serious impact on our lives and is costing us time and money and we are seriously concerned about the future and if this situation will only get worse.

257 Old Bath Road
Cheltenham
Gloucestershire
GL53 9EF

Comments: 18th January 2022

I drive through Church Road in Leckhampton and down the Shurdington Road on the regular basis. At certain times of day it's like a car park. How on earth is it possible to say that building all these houses will not impact on these 2 roads particularly? Also which

GP's surgery and local dentist will all these new people be using. These services are already overwhelmed as it is.

Secondly what's going to happen to all the wildlife that currently resides on the land, birds and small mammals. In an age where we are supposed to be supporting our wildlife, is anyone going to relocate it before the bulldozers arrive?

2, Kerelm Gardens
Cheltenham

GL53

GL53 0JW.

30.9.21

re Miller Homes
Leckhampton

Dear Sir,

As occupants of Kerelm Gardens we notice the vast amount of traffic on the Shurdington Rd at peak times. We object strongly to the proposed plans for the building of 350 houses which will dramatically increase the density of traffic and pollution.

The plans to give access to schoolchildren are a sign of the lack of planning to the huge increase of traffic these plans will produce.

Flooding is an ever increasing problem globally, but especially for Hatherley Brook.

As a scientist I am devastated by the proposed eradication of flora and fauna in this area of natural beauty.

Our future is not about profit for builders but about consideration for the welfare of our children and their environment.

Yours faithfully

[Redacted signature]

2 Vicarage Close
Shurdington
Cheltenham
Glos.
GL51 4TH

Cheltenham Borough Council
Planning Department
PO Box 12
Municipal Offices
Promenade
Cheltenham
Gloucestershire GL50 1PP

15 January 2021

Fao Ms Michelle Payne, Planning Case Officer

Dear Sirs

Planning Application Reference 20/01788/FUL. Miller Homes, Leckhampton.

I am writing to formally object to the above planning application. Whilst I have no relationship or association with Cheltenham Green Party, the reasons for my objection are encompassed in the consultation response from that Party.

As a responsible Authority you cannot possibly grant planning permission for this – or any other new build residential development – unless the developer enters into a binding obligation:

- Not to install gas central heating or any other gas serviced appliances.
- To provide solar panels on all roofs and charging points for electric cars.
- To provide ground-source or air-source heat pump heating systems.
- To provide grey water harvesting and storage, with plumbing to utilise the same.
- To provide enhanced thermal insulation far beyond the current inadequate standards.

I cannot comment on the case of need for these houses, but surely your Authority has an increasing obligation to put in place policies and incentives to encourage the redevelopment of brown field sites, and in particular change of use from retail/commercial development, as the town centre retail landscape is declining irrevocably.

Unless you are Climate Change deniers, you must know that all the foregoing is likely to become law within the next few years. It is irresponsible of the Authority not to take account of this now, by refusing this application, and advise developers to think again.

Yours faithfully



CC Cheltenham Green Party,

Leckhampton

Cheltenham

GNS3 OPP.

12.1.21



To: CRBC Planning
 Reception Office
 Cheltenham

This letter has my comments & objections to the
MILLER HOMES PLANNING APPLICATION 20/0178 & FUL

1. Traffic Congestion.

Currently there is severe traffic congestion along Shurdington Rd. at peak time this can only worsen when the new school opens, because inevitably many parents will drive their children to and collect from school no matter what provisions are put in place for walkways and cycle lanes. To further add to this with the proposed building of 350 dwellings (with probably 500 cars) can only cause further congestion.

2. Pollution levels.

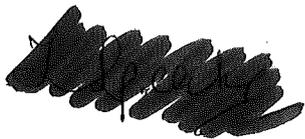
Along Shurdington Rd. the current level of fine particles in the atmosphere exceeds the level of W.H.O guidelines with the knowledge that fine particles are a severe health hazard to all, but particularly to

children and a High Court Ruling recently in London that traffic pollution was the cause of death of a child, any increase in traffic or pollution should be avoided and particularly by reducing cars from a large housing development. Far more children, because of the new school, will be exposed to toxic levels in pollution.

At the Moorfield Rd junction levels of NO_2 in the atmosphere are close to the permitted levels and further increases in traffic could breach the level permitted.

3. Valued landscape.

There are a few Valued landscapes as defined by the Government, the view over Redmington fields being one of them. The Inspector of the J.C.S. stated that no building should take place ~~on~~ to detract from the value of the land and its value in ecology - the habitats of its wild life and plants.



To Planning Miller Homes:

From ~~_____~~
19 The Lanes Leckhampton.

① ~~As living in Leckhampton~~
Village for over fifty years
Renamed Leckhampton Town

② 446 Shurdington Road.
~~traffic enter both~~ road
same. The road not
big enough.

③ Pollution Above Government
Targets.

④ This Development Must
not Go ahead!

⑤ Plant the area with
Trees.

NO GO



Why CBC can and should refuse so many as 350 units on the A46 (Shurdington Road)

The painstaking JCS Examination ruled that the sensitive landscape of Leckhampton should NOT become a Strategic-scale urban extension (defined as greater than 450 houses). Yet permissions have been given for 377 at Farm Lane (Redrow), 25 at Kidnappers Lane (Hitchins) and 12 on Shurdington Road (Kendrick), which totals 414, PLUS a 900-pupil Secondary school, (self-permitted by GCC).

Apart from this now 'Strategic' scale of development, the overall Traffic impact is not far short of Bovis-Miller's application for 650 houses, to which GCC Highways found no objection, but which the appeal inspector and the Secretary of State ruled to have "severe" traffic impact.

For this application, GCC is not an unbiased consultee on Transport, because having pushed its large Secondary school very late into the JCS-envisaged mix, it now prefers not to impact Miller. It is of interest that TBC Planning has very recently discounted a 'no objection' from Highways England to Hitchins' application for 460 houses off the A46 at Fiddington (21/000451/OUT & 21/01348/OUT), and is minded to Refuse, (stating "The application has not demonstrated that there would be an acceptable impact on the strategic road network in conflict with Policy INF1" [of the JCS]).

The narrow unwidenable A46 (Shurdington Road) is the sole southern A-road into Cheltenham town centre, for whose uncongested viability this radial route is vital.

With a still unimplemented (because probably unachievable) scheme for the Moorend Park Road junction, GCC settling for "mitigation through offsite improvements, enhanced walking and cycling connections" is no compensation or solution for a crippled A46 which most residents now predict.

Adding 350 onto Shurdington Road is now simply too many. They are packed in with minimal garden-space (compared to the adjacent estates). There are a total of 891 parking spaces planned (455 North; 436 South), showing that is clearly a drive-to location (too far to walk to shops, etc).

One initial improvement would be to remove the 49 houses sited in fields R2 and R3, which the JCS Inspector indicated should not be developed. The important green corridor along the Hatherley Brook could then be less constricted, benefitting wildlife and amenity.

I have defended Leckhampton's landscape (through regional and local plan and appeal inquiries) since the 1992 Local Plan Examination. This current proposal is excessive, over-dense and (on top of the imminent school) a traffic disaster.

How are residents of the areas between Leckhampton and Charlton Kings to drive to Gloucester or to the Tewkesbury Road retail centre, other than via this critical section of the A46, i.e. from the Moorend Park Road junction to reach the 'ring road' of Up Hatherley Way? It must be kept free-flowing and viable at all times.

Where is GCC's documentation of its claimed 'robust and full' traffic assessment? Instead of any detailed calculations or discussion, GCC (on November 26th) merely summarises what the applicant has asserted, ignoring any evaluation of the submitted counter-evidence.

At the very least, defer this decision for more auditable analysis from GCC Highways, and adequate time to consider it. We need not fear proper independent assessment by another Inspector.

Highlighting some comments from others:

GCC-Highways:

"provides the anticipated number of dwellings in the Cheltenham Plan, and consequently the traffic generation from the allocation was considered at the time of the adoption of the plan."

This is not true; the Local Plan Inspector left a full traffic assessment open for the planning application to demonstrate.

Civic Society:

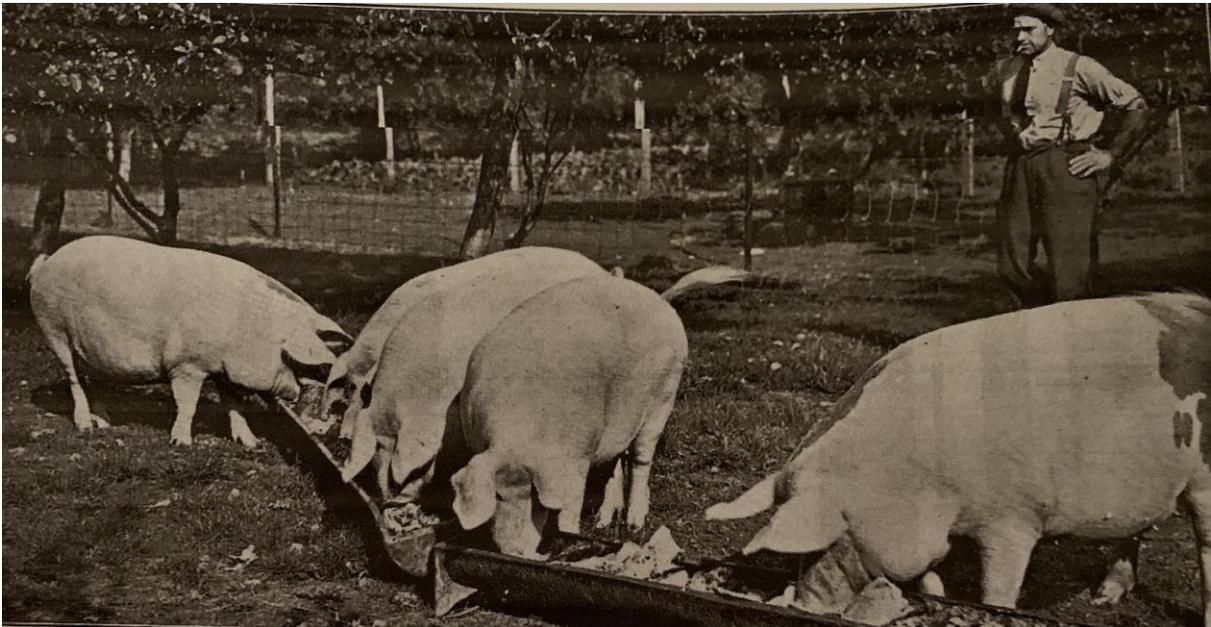
"This is a very high density development: the result of trying to fit 350 units onto the site. This has resulted in some very small units, more appropriate to a city centre development than this semi-rural location. If you compare the size of plots and properties surrounding this site, the proposed density is immediately visible."

CBC Tree Officer:

"there appears to be little scope for new tree planting to mitigate for anticipated losses. The reduction in the number of dwellings would facilitate a less compact application and more potential for greater planting"

Leckhampton with WardenHill Parish Council:

"The validity of the MD4 allocation, of which the Miller development is part, also depends on meeting the condition set by Inspector Burden that the proposed traffic mitigation at the A46/Moorend Park Road junction must be shown to work."



80 Bournside Road
Cheltenham
Gloucestershire
GL51 3AH

Tel:
Mob. Mail:

Dear Ms. Payne

Planning Application # 20/01788/FUL Shurdington Road

I wrote to you objecting to the above proposed development on behalf of 'Friends of Bournside' but this objection, is personal.

My main concern is the inevitable increase in flooding of Hatherley Brook that bounds my property this development will induce and the resultant damage to my property. In short, the water levels in the Brook have increased alarmingly over the past twenty years or so and the number of floods I have witnessed since the infamous floods of 2007, increase year on year. During 2020, to my knowledge the Brook flooded four times, further eroding my land, destroying flora and depositing ever larger amounts of debris on my property. Further the intensity and duration of these floods continues to escalate and the last flood we experienced on 26 December 2020 was the worst I had observed. The Brook, a once gentle stream turned to a raging torrent for over an hour and during that time swept away the flora and tons of topsoil in which it grew and part of a retaining wall. As the photographs below taken on 21 & 29 January 2020 show, what should, at this time of the year be a carpet of snowdrops, ferns and embryonic bluebells, is now a barren, clay base and will never be the same again. Consultants reports aside, this evidence alone illustrates the real effects of further upstream developments and must not be ignored.

We have tended this little haven of ecology for 50 years and overnight, it was simply swept away. This ecological damage is bad enough, but the land erosion is such that a large garden building, erected twenty-five years ago is under threat as the supporting land is becoming seriously eroded. I have enquired about civil work to flood-proof my land and have been advised that, given the restricted access to the brook, would run into tens of thousands to complete.

The point of this letter is not just to put on record the fact that continued upstream development over the past twenty years or so, has increased the volume of water in Hatherley Brook and the consequential flooding is causing substantial damage to my property, but to draw your attention to the 'Flood Risk Assessment' published in support of this further application, that like others in previous applications, has played down the inevitable result that more development has on downstream properties. The report is riddled with theory, assumptions and statistical probability but simply does not state the blindingly obvious, that upstream development increases the threat of downstream flooding. That coupled with climate change produces

inevitable risk of flooding, a fact was clearly pointed out to me by the Environmental Agency following the notorious 2007 floods.

The notion that constructing a small 'pond' may well prove effective in protecting the proposed development against flooding but to assume that this will have any effect downstream, where probably thousands of gallons per minute are flowing during high water, is fanciful.

Incidentally the report published on your website has the appendices redacted and this is a serious omission. It may have been an error but if it wasn't, it raises concerns about why this data was not published.

Turning to the Flood Risk Assessment, the stated objectives of the report are:

- *whether a proposed development is likely to be affected by current or future flooding from any source.*
- *whether it will increase flood risk elsewhere.*
- *whether the measures proposed to deal with these effects and risks are appropriate.*
- *The evidence for the local planning authority to apply (if necessary) the Sequential Test, and;*
- *Whether the development will be safe and pass the Exception Test, if applicable."*

There is much that can be challenged in this report on the basis of empirical evidence. It is an axiom that massive upstream development dramatically increases the volume of water in Hatherley Brook with consequential downstream flooding, despite soothing assurances to the contrary. For example, the author states:

"The proposed surface water drainage system will ensure that the development does not increase flood risk downstream, and that the quality of surface water discharge is high. The rate of run off from the Site in all rainfall events up to and including the worst climate changed 100-year event shall be reduced as a result of the development, principally due to the volume of surface water storage that will be installed between the development's surface water collection system and the watercourses. This will help to reduce fluvial flood risk downstream of the Site."

This observation is directly at odds with not just the facts, established by almost daily observations over fifty year but is also at odds with the Environmental Agencies position that upstream development and global warming will increase flooding downstream. Following the 2007 floods, I asked the Agency, given this knowledge, why further development, was permitted to continue. Their response was that they could only act in an advisory role and had no powers of statutory enforcement. One would assume that the Environmental Agency have some input into the development process and if they do, one is entitled to ask the question why the expert view of a government agency charged with the task of protecting the environment, is subjugated by a highly partisan report commissioned on behalf of the Developer?

It is also worth pointing out the emphasis put upon: *'The rate of run off from the Site in all rainfall events up to and including the worst climate changed 100-year event'*.

The report is undated as far as I can see but I assume it was drafted in 2019 or 2020. After the 2007 floods the Environment Agency labelled the flood a 1 in a 100-year event. I have lost count of the number of 1 in a 100-year events that have occurred in the intervening years! During 2020, to my knowledge the Brook at my premises flooded four times.

The report goes on to say:

"Changes to Groundwater Levels

Significant changes to ground water level may have the potential of compromising low land areas where significant level changes are identified."

This acknowledges, what again if obvious, that significant changes to groundwater levels will compromise (for that read 'flooding') low land areas. Since the huge developments in this area 'significant' level changes have indeed been identified. I cite what was considered 'highwater levels following high rainfall some twenty years ago. At my property, being some 1.5 meters wide by 1,5 meters deep would have been considered very high water. On 26 December the Brook in flood measured 8.5 meters wide by 3.5 meters deep. If this is not considered a 'significant' change, I am at a loss to know what is.

Another significant factor to consider is that the development of a large school in this area has been given the go ahead and work is underway. Again, no consideration was given to the downstream effects and this is already having severe effects on the volume of water being channelled into Hatherley Brook and the damage it is inflicting on my property, and indeed it is on my neighbour's properties is marked. A further large housing development will be catastrophic.

Anecdotally, fifty years ago, every day of the year we stepped across, what we referred to at the time as 'the stream' to take the dog for a walk in the fields that used to be at the rear. The photograph below, taken at 15:00 hrs today, 28 January shows the spot where we crossed. It would be most difficult, I suggest, to step across this without wearing waders and the dog would have to swim across! The point is that the recent rainfall has not been unexceptional. Further, it had not rained during the day, yet this is what we have become conditioned to accept is 'he norm'. Climate change aside, the only other factor contributing to this dramatic change is upstream development

Clearly, the need for housing is real, but provision of such should not knowingly result in the destruction of existing properties. The evidence that more development around the course of Hatherley Brook will cause further damage to my property is clear and unequivocal. The case put forward by the Applicant is based on theory, speculation and modelling and should be viewed as such. As I pointed out above, previous Flood Surveys utilised similar methodology to assess flood risk downstream and have all been shown to be plain wrong. Should the above application be approved in the face of this knowledge the Planning Authorities and Developers will be culpable and I will hold them jointly and severally responsible for any consequential damage that occurs.

I do hope common sense and pragmatism is exercised in this matter and the application is rejected.

Yours sincerely



This should have been a carpet of snowdrops, ferns and emerging bluebells by this time of the year. 50 years of nurturing, wiped out overnight on 26/12/2020. No topsoil left at all.



Barren clay. All the topsoil, bulbs, ferns, washed away



At this spot in 1970 we used to step across 'the stream' with two small children and a dog most days throughout the year, to walk in the fields. This photo was taken 29 Jan 2021 after light rain. To cross today, would require waders, and the dog would need to swim! If a child fell in, it would be swept downstream. One can see by the waves that even in calm conditions the velocity of the water is significant. In flood it is a raging torrent.



Remnants of a bank retaining wall washed away on 26 December 2020.



The night of 26 December 2020. Hatherley Brook in full flood. Submerging bridge. 8.5 mtrs wide x 3.5 mtrs deep. This flood raged for over an hour and left devastation in its wake, sweeping away flora, topsoil and part of a retaining wall. Imagine the effect that the new school being built and some further 350 houses, roads etc being constructed will have!

Planning Dept
Cheltenham Borough Council



24 Farmfield Rd
Warden Hill
Cheltenham
GL51 3RA
12th March 2021

Dear Sir or Madam

Re: MILLER HOMES APPLICATION / REDWOOD HOMES APPLICATION
Firstly, apologies for the "hard-copy", but my computer is broken and in repair.

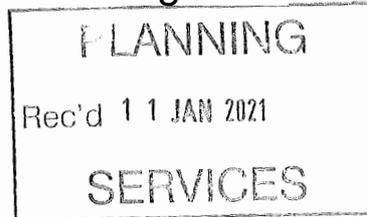
I would like to register my objections to both of the above-mentioned developments. I feel they are totally unnecessary and money-making developments (just like the ones which have destroyed greenbelt land on Church Lane (and which are a total eyesore). These other two will destroy yet more lovely countryside, solely to provide yet more totally uncalled-for "executive" homes, as if there aren't already enough of them in and around Cheltenham. The impact of any new build around the local area will be enormous. Traffic levels in the Shurdington Road/Warden Hill (and feeder roads) are already chaotic, polluting and congested. We will already suffer the extra loading by the construction then completion and use of that new school on Kidnappers Lane, not to mention the rebuild of that junior school in Durham Close. We already have to put up with non-stop, speeding traffic along our local roads, especially mine, from the school and the short-cuts taken for the "school run" and associated parents' parking! These two proposed developments will just further ~~add~~ add to the chaos and congestion.

Nobody in any council (especially Cheltenham) seem to care about the environment, but give plenty of lip-service to it. Money talks and seem to be the only thing that matters. There are plenty of brown-field sites to build on for the benefit of precious, "hardworking" executives - or would these sites be too lowly for them?!!

I really hope these two developments do not go ahead, but I've no doubt the developers will get their way in the end!

Yours faithfully





98A Shurdington Road
Cheltenham
Glo'shire
GL53 0JH

7 January 2021

To
Cheltenham Borough Council
Planning Department
PO Box 12
Municipal Offices
Promenade
Cheltenham
Glos
GL50 1PP

For Attention of Miss Michelle Payne (Planning Officer)

Dear Madam

**Planning Application no 20/01788/FUL - 350 Houses Shurdington Road
Cheltenham - Formal Objection**

I wish to register my **Formal Objection** to the above Planning Application for the following reasons:

1. **350 new houses** close to our homes is **against all recent Official Decisions**, when the Maximum Level was decided at 200 new homes at this location.
2. The new development will result in the **loss of nearby valuable and enjoyable countryside and the destruction of natural habitat/wildlife.**
3. **Traffic on the Shurdington Road** is already near Maximum levels and the extra homes planned and being built (at Brockworth and also on various locations on this Shurdington side of Cheltenham) plus the new secondary school - will only increase the tail backs, road dangers and associated levels of Pollution. I have first hand daily experience of the current traffic problems on the Shurdington Road.
4. **Flooded areas** are already of local concern and the building of 350 nearby new homes could easily increase this problem.
5. The plans also include a **Toucan Crossing** right outside the front of my neighbour's bungalow home (104 Shurdington Road). This will obviously result in a Breach of Privacy, an Increased Risk of Security problems, as well as additional Pollution from vehicles stopping and starting. I do not feel this crossing is necessary at this position.

This is the **same location** that only a few years ago, there were proposals as part of an earlier Planning Application for a **new Bus Stop and Lay by.**

Following significant public concern the Applicant **withdrew** this Bus Stop issue - with the support of Cheltenham Borough Council and the County Council Highways.

I ask that you give all my comments your full consideration.

Thanks

From

98 Shurdington Road
Cheltenham
Gloucestershire
GL53 0JH

20 Nov 2020

Your Reference 20/01788/FUL Miller Homes 350 Houses

Sir,

you will note that because of the COVID restrictions any public consultation is currently severely limited. Therefore, I believe it to not be in the public interest to close public opinions less than 30 days after the Government lifts the rules for the public. Which may or may not be 2 Dec.

The traffic situation in the area is **“severe”** with long delays and, over used rat runs, buses held in traffic, non-existing cycle paths, few footpaths, and no direct links to rail services. Indeed, the Shurdington Road serves as the Southern arterial road to Cheltenham.

The 2016 the Secretary of State concluded: “sections of the highway network which are **already operating at over-capacity** levels”. The Secretary of State **“severe”**.

The 2020 Appeal concluded:

50. The 2016 appeal decision has been highlighted by interested parties, within which the Secretary of State concluded amongst other matters that those proposals would contribute to a severe impact on traffic within a wider area of Cheltenham. However, the 2016 appeal comprised a significantly larger mixed-use scheme including up to 650 dwellings and commercial uses. As such it is not directly comparable to the current proposals. Conversely, it is noteworthy that the Inspector for the 2018 appeal (for 45 dwellings) was satisfied that any increase in traffic would not result in any significant effect on highway safety.

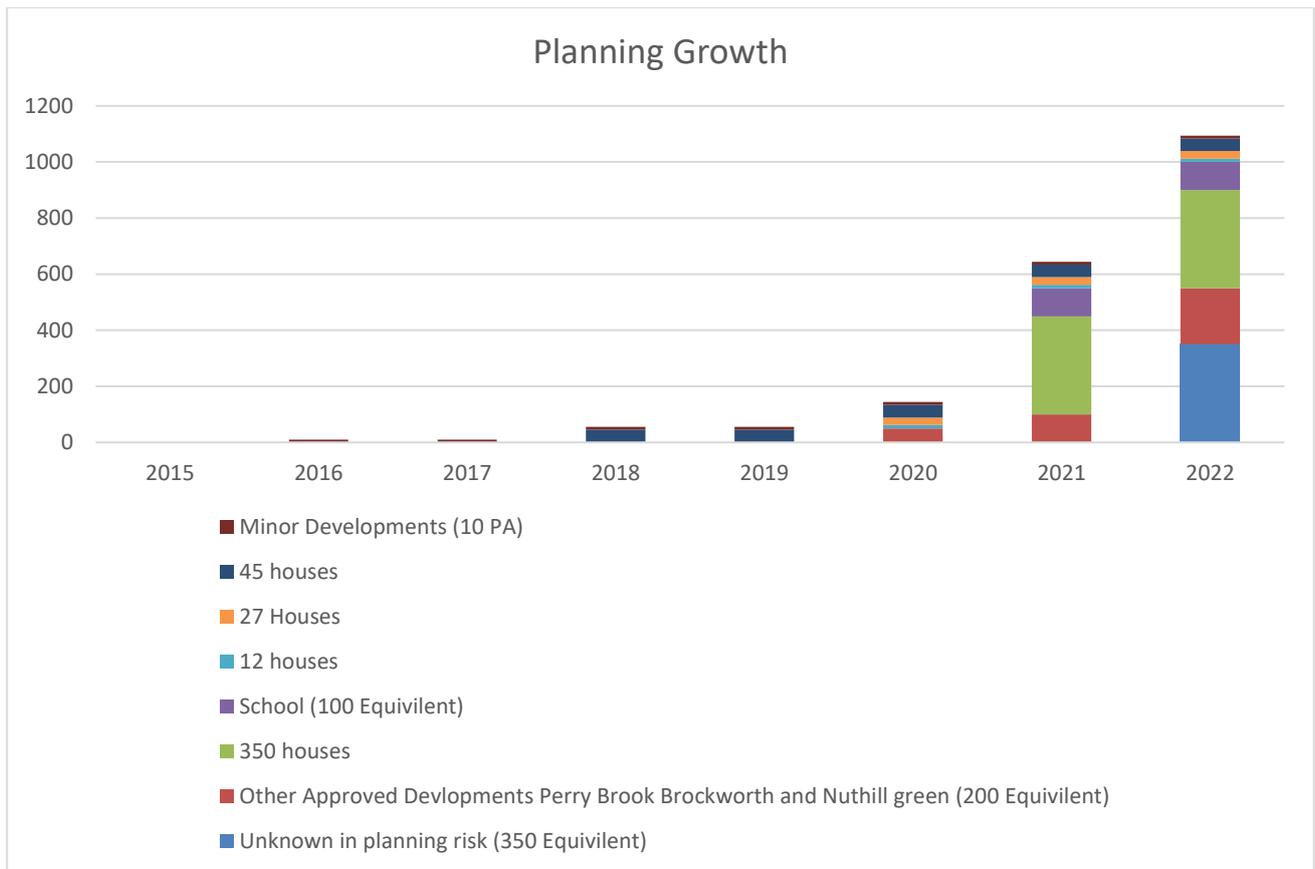
51. Cumulative traffic impact with the nearby emerging allocation MD5 has been cited, however, **the Traffic Assessment for the secondary school application is not before me in the evidence, and I was informed at the inquiry that consideration of the traffic impact of the school proposals is ongoing.**

52. I note the lack of objection from **the Highway Authority subject to conditions,** including measures to improve visibility and provision of a footway to connect the site to the edge of Cheltenham. Whilst there would be no direct access to public transport from the appeal site, there are bus stops with frequent services between 10-13 minutes’ walk

away which lead to the centre of Cheltenham and beyond 19. This is a reasonable distance to make public transport a viable alternative to use of the car for some residents.

53. In view of the above I have no reason to reach a different conclusion to the previous Inspector in the 2018 appeal nor the Highway Officer's comments that the proposals would not result in an unacceptable impact on highway safety nor would the residual cumulative impacts on the road network be significant.

Thus, with traffic at "Severe" in 2016 as baseline and using a simple comparison to the how the traffic would be expected to increase/decrease the growth looks like:



Thus by 2022 the traffic plan needs to reduce the flow by the equivalent of an estimated 1000 houses to reduce the traffic below "Severe". With no agreed plan for the area the Secretary's view should remain valid.

The Gloucestershire Connecting Places document was last reviewed in 2017 and has no mention of the "Severe" nature of Traffic in the area. It has this road as an urban link! Whereas it is the Southern arterial road the Cheltenham. The only comment was to Highway improvement A46 (Shurdington Road) corridor, Cheltenham but not a priority!

<https://www.gloucestershire.gov.uk/media/2227/11-pd-4-highways-nov-2017.pdf>

The Cycling and Walking plan seems to avoid this area completely.

<https://www.gloucestershire.gov.uk/media/2095888/cycling-and-walking-infrastructure-plan-v2-20200806.pdf>

The Connecting Places strategy also seems to avoid this area completely. Not Severn? not Tewkesbury?

<https://www.gloucestershire.gov.uk/transport/gloucestershires-local-transport-plan-2015-2031/connecting-places-strategies-cps/>

My last comment on the specific proposal is that is largely a good plan but fails to link to any network. I present my own study into footpaths in the development area please see attached.



This is a photo Oct 2020 of the main footpath from the A46 to Leckhampton Hill via the Church. It lays adjacent to the 350-house site. This route will be the shortest route from the school, to the Town Centre, The Park Campus and Bath Road.

Therefore, I cannot support these proposals because:

The traffic in the area is classed as “Severe” and no effective plan has been presented to reduce that state. Whilst the on-site proposals are good, they don’t connect to any footpaths or cycles paths which meet the any standards required. This whole area of Cheltenham needs to be upgraded but I was unable to find a coherent plan from Gloucestershire Council, Tewkesbury or Cheltenham.

Yours Sincerely

FOOTPATHS SOUTH CHELTENHAM

Alan Bailey

Lechampton Resident

Nov 2020

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INTRODUCTION

The COVID 19 outbreak of 2020 gave a new need for local footpaths as many people needed to exercise from home without using public transport. Having recently moved to the area this provided the opportunity to explore Cheltenham, Lechampton, Pilley and Warden Hill and the town centre.

It has long been a *stated aim* of the Government and County, Town, and Parish Councils to improve the provision of alternative forms of transport! As the public emerged from lockdown, the planning authorities began to look at improving the access for pedestrians and cyclists.

Prior to the outbreak I became involved in two planning applications which both described the *network of footpaths and communications as excellent*.

It quickly became obvious that the footpaths around the area were far from excellent. Indeed, they were non-existent and poorly maintained.

Having always been a fan of “management by walk about”. The need to exercise daily gave the opportunity to visit and record some 100 miles of footpaths. The Journeys ranged from 2 to 9km of circular walks around the South of Cheltenham.

This report aims to identify areas of concern and encourage the planning authorities to accurately assess the claims of developers. The application must consider the wider need to join up developments with the current infrastructure or implement changes in the infrastructure to meet up with developments..

DEFINITIONS

For the purpose of this document a Footpath goes from A to B a pavement runs beside a road. Many estates are planned single ended so that pedestrians and cyclist need to follow the road.

This document concerns only Urban paths not country walks

Whilst many footpaths are good to the centre of Cheltenham.

Examples of bad or no connection are:

- Lechampton to Railway station
- Lechampton to Warden Hill
- Warden hill to Bath Road
- Shurdington Road to Charlton Kings

LEGISLATION

Highways Act 1980 and use of Access Land under the Countryside and Rights of Way Act 2000 requires that the Local Authority maintain footpaths and Rights of Way. In this area that duty would seem to fall on the Gloucestershire Councils Highway department.

The same Highways Department is required to examine all planning applications thus must agree or disagree with developers' comments and therefore a conflict of interest arises.

Local Authorities are required to authorize any move or closure of roads or paths.

Thus, there is a statutory requirement to:

- Maintain footpaths.
- Manage the move or close of footpaths.

Public rights of way can only be moved or closed for one of the following reasons:

- it's necessary to allow development (if planning permission has been granted)
- the diversion benefits the landowner/occupier
- the diversion benefits the public
- the path is not used by the public (closure only) - these circumstances are rare and very difficult to achieve

When diverting or closing a public right of way, any alternative or new route/path should be just as convenient for the public as the existing path.

STANDARDS

There are numerous technical standards for footpaths and rights of way. This paragraph details the public and my "expectations" as a minimum.

SAFETY

The path should be clear such that any individual can walk with risk from objects, trips or toxic plants.

The risk should be assessed from ground level to the sky. Any overhangs should be at least 2m above the path.

Lighting should be a must where the more vulnerable are expected to walk as an accepted route within a community.

The safety of the less able should be a priority.

SIGNAGE

If footpaths are intended to be used as a route all paths should be clearly marked. To identify the destination route.

All closures should be clearly marked from all access points.

All diversions should be clearly sign posted from the furthest point of entry.

All the information should be considered a public notice and be available on the authority's media pages.

ACCESS

Ideally there should be free access for all.

Any upgrade must consider the less able.

Where animals could be penned there should be gates or stiles to control entry.

Country code signs must be available at all entry points. To clarify, litter, dogs and keeping to paths etc.

CURRENT STANDARD AS ENCOUNTERED

ENCROACHMENTS

Many property owners have encroached onto the highway (footpaths). Which include:

- Fences being moved to benefit the house owner, maybe more than once.
- Fences collapsing onto the highway.
- Overgrown trees bursting onto the footpaths.
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Maps show that there was a footpath across the field where Warden Hill School was built. That path is closed and managed by the school. It is the only path connecting Warden Hill to the Park. A very questionable decision probable encroachment by the Council on a Public Right of Way.

THE NEEDS OF THE LESS ABLE AND SAFETY

Few footpaths met any needs of the less able.

Parking was a challenge and a risk to all users.

As were refuse bins some industrial bins blocked footpaths completely.

CYCLE PATHS

I have not considered cycle paths but the situation seems confused some of the main parks had clearly marked cycle paths, most streets had none, the footpaths were confused on Up Hatherley there are 3 cycle paths 2 on the road and one on the pavement. Safety issues forces cyclist to use foot paths.

Electric scooters are being used with no education of the public as to what is permitted and what rights these have/ I assume the “operators” are training those who use them.

Management and Maintenance

Public rights of way were closed by the Council without the provision of a diversion suitable for those on foot. The public footpath in Pilley Bridge Nature Reserve has been blocked so there is no through route. The Bridge has been *temporarily* closed for over 10 years. The closure order posted was Out-of-Date, and the signs were missing at the start of one end of the diversion. It is a long pedestrian diversion.

Maps show a footpath along the top of the Pilley embankment but that is now gone.

The footpath routes over the railway at Hatherley were closed with no signs and no diversion, the diversion needed was miles.

Footpaths were closed by landowners and moved by landowners.

MAINTENANCE

The planning applications I examined stated that footpaths and waterways be maintained but they did not say whether these would be privately funded?

PLANNING APPLICATION AND COUNCIL APPROVAL

EXAGGERATED STATEMENTS:

Planning applications included statements which were just throw away lines.

For Example: *“Transport links from Kidnappers Lane to Cheltenham Railway Station are **excellent**”*.

When actually, there are few cycle tracks, no transport links, and its along way to walk, The Number 10 bus can be delayed by one hour at peak time. Reports such as these should be rejected until the statements are evidenced.

Planning Approval implies the Council have agreed to maintaining, paths, road, streams, parks and flood protection but do not seem to change to Councils Plans and budget cuts. Indeed, I believe these requirements are being accepted without financial scrutiny.

When applications state that roads, cycle paths and footpaths will be provided. Then they should link to the Councils transport plans.

Conclusion

I have examples to support all the statements above, but my aim is to highlight the need to join up development with the infrastructure to supports them.

In my opinion, the standard of roads, footpaths and cycle paths in the South East of Cheltenham, including, Shurdington, Leckhampton, Pilley, Warden Hill and Charlton Kings, Varies from poor to non-existent.

My view is that the current infrastructure in this area of Leckhampton, Warden Hill, Pilley and Charlton Kings cannot support these planned developments. Planning Officers must be more critical in the acceptance of reports. Wild statements are worthless to the public or the planning authority.

I have not covered Road Transport as The Secretary of State the has stated that there is a severe traffic problem.

FOOTPATHS SOUTH CHELTENHAM

Lechampton Resident

Nov 2020

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From

98 Shurdington Road
Cheltenham
Gloucestershire
GL53 0JH

18 Nov 2020

Your Reference 20/01788/FUL Miller Homes 350 Houses

Sir,

you will note the because of the COVID restrictions any public consultation is currently severely limited. Therefore, I believe it to not be in the public interest to close public opinions less than 30 days after the Government lifts the rules for the public. Which may or may not be 2 Dec.

In relation to Flood Risk:

My concern expressed at the 19/00334/OUT tribunal is that the combination of these proposals severely increases the flood risk to a brook which floods once or twice a year and is currently subject to the collapse of footpaths downstream of the A46.

Our house is awfully close to the Zone 3 at the culvert. All of the following developments develop nearly all of the land East of the A46, land which has low permeability.

If these are to be individual schemes who will maintain them as the brook East of the Road appears not to be maintained?

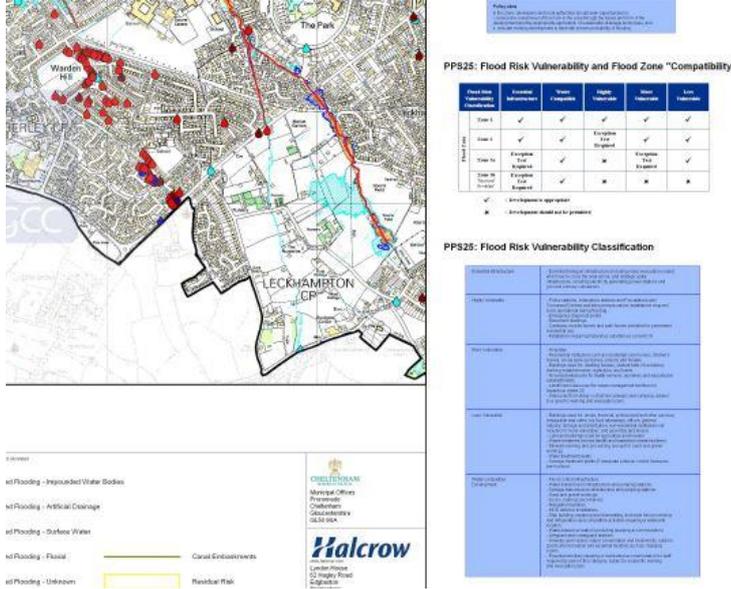
The Flooding implication of all of the following must be considered together.

- 20/01788/FUL Miller Homes 350 Houses Between A46 and kidnappers lane
- 19/00334/OUT 27 Homes Kidnappers Lane
- 19/01690/DEEM3 Lechhampton School
- 20/00332/FUL Burrows Playing Field Footpaths
- 19/02303/OUT 12 Homes Bovis Homes Ltd
- Burrows Playing field astro turf pitches are being added.

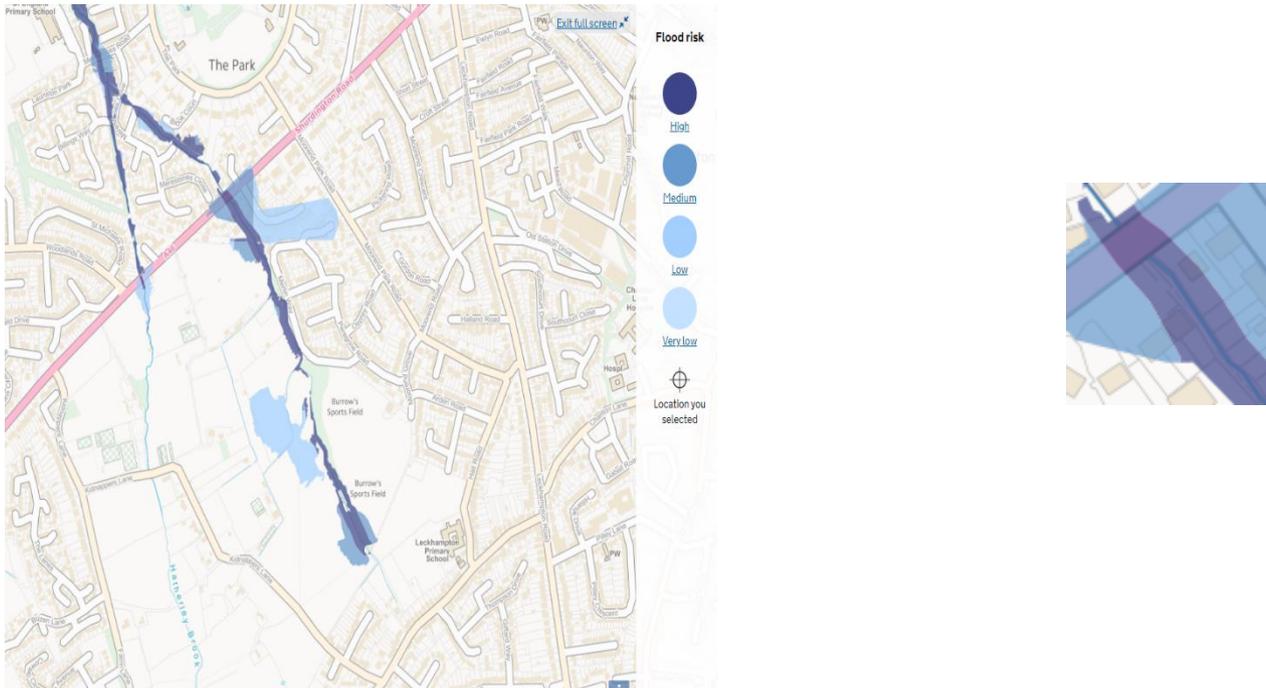
Council policy clearly says that if the risk to properties downstream are at risk they must be refused. We lay downstream! as does Council Properties!

1. The subject application has a **very optimistic flood map** when compared in detail to the Council Flood Zones.

Reference 1 Council Flood Map



Reference 2 Environment Agency Map and Close up 94 Shurdington Road



2. All of the schemes are best guesswork and do not take into account Global Warming.

This was the Gloucester Council warning Oct 2020.

“Gloucestershire 'danger to life' warning extended into Sunday as torrential rain from Storm Alex set to bring flooding”

The wettest October since at least 1797 was recorded last month with some 159.2mm collected, 238 per cent of average. The month started wet with the daily October rainfall record also broken with 49.1mm on the 2nd, **the wettest day ever recorded in the UK.**

Winchcombe in the Cotswolds had also the average rainfall throughout in October in the first few days of the month. Fortunately for us that was Winchcombe!

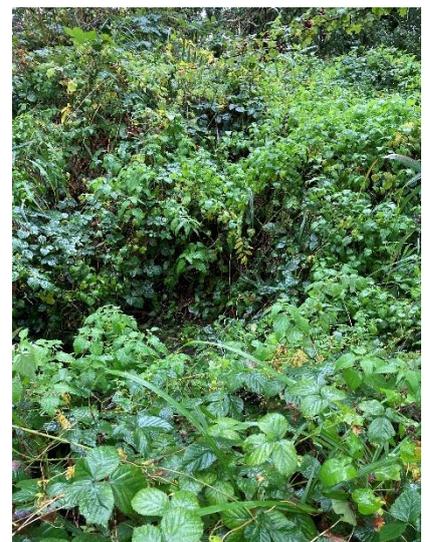


Foot path and land next to Hatherley Brook 2020. See also developers quote ***“Excellent network of foot paths!”***

3. Maintenance all of these planned schemes must be mandated, in particular as it is in 19/00334/OUT tribunal conditions.

Maintenance is not carried out and thus the Culvert floods. No clearance has been carried out in 2020.

As shown by this photo. Of the entrance to the culvert. The foliage dies back and blocks the culvert.



4. Damage down stream

The Brook behind Merestones Close has collapsed and has been subject to many repairs. The flood defences cannot cope now, so any development upstream will increase the risk.



I also find it difficult to understand why there was not a broader public consultation on the Application 19/02303/OUT. To quote the Parish Council, *Which leaves many question unanswered?* The Planning Authority was clearly aware of the sensitivity of developments in this area and yet notification seems scant.

Lastly, now is the time to address all 6 development against a common plan. My view is that if there is to be adequate SUDs schemes that will need to be a larger scheme the Millar Homes site downstream of all these developments. Thus, approval now risks no space for any flood scheme in the future.

Yours Sincerely

From

Page 289

98 Shurdington Road
Cheltenham
Gloucestershire
GL53 0JH

24 Jan 2021

Head of Planning (Mr Mike Holmes)
Cheltenham Bourgh Council
Municipal Offices,
Promenade,
Cheltenham,
Gloucestershire,
GL50 9SA

Your Reference: 20/01788/FUL Miller Homes 350 Houses

Objection – No High-Level Plans in Place

Sir,

Since I have received no replies to my earlier communications I wish to object to 20/01788/FUL Miller Homes 350 Houses.

In my view, at least 6 applications seem to have been considered without the high-level plans being in place as required by the NPPF.

As per my comments below I believe that the NPPF requires that plans be in place covering Flooding and safeguarding land, high-quality sustainable transport links and social and leisure amenities.

It would also seem impossible to deliver a Community Plan unless overarching plans are in place.

Your Sincerely

Strategic Plans Nation Planning Policy Framework (NPPF) suggest that planning system should be genuinely **plan-led**. Succinct and **up-to-date** plans should provide a positive vision for the future of each **area**; a framework for addressing housing needs and other economic, social and environmental priorities; and a platform for local people to shape their surroundings.

1. Whilst **strategic plans** are in place for the area around the new Cyber Park I could not find any for Leckhampton and Warden Hill, Shurdington and Brockworth (A46 Corridor) except for the park and ride. Whilst all the NPPF provisions are important the main strategic provisions should be.

Strategic Plans the Nation Planning Policy Framework suggests high level plans should be in place this is the information found relating to the area in question Cheltenham A46 corridor:

	Transport (102 -111)	Utilities / Sewers	Green spaces (91- 98)	Strategic SuDs (157(b))	Social Assets (91 – 98)
20/01788/FUL Miller Homes 350 Houses Between A46 and kidnappers lane	No plan Identified	Area sewers maybe at capacity	Too Small, current Green space at capacity, must make provision for all of the community.	None	None found
19/00334/OUT 27 Homes Kidnappers Lane	No plan Identified	Area sewers maybe at capacity	Too Small, current Green space at capacity must make provision for all of the community.	None	None found
19/02303/OUT 12 Homes Bovis Homes Ltd	No plan Identified	Area sewers maybe at capacity	Too Small, current Green space at capacity	None	None found
19/01690/DEEM3 Leckhampton School	No plan Identified	Area sewers maybe at capacity	Too Small current Green, space at capacity	None	None found
20/00332/FUL Burrows Playing Field Footpaths	No plan Identified	Not required	Too Small, current Green space to capacity and more sports facilities required.	Upstream	Not Required
20/02028/FUL Burrows Playing Field Drainage	NA	NA	Essential to plan	Upstream	Increases flow into river

A main planning condition that has been applied and required by the NPPF the requires a SuDs **lifetime** management. Currently, it is believed that this planning condition cannot be met by any of the schemes:

- Because Authority policies are not in place.
- Authorities will be reluctant to accept the cost of ownership and global warming is an unknown.

Dynamic Suds Management Plans

	Planning Condition	First 5 Years	Lifetime	Adoption Plans	Notes
20/01788/FUL Miller Homes 350 Houses Between A46 and kidnappers lane	Lifetime plan Requested	Expected	??	GCC – No policy CBC – FOI question - No Parish - Not known Private - Not known Severn and Trent - No	
19/00334/OUT 27 Homes Kidnappers Lane	Yes, Lifetime plan Required	Expected	??	GCC – No policy CBC – FOI question - No Parish - Not known Private - Not known Severn and Trent - No	
19/02303/OUT 12 Homes Bovis Homes Ltd	Lifetime plan Requested	Expected	??	GCC – No policy CBC – FOI question - No Parish - Not known Private - Not known Severn and Trent - No	
19/01690/DEEM3 Leckhampton School	Yes Lifetime plan Required Condition 14	?	??	GCC – No policy Parish - Not known Private - Not known Severn and Trent - No	
20/00332/FUL Burrows Playing Field Footpaths	None	Parks Department?	??	Parks Department?	If the plan to install drainage is implements Planning and SuDs would seem to be required.

Before adoption, the public needs to know the cost of ownership and statement from the CBC Asset Management Team that they are prepared for the cost of ownership.

Requires that Strategic Planning takes plan before development.

11. Plans and decisions should apply a presumption in favour of sustainable development. For plan-making this means that:

a) plans should positively seek opportunities to meet the development needs of **their area**, and be sufficiently flexible to adapt to **rapid change**;

The developments within Leckhampton are defined in the JCS by Plan A7 which covers the whole of the Southern area of Cheltenham. However, current strategic planning strategy only covers the developments around the planned cyber park. If the 400 Leckhampton Houses are to be included, then the **Strategic Plans** must cover the area of Leckhampton.

All development should be employment led; delivery of housing must be in tandem with employment development. What employment area is targeted with these 400 houses in mind? Until that is defined you cannot plan the transport routes.

Measures necessary to mitigate the traffic impact of the site, including the use of travel plans to encourage the use of sustainable transport modes.

If the "400 house" employment objectives include the "Cyber Park" There are no cross-town bus links to Cyber park, or railway station. The sustainable route via Up Hatherley is "muddled" and incomplete.

If the employment target is elsewhere. Currently, the Transport plan does not include any plans for South Cheltenham (A46) and there are currently no "Sustainable routes" through Leckhampton. (See Footnote)

Land has been safeguarded for a Park and Ride at Brockworth, but no Strategic Plans are available for the (A46) corridor and no land has been safeguarded to create the sustainable links require to make a Park and Ride work. No land has been identified for any new relief roads or cycle track or bus tramways.

High quality public transport facilities and connections within and adjacent to the site. No plan for Leckhampton and Warden Hill, no cross-town routes or to transport links. "High quality" of routes is defined by GCC. See footnote¹

Safe, easy and convenient pedestrian and cycle links within the site, to key centres and with neighbouring existing development and the wider green infrastructure network; No plan for Leckhampton and Warden Hill and there are no "High Quality" links to key centres.

The acceptance by Cheltenham Borough Council of the 400 houses needs comprehensive masterplan and development strategy for the Strategic Allocation, **A master plan is required for Leckhampton and Warden Hill. Set within the context of the safeguarded land at West Cheltenham, which includes' the need for "Social and demographic services" for some 2600 new residents** in area A7. The plan needs to be mindful of the massive developments at Brockworth and Shurdington thus strategic JCS is required.

¹ Note: Roads, Cycle routes and footpath must comply with [Manual for Gloucestershire streets - Highways](#)

157. All plans should apply a sequential, risk-based approach to the location of development – taking into account the current and future impacts of climate change so as to avoid, where possible, flood risk to people and property.

They should do this, and manage any residual risk, by:

a) applying the sequential test and then, if necessary, the exception test as set out below;

b) safeguarding land from development that is required, or likely to be required, for current or future flood management.

The land to the East of the A46 is a source of the River Severn. Any development of the land runs the risk of changing the course of the river. Whilst the SuDs plans for each site consider the rainfall on the site and may individually manage the water from those sites. It **does not** consider the above and below ground flows of the river. Any development running North South will act as a dam. Thus, to mitigate flooding including that required to mitigate global warming land should be safeguarded on the land adjacent to the A46. (Which is the land currently earmarked for development.)

The Planning Approval for each of the development must include a management plan for the Lifetime of the SuDs system. The developers have a limited plan. But the CBC has no policy and there is not legal requirement for Severn and Trent to take them on and they currently do not. So, a **strategic plan** is required for the Maintenance of the SuDs.

Change:

The area A7 and its associated objectives do not align, leaving no objective strategies for Leckhampton 400 House and the A46 corridor. The addition, of Leckhampton School has further complicated the challenges. The NPPF requires that there be strategic plans for the development area

It particular:

- Social Development - (Primary Care & Commissioning Services has a new Leckhampton Surgery in its plan where is this in The Strategic Plan?), Sports and Leisure? See Annex A
- Transport
- Flooding

Given that the NPPF requires that Plans must be subject **to rapid change** and the LPA can change them I would be **in favour** of this development if such plans were in place. However, it **should not** get planning approval because the area needs to be safeguarded for future SuDs requirements.

NPPF. The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. **Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.** I would take the view that given the area of the 400 houses is not defined and there are not strategic policies in place the 400 houses be removed from the allocation until the various strategies and safeguarding takes place as recommended by Inspector Ord.

The need for rapid change of plan. COVID 19 and Page 294: lockdowns have and will cause a massive shift in emphasis:

- The need and added importance of Green space.
- The nature of traveling to work and the need for infrastructure to support that. [Coronavirus and the latest indicators for the UK economy and society - Office for National Statistics \(ons.gov.uk\)](https://www.ons.gov.uk/economy/banking-and-finance/articles/coronavirus-and-the-latest-indicators-for-the-uk-economy-and-society)
- Working from home.

If the 400 houses are removed there remains a need for strategic planning in particular flooding.

I would like to add for the record that local authorities and lockdown have hampered the collection of evidence on which to present a fully objective case.

Annex A

Demographic Chart for 1100 houses (does not include Shurdington and Badgeworth etc.)

Age	2018	Number of	People per	
	UK	Houses	House	Total
less than 19	23.00%	1100	2.4	608
19-64	57.00%	1100	2.4	1505
over 64	20.00%	1100	2.4	528
				2641

	WFTA	WFTA	Local
Services	Percentage	Population	People
Doctors (NHS)	100.00%	2641	2641
Dentist (NHS)	50.00%	2641	1321
Pharmacy	80.00%	2641	2113
Childcare	10.00%	2641	265
Infant School	20.00%	2641	529
Primary School	35.00%	2641	925
Secondary School	30.00%	2641	793
Special needs	5.00%	2641	133
Care Homes	10.00%	2641	265
Emergency Services	100.00%	2641	2641
Multi faith pastoral care	40.00%	2641	1057
Social Services	10.00%	2641	265
Leisure (public inc swimming)	50.00%	2641	1321
Recycling facilities	100%	2641	2641

WFTA (Wet finger in the air)

[Inspector Ord's report findings](#)

103. I indicated in my Preliminary Findings, that I was minded to find both of these allocations sound, at least in part. This remains my view for North West Cheltenham, albeit with some reduction in housing numbers. With respect to Leckhampton, I take the view that the housing numbers should be substantially reduced, bringing it below the JCS threshold for strategic allocation within the JCS. I am therefore recommending its removal from the JCS. I shall now consider each proposed allocation in turn.

100 Shurdington Road
Cheltenham
Cheltenham Borough Council
Planning Dept.
PO Box 12



Planning Application 100 20/01758/FUL -
350. Homes at Shurdington Road, Chelt.

I object to the above planning App:

1. Traffic on the Shurdington Road is already nose to tail at times, what with the New School the traffic will only increase, at the present time its very very difficult to get across the road from 100. Shurdington RD.
2. The maximum no of New Homes was 200, now its 350 (what).
3. The countryside will be sliced to bits the Badgers, Deer which visit us weekly will all be destroyed
4. Floods will add to the already very wet areas, more houses will only increase This -

(2)

5. Toucan Crossing outside 104 Shurdington Road, will only add to traffic and pollution.

Please give the application your full consideration. Thank you



100. Shurdington Road,
GL53 0JH.

7/1/21.

100 Shurdington Road
Cheltenham
Cheltenham Borough Council - Cheltenham
GL53 0JH.
Planning Dept.
PO Box 12

PLANNING
9-1-21.
Rec'd 11 JAN 2021
SERVICES

Planning Application 100 20/01788/FUL -
350. Homes at Shurdington Road, Chelt.

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M32B160AV5E D32B160B43U Page 2 of 2 / 0000135 / 0000550

(2)

5. Toucan Crossing outside 104 Shurlyb Road, will only add to traffic and pollution.

Please give the application your full consideration. Thank you

100. Shurlyb Road.
QL53 0JH.

7/1/21.

To
Mrs MICHELLE PAYNE,
CHELTENHAM BOROUGH COUNCIL
PLANNING DEPT,
CHELT, GLOS,
GL50 1PP.

Page 300

From:

PLANNING
Rec'd 11 JAN 2021
SERVICES

102 SHURDINGTON Rd
CHELTENHAM
GLOS
GL53 0JH

9th JANUARY 2021

RE: FORMAL OBJECTION TO CHELTENHAM BOROUGH COUNCIL OVER P/A NO 20/1788/FUL

With reference to the summary application of 20/1788/FUL,
I live in what I would call a small Hamlet off
the Shurdington Rd, which ultimately will be in the
front line of this proposed development.

Mrs Payne, at the risk of being accused of
Nimbyism I have written this letter more out of a
sense of mutual service. As you are aware, being
a Planning Officer, life consists of mutual service which
is something I've always tried to believe. Sadly and
regrettably this world seems to be coming a Walt Disney
World in many ways.

If memory serves me right I can recall the original
application for this proposed development was for
200 homes, Now its 350 homes, to be built.

Never mind Walt Disney here! "The Sorcerer's
Apprentice" springs to my mind when I consider this.
As you can imagine there's not just a few
people out here that feel they are labouring under
a sense of injustice. In truth none likes to be
duped and without reservation I say we have been
duped. I hear the words "relieving capacity" (sic)
being uttered and know full well this is just a
"well-meant" gloss for the Developers intentions.

Mrs. Payne I can sympathise with the awkwardness of your decision makings when you are confronted with so many formal objections to planning applications but years ago when I was studying at Technic University I can remember with stark clarity my Tutor telling me that a basic rule of war and life is that collective defence protects the individual. Single defence doesn't.

So... on this chord I would like to continue with my letter of objection. I will disregard all the most obvious nightmares ie increased loading on services and infrastructures, congested traffic and gridlocks, the destruction of open land and the one that puzzles me the most. A totally unnecessary Toucan Crossing.

A Toucan crossing that's going to be erected midway between 2 traffic controlled pedestrian crossings. Why? Why will this be needed? Is it to create more traffic and pedestrian problems? Please tell me.

Anyway.... getting back to the defence theme I have to say all my neighbours are fine and I like them fine. I know instinctively that the intended erection of a Toucan Crossing right outside one of my neighbours property will be profoundly unnecessary and disturbing to say the least.

I could say it's not my problem because I won't hear it when the chimes go off

to cross the road; this Page 302.se Jim deaf!
I do know one thing despite the fact I won't
hear the wretched chime, my poor neighbours
are going to wonder if there's in one of those
awful Supermarkets with those hideous till
chimes.

Regardless of the sudden, revealed disapproval of
this proposed Toucan Crossing, I initially and
selfishly reasoned that it would benefit myself
and my neighbours in the respect of getting into the
main traffic flow on the Shurdington Road.

Mrs. Payne you have to understand that trying
to negotiate entrances into Shurdington Rd traffic
there are times when it's like "Running the Gauntlet"

But, here is the flip side of the coin.... I
quickly realized the prospect of the incidents of
accidents and "light jumping" will increase considerably
simply because of the short run of road between
one set of lights to the next i.e. The Toucan Crossing.

You must forgive me if this proximity seems
endless but if my main objection to this planning
application appears only to be a "molehill" there
seems yet to be a mountain of principles behind it.

It's infallible I have to admit in reason to
a large part of development, because one has
to accept it as so called progress.

Every time I drive past a school that's

Exhausting its pupils you know full well at some stage they are all going to want a house, a car, television, ~~press~~ mobiles etc, etc. Every one of them

So... Mrs. Payne, every now and then a little transient gleam of sunshine manages to pierce the gloom of Joe Public's life.

This happens when Planning Officers listen to objections to developers that want to heap a little more misery onto our narrow shoulders, and refuse to embellish a joke.

However, or whatever, I expect no redress like a lot of us out here; but, perhaps the satisfaction of here expressing my case.

Finally Mrs Payne. I can understand we have to have developers and their methods of Developing might be justified; but, and I mean but, never ever the manner of it!!

Yours Very sincerely

~~[Redacted signature]~~

~~[Redacted]~~

(P.S I apologize for any spelling mistakes and jumping from one subject to another. I only had 1 hour to write this) 34D.

From:
Sent: 06 January 2021 17:06
To: Internet - Planning Comments
Cc: Michelle Payne
Subject: Planning Application 20/01788/FUL - 350 homes Shurdington Road, Cheltenham - Objection

For Attention of Miss Michelle Payne (Planning Officer)

1. I make the following comments as a "**STRONG OBJECTION**" to the above planning application and we feel there are many very important issues to consider.

2. This application does cause my wife and I and my neighbours some Major Concerns. No 106 is right alongside the new site. Many of us are retired and living in Bungalows and it is fair to say that we have a daily experience of the current traffic problems (pollution etc) and ask ourselves "*how can it be allowed to get any worse?*". There are also Objections on the CBC planning website from nearby Residents on the Merestones Estate, whose homes would back onto the proposed new development.

3. SUMMARY of THE ISSUES OF CONCERN (OBJECTIONS) ABOUT THIS PLANNING APPLICATION:

- a. The Siting of a new Toucan Crossing right outside the front of my bungalow home** allowing a full view into my front garden, lounge and kitchen. This is in addition to the obvious noise, pollution, breach of privacy and security risk, which would result. There are also similar Objections from the Merestones Estate Residents, whose homes would back onto this new Toucan Crossing.
- b. Excess Traffic on Shurdington Rd - associated current dangers and pollution etc.**
- c. Serious Flooding Risks.**
- d. Closeness of the new 350 homes to existing residents.**
- e. The proposed 350 Homes ignores recent JCS. Local Plan decisions**, limiting the numbers of new houses to 200 on this location.

I understand my neighbours will also be making their own similar important comments.

4. DETAILS of OUR CONCERNS

CONCERN A. THE SITING OF A NEW TOUCAN CROSSING RIGHT OUTSIDE MY HOME.

I feel it is important when you are considering this application, that you have a full understanding of the "**recent history**" about the precise site of this current proposed Crossing - which I summarise below.

It featured in the 2013/15 Bovis/Miller 650 Homes Application/Appeal, when there was an intention to site a new BUS STOP AND LAY BY right outside the front of my bungalow home. This raised major local concerns and there was also support from our MP, Parish and Borough Councillors (Leckhampton and Park wards) - **against these specific plans.**

It was during the Appeal hearing that the Applicant - with the agreement of Cheltenham Borough Council and Glo'shire County Council Highways - withdrew this aspect of their case. (There was also Secretary of State involvement)

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Our Objections at that earlier date were mainly built on the "Pollution aspects at the location from fumes, noise, light and an invasion of privacy and also an increased risk of Security problems - this being some of our major concerns today in 2021 on this 350 homes application.

Regarding this 2020 Miller Homes Application - There has been a public consultation process, including liaison with local councillors and also my verbal and written correspondence with Miller Homes Senior Planning Directors - which has included a specific reference to the new proposed crossing outside the front of my home.

Miller Homes are aware of the earlier issues/history associated with the 2013/15 Planning Application/Appeal and despite our verbal and written opposition about the the new Toucan crossing - it still remains a feature of their 2020 planning application.

Miller Homes' initial plans in the 2019 public consultation process were for Crossings on both sides of their North East access point - the one being right outside the front of my home and the other crossing near Silverthorne Close, a short distance away.

They later withdrew this Silverthorne Close Crossing. The 2020 Miller Application is however now stating in one of their submitted documents, that this Silverthorne Close crossing is still to be part of Miller USEAGE, by virtue of the nearby "Bovis - now Kendrick Homes " planning application.

Miller Homes in my opinion have FAILED to take any material action about "my toucan crossing" and it still UNNECESSARILY remains part of their current application.

To the best of my understanding - there are to be a total of 4 Crossings along Shurdington Road due to the new Senior School application, the Bovis/Kendrick Homes application and this 2020 Miller Homes application.

The Bovis/Kendrick Homes site is right alongside the Miller North East access point on Shurdington Road and their Crossing is close to Silverthorne Close, where "interestingly" Miller initially had their own earlier plans for a crossing.

I FEEL IT IS IMPORTANT TO DRAW YOUR ATTENTION TO 3 DOCUMENTS, WHICH FORM PART OF THIS CURRENT APPLICATION:

No 1 Document - "Transport appendices part 2 figures and drawings part 2" - which clearly shows that there are planned to be 4 separate crossings on Shurdington Rd - one being upgraded near Kidnappers Lane and 3 new ones either side of the Woodlands Road/Warden Hill turn. **Significantly there are plans therefore for 2 crossings quite close to each other - the one being outside my home and the other near Silverthorne Close.**

No 2 Document - "Transport Assessment Part 1" - paras 6.4.6 and 6.4.7. Mention is made that "the new proposed Toucan crossing outside my home (104 Shurdington Rd) is considered to be the "Optimum Location". Mention is also made that "discussions are ongoing with Gloucestershire County Council Highways Development Management Team (GCC HDM) about the nature of the signals and minimising impacts on local residents etc". **There is a reference to Miller Homes "also using the new proposed BOVIS/KENDRICK crossing at nearby Silverthorne Close".**

No 3 Document - "Acoustic Design Statement".

This document refers to Pollution in its widest sense (including loss of privacy and potential disturbance from noise etc and is a "feature" of Local Planning Policy.

In November 2020 I started written correspondence with GCC HDM (Glo'shire County Council Highways Development Management team) to address this specific issue of the Toucan crossing siting. I believe there are others similarly writing to GCC HDM.

Apart from a formal acknowledgement - no further information has been heard - other than GCC Highways making comments dated 21.12.20 on the CBC Planning site that **"they are now deferring their comments for further consideration/discussions on Policies and also relating to the new Secondary school Highway works".**

IMPORTANT TO NOTE

There is in my opinion a very clear indication that Miller **Page 306**ly partially recognise" the Obvious Breach of Privacy and Pollution by poor air, noise, light etc. **I do NOT consider however that their actions are sufficient to address our significant worries in this regard.**

The only way of addressing our concerns is to completely remove this 104 toucan crossing altogether and for Miller to easily rely on the other one nearby at Silverthorne Close, especially as Miller "in their own Document" accept they will be using the new Bovis crossing at nearby Silverthorne Close.

CONCERN B

EXCESS TRAFFIC

Over recent years I have submitted photos of the "traffic delays near our home at various times of the day" for the attention of JCS, Cheltenham Local Plan and various earlier Planning Applications. It is also to my knowledge that there have been delays in Public Transport and Emergency vehicles due to traffic hold ups.

The question has to be asked - has there been any Appreciation of the 1,500 homes being built in the nearby Brockworth area and the recent developments planned and being built on this side of Cheltenham ?

There has also already been formal recognition that traffic in this area was "**severe**" - so the 350 Miller development and the new secondary school and the other mentioned developments will only make the Traffic situation "**even more Severe**".

"Pollution in its widest sense" is a major concern, as has been previously mentioned.

CONCERN C

The issue of **FLOODS** has been widely commented upon by local residents over the years and full notice should be taken of those who have experienced the problems, together with the need to adhere to National and Local Policies etc. It should be appreciated that Floods now appear to be a regular problem for residents in the Shurdington Road, Merestones and Warden Hill areas. An Extra 350 homes "without proper proven flood plans" in my opinion can only make matters worse.

CONCERNS D and E

The unnecessary **CLOSENESS of 350 new houses** to existing dwellings (bungalows) - an obvious statement.

We are very disappointed that despite the the recent formal assurances of limiting the max no of houses to 200, this will now be significantly increased to 350.

FINAL COMMENTS

1. You will note that one of our **biggest personal concerns** relates to the proposed Crossing at the front of my bungalow home and we feel there is sufficient detail in this email to justify its removal from the Application.

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2. There has also been **strong official comment** in recent years about the "**severe traffic problems**" - so we have to ask "*what has now changed in January 2021 to allow this Application to go ahead ?*"

This email is sent to the best of my knowledge and understanding and I ask that you give this email your full consideration.

Thanks

104 Shurdington Rd
Cheltenham
GL53 0JH
07970 029482

MyRef 1700-060121



Objection to the Miller Homes application for

Land at Shurdington Road, Leckhampton

Reference 20/01788/FUL

Clean Air Cheltenham
www.cleanaircheltenham.org

30 November 2020

SUMMARY

Clean Air Cheltenham objects to the planning application from Miller Homes for Land at Shurdington Road, planning application reference 20/01788/FUL.

Our submission clearly demonstrates that the Air Quality Assessment (AQA) report provided by RPS to accompany this planning application is so deficient that the air quality impact of the proposed development has not been properly assessed.

Failure to properly assess air quality impact makes any decision on the planning application liable to legal challenge.

The application must therefore be rejected, and Miller Homes instructed to **prepare an AQA to a professional standard.**

In summary, the grounds for our objection are:

1. **The majority of the location of receptor sites are identified incorrectly – this invalidates the dispersion modelling on which the AQA rests**
2. **Incorrect data been used to check the dispersion modelling of NO₂. These obvious errors again invalidate the model verification on which the AQA rests.**
3. **The AQA fails to follow the DEFRA guidance in their Local Air Quality Management Technical Guidance (LAQM.TG16) regarding dispersion modelling of emissions.**
4. **The AQA does not 'sense check' the modelled NO₂ results against actual measurements of NO₂.**

Introduction and background

Clean Air Cheltenham began reviewing the Miller Homes AQA – and we quickly identified some serious flaws: what appear to be significant data handling errors, as well as a failure to follow DEFRA guidelines on how air quality assessments should be performed. We have only looked so far at modelling of Nitrogen Dioxide from traffic, but in our view, the number of errors in this area cast doubt on the whole of the report.

If the data handling with regard to NO₂ and the modelled receptor sites contains the type of errors described later, it is highly likely that there are equally significant mistakes made in the modelling of dust pollution during the construction phase as well.

We would also highlight that DEFRA recommend that assessments of air quality should use actual measurement wherever possible as a starting point – rather than relying entirely on dispersion modelling.

Leckhampton with Warden Hill Parish Council monitors both Nitrogen Dioxide and particulate matter across the local area close to the proposed site. Cheltenham Borough Council has also recently installed new AQ Mesh Pods at 8 sites across the town, which provide further data on particulates, and also measure NO₂ in real-time, rather than the average monthly readings provided by diffusion tube monitors.

Based on the evidence of diffusion tube monitoring over the last 2 years, Clean Air Cheltenham believes there is a significant risk the additional traffic and congestion from the Miller Homes development, the Bovis and Hitchens developments, combined with the new secondary school could lead to one location exceeding the annual mean legal limit for NO₂.

That location is the junction of Shurdington Road and Moorend Park Road.

After presenting supporting evidence for our 4 points of objection, we conclude with a section making suggestions for how the Air Quality Assessment can be re-done to a professional standard, using recent actual data readings of both NO₂ and particulates. There is a useful amount of actual monitoring data available from both the Parish Council, and Cheltenham Borough Council, which has not been used in the RPS report.

Objection 1 The majority of the locations of receptor sites been incorrectly identified.

Table 3.4 in the RPS report lists the location of 'modelled receptor sites'.

It appears that some cut and pasting in Excel has gone wrong. The table overleaf shows the mix-up that seems to have happened.

Firstly, 22 out of 27 of the locations have the incorrect co-ordinates given.
18 of these 22 have been transposed down 4 rows (see entries labelled in pink overleaf)

There are **31** receptor sites listed on **Figure 1** of the RPS report, but only **27** in **Table 3.4** of the RPS report.

The 4 'extra' sites on Figure 1 (179 Bath Road, 56 Church Road, Kidnappers lane, 97 Shurdington Road) have co-ordinates given in Table 3.4, but these co-ordinates are identified as other sites.

There are **4** sites in **Table 3.4** (Francis Street, Montpellier Terrace, Gloucester Road, Miserden Road) which do not have any matching co-ordinates anywhere in the table.
(These 8 sites are shown in white cells in the table overleaf.)

And there are 5 sites (shown in green cells overleaf) where the location description in Table 3.4 matches the co-ordinates.

(The 4 extra sites happen to be the 4 sites where RPS have used actual CBC data readings to check the dispersion modelling... so what has probably happened is that co-ordinates were pasted in at the last minute to Table 3.4, but in a way which caused all the errors.)

These mistakes invalidate all the modelling of NO₂ and particulates.

Given the confusion over co-ordinates and location descriptions in Table 3.4, the planning committee cannot be sure if the correct traffic data has been used for each site.

RPS Air Quality Assessment: Miller Homes

Cross referencing named locations with x/y co-ordinates given

ID	Location description: RPS Table 3.4	X (Easting)	Y (Northing)	Actual site for these x, y, co-ordinates
1	Leckhampton Lane 1	394614	221153	Bath Road
2	Leckhampton Lane 2	394577	219728	56 Church Road (just west of Hall Rd)
3	Kidnappers Lane South	393525	220187	Shurdington Rd (opp Kidnappers Lane)
4	Kidnappers Lane South	394057	220607	Shurdington Rd (Between Highwood Ave and Moorend Park Rd)
5	Church Road West 1	392469	218806	Leckhampton Lane (Shurdington Rd end)
6	Church Road West 2	392483	218760	Leckhampton Lane (Shurdington Rd end)
7	Church Road East 1	394342	219540	Kidnappers Lane (Church Rd end)
8	Church Road East 2	394364	219570	Church Rd (close to Kidnappers Lane)
9	Farm Lane 1	394202	219441	Church Road (opposite the church)
10	Farm Lane 2	394052	219343	Church Road (opposite industrial units)
11	Kidnappers Lane North	394403	219589	Church Road (opposite Collum End Rise)
12	Shurdington Road 1	394413	219552	Church Road (adjacent to Collum End Rise)
13	Shurdington Road 2	393763	219473	Farm Lane (opposite Redrow development)
14	Leckhampton Church of England School	393668	219659	Farm Lane (northern end of Redrow development)
15	Tamarisk Close	393536	220159	Kidnappers Lane (junction with Shurdington Road)
16	Rothleigh	393378	220066	Shurdington Road (close to Farmfield Rd junction)
17	Farm Lane	393414	220045	Shurdington Road (close to Farmfield Rd junction)
18	Whitelands Lane	394580	219810	Leckhampton Church of England School
19	Francis Street	393080	219830	Tamarisk Close (Shurdington Rd/Up Hatherley Way roundabout)
20	Montpellier Terrace	392460	220130	Rothleigh/Up Hatherley Way
21	Gloucester Road	391906	218260	Shurdington Road (south, towards Badgeworth Lane)
22	Miserden Road	391401	217668	Whitelands Lane (Shurdington Rd south)
23	Bournside School and Sixth Form	393130	220980	Bournside School and Sixth Form
24	St Stephens	393922	221577	St Stephens Rd (close to Andover Rd/Lansdown Rd)
25	Tivoli Street	394227	221463	Tivoli Road/Andover Rd junction
26	Hatherley Road	393747	221607	Hatherley Road
27	Park Place	394355	221487	Park Place (close to Suffolk Rd)

Locations on RPS Figure 1, matched to co-ordinates given
179 Bath Road (given on Figure 1 but not listed in Table 3.4)
56 Church Road (given on Figure 1 but not listed in Table 3.4)
Kidnappers Lane (given on Figure 1 but not listed in Table 3.4)
97 Shurdington Road (given on Figure 1, but not listed in Table 3.4)
Leckhampton Lane 1
Leckhampton Lane 2
Kidnappers Lane South
Kidnappers Lane South
Church Road West 1
Church Road West 2
Church Road East 1
Church Road East 2
Farm Lane 1
Farm Lane 2
Kidnappers Lane North
Shurdington Road 1
Shurdington Road 2
Leckhampton Church of England School
Tamarisk Close
Rothleigh
Farm Lane
Whitelands Lane
Bournside School and Sixth Form
St Stephens
Tivoli Street
Hatherley Road
Park Place

Objection 2 Incorrect data has been used to check the dispersion modelling of NO₂.

The RPS report (following the approach described by DEFRA), has attempted to check the modelled results against some locations where actual pollution readings are available. This process is known as 'model verification'.

RPS chose 4 sites where CBC has used diffusion tube monitoring of NO₂ in the years 2013 to 2015.

We discuss in the next section the deficiencies in choosing only 4 sites from a period 8 to 5 years ago. But the major concern is that the RPS report has again mixed up the data, as shown in the table below.

RPS Air Quality Assessment: Miller Homes

Model verification: comparing figures given in RPS Table B1 with CBC data

Measured Annual Mean NO ₂ concentrations (ug/m ³)				
	2013	2014	2015	2016
179 Bath Road				
RPS Table B1	26.2	20.2	20.5	–
CBC correct figures	31.7	31.5	31.2	30.5
56 Church Road				
RPS Table B1	27.9	25.2	25.3	–
CBC correct figures	26.2	20.2	20.5	–
Kidnappers Lane				
RPS Table B1	33.8	30.3	29.5	–
CBC correct figures	27.9	25.2	25.3	–
97 Shurdington Road				
RPS Table B1	31.7	31.5	31.2	30.5
CBC correct figures	33.8	30.3	29.5	–

What has happened is that RPS have mixed up all 4 locations.

- CBC data for 56 Church Road has been used incorrectly for 179 Bath Road
- CBC data for Kidnappers Lane has been used incorrectly for 56 Church Road
- CBC data for 97 Shurdington Road has been used incorrectly for Kidnappers Lane
- CBC data for 179 Bath Road has been used incorrectly for 97 Shurdington Road.

These mistakes in model verification invalidate all the modelling of NO₂ and particulates.

Objection 3 The AQA fails to follow the DEFRA guidance in LAQM.TG16 regarding dispersion modelling of emissions.

Current DEFRA guidance to Local Authorities on how to manage local air quality is given in a document known as LAQM.TG(16).

The RPS report gives insufficient detail to check whether they have accurately followed these guidelines for dispersion modelling.

But there are at least three main areas where the RPS report does not meet DEFRA's validation criteria.

3a: The model verification requirements regarding statistical confidence have not been applied.

DEFRA insists that there must be a '*comparison of modelled results versus monitoring results*' at relevant locations. (Section 7.510, LAQM.TG16).

DEFRA say there should be a statistical check of the degree of confidence that can be given to the modelled results. The recommended statistical check is the Root Mean Square Error. (RMSE) This is a measure of how much error there is between the modelled results and actual results.

Table B2 gives the comparison of NO_x reading for 4 modelled sites and actual monitor readings for the same 4 sites. *RPS have not calculated the RMSE.* We have reproduced this table below:

RPS Table B2: Comparison of Monitored and Modelled Annual-mean Road NO_x contribution (ug/m³)

	Annual mean Road NO _x Contribution (ug/m ³)	
	Monitored	Modelled
179 Bath Road	17.1	11.8
56 Church Road	26.9	8.0
Kidnappers Lane	35.8	17.9
97 Shurdington Road	39.6	12.2

The RMSE for this data-set is **19.08**.

This means any modelled result for a given receptor site is likely to be out by around 19 ug/m³ NO_x

Another way of looking at it is to say that, based on these 4 comparisons, any modelled result is likely to be out by between and 106% and 238%. No wonder RPS didn't calculate the RMSE!

This very high RMSE, based on a comparison between only 4 pairs of variables, means that there is no correlation at all between the model results and actual readings. The model is therefore so inaccurate as to be of no use.

We know from the previous section that one reason for this is that RPS mixed up the data for each of the 4 comparison sites. It appears that they have effectively randomised the input data, which gives the

entirely expected result that there is no correlation between the model and reality... but then ploughed on regardless!

It is also worth remarking that nowhere near enough comparisons have been undertaken. CBC have around 30 to 40 diffusion tube sites in addition to the 12 local ones operated by the Parish Council. Comparisons should have been made at around 20 sites in order to be able to compare the model with 'real-life' with statistical confidence.

Bureau Veritas recently conducted a similar modelling exercise for CBC around the city centre, and performed comparison at 16 locations. Using only 4 sites to compare the model with actual readings is highly unlikely to give an acceptable level of statistical confidence. It is both surprising and worrying that RPS do not appear to appreciate this.

3b: The approved modelling process has not been followed.

Another reason for this very high level of uncertainty about the modelled results is that there are any number of complex effects that must be taken into account – ranging from traffic patterns, estimates of speed, fleet composition, congestion, street canyon effects, multiple traffic lanes, road gradients, and so on. There is huge potential for a series of 'slightly wrong' assumptions to coalesce into wild inaccuracy.

Because of this, the LAQM guide states that if there is a discrepancy between modelled results and actual results, an adjustment factor may be applied (Section 7.513), but *'before adjustment of a model is applied... the model set-up parameters and input data should be checked... in order to reduce the uncertainties'*. (emphasis added, from Section 7.514).

RPS do not appear to have followed this instruction.

3c: The guidelines on acceptable levels of error have not been followed.

DEFRA Technical Guidance on acceptable levels of error between modelled and actual results (section 7.542 of LAQM.TG16) says that:

"If the RMSE values are higher than $\pm 25\%$ of the objective being assessed, it is recommended that the model inputs and verification should be revisited in order to make improvements. For example, if the model predictions are for the annual mean NO_2 objective of $40\mu\text{g}/\text{m}^3$, if an RMSE of $10\mu\text{g}/\text{m}^3$ or above is determined for a model, the local authority would be advised to revisit the model parameters and model verification. Ideally an RMSE within 10% of the air quality objective would be derived, which equates to $4\mu\text{g}/\text{m}^3$ for the annual average NO_2 objective."

DEFRA recommends that the RMSE check is performed on the 'road contribution NO_x ' contribution. The 'road NO_x ' is then converted to a NO_2 figure, which is then added to the background NO_2 level. The conversion factors can vary depending on distance from the emission source etc, so the error level in NO_x does not directly translate to the same error level in the final estimate of NO_2 . But there can be little confidence that the NO_2 RMSE would be within the 25% limit, based on the variance demonstrated, and the very limited number of comparison sites.

The error levels in the RPS modelling are far higher than those stipulated in DEFRA's guidance document LAQM.TG16.

Objection 4 The AQA fails to 'sense check' the modelled results.

Reading the RPS report, it quickly became obvious that the modelling simply didn't make sense. Further investigation uncovered the 'garbage in-garbage out' errors described in Objections 1 and 2 above.

How did RPS fail to see the obvious red flags that were apparent to us on a cursory first read?

For example:

4a: Why do the modelled pollution results show no congestion effect?

It is very well known that air pollution increases significantly with idling and congestion. To give an example of this 'congestion effect', Parish Council NO₂ data (2019, annual mean level) from Shurdington Road at the junction with Kidnappers Lane was **19 ug/m³**. The annual mean level 600m away at the junction of Shurdington Road and Moorend Park Road was **33 ug/m³**.

The volume of traffic at these two points is very similar – *but there is a near 75% increase in NO₂ levels at the Moorend Park Road junction due to congestion and idling that occurs at the traffic lights here.*

The link between congestion and air pollution is widely understood and reported – hence the use of congestion charging in major cities as one of the most effective ways of reducing air pollution.

There will clearly be more congestion and idling in Shurdington Road. The i-Transport report (submitted as part of the planning application) predicts an additional 200 car journeys in each of the am and pm peak hours. The secondary school is likely to generate a similar or greater number; and the Bovis and Hitchens developments are anticipated to generate a further 20 car journeys at the am and pm peak hours. The introduction of pedestrian crossings and a roundabout in the Kidnappers Lane area of Shurdington Road will have the effect of slowing traffic down... at a time when traffic volumes in the am and pm peaks hours are predicted to increase by around 35%.

Yet all the NO₂ predictions in the RPS report along Shurdington Road under Scenario 1 (2022, no development), Scenario 2 (2022 with development) and Scenario 3 (2026, with development and Leckhampton Secondary School fully occupied) show very little variance. (The predicted pollution levels even go down slightly from 2022 to 2026.)

In other words, RPS are predicting that there will be no congestion, and that a significant increase in traffic levels will not result in any rise in air pollution.

These predictions are simply not credible.

4b: Why are no results shown for the most important receptor site?

Why is the receptor site on Figure 1 (97 Shurdington Road), which is closest to the critical traffic pinch point at the Moorend Park Road junction, not listed in Table 3.4 of Receptor locations? The receptor location was used in the model verification process (see Appendix B of the RPS report), so must have been modelled?

4c: Why are the modelled pollution levels in the '2022 no development' scenario so much lower than current actual readings?

Table 6.1 in the RPS report gives the modelled NO₂ levels for Scenario 1 (2022, without development). The highest level for any site in the Shurdington Road area is predicted to be **20.5 ug/m³**.

However, the two sites given in Table B1 – giving actual CBC readings for 97 Shurdington Road and Kidnappers Lane – show levels around **30 ug/m³**. (These readings are from the period 2013, 2014, 2015.)

The Department of Transport Traffic Count figures for count point 77984 (close to 97 Shurdington Road) show a 5% increase in traffic between 2013 and 2019.

The Parish Council NO₂ reading for this area of Shurdington Road in 2019 was **33.4 ug/m³**. This shows a correlation with the increase in traffic estimated by the DoT between 2013 and 2019. It is possible that levels of NO₂ will decline slightly in future due to improved emission standards on cars, and substitution of diesel vehicles by petrol/hybrid/electric vehicles – but there is no evidence of this happening yet. For example, towns like Cheltenham and Oxford and many other all have experienced a small increase in annual NO₂ levels in 2019 compared to 2018.

For these reasons, alarm bells should have rung at RPS when the modelled results show so much variance from actual readings.

Recommendations for re-doing the Air Quality Assessment to a professional standard

It is hard to have confidence in RPS's Air Quality Assessment. Basic data handling errors have not been picked up by the senior staff meant to check the report, and the assessment does not meet DEFRA standards.

The first step should therefore be to *appoint a consultancy with more expertise in air quality, and with better attention to accuracy and statistical rigour.*

Dispersion modelling systems are highly complex – if the Air Quality Assessment for this planning application is going to rely to a large extent on dispersion modelling, then:

- the consultants involved must be highly experienced in their use of these systems and understand all the pitfalls and complexities.
- the modelling must use a much larger number of verification sites in order to have statistical validity
- the model must meet DEFRA guidelines on acceptable error (section 7.542 of LAQM.TG16)

But we are keen to see an Air Quality Assessment that:

- takes far more account of actual monitor readings
- looks at the impact of congestion during peak travel times

There are 12 diffusion tube sites (measuring NO₂) in various locations close to the proposed development (see the Leckhampton with Warden Hill Parish Council website for these locations). There are also two particulates monitors that measure PM_{2.5} and PM_{1.0} to reference standards. These are in Leckhampton Road and Church Road. It should be possible to combine the pollution data from these monitors with DEFRA's estimated background level of NO₂, and then use current traffic levels and predicted traffic levels to give much more reliable air quality predictions.

The availability of this data from the local monitors should also lead to improved dispersion modelling done in parallel.

CBC has also installed 8 AQ Mesh Pods at sites around main roads in Cheltenham. These measure both particulates and NO₂ in real-time, and therefore should be able to help enormously with modelling of levels of NO₂ and particulates at peak travel times compared to averaged figures.

We are particularly keen to see congestion modelling at the Shurdington Road/Moorend Park Road junction. This is the most polluted location close to the proposed development. Although the current pollution level does not exceed the 40 ug/m³ annual mean limit, we think *there is a real possibility that the combination of additional traffic and also increased idling/congestion, could cause the legal limit to be breached at this one location.*



Consultation Response to Planning Application

Application Reference	20/01788/FUL
Applicant	Miller Homes
Case Officer	Michelle Payne
Consultation Deadline	08/12/2020
Application Description	
<p>Full planning application for residential development comprising 350 dwellings, open space, cycleways, footpaths, landscaping, access roads and other associated infrastructure</p> <p>Land At Shurdington Road Cheltenham Gloucestershire</p>	

Organisation Overview:

Gloucestershire Community Rail Partnership (GCRP) consist of several organisations, volunteers and enterprises across the county seeking to benefit communities through connecting people with and engaging them in local railways and stations. The GCRP engages in a number of conventional 'bottom up' workstreams, such as community outreach, alongside more strategic decisions supporting integrated transport and development proposals.

This includes playing a critical role in organising, conducting and collating datasets to help inform local decision making and taking a proactive role in facilitating a responsive and flexible recovery to Covid 19. The remit extends to stimulating healthy and active lifestyles and reducing emissions through sustainable travel.

GCRP is run by CIC as its executive arm. Jon Harris is the Director responsible for the strategic planning, development and regeneration agenda.

Strategic Aim:

To develop an accredited, sustainable community rail partnership organisation for Gloucestershire that puts the region on the map through effective community engagement, public transport integration, station development activities, enhanced visitor experience and sustainable travel promotion and projects.

Gloucestershire's long-term vision for rail is for more frequent, faster passenger services accessed via modern station facilities that provide gateways to the rest of the country. Rail services will offer people with a choice in the way they travel making local and longer distance trips. The GCRP is an independent voice but aligns its activities with the four key pillars of rail policy and practice:

- Gloucestershire County Council's Local Transport Plan and Rail Strategy
- DfT's Community Rail Strategy objectives
- RSSB's Rail Sustainable Development Principles
- Community Rail Network (CRN) best practice including accreditation criteria

The aims of the GCRP are far broader than looking at rail. As a partnership, there is a real desire to ensure that access to rail plays a part in the development and delivery of integrated transport and land use policy to support various objectives. The GCRP wants to go beyond conventional community rail ambitions by submitting our views on this planning application

Key Aims

1. To contribute positively to the visitor experience and the long term economic sustainability of Gloucestershire
2. To improve accessibility to public transport for all
3. To improve the integration of transport through sustainable modes of transport
4. To increase ridership profile and community involvement at all Gloucestershire's railway stations
5. To provide community insight to shape future proposals for rail investment and services in the County

Key Objectives

1. To engage all stations in Gloucestershire and establish / strengthen Station Adoption groups along the lines through inclusive and participative community consultations. The consultations will identify the issues and challenges at each station and help engage the local community. The outcomes will inform the development of relevant and proactive action plans that will be reviewed and refreshed on a quarterly basis.
2. To link adopted stations with their broad community through facilitation of unique community led projects that address community issues and communicate a sense of place. Publicity will consider county wide connectivity and integrated transport approach to encourage wider connectivity between stations, communities and the locations they serve.
3. To promote Gloucestershire as a sustainable destination nationally and internationally connecting sustainable travel with Gloucestershire's visitor experiences to engage and resonate with visitors. To achieve this we will work in partnership with the county's destination management and marketing organisations to achieve an aligned and coordinated approach.
4. To stimulate stations as local places working proactively with developers and local authorities to ensure that rail facilities are well connected to new development through continuous engagement and consultation with councils and their associated neighbourhood plans. We will work proactively with developers, town and parish and councils and local authorities to ensure that rail facilities are well connected to new housing, employment and leisure development
5. To link stations, communities and visitors through promotional and educational measures, including trails, walks and enhanced destination experiences through maps, education, training and events that celebrate local heritage and improve health and wellbeing.

6. To proactively input into planned improvements to the rail network in Gloucestershire, including new or improved stations, accessibility, bus and sustainable transport integration and community transport schemes.

Overall Alignment

A core objective of the CRTPs work would be to work with local transport authority to meet the long term LTP targets, not just around rail growth, but also around continued use of walking, cycling, bus and community transport modes as stated in the current Local Transport Plan

LTP PI-2: No. Of Peak Hour Vehicle Journeys – Restrict annual growth to 1% per annum

LTP PI-7: Increase use of rail – Increase by 30% from 2015 to 2031

LTP PI-8: Increase use of cycling – Increase by 50% from 2015 to 2031

LTP PI-9: Increase use of bus – Maintain bus passenger numbers in line with reviews

LTP PI-10 Maintain bus passenger access - Maintain access within 45 minutes

LTP PI-13 Reduce levels of traffic derived Nitrogen Dioxide – To reduce transport derived NO₂ at each Air Quality Management Areas

LTP PI-14 Reduce per capita transport carbon emissions - 0 tonnes per capita by 2050

Contacts/ Response Authors	
Email	j

Local Policy Context

The proposed residential site sits in a peri urban location towards the south east of Cheltenham Railway Station and south of the main town centre along the A46; a key thoroughfare providing direct access to the A417 and (M5 Junction 11A), the urban extension of Brockworth, Gloucester, and Stroud, via Painswick through the Cotswolds Area of Outstanding Beauty (AONB).

The site forms part of the Policy MD4 site in the Cheltenham Plan (adopted July 2020) which includes a six-form entry secondary school. The secondary school site was granted planning permission on 21 July 2020 (Gloucestershire County Council planning reference 19/0058/CHR3MJ). The residential area is to be split into two parts; an eastern and a western parcel comprising of 175 homes each featuring 40% affordable homes.

The Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (JCS) provides a key policy backdrop to the development. A thorough examination of local policy and relevance to the proposed site has been undertaken on behalf of Miller Homes (developer) with clear reference made to the following:

JCS Policy INF1: Transport Network and specifically Paragraph 15.5 which states: "Policy INF1 of the JCS sets out transport-related requirements and expectations for development in the Borough. Of particular note is Part One of INF1 which ensures that all proposals improve and encourage access to more sustainable modes of travel. A Travel Plan also forms part of the requirement for a development of this scale and size.

JCS Policy SD4: Requires new development to prioritise movement by sustainable transport modes through design. These policies will form an important part of development proposals in the Borough."

Policy SD4 Design Requirements: Movement and Connectivity. It states that new development should be designed to integrate, where appropriate, with existing development, and prioritise movement by sustainable transport modes, both through the application of legible connections to the wider movement network, and assessment of the hierarchy of transport modes.

The National Planning Policy Framework (NPPF) also sets out matters when considering development proposals across four key paragraphs:

Paragraph 108:

"In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:

- a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
- b) safe and suitable access to the site can be achieved for all users; and
- c) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree."

Paragraph 109:

"Development should only be prevented or 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."

Paragraph 110:

"Within this context, applications for development should:

- a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;
- b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;
- c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;
- d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and
- e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations."

Paragraph 111:

"All developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed."

We believe the Transport Assessment has been sufficiently thorough and extensively researched with strong alignment with local policy and strategy. Particular attention has also been made to the JCS evidence base and the reference made to assessing impacts on the eleven strategic travel corridors, namely Corridor 9: A46 Bath Road (central Cheltenham) to A417 junction.

GCC's preferred mitigation package for Corridor 9 includes:

- Leckhampton Lane - upgrade A46 / Leckhampton Lane priority junction, to include a dedicated right turn from A46 south into Leckhampton Lane (funded through developer contributions);
- Moorend Park Road - A46 Shurdington Road northbound approach to Moorend Park Road – additional highway space for right turning traffic by providing a longer stacking lane (funded through developer contributions);
- Badgeworth Lane - A46 / Badgeworth Lane priority Junction – Signalisation of junction to provide improved access to/from Badgeworth (funded through ad hoc funding opportunities).

Alignment with GCRP Strategy

We feel on a whole that the development scheme and associated commitments to local infrastructure works, on and off site, alongside a detailed travel plan, are sufficient to accept this proposal. However, we do believe that a number of points need to be highlighted and a number of conditions made to meet the expectations and commitments outlined in the proposal and the GCRP Aims & Objectives.

Positive Alignment

There are many positive hard and softer measures proposed as part of the development masterplan and developer contributions to support active travel and increased local permeability and connectivity. The site is strategically positioned on a north south axis between Shurdington Road and the proposed secondary school and the east west axis between Leckhampton Footpath 12 / Merlin Way and Kidnappers Lane. The proposed site layout provides off road footpath / cyclepaths completing the north south and east west pedestrian linkages in the local area.

We believe the site is well positioned to take advantage of principal bus route serving the Shurdington Road, including Service 10 Gold, operated by Stagecoach, which provides a frequency service every 10 minutes to Cheltenham and Gloucester / Lower Tuffley Monday to Saturday and every 30 minutes on a Sunday. The first available service towards Cheltenham leaves the stop at 06:22 and the last return is 23:45. The earliest service for Gloucester leaves at 06:32 and last return journey is at 23:06.

Another Gold Service, 61, also operates frequently along the Cheltenham to Stonehouse alignment via Stroud and would serve as an excellent sustainable and scenic alternative to car-based travel for Swindon/London bound rail users via the Cotswolds AONB. This would be a natural direction of travel for rail users than rail heading into Cheltenham or Gloucester station providing that the route is adequately promoted through the travel planning process.

More importantly, the site is served by Bus service D which provides a connection to Cheltenham Railway Station and Bishop's Cleeve departing Warden Hill bus stops every 30 minutes. This is approximately 850m from the centre of the site but would need to be correctly signposted for residents are the service extended to plug directly in the new site. First services from the stop start at 06:38 to Cheltenham and the last service from the destination is at 22:48. Peak Period frequency is 15 minutes, including over the course of Saturday, with off peak and Sunday services being every 30 minutes on average.

It is noted that pedestrian and cyclists will have the opportunity of accessing Cheltenham town centre by two main routes. The first is via Shurdington Road, the Shurdington Road / Moorend Park Road junction and beyond. The second is via Shurdington Road, Woodlands Road, St Michaels Road, the off-road cycle route linking to Merestones Road and the signed cycle route via The Parks and beyond providing a quieter route towards the town centre . We would welcome the applicants offer to assist in bringing forward improvements to this route and to enter further discussion with GCC and CBC on the matter. This would serve to support access to the railway station from Gloucestershire University Park Campus and ultimately help create smore eamless door to door journeys.

Negative Alignment

We believe that commendable efforts to support sustainable travel are undermined by the scale of car parking capacity provided on site (2.52 spaces per dwelling) and the low-density urban design code that may only lead to exacerbating local car-based movements. Whilst we understand that the development has to be sympathetic to local surroundings and is relatively permeable, there is little to suggest that new residents would opt to travel sustainably. We agree that the site is generally walkable to local neighborhood facilities.

We would request that evidence be provided off how Miller Homes have previously met mode share targets for a development of a similar scale and size and to ensure that the local authority is vigilant and holds the developer to account initially and when assessing monitoring activity. We for example, would not be able to predict the heightened levels of rail travel based on the figures presented due to the uncertainties around travel patterns and future demand to travel. This applies to the interim modal split targets identified by rail for the site:

Baseline: 2.1%
Year One: 2.1%
Year Three: 3.0%
Year Five: 3.5%

The Travel Plan objectives is:

'To reduce the number of vehicle trips generated by the site during the morning peak hour (08:00-09:00) and evening peak (17:00-18:00) by 10.0%. The objective is to achieve this target within five years from first occupation.'

We feel that efforts to reduce car use should, however, be more ambitious considering the window of opportunity presented by the pandemic to reduce travel

demand and increase levels of walking and cycling. Car driver mode share only drops 6.7% to 60.1% for mode share on site. This does not meet local ambitions and the required modal shift required over the next five years for a new development in a strategic position. We do hope that if Travel Plan targets are not met by the end of the monitoring period outlined above, the developer will work with Gloucestershire County Council to identify a strategy and to agree further actions to get the Travel Plan back on track.

We feel much more attention needs to be channeled towards upgrading Shurdington Road (A46) which is part of the National Primary Route Network but also a highly trafficked single carriageway, 7 metres in diameter and with a 40mph speed limit. This road is a potential barrier to movement; both physically and psychologically, especially for cyclists looking to use it for accessing the station and town centre. Better integration with local quiet streets and alternative routing may be useful to promote and improve as part of local works. We do already appreciate the consideration given to desire lines over Shurdington Road.

We would like to see further clarifications made on the ease of access to rail for people with reduced mobilities and disabilities as well as ambulant users as indicated on the design principles for the site. Limited attention has been made to supporting Community Transport operations in this capacity and we would like to see a discussion around a designated car club vehicle being provided on site to develop a greater package of demand responsive options. This is especially pertinent for those who associate with a Protected Characteristic Group (PCG) s no accessible, frequent, direct bus connection that plugs into the proposed site that would serve the station directly. Bus Service D, which allegedly serves the site accordingly to the transport assessment and travel plan stops well short of the 400m recommended walking radius of the proposed site location.

Recommendations/Specific Observations

Walking and Cycling

We are generally satisfied with the level and type of funding commitments and infrastructure measures being proposed as part of the planning application, which would help plug the site into the wider active travel and public transport networks. The following upgrades would benefit both utility and recreational travel and enhance local permeability. They include:

- The proposed site layout provides off road footpath / cycle paths completing the north south and east west pedestrian linkages in the local area;
- A new 3.5m footpath cycle path is proposed running in a broad north south direction (to the west of Hatherley Brook) between Shurdington Road (near the secondary school proposed Toucan crossing west of Woodlands Road
- Bus stops on Shurdington Road) and Kidnappers Lane opposite the access to the proposed secondary school.
- A new footpath / cyclepath also connects between the eastern development parcel and Kidnappers Lane (to the east of Hatherley Brook); and
- A new 3.5m east west footpath / cyclepath achieved through the site utilising part of Footpath no 6. To the east, it connects with Footpath no. 12 and Merlin Way and to the west the realigned Kidnappers Lane linking into Shurdington Road, Farm Lane and beyond ▪ Footway / cycleway provision at the proposed eastern and western site access arrangements;

This complements the adjacent secondary school application covering the following improvements:

- Upgrade of the existing pelican crossing on A46 Shurdington Road, south west of the Shurdington Road / Kidnappers Lane junction to a Toucan crossing;
- A new Toucan crossing on Shurdington Road between the Kidnappers Lane and Woodlands Road junction;
- Upgraded or new unsegregated footway/cycleway provision on the main approaches to the school site along A46 Shurdington Road, Woodlands Road and Kidnappers Lane;
- Upgrade the surfacing of PROW Leckhampton 13 and PROW Leckhampton 28; and
- A way finding strategy;

Public Transport

We feel that necessary investment should be made in term of upgrading the current bus stop infrastructure along the A46 serving the site to reflect its increased usage and position. This includes additional waiting capacity and shelter alongside Real Time Information Displays to help the integration between bus and rail. We would also suggest that the bus stop enables step free access by incorporating Kassel kerbing into the reconfigured design. The wayfinding strategy developed for the new school could also incorporate creative signage projects to assist the first and last mile to the bus stop provision, particularly the stop in Warden Hill for Service D that stops at the railway station.

Car Sharing & Car Clubs

Whilst car sharing will be promoted amongst new residents of the development, particularly in relation to journeys to work, we would entertain a discussion around the feasibility of a car club vehicle on site with the nominated Travel Plan Coordinator. This could help reduce single vehicle occupancy trips but could also tie in with support for rail related tourism trips that membership to a club could offer at stations elsewhere across the UK.

Behaviour Change

In addition to the hard infrastructure measures set out in the Transport Assessment, the Travel Plan includes a range of non-infrastructure or 'soft' measures for the development to reduce the need to travel and to encourage trips by non-car modes. A Travel Plan Coordinator is being nominated to oversee a very promising package of measures including:

- An information leaflet about the TP, its aims and objectives, how to get involved and how travel will be monitored;
- Information about the community travel websites to provide travel information including the promotion digital applications to support modern travel behaviour such as Stagecoach Buses new travel app;
- A plan of the new development, highlighting local facilities and the nearby key destinations, the walking and cycling routes to these with indicative travel times, locations of local cycle parking, and the location of bus stops;
- Information about opportunities to travel to local schools in the vicinity of the site by sustainable modes, including details of any local school Travel Plans;

- A £150 sustainable travel voucher for the first owner of each dwelling to be used for the following measures:
- A bus travel voucher (such as Stagecoach Taster Tickets) to encourage travel by bus;
- A cycle purchase voucher to assist with the purchase of a bicycles; and
- A voucher towards a rail season ticket to encourage travel by rail.
- Copies of CBC / GCC's cycle plans;
- Bus and rail maps and timetable information;
- Information about journey planning services, e.g., www.nationalrail.co.uk and www.travelinesoutheast.co.uk;
- Information about car sharing;
- Investigation into a car club; and
- Information about home delivery services offered by local supermarkets

We would add that the promotion of PlusBus Ticketing would be advantageous as a direct campaign to support multi modal travel and would also insist on cross promoting the GCRP to enable residents to provide direct feedback on rail and donate skills towards connecting communities with their local station.

Freight & Construction Activity

We would be keen to understand whether the construction company responsible for the development would will be a 'Considerate Contractor' and For suppliers delivering to the site to be FORS accredited. We feel that this is important during the development phase due to the proximity of local schools, key active travel routes and local green spaces where there is a heightened risk to those who associate with a Protected Characteristic Group (PCG). Additional HGV movements would inevitably put additional pressure on the A46 and potentially impact active travel users travelling within the area.

Community Engagement

We would be very interested on helping support Miller Homes and the TPC in the travel planning process to support access to rail and provide the resources and knowledge to feed into local communication streams. We believe that we can complement the range of community facilities being muted; by providing information for the community boards and social media outlets.

We commend efforts to set up a bicycle user group to enable cyclists to share information on routes, safety, cycle maintenance etc and acknowledge how this would enable less experienced cyclists to contact established cyclists and therefore to obtain information, guidance and potentially a 'cycling buddy' to accompany

them on cycle journeys, including to the rail station. We would suggest that this approach also ties in with creating material with alternative routes for different types of cyclist to access the station.

We would like to go a step further and encourage residents, through the dissemination of information, to also take on responsibility for improving their local station through station adoption and to help with efforts to improve last mile links with local communities. This may also form part of the proposed surveying activity where we would be happy to be a critical partner in the formation and delivery of the survey.

Conditions and Section 106

We believe that the commitments made in the planning application are generally sufficient with our commentary providing a few suggestions as to how to build on the offer presented and to strengthen the links with rail and the travel planning process in particular.

GCRP Evidence Base & Supportive Materials

An integral part of the GCRP work will include station travel planning activity and looking at the ways in which sustainable travel can be better connected to each of the stations, including access and equality audits, and a review of signage, waymarking and interpretation. We feel that this can help complement the design solutions to ensure the design of the site effectively amalgamates into the setting.

We would like an open dialogue with the developer to support any travel planning activity and to support the exchange of data and information, ranging from:

- The distribution of resources to aid travel choice in the form of timetables & maps, including new access guide for Cheltenham.
- A community survey to assess travel choice, perceptions and behaviors and capture predicted rail use.
- Light touch Personalised Travel Planning (PTP) activity to aid individual choices (potentially as part of developer contributions)
- Recruit of potential volunteers to joining GCRP and to be local station adopters at Cheltenham.
- Cross promote of local recycling bike offers and training courses and negotiating deals with local suppliers as well as TOCs for taster tickets.

We are also due to launch our Developer Guide which seeks to establish a better relationship between the housing industry, local authorities and the rail industry with the input of local communities and organisations represented by GCRP. We would welcome the opportunity for the applicant to get in touch to engage on this process throughout this proposed development as well as other ventures across the county.

Michelle Payne
CBC Planning Office
Municipal Offices
Promenade
Cheltenham
GL50 9SA

Sent via email.

Dear Ms Payne

Planning Application Ref: 20/01788/FUL 350 Houses Shurdington Road, Cheltenham

Several residents in Bournside Road, who's property bounds Hatherley Brook are deeply concerned that this proposed development will further exacerbate the growing menace of flooding in Bournside Road and surrounding area. Consequently, it should be rejected.

Many of our group whose property is in close proximity to Hatherley Brook, have been concerned for some time at the year-on-year increase in water levels. This increased volume of water is not only eroding gardens but causing widespread damage as the incidence of flooding increases.

Many remember the so-called 'exceptional' conditions in 2007, when widespread flooding occurred, and we received assurances from the Environmental Agency that this was a 'once in a hundred-year event'. Since then, we have seen water levels continually rise and the storm on the 17 June 2020 saw the brook rise above levels witnessed in 2007, almost breaching the wall in Hatherley Road. At one point during this flood the Brook was 7.5 meters wide and 2.5 meter deep at the end of the garden at number 80 Bournside Road. and the flood on Boxing Day, 26 December at the same location, measured **8.5 meters wide and 3.2 meters deep**. This flood, the fourth, 'one in a hundred year' event during 2020, wreaked havoc in gardens and brought down huge tree trunks, wooden pallets and numerous other fence posts and deposited other debris that we had to clean up and dispose of. It also threatened existing garden buildings and swept away shrubs and much of the topsoil.

Back in 2007, following the floods, we were further informed by the Environmental Agency that there were two major contributing factors to this unprecedented rise in water levels in the Brook. One being global warming the other upstream development. Since then, the development upstream areas that bound Hatherley Brook has gone on, unchecked and it is no coincidence that this existing and ongoing development around the Kidnappers Lane area has had a dramatic effect on the levels of water in the Brook. Clearly, whatever assurances that were or are being given to the Planning Department about flood risks downstream, are clearly, plain wrong if they discount the risk of further flooding or if they don't, are being ignored. The evidence that the flooding is now a regular occurrence is overwhelming.

In closing, it is an axiom that the Environmental Agency were aware in as early as 2007 that upstream development was a major contributing factor to flooding. We are in no position to establish whether they made this clear to the Planning Authorities, perhaps they did and were ignored or perhaps they failed to do so. Regardless of this, the fact remains that planning permission has been granted and much development has taken place. If further planning permission is granted in the full knowledge that the inevitable result will be increased flooding to many downstream properties, surely the parties involved namely CBC and the Developers will be culpable and must bear the cost of any financial penalties flood victims may incur, when further flooding occurs whether that is damage to property or increased insurance premiums for 'flood-risk' area? One final point. The depth and flow of the water in the Brook in flood, is a serious health & safety risk. A very strong, adult swimmer would struggle to survive a fall into the Brook. A child would stand no chance of survival and planners must be aware of that fact.

For FOB



Flood 12 July 2007 Probably 60% less volume of flood as in December 2020 flood (once in a hundred year event!)



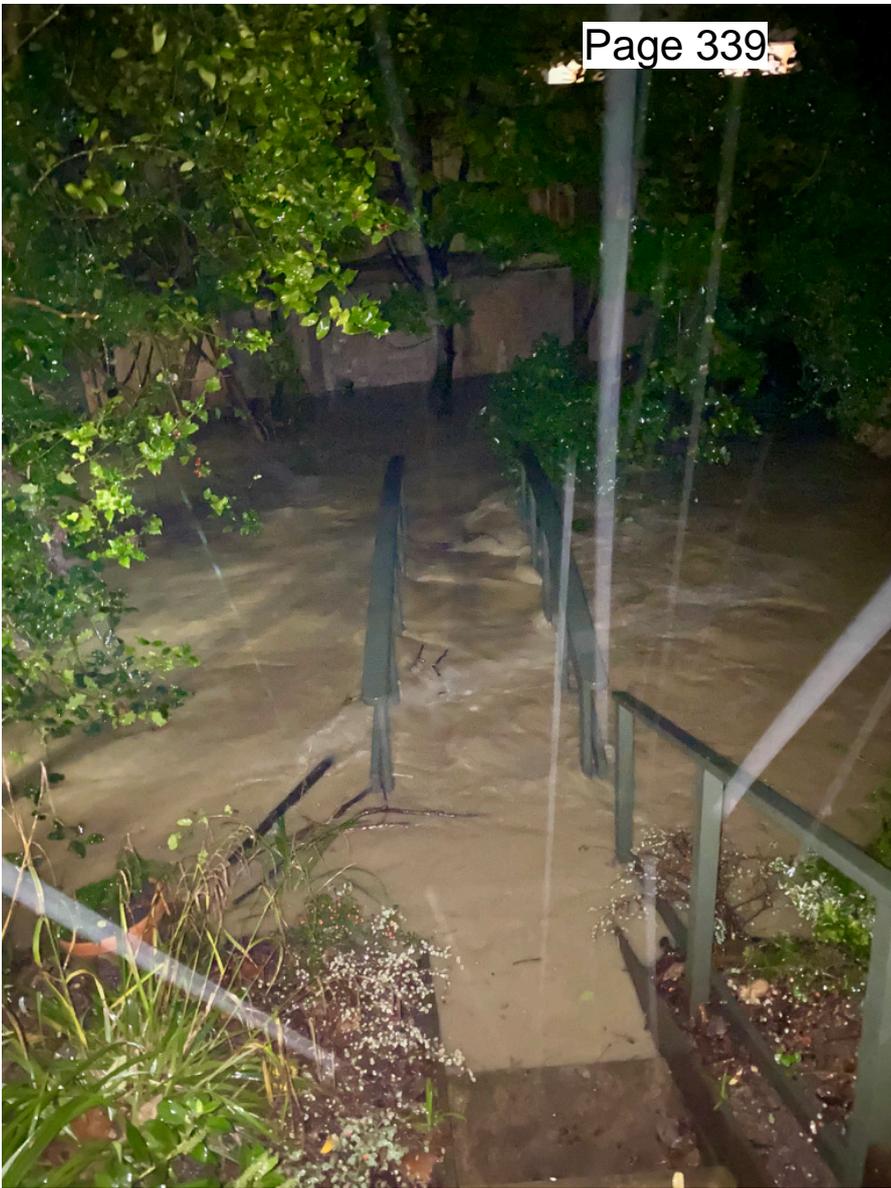
Spring 2020 Top: Normal Bottom: During June flood



Large logs brought down Spring 2020 c 3 meters long x 200mm diameter



Log deposited across Brook after water receding 26 December 2020



Floodwater on evening of 23 December 2020 17:53. 9 x 3.5 meters



Hatherley Road flooding

Objection to:**Full planning application (20/01788/FUL) by Miller Homes for the development of land south of Shurdington Road**

Cheltenham Green Party objects to this planning application on the grounds that it contravenes Cheltenham Borough Council's commitment to *carbon neutrality in the borough by 2030*.

Buildings account for 40% of UK carbon emissions ¹, and heat is the largest source of carbon emissions in the UK, directly accounting for over a third ². So there is no possibility of CBC getting close to meeting its commitment to carbon neutrality if it does not immediately require all new build to be zero-carbon – if not 'net carbon positive'.

The challenge of decarbonising our housing stock is immense – retro-fitting to replace gas boilers with low carbon alternatives. It is literally insane to add to this problem by allowing new build construction to take place that does not meet zero-carbon standards.

The planning application states that it will meet or exceed current national building standards. But every relevant government department, energy and sustainability body, architects, etc., recognise that the current building standards are woefully inadequate in the context of the climate crisis.

The solutions needed to make this development zero-carbon are well known: a combination of exceptional insulation and energy efficiency (PassivHaus standard) and energy supplied from renewable technologies, such as Combined Heat and Power/heat exchangers, heat pumps, electrification, solar power, or preparation for hydrogen gas.

Greenhouse gas emissions from road transport make up a further 20% of UK emissions ³. This planning application only plays lip-service to promoting a switch to active travel in Cheltenham. (A leaflet encouraging people to cycle and walk will be handed to new householders... but at the same time the developers want to provide 882 parking spaces for 350 houses... 46% of which are 1 bed and 2 bed!)

Again, CBC cannot meet its target of carbon neutral by 2030, unless it encourages radical changes to transport and how people move around. These radical approaches are now endorsed by national government – see for example the recent Gear Change report ⁴ and the Decarbonising Transport report ⁵ from the Department of Transport.

All new planning applications for major housing developments need to have facilities and links which make it possible for people to live without cars, particularly in a town like Cheltenham. This application makes no such provision.

Cheltenham Green party also endorses the comments on air pollution made by Clean Air Cheltenham, and the many comments on traffic congestion made by local objectors and Leckhampton with Warden Hill Parish Council.

This application must be rejected, and the developers told to make a new application with the future in mind – a development which is:

- net carbon neutral in construction
- net carbon positive in energy when occupied
- which facilitates active travel and discourages car ownership
- does not contribute to local traffic congestion and air pollution.

(see overleaf for references)

¹ <https://www.ukgbc.org/climate-change/>

² <https://www.cbi.org.uk/media/5123/heat-policy-commission-final-report.pdf>

³ <https://www.ons.gov.uk/economy/environmentalaccounts/articles/roadtransportandairemissions/2019-09-16>

⁴ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/904146/gear-change-a-bold-vision-for-cycling-and-walking.pdf

⁵ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/932122/decarbonising-transport-setting-the-challenge.pdf

Hi

I'm horrified by the amount of houses planned for Leckhampton.

I have lived in the area for forty five years and my house backs onto the Shurdington Road. Three times this year the apple tree in my garden has been surrounded by a lake of water and on one occasion the water got under the floor boards of the house and knocked out the electrics and warped the doors.

As my neighbours pave over their driveways and more and more houses are built the flooding situation will worsen.

I'm also very concerned about the increased traffic and air pollution - as anyone will tell you trying to cross the Bath Road in the day time will confirm. I used to be able to drive to Gloucester in twelve minutes but it can now take 30 - 40 minutes due to increased traffic. A new senior school opening will mean constant traffic jams in the area at peak times. 350 houses will introduce a further 700 cars, and will completely destroy the village feel Leckhampton has always benefited from.

I strongly feel the council should concentrate on converting empty properties into accommodation for people to live in, and stop the mindless vandalism of building on every available green space.

4 Pickering Close
GL53 0LE





From: > 10 January 2021 15:38
Sent: Internet - Planning Comments
To: Miller Homes Planning Application 20/01788/FUL
Subject:

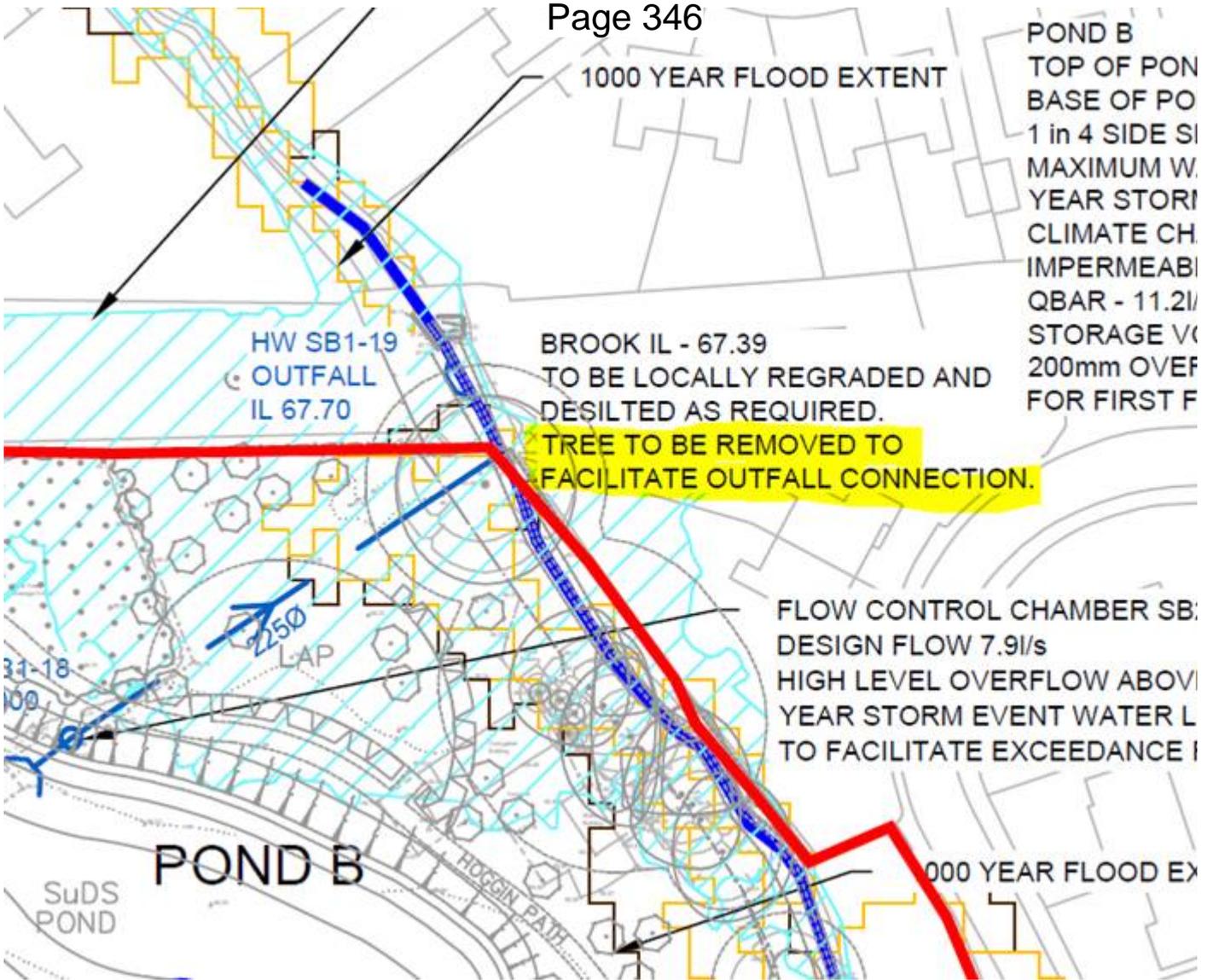
The Sleepers
Merlin Way
Cheltenham
GL53 0LS

To whom it may concern

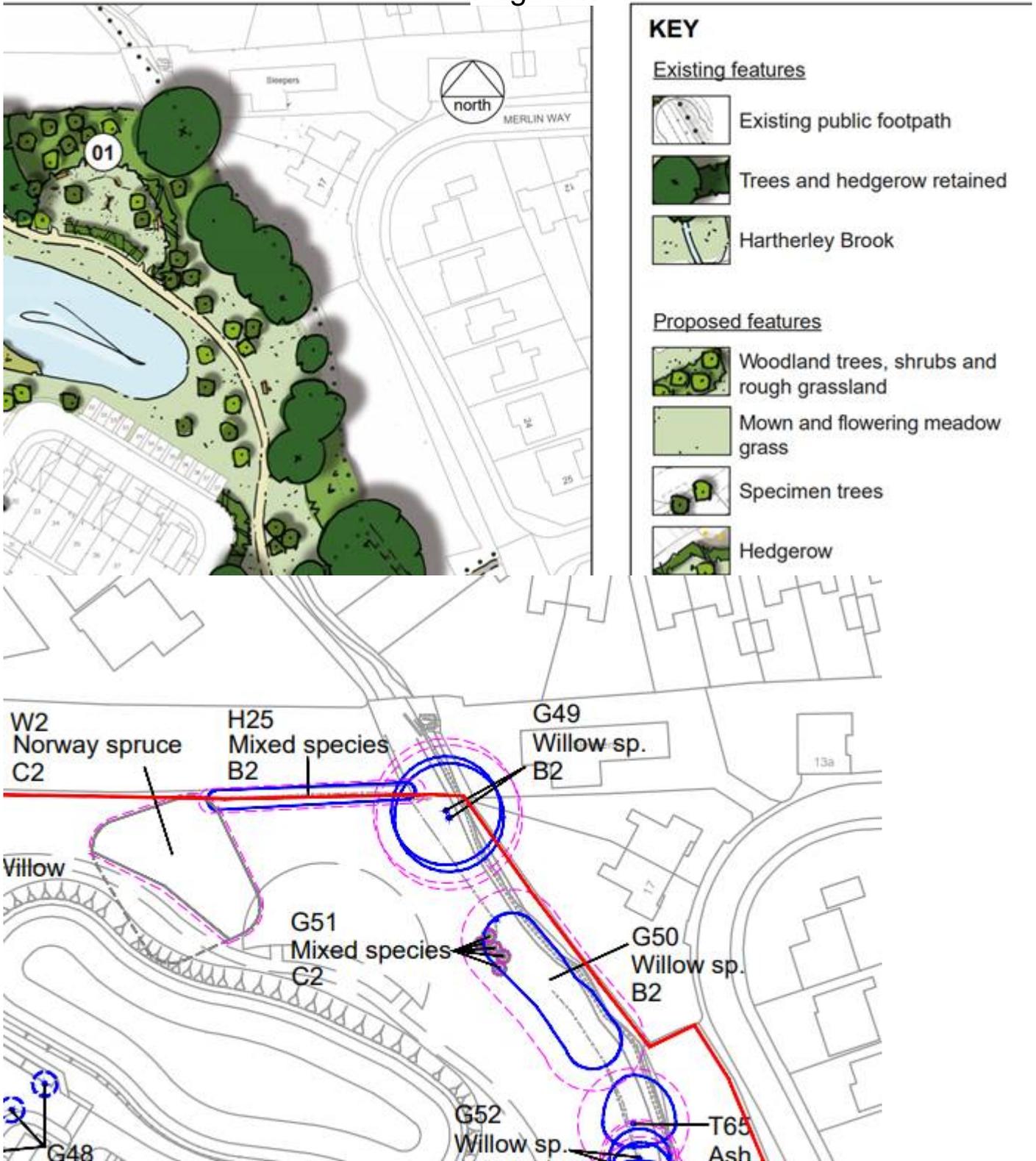
I purchased my house (directly adjacent to the northeast boundary of the proposed development) partly because of the open view, and the feel of living in the green space, while still having the convenience of the town. Both of these characteristics will be severely altered should the proposed 350 dwelling go ahead.

Given the change in my living environment, and the financial impact of this development on the value of my home, I would like to formally object to the application. However, should the development proceed, then I would appreciate consideration be given to mitigate these unwelcome changes as detailed below.

I am particularly concerned that the existing tree line could be effected along the northeast boundary. The Phase 1 Drainage Layout actually states that a tree will be removed to facilitate the proposed drainage outfall from Pond B (see extract below).



Not only do I find this unacceptable as it will significantly increase the visual impact of the proposed development from my property, it also directly conflicts with the developer's own Landscape Strategy (see extract below) and Tree Retention Plan (G49 on the extract below) that explicitly state the tree is to be retained. I would request that explicit assurances are sought from the Developer to ensure the trees along the brook are retained, as noted on their own plans, and that an alternate solution is provided for the drainage outfall that doesn't affect the existing trees.



I am also concerned over the increase in flood risk and I am supportive of the comments made by the Parish Council. In particular, I am concerned that if the maintenance of the attenuation ponds detailed in the Flood Risk Assessment is not carried out, it will have a significantly detrimental effect on local flooding along the brook.

I also agree with comments made by the Parish Council with regards to bio-diversity and ecology. If a development is to be granted on green space, surely the Developer should have to provide a net gain in bio-diversity. The Developer's own Ecology Appraisal demonstrates that this is possible and I would like to see the Developer obliged to implement all of the recommendations detailed in clause 8.5 of the appraisal, as early as possible within the phasing of the development.

Waterwood

Merestones Road

Cheltenham

GL50 2RS

Your Reference 20/01788/FUL Miller Homes 350 Houses

To whom it may concern.

I appreciate the need for new housing in Cheltenham and have no problem generally with the plans submitted by Miller Homes, it won't help the current gridlock on Shurdington Road at rush hour, but there are few routes into Cheltenham unaffected by our general obsession with cars.

I am however concerned about the amount of water that comes off Leckhampton Hill, that will undoubtedly get worse as climate change has more of an impact. The proposed housing site currently absorbs water run off from Leckhampton Hill, we can clearly see this from the amount of surface water currently in the fields and the affect on neighbouring pathways. Buildings and roads do not absorb water and the water continues across the higher elevation to the lower elevation.

The addition of ponds will take some of the excess, to the 100 year flood event +40% according to the plans, but the remainder will need a route to the lower elevations.

Currently Hatherley Brook takes a great deal of this run off and struggles now. The route under the A46 into Merestones and down into Bournside Road is very poorly maintained with paths regularly flooding and even collapsing.





Our house lies several hundred yards downstream of the meeting point of the 2 Hatherley Brook routes through Merestones. I have had to improve the flood defences myself in my own time and at my own cost, but I can't do anything about the diameter of pipes or clearance below bridges.

The below pictures show the difference between the water levels in a 5 hour period on Wednesday 23rd December. This is the second time this year that the water has gone over the capacity of the pipe. The first being 17th June, following dry weather, so saturated higher ground was not a factor. On both occasions this was one day of rain. How much more water would be required to flood both mine and my neighbours properties? Do we need to expect 2007 levels regularly, more than one day of heavy rain?



Where will this excess water go? There is a solution, drastically improve the culverts, dredge, line, widen, deepen. I suspect the council have no resources to do this judging by the current poor state of repair and the developers will bamboozle the council with survey statistics proving that this is a one in a hundred year event in order to prevent loss of margin. I don't believe the developers (Boo Homes) re-assurances did the residents of Leckhampton Views any good in 2016, probably more like a one in hundred day event for them.

The drainage plan says for the blue line that represents the existing watercourse "to be retained and maintained as appropriate". They are not be maintained now so who will be responsible for this in the future?

Your consideration of the above would be appreciated.

Yours sincerely

Objection to **Shurdington Road-350 houses** (CBC application 20/01788/FUL)

In the three months since the planning committee's first consideration of this application last December, virtually none of the promised additional evidence has appeared, and this month's planning agenda item is now accompanied by exactly the same thinly-reasoned text from the planning officer, recommending permit.

As regards the primary issue of "severe" traffic impact, the key paragraphs 'worth' reading from the officer's 80 pages are just paras. 6.4.8 to 6.4.14, and 7.1 to 7.13, (which for convenience are appended hereto).

Assuming you remain unconvinced that so many as 350 units are sustainable on transport grounds, onto this critical section of A46, then continue to seek more independent data.

350 is at least 50 too many. Therefore, immediately seek the deletion of the 49 houses in the environmentally sensitive amber-coloured fields R2 and R3, up along the Hatherley Brook.

If the applicant does go to appeal for non-determination, most inspectors (like Inspector Clark, who examined here in 2016) are not timid rubber-stampers.

The brief unquantified reasoning supplied by GCC Highways (and repeated by the planning officer) is easily discounted as being lightweight and implausible.

For example, para. 6.4.9 simply accepts the applicant's claim that traffic would be "*dispersed around the network*", which can hardly occur when there are no parallel alternatives to the A46 radial, and when the major exits for these 350 dwellings would feed onto a substantially jammed section of A46, which the previous paragraph 6.4.8 admits is "*recognised as a congested corridor*".

Below are detailed criticisms of the recent Highways document.

I also append my December objection to this proposed crippling of a key radial and gyratory route for Cheltenham.

March 2022:

On 16th March, six working days before the planning meeting on 24th, a report was published calling itself "Community Infrastructure", which is truthfully another (pathetic) attempt at a Highways report, (done by GCC's 'Highways Development Management' (HDM) Team Leader), incorrectly claiming (yet again) that "*traffic generation from the allocation was considered at the time of the adoption of the plan*".

This is rounded off with GCC's standard boilerplate: "*The Highway Authority has undertaken a robust assessment of the planning application*", (the paragraph sloppily repeated twice, in this frequently ungrammatical report).

Yet there are no details of any "robust" traffic questioning, or evaluation of objectors' detailed challenges.

Clearly the impact of 350 dwellings, on top of GCC's recent insertion of a 900-pupil Secondary school, should require detailed evaluation of how this scheme could conceivably escape the Secretary of State's established finding of "severe" A46 congestion from 650 dwellings, (which

were to have their access partly via the south end of Kidnappers Lane, i.e. to/from Church Road rather than the A46).

In addition, the overall traffic assessment for this application needs, now, to take integrated account of the Redrow 377 houses in Farm Lane, not evident to the Bovis-Miller 650-houses Appeal dismissal (which in effect dismissed GCC Highways' incompetent "robust assessment" of 'no objection').

Where are GCC's calculations that the A46 queue lengths will not severely jam Cheltenham's principal southern radial ?

Or does this "HDM" department lack the ability to make such calculations, and therefore covers it with "robust assessment" verbiage ?

December 2021:

Why CBC can and should refuse so many as 350 units on the A46 (Shurdington Road)

The painstaking JCS Examination ruled that the sensitive landscape of Leckhampton should NOT become a Strategic-scale urban extension (defined as greater than **450** houses). Yet permissions have been given for 377 at Farm Lane (Redrow), 25 at Kidnappers Lane (Hitchins) and 12 on Shurdington Road (Kendrick), which totals **414**, PLUS a 900-pupil Secondary school, (self-permitted by GCC).

Apart from this now 'Strategic' scale of development, the overall Traffic impact is not far short of Bovis-Miller's application for 650 houses, to which GCC Highways found no objection, but which the appeal inspector and the Secretary of State ruled to have "**severe**" traffic impact.

For this application, GCC is not an unbiased consultee on Transport, because having pushed its large Secondary school very late into the JCS-envisaged mix, it now prefers not to impact Miller.

It is of interest that TBC Planning has very recently discounted a 'no objection' from Highways England to Hitchins' application for 460 houses off the A46 at Fiddington (21/000451/OUT & 21/01348/OUT), and is minded to Refuse, (stating "*The application has not demonstrated that there would be an acceptable impact on the strategic road network in conflict with Policy INF1*" [of the JCS]).

The narrow unwidenable A46 (Shurdington Road) is the sole southern A-road into Cheltenham town centre, for whose uncongested viability this radial route is vital.

With a still unimplemented (because probably unachievable) scheme for the Moorend Park Road junction, GCC settling for "*mitigation through offsite improvements, enhanced walking and cycling connections*" is no compensation or solution for a crippled A46 which most residents now predict.

Adding 350 onto Shurdington Road is now simply too many. They are packed in with minimal garden-space (compared to the adjacent estates). There are a total of **891 parking spaces** planned (455 North; 436 South), showing that is clearly a drive-to location (too far to walk to shops, etc).

One initial improvement would be to remove the **49** houses sited in **fields R2 and R3**, which the JCS Inspector indicated should not be developed. The important green corridor along the Hatherley Brook could then be less constricted, benefitting wildlife and amenity.

I have defended Leckhampton's landscape (through regional and local plan and appeal inquiries) since the 1992 Local Plan Examination. This current proposal is excessive, over-dense and (on top of the imminent school) a traffic disaster.

How are residents of the areas between Leckhampton and Charlton Kings to drive to Gloucester or to the Tewkesbury Road retail centre, other than via this critical section of the A46, i.e. from the Moorend Park Road junction to reach the 'ring road' of Up Hatherley Way ? It must be kept free-flowing and viable at all times.

Where is GCC's documentation of its claimed 'robust and full' traffic assessment ? Instead of any detailed calculations or discussion, GCC (on November 26th) merely summarises what the applicant has asserted, ignoring any evaluation of the submitted counter-evidence.

At the very least, **defer** this decision for more auditable analysis from GCC Highways, and adequate time to consider it. We need not fear proper independent assessment by another Inspector.

Highlighting some comments from others:

GCC-Highways:

"provides the anticipated number of dwellings in the Cheltenham Plan, and consequently the traffic generation from the allocation was considered at the time of the adoption of the plan."

This is not true; the Local Plan Inspector left a full traffic assessment open for the planning application to demonstrate.

Civic Society:

"This is a very high density development: the result of trying to fit 350 units onto the site. This has resulted in some very small units, more appropriate to a city centre development than this semi-rural location. If you compare the size of plots and properties surrounding this site, the proposed density is immediately visible."

CBC Tree Officer:

"there appears to be little scope for new tree planting to mitigate for anticipated losses. The reduction in the number of dwellings would facilitate a less compact application and more potential for greater planting"

Leckhampton with Warden Hill Parish Council:

"The validity of the MD4 allocation, of which the Miller development is part, also depends on meeting the condition set by Inspector Burden that the proposed traffic mitigation at the A46/Moorend Park Road junction must be shown to work."

Extracts from the March 2022 Officer's Report:

transport statement or transport assessment so that the likely impacts of the proposal can be assessed.

6.4.3 As previously noted, the application proposes two vehicle access points from Shurdington Road; a priority junction and a new roundabout. The roundabout proposal also realigns Kidnappers Lane, with the existing junction with Shurdington Road proposed to be closed and replaced with a cycleway.

6.4.4 A new Toucan Crossing point is proposed to the east of the site on the Shurdington Road which would form part of a series of wider infrastructure improvements.

6.4.5 From a highways perspective, the access, parking and highway safety impacts associated with the proposed development have been fully assessed by the Highways Development Management Team (HDM) at the County Council, as the Highway Authority acting in its role as Statutory Consultee, and their full comments can be read in Section 4 above.A.

6.4.6 In their initial response, HDM requested a deferral to allow for continued discussions to take place with the applicant to ensure that the Transport Assessment and scheme designs reflect current national and local policy, and that the proposals were complementary to the consented secondary school highway works.

6.4.7 Subsequently, HDM have now responded to advise that no highway objection is raised subject to conditions and financial obligations.

6.4.8 With regard to the highways impact of the development, particularly on the Shurdington Road, which has been raised as a concern by many of the objectors, HDM set out that the applicant has prepared a Transport Assessment which considers the impact of the proposal from a multimodal perspective, to include modelling on the potential impact on the Shurdington Road which is recognised as a congested corridor. It also considers routes to key destinations and how access to those services could be improved.

6.4.9 In terms of trip generation, the proposed development is expected to generate 127 departures and 51 arrival vehicle trips in the AM peak (08:00-09:00) and 79 departures and 126 arrives in the PM peak (17:00-18:00); and these would be split between the two access points. The transport modelling shows the trips would be dispersed around the network and this has potential implications at the junctions of Moorend Park Road and Leckhampton Lane.

6.4.10 With regard to the Moorend Park Road junction, HDM advise that there is already a consented scheme in place to improve this junction associated with the Farm Lane development.

6.4.11 They further advise that the Leckhampton Lane junction is proposed to be amended to provide a degree of space for right-turning traffic but there is a balance to be had in providing more capacity whilst maintaining pedestrian space. In considering the needs of pedestrians as a key priority, a reduction in the footway width is not acceptable. Furthermore, increasing capacity could result in an increase of rat running whereas the A46 is the more suitable route. The proposal therefore looks to provide an improvement within the current kerblines, and this is considered to be acceptable.

6.4.12 In addition, HDM acknowledge that the proposal has the significant potential to reduce walking distances from the existing residential communities to the new Leckhampton High School; with new and improved connections made from Merlin Way, Shurdington Road and Kidnappers Lane. Within the site, the proposal would create a low-speed environment which includes measures to prioritise walking and cycling movements; the proposed pedestrian and cycle routes providing more attractive routes than would otherwise exist.

The proposal also provides missing footway infrastructure on the A46 which is considered to be a benefit of the scheme and contributes to its sustainability credentials.

6.4.13 HDM therefore conclude that:

Overall, the proposal is considered to be acceptable and proposes suitable mitigation through offsite improvements, enhanced walking and cycling connections and planning obligations.

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.

6.4.14 Officers are therefore satisfied that the proposed development is acceptable in highway terms, and is compliant with JCS policy INF1 and the relevant paragraphs of the NPPF.

6.5 Drainage and Flooding

6.5.1 Adopted JCS plan policy INF2 advises that development proposals must avoid areas at risk of flooding, and must not increase the level of risk to the safety of occupiers of a site, the local community or the wider environment either on the site or elsewhere. Additionally, where possible, the policy requires new development to contribute to a reduction in existing flood risk; and to incorporate Sustainable Drainage Systems (SuDS) where appropriate.

6.7.2 The application has been accompanied by a Flood Risk Assessment (FRA) which has been reviewed by the Lead Local Flood Authority (LLFA) at the County Council, as a statutory consultee for surface water flood risk and management. Again, the comments can be read in full at Section 4 above.

6.7.3 The FRA sets out that detailed hydraulic modelling has been carried out to assess the existing flood risk to the site, to include blockage analysis of culverts crossing the A46, Shurdington Road. The outcome of this model has been reviewed by the Environment Agency (EA), with the published Flood Zones subsequently updated to reflect this.

6.7.4 Much of the site is located within Flood Zone 1. Where parts of the site fall within areas of Flood Zone 2, the layout has been designed so that the housing and sustainable drainage features are located outside of zone 2 and areas at risk of surface water flooding.

6.7.5 It is proposed that surface water would be discharged into the Hatherley Brook and its tributary; with surface water stored in three SuDS ponds serving three hydraulic catchments on the site. The LLFA have confirmed that *"They have been designed to store water in events up to the 1 in 100 year rainfall event plus 40% for climate change and simulations of the network on MicroDrainage show that they are a suitable size"*.

6.7.6 In their initial response however, the LLFA also highlighted that:

The MicroDrainage simulations show that the development will not flood in a 1 in 30 year rainfall event and that the flooding of the network in a 1 in 100 year rainfall event will be confined to the highways. Although this meets the Non-statutory technical standards for sustainable drainage, the flooding from manhole SB11 (Catchment B1) appears to be directed off the site onto the Shurdington Road. While this is an acceptable strategy for exceedance flows, in events up to 1 in 100 year rainfall event, surface water should not be leaving the site in this manner.

Other S106 obligations

6.9.12 Other obligations to be secured via the S106 agreement relate to the management and maintenance of the public open space, LAPS, allotments, and community orchard.

6.10 Other considerations

Public Sector Equalities Duty (PSED)

6.10.1 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.

6.10.2 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.

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

7. CONCLUSION AND RECOMMENDATION

7.1 Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise.

7.2 Furthermore, paragraph 11 of the National Planning Policy Framework 2021 sets out a presumption in favour of sustainable development which in decision making means:

- c) *approving development proposals that accord with an up-to-date development plan without delay; or*
- d) *where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*
 - i) *the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
 - ii) *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*

7.3 The site to which this application relates forms part of the Leckhampton mixed-use allocation in the Cheltenham Plan 2020 (policy MD4); as such, the general principle of developing the site for approximately 350 houses has already been established and remains acceptable.

7.4 The application has been submitted following extensive pre-application discussions, and has been subject to additional design refinements during the course of the application. Officers are therefore satisfied that the overall design and layout of the scheme is acceptable and would result in a high quality development that will create an identity of its own, whilst responding to nearby developments, and will be a good place to live.

- 7.5 The application proposes a policy compliant (40%) level of affordable housing; and would make a valuable contribution to the borough's housing stock.
- 7.6 The sustainability credentials of the proposed development have been improved during the course of the application to include solar PV panels and EV charging points, which will go some way to meeting Cheltenham's 'Climate Emergency' commitments, whilst ensuring that this remains a viable and deliverable scheme. Overall, as amended, the scheme would achieve a site wide 20% reduction in CO2 emissions over that required by the 2013 Part L Building Regulations standards.
- 7.7 The proposed development has been fully assessed by the Highways Development Management Team (HDM) at the County Council, as the Highway Authority acting in its role as Statutory Consultee. The applicant has worked closely with HDM to ensure that the Transport Assessment and proposal reflect current national and local policy, and that the proposals are complementary to the consented secondary school highway works. HDM now raise no highway objection subject to a number of conditions and financial obligations, concluding that "*Overall, the proposal is considered to be acceptable and proposes suitable mitigation through offsite improvements, enhanced walking and cycling connections and planning obligations.*"
- 7.8 The application has been accompanied by a Drainage Strategy and Flood Risk Assessment (FRA) which have been reviewed by the Lead Local Flood Authority (LLFA) as a statutory consultee. Following the submission of revised information, the LLFA raise no objection to the proposals subject to conditions. The LLFA are satisfied that the "applicant has demonstrated that the strategy meets national standards for sustainable drainage and should not be putting the development itself or elsewhere at increased risk of flooding."
- 7.9 The FRA has also been assessed by the Environment Agency (EA) who conclude that "as all extents for all forms of flooding will be contained within the green open space corridors either side of the watercourses, we have no objections to the proposals from a flood risk perspective." In addition, Severn Trent raise no objection subject to a condition.
- 7.10 The application has been reviewed by Natural England and Wild Service (the Council's specialist Ecology Advisor) and the ecological impacts of the proposed development have been found to be acceptable subject a number of conditions, to include the submission of a 10-year Landscape and Ecology Management Plan (LEMP) prior to the commencement of development. The LEMP would be required to expand on the habitat enhancement and creation recommendations outlined in the Ecology reports, and include detailed management prescriptions for retained and created habitats (including for Hatherley Brook, the stream, the orchards, hedgerows and wooded areas, grassland).
- 7.11 With regard to the landscape and visual impacts of the development, officers are satisfied that, overall, the impacts are acceptable. Ryder Landscape Consultants (acting as the Council's specialist Landscape Advisor) have reviewed the application and, whilst there are some residual concerns, officers are satisfied that specific matters of detail can be resolved through the discharge of conditions.
- 7.12 With all of the above in mind, taking into account the economic, social, and environmental aspects of the application, officers are satisfied that the proposed development would be in accordance with relevant national and local planning policy.
- 7.13 The officer recommendation is to grant planning permission subject to a signed S106 legal agreement, and the following schedule of conditions:

Objection to Shurdington Road (A46) 350 houses application – CBC 20/01788/FUL

Please read the attached 'agreement' document (between GCC Highways and Miller Homes) which shows how the A46 Shurdington Road traffic problems are now being evaded.

This is evidence document ED025 from the recent Cheltenham Local Plan inquiry, (concerning Examination Matters 3 and 8):

https://www.cheltenham.gov.uk/downloads/file/7249/ed025_itb12049-014tn_asotm_with_gcc_leckhampton

It is an 'agreement' (unfulfilled) between Miller and GCC, in response to the LP Inspector's comments.

You need only read paragraphs 1.1.8 and 1.1.13 to see that none of these agreed congestion remedies are now being proposed in Miller's application.

Apart from the unchanged Moorend Park Road junction, GCC Highways (in its recent 'no objection' document) has even done an about-turn on the agreed 'right-turn lane' in Shurdington, giving two dubious reasons. (If it wants to, traffic will simply wait to right-turn, and block the flow behind it.)

Gloucestershire County Council, having damaged Miller's prospect by inserting (very late in the Plans process) a 900-pupil Secondary school (on intended Local Green Space fields, where it had been JCS-refused a housing scheme, via Edward Ware Homes), and having given itself permission for that school as sole adjudicator, GCC may now be wary of giving Miller other than a green light on traffic.

Whoever has made a call-in request, I would support that, if only to respect the 2016 Inspector Clark and Secretary of State's carefully considered verdict of "severe" congestion impact, and thereby produce some genuinely impartial assessment of this application's cumulative traffic consequences (at 350 scale).

ED025

'Agreed Statement between Miller Homes and Gloucestershire Count Council'
Cheltenham Local Plan submitted evidence document, 25th February 2019 :

Agreed Statement between Miller Homes and Gloucestershire County Council

Project No: ITB12049
Project Title: Leckhampton, Cheltenham
Title: Cheltenham Local Plan Examination Matters 3 and 8
Ref: ITB12049-014 TN
Date: 25 February 2019

1.1.1 This is an agreed statement between i-Transport (on behalf of Miller Homes) and the local highway authority, Gloucestershire County Council (GCC), in relation to Matters 3 and 8. This statement is submitted following the Inspector's comments at the Matter 3 session to clarify the level of agreement on transport matters between Miller Homes and GCC.

Signed:  Mark Gimingham, Partner, i-Transport on behalf of Miller Homes

Signed:  Jamie Mattock, Team Leader, GCC

Pre Application Discussions

1.1.2 i-Transport and GCC have held, and are continuing to hold, extensive pre application discussions regarding Miller Homes' development proposals at Leckhampton.

Opportunities to Promote Sustainable Transport Modes

1.1.3 The location of the Policy MD5: Leckhampton site is within a reasonable walking and cycle distance of a variety of everyday local facilities and destinations. There are routes between the site and these local facilities and destinations that are either satisfactory in their existing form or capable of improvement (secured by condition or S106 obligation) meaning that there is the opportunity for many future residents to walk and cycle.

1.1.4 The site lies adjacent to the A46 Shurdington Road and is highly accessible by bus. Stagecoach's high frequency Service 10 bus service (Cheltenham – Shurdington – Brockworth – Gloucester – Lower Tuffley) routes along Shurdington Road and directly past the site.

1.1.5 In transport terms, the site is sustainable with good opportunities to promote sustainable transport modes.

Site Access Arrangements

1.1.6 GCC has previously agreed to site access arrangements from the A46 Shurdington Road as part of the previous Miller / Bovis application / appeal.

1.1.7 i-Transport and GCC has discussed and agreed the site access strategy for a proposed residential development of 350 dwellings. Two points of vehicular access to the Miller site are proposed from the A46 Shurdington Road. It is envisaged that the western Shurdington Road access will include the realignment to the east of the A46/ Kidnappers Lane junction (closure of the existing Kidnappers Lane junction) within the MD5 allocation area and will take the form of a signal-controlled junction. The proposed eastern Shurdington Road access will take the form of a priority junction (priority along the A46) and a nearby pedestrian crossing.

Traffic Impact

1.1.8 The Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (JCS) Transport Evidence Base / Strategy identifies eleven strategic travel corridors to assess the strategic impacts of the land use scenarios outlined within the JCS. Corridor 9 – A46 Bath Road (central Cheltenham) to A417 junction is the most relevant to the MD5 Leckhampton site. GCC's preferred mitigation package for Corridor 9 includes:

- Leckhampton Lane - upgrade A46 / Leckhampton Lane priority junction, to include a dedicated right turn from A46 south into Leckhampton Lane (funded through developer contributions);
- Moorend Park Road - A46 Shurdington Road northbound approach to Moorend Park Road – additional highway space for right turning traffic by providing a longer stacking lane (funded through developer contributions); and
- Badgeworth Lane - A46 / Badgeworth Lane priority Junction – Signalisation of junction to provide improved access to/from Badgeworth (funded through ad hoc funding opportunities).

1.1.9 The JCS Transport Evidence Base / Strategy (paragraphs 6.10.8 and 6.10.9) confirm that:

“The outcome of these changes resolves delays along the Shurdington Road corridor. There remain minor issues during both peaks for the A417 / A46 junction at both A46 approaches. Possible signalisation of these approaches may mitigate the scale of delay predicted by the model.”

“The improvements will significantly benefit public transport specifically the operation of the 10 service within the A46 corridor by reducing the risk of journey time uncertainty.”

- 1.1.10 GCC and i-Transport have agreed that a detailed microsimulation traffic model (Paramics) of the A46 Shurdington Road corridor in south west Cheltenham, including Leckhampton and the A417 junction) provides for an appropriate method for assessing development traffic impacts.
- 1.1.11 i-Transport undertook a comprehensive suite of traffic surveys in November 2016. i-Transport has developed a base microsimulation traffic model (Paramics) of the A46 Shurdington Road corridor in south west Cheltenham. GCC has reviewed the base microsimulation traffic model and agrees it provides an accurate representation of the base traffic and network conditions and is suitable for future year and development impact / mitigation testing.
- 1.1.12 GCC and i-Transport have agreed trip rates and traffic generation for residential development at the MD5 Leckhampton site.
- 1.1.13 i-Transport has worked up, in consultation with GCC, the following improvement schemes on the A46 corridor.

A46 Shurdington Road/ Moorend Park Road Junction

- There is already a committed improvement scheme at the A46 Shurdington Road / Moorend Park Road junction associated with the Land West of Farm Lane development. Additional improvements have been identified which include extension of the ahead and left turn lanes on the A46 northbound approach to create a longer narrower two-lane approach before flaring to form three lanes and moving the A46 northbound and moving pedestrian stage to stage two to avoid phase isolation on termination of the arm.

A46 Shurdington Lane/ Leckhampton Lane Junction

- i-Transport has undertaken design work, in consultation with GCC, for an upgrade to the existing A46 Shurdington Road/ Leckhampton Lane priority junction to provide a ghost island right turn arrangement This will enable vehicles turning right into Leckhampton Lane to wait safely without impeding northbound movements on the A46 Shurdington Road.

1.1.14 GCC is content that these improvement schemes:

- Accord with the preferred mitigation package for the A46 corridor as part of the JCS Transport strategy (see paragraph 1.1.8 above); and
- Are deliverable.

1.1.15 GCC is aware that i-Transport has developed an opening year model and tested a development proposal of 350 dwellings and a secondary school along with the improvement schemes listed in

paragraph 1.1.13. The modelling results indicate that as a result of the mitigation measures, there will be an improvement to network conditions on the A46 corridor with a reduction in journey times and queuing compared to the opening year base scenario. The residual cumulative impacts on the road network would therefore not be severe.

- 1.1.16 GCC will undertake a detailed review of all future year and development impact and mitigation testing when they are provided within the transport assessment to be submitted with the planning application. GCC considers that the modelling results presented are as they would expect for the A46 corridor and accord with the conclusions of the JCS Transport Strategy which confirms that GCC's preferred mitigation package "**resolves delays along the Shurdington Road corridor**" and "**significantly benefit public transport specifically the operation of the 10 service within the A46 corridor**". The modelling is developed from the base microsimulation traffic model that has been reviewed and agreed by GCC.

Further Objection to deferred application 20/01788/FUL : Shurdington Road (A46) 350 houses

7-April-2022

It would be vexatious to take March's officer recommendation to Permit this application back to the April planning meeting without any significant new evidence, merely some cosmetic 'rewording' (which is all that GCC Highways provided last month compared to its first attempt three months earlier at the December 2021 meeting).

Any revised documents ought to have been published by 31st March 2022, i.e. 21 days before the meeting on 21st, to allow objectors time to rebut (before the officers' assessment Report is published on 14th).

For the traffic issue, far more is needed than merely some suggested "wording for a highways Condition", not amounting to a drawn (and costed) revised plan.

I understand that the unimplemented and long overdue changes to the Moorend Park Road junction (required for the Redrow 377 houses development, now nearing completion) must now be revised to take account of cyclist-priority legislation.

Therefore Miller and Bovis now ought to prepare and publish an agreed revised layout for this junction, before any credible highways assessment can be approved, for this most critical A46-MPR (Moorend Park Road) junction into Cheltenham, near to which a total of 761 households (=377+350+12+22) plus a 900-pupil Secondary school is to be added, far in excess of the 650 houses ruled by the Secretary of State to amount to "severe" traffic congestion of the A46.

The revised junction layout needs to show increased roadway width and lane length, workably set out, (and CPO-costed). A mere 'Condition' to develop such down the line will probably be as illusory and unimplementable as Redrow's 'Condition 16' (from six years ago).

All that Miller's consultants (i-Transport, of Basingstoke) have said in their most recent Addendum dated 31-8-2021 (paragraph 5.1.1) is that:

"GCC have confirmed that Redrow have been instructed to work towards technical approval/implementation of the preferred i-Transport scheme - see i-Transport drawing ITB12049-GA-23 at Appendix S of the original Transport Assessment."

"Work towards" provides no more certainty than did the junction changes which Redrow promised but has failed to deliver, a Condition which has not been implemented by GCC or enforced by TBC.

The above statement amounts to 'pass the A46 traffic parcel' to Redrow, with the connivance of a do-nothing GCC Highways.

CBC planners with supposedly local knowledge ought not to be joining in this conspiracy to overlook the transport 'elephant'.

Planners elsewhere (here they have the cogent support of informed local objectors) can and do query a formulaic 'no objection' from a Highways Agency, especially one where GCC also has an interest in overlooking the impact of its 900-pupil Secondary school which it has self-permitted since the Redrow 377-houses permission.

GCC Highways (GCCH) was responsible for the (failed) implementation of the Redrow MPR junction upgrade, which GCCH had itself designed.

It is a fundamental problem that GCCH design and then rubber-stamp their own 'solution', uncosted, and then are able to fail to deliver it.

The above-cited Transport Assessment and Appendix S dated 15-10-2020 comprises just two diagrams (appended below):
the Redrow-PFA junction upgrade dated 2018; and
the Miller-iTransport scheme (also dated 2018), which is almost identical.

Thus for 350 extra households onto a difficult narrow main road there are negligible changes between the two plans, in terms of lane lengths.

(A wider exit-lane in Moorend Park road westbound will not be significant.)

Where is GCCH's reasoning published?, since they are clearly directing these schemes.

This section of A46 from Moorend Road to Up Hatherley Way is a major Radial and Gyrotory artery for Cheltenham. It will clearly be subject to miles-long queues towards the MPR junction, which will block exits from Miller (North section) and from Kidnappers Lane cum Miller (South section) and from Woodlands Road (i.e. the Warden Hill district). Horrendous.

Leckhampton (indeed SouthWest Cheltenham) continues to suffer a major traffic let-down, knowingly let drop between the three stools of GCC, TBC and CBC. Not one of the three (nor either Redrow or Miller) 'owns' the provision of an integrated A46 traffic solution.

Ultimately it now ought to be Cheltenham BC insisting on a credible remedy for these three major developments' combined traffic impact.

Unfortunately we know from CBC's recent (failed) attempt to delete this very roads-deficient town's sole ring road (the Inner Ring, at Boots Corner) that CBC lacks basic traffic competence. It is much easier (but reprehensible, lacking local commonsense) for planning officers to say 'we cannot query GCC Highways'.

Yet GCC's advice was proved wholly defective by the Miller-Bovis 650-houses Inquiry verdict; and GCC's HDM team is primarily concerned with visibility splays rather than strategic traffic corridors; there is no evidence of the HDM team being able to perform or audit such calculations of traffic transparently.

So what now is the final MPR junction layout and costing, before permitting so many as 350 units ?

(This is an issue of viable design, even more than one of implementation.)

History (of nothing that ever materialised for the A46 congestion)

(1)

Redrow-377: 14/00838/FUL

<https://publicaccess.tewkesbury.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=NAPKJOQDG6S00>

18-8-2016 : 'Condition 16 - proposed traffic signals - moorend park road @a3',
drawn by PFA Consulting, of Swindon:

https://publicaccess.tewkesbury.gov.uk/online-applications/files/6CEFB56A7837B20085AE3DB303E571BC/pdf/14_00838_FUL-CONDITION_16_-_PROPOSED_TRAFFIC_SIGNALS_-_MOOREND_PARK_ROAD_A3-569751.pdf

26-4-2016 : 'Decision Notice' : Condition 16

"Prior to the first occupation of any dwelling details of a highway improvement scheme at the Moorend Park Road signal controlled junction shall be submitted to and approved in writing by the Local Planning Authority. No more than 200 units to be occupied prior to the implementation of these works"

4-9-2014 : 'Transport Assessment'

Para. 9.6 :

"A financial contribution will be made to an improvement at the A46 Road / Moored Park Road junction to increase its operational capacity; the timing and level of financial contribution to be agreed with GCC."

Appendix R : 'Gloucestershire County Council's Potential Improvement to the A46/Moored Park Road junction'

Plan shows 3 lanes NE-bound; central island removed.

Thus, it was for GCC to implement their junction design; and for TBC to enforce delivery, (with CBC sitting back).

(2)

Secondary School: 19/0058/CHR3MJ

<https://planning.gloucestershire.gov.uk/publicaccess/applicationDetails.do?activeTab=externalDocuments&keyVal=PV9H0HN01600>

25-11-2019 'Off Site Works Key Plan'

https://ww3.gloucestershire.gov.uk/PROW/PROWWS.aspx/GetFileGCCContents?Filename=images%2f19_0058_CHR3MJ_SK02_REV_H.PDF

23-8-2019 'Appendix K: Transport Assessment', by Cotswold Transport Planning, Cheltenham.

https://ww3.gloucestershire.gov.uk/PROW/PROWWS.aspx/GetFileGCCContents?Filename=images%2f19_0058_CHR3MJ_TRANSP_ASSESS.PDF

Para. 7.80:

"The network mitigation required to be delivered to accommodate both the 900-place Secondary School and emerging allocation of 300 residential dwellings and which has been modelled in this Paramics run is outlined below.

- (i) Moorend Park Road/A46 Shurdington Road - The removal of the central island and the provision of an additional traffic lane on the A46 Shurdington Road west approach to the junction, providing a dedicated right turn. On top of this, the full development scenario includes a further improvement by extending the two-lane section of the southwestern arm of the junction;
- (ii) Kidnappers Lane/A46 Shurdington Road - relocation and signalisation of the Kidnappers Lane/Shurdington Road junction;
- (iii) New priority junction on the eastern side of the A46 Shurdington Road as a second access to serve the emerging allocation site; and
- (iv) A46 Shurdington Road/Leckhampton Lane priority - Dedicated right turn holding lane."
[which GCC has now dropped]

CTP (GCC and Kier Construction's traffic consultants) for the 900-pupil Secondary School just assumed that the Redrow upgrade to the A46-MPR junction would be in place for their 2026 traffic modelling scenario.

Thus, GCC's School application (self-permitted by GCC) pre-determined the cumulative traffic impact of the 350-houses "allocation", even though the subsequent Local Plan (Final Report, March 2020, paragraph 73) reiterates the JCS Policy requirement for "traffic impacts to be fully assessed at planning application stage", presumably by Miller-iTransport work (followed by pre-committed GCC's "auditing").

KMP



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For Technical Approval
These drawings are produced for the purposes of obtaining the approval of an adopting or maintaining authority, and reliance on this drawing, for whatever purpose, is at the developer's/contractor's risk until formal technical approval has been received.

NOTES

1. Drawing based on Topographical Survey information 10033-1 and 10033-2 provided by Anthony Brooks Surveys Ltd dated September 2017/May 2018 and Ordnance Survey Mapping, Crown copyright. All rights reserved. PFA Consulting Licence no. 100000054.

2. All highway works to be constructed in accordance with the current version of the Specification for Highway Works (SHW), published by The Stationery Office as Volume 1 of the Manual of Contract Documents, as amended and Gloucestershire County Council's Standards in Manual for Gloucestershire Streets 4th Edition dated April 2016.

3. The works shown on this drawing could affect Statutory Undertaker's apparatus and the Contractor is required to verify the location and depth of all such apparatus prior to commencement of the works and to take any precautions necessary when working in the vicinity of any such apparatus.

4. All works within the limit of the highway shall be signed in accordance with the Department of Transport's Traffic Signs Manual (2009) Chapter 8 "Traffic Safety Measures and Signs for Road Works and Temporary Situations".

KEY

 New Carriageway Construction

TRAFFIC SIGNALS KEY

 Existing Signal Head

 Existing Push button

 Existing Controller TS208

Refer to drawing no. R322/42 for Signal Modification Details.

Rev	Date	Description	Drawn	Check
#	09/08/18	First Issue.	JW	MP
A	13/11/18	Traffic signal proposals amended.	JW	JA

Status
FOR TECHNICAL APPROVAL

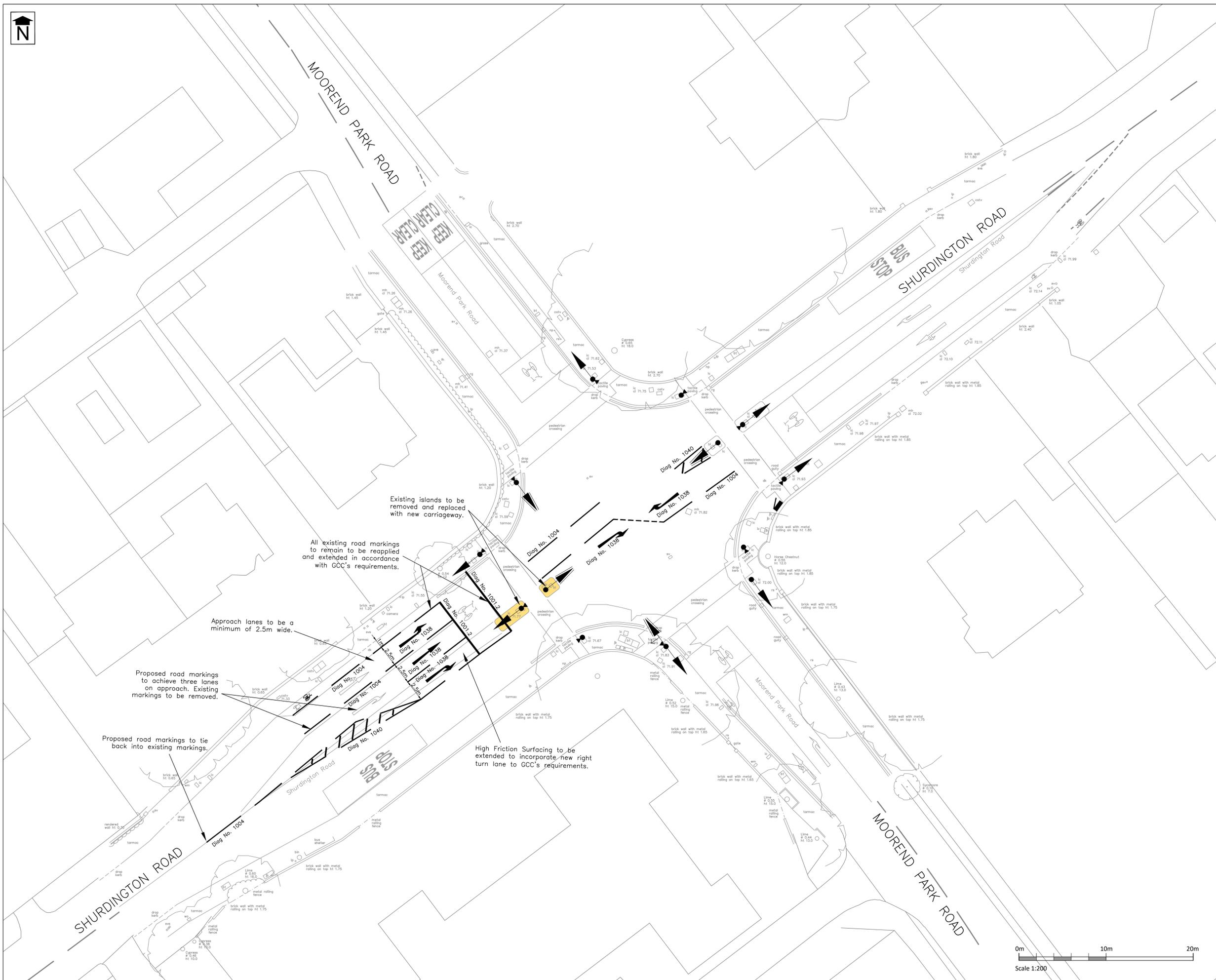
Client
**Redrow Homes
South West**

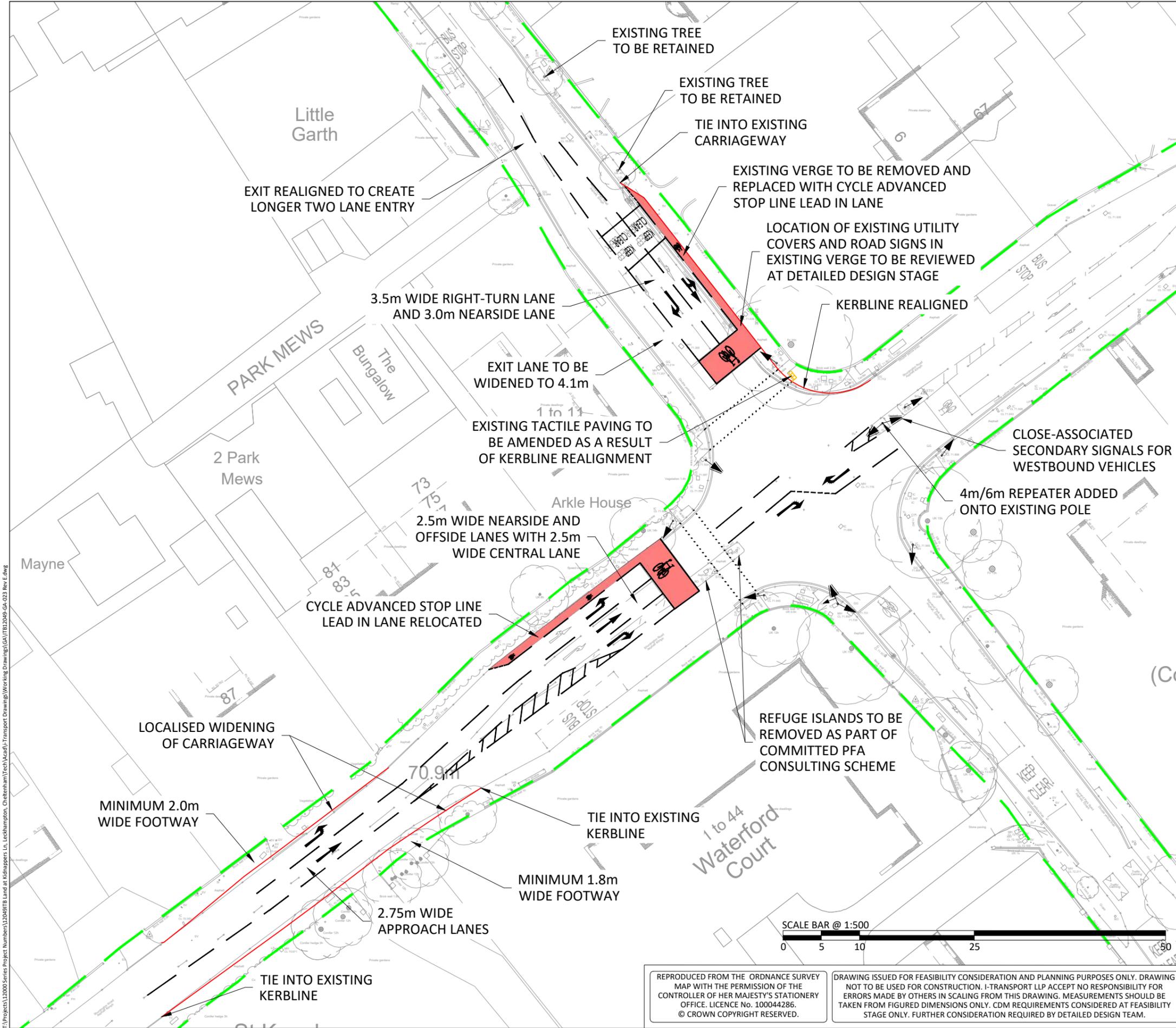
Project
**Land West of Farm Lane
Leckhampton**

Drawing Title
**S278 Moarend Park Road
Traffic Signals Highway
Improvement
Proposed Layout**

Drawing No. **R322/36** Rev A

Date: August 2018 Scale: 1:200 @ A1
E-Mail: jwoodward@pfapl.com





REV	DATE	BY	DESCRIPTION	CHK	APD
E	05.03.19	JD	MINOR AMENDMENTS	BT	MG
D	09.01.19	JD	MINOR AMENDMENTS	BT	MG
C	24.09.18	JD	MINOR AMENDMENTS	BT	MG
B	17.08.18	JD	MINOR AMENDMENTS	BT	MG
A	18.07.18	JD	MINOR AMENDMENTS	BT	MG

STATUS: FOR INFORMATION

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TITLE:
PROPOSED AMENDMENTS TO A46 SHURDINGTON ROAD / MOOREND PARK ROAD JUNCTION

PROJECT:
LAND TO THE SOUTH OF THE A46 SHURDINGTON, LECKHAMPTON

CLIENT:
MILLER STRATEGIC LAND

SCALE @ A3: 1:500
CHECKED: BT
APPROVED: MG

FILE REF: ITB12049
DRAWN: JD
DATE: 15.06.18

DRAWING No: ITB12049-GA-023

PROJECT No: ITB12049
REV: E

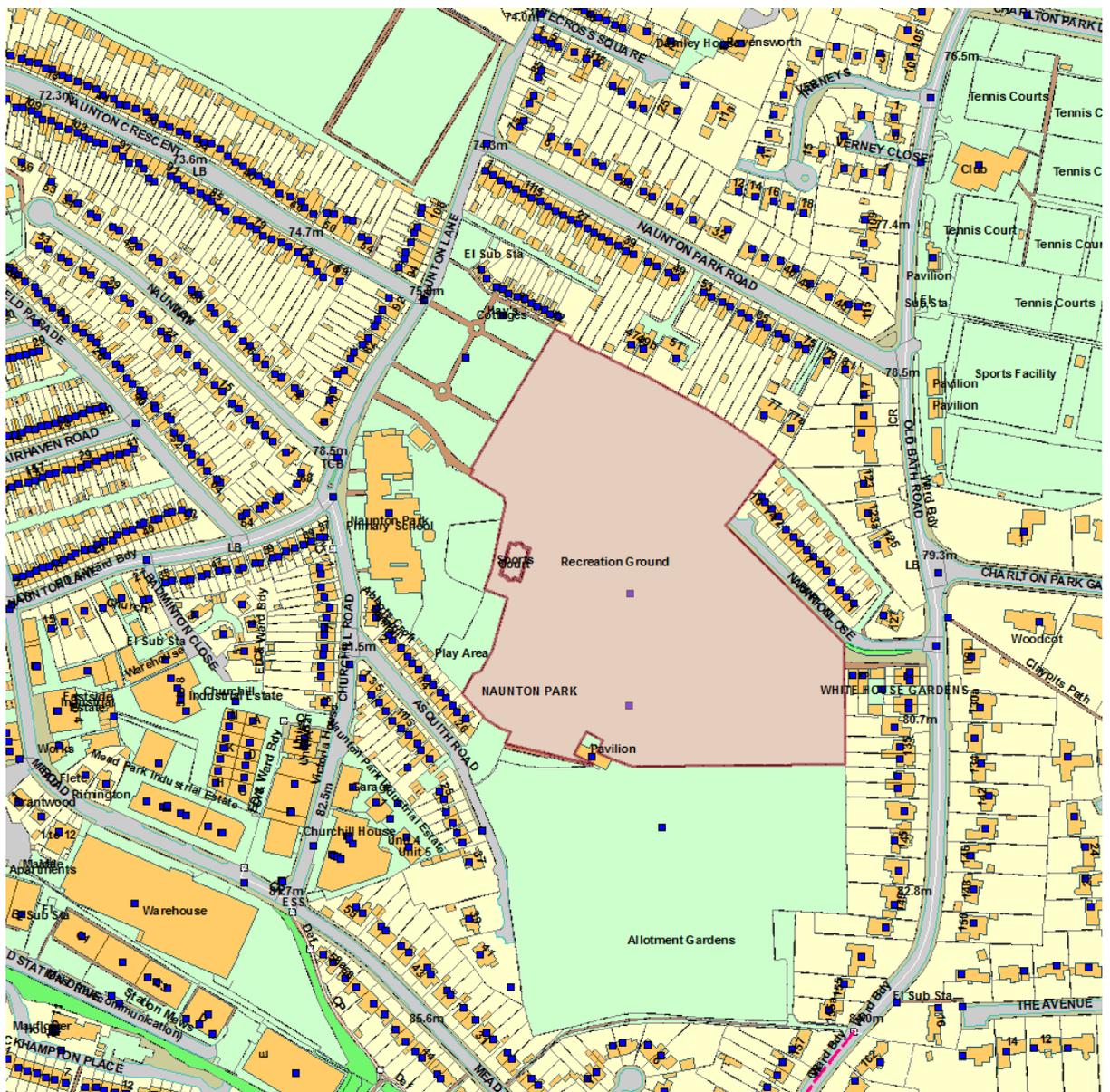
T:\Projects\12000 Series Project Numbers\120049ITB Land at Kidnappers Ln, Leckhampton, Chineham\Tech\Acad\Transport Drawings\Working Drawings\GA\ITB12049-GA-023 Rev E.dwg

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APPLICATION NO: 22/00225/FUL	OFFICER: Mrs Lucy White
DATE REGISTERED: 15th February 2022	DATE OF EXPIRY: 12th April 2022
DATE VALIDATED: 15th February 2022	DATE OF SITE VISIT:
WARD: College	PARISH:
APPLICANT:	Cheltenham Borough Council
AGENT:	Illman Young
LOCATION:	Naunton Park Asquith Road Cheltenham
PROPOSAL:	Installation of a new circular path around the perimeter of the park

RECOMMENDATION: Permit



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site comprises of a section of the perimeter of Naunton Park which is a public recreation ground in Leckhampton, accessed via Asquith Road and Naunton Lane. Naunton Park offers various recreational opportunities; an informal ornamental garden, a large playing field/sports pitch area, an enclosed children's play facility and kick about area. A small car park and pavilion building are located adjacent to the southern site boundary. There are also a number of existing trees along all site boundaries and within the park. Surrounding development is predominantly residential with Naunton Park Primary School to the east and allotments to the south.
- 1.2 The applicant proposes the installation of a new circular path around the perimeter of the park.
- 1.3 This application is before the Planning Committee because the applicant is Cheltenham Borough Council (CBC) and the land is owned and managed by CBC.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Airport Safeguarding over 45m
Principal Urban Area
Public Green Space (GE36)
Smoke Control Order

Relevant Planning History:

None relevant to this application

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 12 Achieving well-designed places
Section 14 Meeting the challenge of climate change, flooding and coastal change

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
SD14 Health and Environmental Quality
INF2 Flood Risk Management
INF3 Green Infrastructure
INF4 Social and Community Infrastructure

4. CONSULTATIONS

Gloucestershire Centre for Environmental Records

24th February 2022 - Bio Diversity report available in Documents tab.

Building Control

14th February 2022 - No comment

Sport England

16th February-

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. Accurate drawings showing summer and winter playing pitch layouts which including the relevant run-off areas – dimensions to be shown on the drawings of: the pitches, (including the cricket) run-off areas and footpath. Looking at Good Earth imagines there are a few pinch points where it appears difficult to have a 3m run-off area and the footpath which would accommodate wheelchairs and buggies passing. e.g.

I have only identified these are only 2 pinch points there appears to be others.

NB there is also a cricket square on site so it will not be possible to easily shunt the football pitches away from the pitch points.

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 2009, the application should be referred to the Secretary of State, via the National Planning Casework Unit.

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

2nd March 2022 - Thank you for re-consulting Sport England on the above application with additional information which we requested in our holding objection dated 16th February 2022.

It is understood that the proposal prejudices the use, or leads to the loss of use, of land being used as a playing field or has been used as a playing field in the last five years, as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2015 (Statutory Instrument 2015 No. 595). The consultation with Sport England is therefore a statutory requirement.

Sport England has considered the application in light of the National Planning Policy Framework (in particular Para. 99), and against its own playing fields policy, which states:

'Sport England will oppose the granting of planning permission for any development which would lead to the loss of, or would prejudice the use of:

- o all or any part of a playing field, or
- o land which has been used as a playing field and remains undeveloped, or
- o land allocated for use as a playing field

unless, in the judgement of Sport England, the development as a whole meets with one or more of five specific exceptions.'

Sport England's Playing Fields Policy and Guidance document can be viewed via the below link:

https://www.sportengland.org/how-we-can-help/facilities-and-planning/planning-for-sport#playing_fields_policy

The Proposal

The proposal is to create a perimeter path around the park which can be used for walk and running. It can be imagined that it could be used for a 'park-run' event.

Assessment

The revised drawings show that the path is out side the run-off areas of all the pitches in the park. And to my mind the proposal will create an opportunity for informal exercise as well as teaching young children to ride a bike in safety.

Therefore is my view that the proposal meets our planning policy exception E2 which states:

'The proposed development is for ancillary facilities supporting the principal use of the site as a playing field, and does not affect the quantity or quality of playing pitches or otherwise adversely affect their use.'

Conclusion

This being the case, Sport England does not wish to raise an objection to this application.

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 the undersigned at the address below.

Tree Officer

7th March 2022 - The CBC Tree Section does not object to this application on the basis that the following documents can be submitted and agreed as per conditions attached to any planning permission:

- 1) As per BS5837 (2012) a method statement to include details of how the self-binding gravel footpath is to be created. No excavation deeper than 100 mm should be dug. The gravel footpath is therefore likely to become slightly raised. The sides of the footpath should therefore be graded back so as to facilitate grass mowers, prevent trips etc. Similarly, such a path creation method will prevent damage to roots where the footpath is to be located adjacent to mature trees within the park and adjacent to the rear of 51 Naunton Park Rd. The base layer of the self-binding gravel path should incorporate a layer of geotextile so as to help prevent weed growth as well as reduce leachate into the soil around tree roots. All vehicles must work from the "inside" of the path so as to help reduce

compaction of soil around trees. Should the ground be wet, a tracked vehicle should be used.

2) The swale in the north-west corner must be created to be outside the drip line of existing tree canopies. Any excess excavated soil must be removed from site.

3) Where the path is to be created adjacent to the large poplar adjacent to the car park, should roots with a diameter greater than 25mm be encountered, these must be left intact.

4) Detailed tree planting (and any other planting) should be submitted. This should include tree species, location, size, tree pit details etc.

Points 1-3 above should ensure adequate tree protection in line with CBC Local Plan Policy GI2 +GI3

30th March 2022 –

I am content with their proposed method statement.

Publica Drainage and Flooding

8th March 2022 -

Lime-rich loamy and clayey soils with impeded drainage

<https://www.landis.org.uk/soilscapes/>

Flooding History / EA Flood Zone

1. Flood Zone - The site lies within Floodzone 1
2. Surface Water susceptibility – None.
3. Susceptibility to groundwater flooding from 50% to <75%
4. Flooding History – None.
5. Proximity to ordinary watercourse or main river – There is no mapped watercourse within 20m of the site boundary.

Surface Water Drainage Proposal

SUDS

Other Relevant Information (such as contours and levels of neighbouring plots)

Site Area: 0.31 ha.

Gradient: The site falls gently to the east.

The path is proposed to be self-binding gravel, which is impermeable. A small swale is indicated in the northern corner of the site, with a connection to an existing outfall at an unspecified rate into an unspecified system. No proposal for draining the path has been submitted at this stage.

Comments

In accordance with SUDS hierarchy, it should first be investigated if infiltration is suitable for the site. Permeable construction should be considered for the path if so.

Further information on the existing /proposed outlet, ownership and route of the receiving network is required in relation to the swale.

Soakaways should be designed to accommodate a 1 in 30 year + 40% climate change event with a minimum 1m clearance from the base to the water table at all times.

All surface water should be contained on site for all storm events up to and including 1 in 100 year + 40% cc without property flooding.

An exceedance flow plan is required to indicate the route taken by any storm water in excess of 1 in 100 + 40%, based on finished ground levels and directed away from neighbouring properties.

RECOMMENDATION

Additional Information Required (Please re-consult when received)

- Objection
- No Objection
- No Objection subject to conditions
- No Objection subject to revisions

SUMMARY REASON FOR RECOMMENDATION (including details of required conditions/revisions where applicable)

No objection subject to all comments above being taken on board, the previous issues being addressed and the surface water condition being adhered to in full.

CONDITION

If planning permission is granted, please request the following condition -
That, prior to the commencement of development, a full surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the size, position and construction of the drainage scheme and results of soakage tests carried out at the site to demonstrate the infiltration rate. Three tests should be carried out for each soakage pit as per BRE 365 with the lowest infiltration rate (expressed in m/s) used for design. The details shall include a management plan setting out the maintenance of the drainage asset. The development shall be carried out in accordance with the approved details prior to the first occupation of the development hereby approved and shall be maintained in accordance with the Management Plan thereafter. Development shall not take place until an exceedance flow routing plan for flows above the 1 in 100 year + 40% CC event has been submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure the proper provision for surface water drainage and/ or to ensure flooding is not exacerbated in the locality (The Cotswold Strategic Flood Risk Assessment, National Planning Policy Framework and Planning Practice Guidance).
If the surface water design is not agreed before works commence, it could result in abortive works being carried out on site or alterations to the approved site layout being required to ensure flooding does not occur.
In these cases the following notes should also be added to the decision notice:

NOTE TO APPLICANT:

The Surface Water Drainage scheme should, where possible, incorporate Sustainable Drainage Techniques in order to ensure compliance with;

- Flood and Water Management Act 2010 (Part 1 – Clause 27 (1))
- Code for sustainable homes - A step-change in sustainable home building practice
- The local flood risk management strategy published by Gloucestershire County Council, as per the Flood and Water Management Act 2010 (Part 1 – Clause 9 (1))
- CIRIA C753 SuDS Manual 2015
- The National Flood and Coastal Erosion Risk Management Strategy for England, produced by the Environment Agency in July 2020, pursuant to paragraph 9 of Section 7 of the Flood and Water Management Act 2010.
- Non-statutory technical standards for sustainable drainage systems (March 2015)

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	67
Total comments received	3
Number of objections	2
Number of supporting	1
General comment	0

- 5.1** Letters of notification were sent to 67 neighbouring properties. Given the nature of the proposals and that fact that many users of Naunton Park do not necessarily live within close proximity, a site notice was also displayed.
- 5.2** A total of 3 representations were received; one in support and 2 objecting to the proposals. The comments and concerns raised in summary, are as follows:
- Proposals provide good disabled access
 - Swales will improve run-off and prevent flooding of neighbouring properties
 - Raised landforms will impact on neighbour amenity – overlooking, privacy, noise and disturbance and anti-social behaviour

6. OFFICER COMMENTS

6.1 Determining Issues

- 6.2** The key issues in the determination of this application are the design and layout of the footpath and associated landscaping and their impacts upon neighbour amenity, flood risk and drainage and existing/retained trees. Any impact on the future use/encroachment of existing playing pitches will also need to be considered.

6.3 Design and layout

- 6.4** The proposals include a continuation of the existing tarmac and self-binding gravel path which currently extends only from the allotments to the children's play area and car park along the west side of the park. The proposed circular path around the perimeter of the park (excluding the ornamental garden) consists of a limestone self-binding gravel surface to match the existing path and would provide a level and good all weather access. A proposed new spur would also link the circular path with the second entrance to the ornamental garden in the north-west corner of the park. The proposed landscaping scheme includes retained and new tree planting, wildflower planting, informal low, grass embankments and shallow swale/depression features, new park benches and relocated existing benches. All excavated materials would be re-used within the park.

- 6.5** Officers consider the proposals acceptable; the design, alignment and layout of the circular path forming an obvious continuation of an existing footpath and allowing fuller use and accessibility to all areas of the park, in addition to the recreational advantages of a circular walk/run around the park's perimeter. The proposed new landscaping features are also considered to offer an enhancement to the appearance and use of the park.

- 6.6** Given the potential for existing trees to be affected, the Council's Trees Officer was consulted and his comments are set out in full in section 4 above. In the absence of a Method Statement, initial concerns and queries were raised regarding excavation depth, soil compaction, edging and foundation materials. These matters have been adequately addressed by the applicant following the submission of additional information and clarification on excavation depth, edging and proximity to existing tree root protection areas. As such the Trees Officer considers the proposals acceptable subject to appropriate tree protection during construction and subsequent approval of new tree planting/landscaping; both of which can be adequately secured by way of suitably worded conditions, as set out below.

6.7 Naunton Park is used as a playing field and as such, Sport England (SE) is a statutory consultee. SE raised initial concerns regarding possible pinch points along the path (prohibiting 3 metre run-off areas) and requested additional information on summer and winter pitch layouts. Additional drawings were submitted showing the layout of summer and winter pitches in conjunction with the proposed circular path and appropriate run-off areas.

6.8 SE subsequently consider the proposals to be acceptable and no objection is raised. The proposed circular path would create an opportunity for informal exercise as well as teaching young children to ride a bike in safety. As such, the proposals meet Sport England's planning policy exception E2 which states:

'The proposed development is for ancillary facilities supporting the principal use of the site as a playing field, and does not affect the quantity or quality of playing pitches or otherwise adversely affect their use.'

6.9 Impact on neighbouring property

6.10 Policy SL1 of the Cheltenham Plan advises that development will only be permitted where it will not cause unacceptable harm to the amenity of adjoining land owners or the locality. These requirements are reiterated in adopted JCS policy SD14. In addition, NPPF paragraph 130 highlights the need to secure a high standard of amenity for existing and future users.

6.11 Two neighbouring residents have raised concerns about the potential for overlooking into neighbouring rear gardens and windows when stood on the proposed grass embankment in the south west corner of the park. These concerns are understood and have been considered very carefully. The dwellings considered to be most affected by this element of the proposals are located on the west side of Old Bath Road.

6.12 The distance measured from the top of the proposed embankment/mound to the nearest property boundary is approximately 29 metres; the furthest property boundary would be some 45 metres from the top of the embankment. The submitted section drawing (Drawing No. 22120-IYL-8050-XX-DR-L-2500) seems to indicate the mid height measurement of the embankment, which is approximately 600 metres above surrounding ground level. Given some uncertainty about its full height once constructed, the embankment details should be agreed as part of the future landscaping scheme and the embankment height limited to approximately 600 metres, as shown on the current section drawing. With this in mind, the height of the embankment and the separation distance to neighbouring properties are considered acceptable and there will be minimal impact on the amenities of occupiers of neighbouring properties. A condition relating to landscaping and other ground features is suggested below.

6.13 In conclusion, the proposals should not result in significant harm to the amenities of neighbouring properties in terms of overlooking, loss of privacy and noise and disturbance. The proposals are therefore compliant with policy SL1 of the Cheltenham Plan and policy SD14 of the JCS.

6.14 Other considerations

6.15 Drainage

6.16 The application site is located in Flood Zone 1 and therefore at low risk of flooding. There is no flooding history associated with the site and no watercourse within 20 metres of the site boundaries.

6.17 The Council's Drainage officer notes that the proposed path is to be self-binding gravel which is impermeable. A small swale is also proposed in the north east corner of the park with a connection to an existing outfall; ground levels within the park sloping gently downwards towards the north and east.

6.18 The applicant has not submitted full drainage details and there is a lack information about the capacity and ownership of the existing outlet. A condition is therefore suggested requiring the submission and written approval of a full drainage strategy in accordance with the SuDS hierarchy.

6.19 The Drainage Officer's comments are set out in full in section 4 above.

6.20 Ecology

6.21 Whilst GCER records show that important species or habitats have been sighted on or near the application site in the past, it is not considered that the proposed development will have any impact on these species.

6.22 Public Sector Equalities Duty (PSED)

6.23 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 or in other activities where participation is disproportionately low.

6.24 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.

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

7. CONCLUSION AND RECOMMENDATION

7.1 With all of the above in mind, the proposed works are considered to be in accordance with relevant local and national planning policies. The proposals would enhance the recreational facilities offered at Naunton Park, coupled with improvements to the landscaping of the site. Similarly, the proposals would not impede the full use of all existing play areas and playing pitches.

7.2 There are no significant neighbour amenity concerns or issues regarding tree protection and drainage.

7.3 The recommendation is therefore to grant planning permission subject to the following conditions. At the time of writing, agreement to the pre-commencement conditions is being sought from the applicant.

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 Notwithstanding the submitted details, prior to the implementation of any landscaping and tree planting, full details of the hard and soft landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall identify all trees, hedgerows and other planting which are to be retained, and provide details of finished ground levels; proposed undulating landforms and swales; a planting specification to include [species, size, position and method of planting of all new trees and shrubs]; and a programme of implementation.

All hard and/or soft landscaping works shall be carried out in accordance with the approved details prior to first occupation 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). Approval is required upfront because the landscaping is an integral part of the development and its acceptability.

- 4 The proposed works near and within the Root Protection Areas of existing trees on site shall be carried out in accordance with the Construction Method Statement received 8th March 2022.

Reason: To safeguard the existing tree(s) in the interests of visual amenity, having regard to adopted policies G12 and G13 of the Cheltenham Plan (2020).

- 5 Prior to the commencement of development (including demolition and site clearance), tree protective fencing to BS 5837:2012 shall be installed, inspected and approved in writing by the Local Planning Authority. The approved protective fencing shall thereafter remain in place until the completion of the construction process.

Reason: To safeguard the existing tree(s) in the interests of visual amenity, having regard to adopted policies G12 and G13 of the Cheltenham Plan (2020). Approval is required upfront to ensure that important trees are not permanently damaged or lost.

- 6 Prior to the commencement of development, a full surface water drainage scheme, which shall incorporate Sustainable Urban Drainage System (SUDS) principles, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the size, position and construction of the drainage scheme and results of soakage tests carried out at the site to demonstrate the infiltration rate. Three tests

should be carried out for each soakage pit as per BRE 365 with the lowest infiltration rate (expressed in m/s) used for design. The details shall include a management plan setting out the maintenance of the drainage asset. The scheme shall include a programme for implementation of the works; and proposals for maintenance and management. The development shall not be carried out unless in accordance with the approved surface water drainage scheme and shall be maintained in accordance with the Management Plan thereafter.

Development shall not take place until an exceedance flow routing plan for flows above the 1 in 100 year + 40% CC event has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure sustainable drainage of the development, having regard to adopted policy INF2 of the Joint Core Strategy (2017). Approval is required upfront because the design of the drainage is an integral part of the development and its acceptability.

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, having had regard to all material considerations, the application constitutes sustainable development and has therefore been approved in a timely manner.

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APPLICATION NO: 22/00225/FUL	OFFICER: Mrs Lucy White
DATE REGISTERED: 15th February 2022	DATE OF EXPIRY : 12th April 2022
WARD: College	PARISH:
APPLICANT:	Cheltenham Borough Council
LOCATION:	Naunton Park Asquith Road Cheltenham
PROPOSAL:	Installation of a new circular path around the perimeter of the park

REPRESENTATIONS

Number of contributors	3
Number of objections	2
Number of representations	0
Number of supporting	1

39 Naunton Park Road
Cheltenham
Gloucestershire
GL53 7DG

Comments: 8th March 2022

I am enthusiastic about this proposal for two reasons:

First the circular path will allow my wife, who is disabled, to walk around the park and, when necessary, for me to push her round it in a wheel-chair.

Second the "swale" arrangement will intercept run-off from the park which regularly floods my garden and my neighbour's, sometimes as far as the house.

3 White House Gardens
Old Bath Road
Cheltenham
Gloucestershire
GL53 7EU

Comments: 23rd February 2022

We object to the raised landforms suggested in the planning at the eastern edge of Naunton Park as we believe this will compromise the privacy of the properties at Whitehouse gardens and the Old Bath road.

We request that this part of the planning is amended to exclude any raised landforms in the development of accessibility in Naunton park please.

4 White House Gardens
Old Bath Road
Cheltenham
Gloucestershire
GL53 7EU

Comments: 19th February 2022

We are supportive of the all weather path around the perimeter of Naunton Park but raise objections to the proposed natural mound.

This creates privacy concerns as well as potentially encouraging anti-social behaviour and noise issues. The purpose of the mound is to encourage play which in essence encourages people to gather atop the mound.

From an elevated position, members of the public would potentially be able to see directly into private gardens, bedrooms and bathrooms. This directly infringes our privacy and we see no benefit to there being an elevated mound.

In the summer months, members of the public already gather late into the evening, playing music, drinking alcohol and talking/shouting loudly. Whilst some noise is to be expected from living next to a park we object to the proposals which encourages groups to gather at the one end of Naunton Park which is directly adjacent to the residential housing along Old Bath Road.

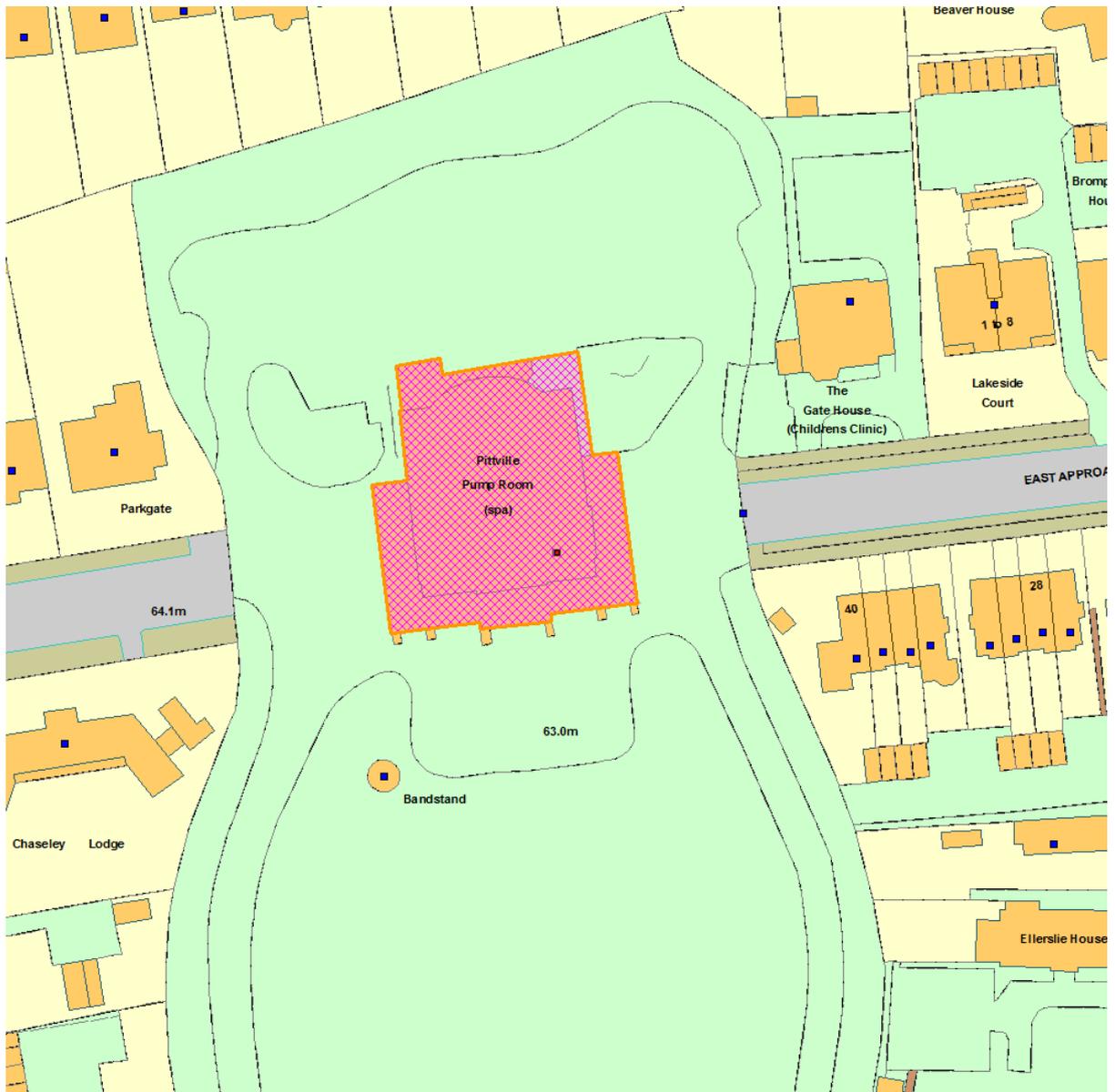
We would respectfully request that should the planners insist on a raised mound, they consider an alternative, less intrusive position within the park where residential housing will not be directly affected.

This objection has already been raised by more than one household but to date has been disregarded.

Delegated Officer Report

APPLICATION NO: 22/00340/LBC	OFFICER: Mr Nikita Hooper
DATE REGISTERED: 26th February 2022	DATE OF EXPIRY: 23rd April 2022
DATE VALIDATED: 26th February 2022	DATE OF SITE VISIT: N/A
WARD: Pittville	PARISH:
APPLICANT:	Cheltenham Borough Council
AGENT:	Cheltenham Borough Council
LOCATION:	Pittville Pump Room East Approach Drive Cheltenham
PROPOSAL:	Various repairs works

RECOMMENDATION: Grant



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 Pittville Pump Room (The Pump Room) is situated in an elevated position, in the northern section of Pittville Park.
- 1.2 "Various repairs works". The proposal relates the installation of a steel plate arrangement in order to secure a rotten double beam and the making good of the underside of the roof over the colonnade.
- 1.3 The application was subject to revision on 4 April 2022.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Conservation Area
Listed Buildings Grade 1
Principal Urban Area

Relevant Planning History:

03/00867/LBC 1st October 2003 GRANT

Installation of lightning conductor system to BS 6515:1999

03/01162/LBC 21st October 2003 WDN

Refurbishment to box office in foyer. Internal work

03/01163/LBC 21st October 2003 WDN

Installation of modern catering kitchen, re-plastering throughout (no alteration to vent or water routing/waste)

04/00117/LBC 6th April 2004 GRANT

Installation of modern catering kitchen, repairs to plaster. New extract vent at roof level no alteration to water routing/waste

04/00118/LBC 6th April 2004 GRANT

Refurbishment to box office in foyer (all internal work)

85/00064/LS 27th June 1985 PER

Pittville Pump Room Car Park Cheltenham Gloucestershire - Erection Of 6 Light Standards

87/00218/LS 26th March 1987 PER

Pittville Pump Room Cheltenham Gloucestershire - Alteration To Widen Existing Pair Of Doors Serving Chair Store

87/01249/AN 17th December 1987 REF

Pittville Pump Rooms Cheltenham Gloucestershire - Display Of Non Illuminated Advertisement

96/01060/LA 20th February 1997 WDN

Attachment Of Brackets Supporting Cameras To First Floor Window Ledge At Rear Of Building To Increase Security Of Public Car Parking Area

98/01136/LA 11th February 1999 WDN

Repainting Of Interior Of The Oval Room

04/00719/LBC 3rd August 2004 GRANT

Installation of a new lift and associated internal alterations

04/00926/LBC 1st July 2004 PGOSW

Replacement of failed render with stone above lead flashing detail on south elevation at first floor level

05/00938/FUL 21st July 2005 WDN

New gates and railings at East Approach and West Approach entrances to Pittville Pump Rooms and Park

05/00939/LBC 18th July 2005 WDN

New gates and railings at East Approach and West Approach entrances to Pittville Pump Rooms and Park .

05/01664/FUL 27th June 2006 WDN

New gates and railings at East Approach and West Approach entrances to Pittville Pump Room and Park

05/01665/LBC 27th June 2006 WDN

New gates and railings at East Approach and West Approach entrances to Pittville Pump Rooms and Park.

06/00700/LBC 22nd June 2006 WDN

Automation of principal entrance doors to improve disabled access including installation of external barriers

07/00361/FUL 25th May 2007 PER

New gates and railings at East Approach entrance and West Approach entrance to Pittville Pump Rooms and park

07/00362/LBC 25th May 2007 GRANT

New gates and railings at East Approach entrance and West approach entrance to Pittville Pump Rooms and park

07/01529/LBC 22nd January 2008 GRANT

Removal of maple boarding on battens laid over original pine boarding and replacement with oak boarding on plywood underlayment over pine boarding, with reinstatement of existing heating system to Main Hall and Spa Room and addition of solar panel assembly mounted on external parapetted flat roof over Oval Room

08/01485/LBC 12th January 2009 GRANT

Internal redecoration of the first floor rooms, the ground floor entrance foyer and the second staircase together with minor building works, and reinstatement of fittings relevant to the rooms being decorated

10/00064/LBC 13th April 2010 GRANT

Relocation of partition wall within rear chair store and modifications to chair store entrance

83/01243/LA 26th January 1984 GRANT

Internal alterations to partition off female WC and provision of separate uni-sex disabled WC

82/01181/LA 29th April 1982 GRANT

Alterations comprising 2 decorative gates to East and West balconies, a partition to the head of the West stair and a partition beneath secondary staircase at first floor level

16/01291/LBC 23rd September 2016 GRANT

Replace internal door at Pittville Pump Room

16/01590/CLBW 22nd September 2016 CERTPU

Replacement doors to gas meter cupboard

17/00183/CLBW 20th February 2017 CERTPU

Upgrade existing doors to fire doors

18/02136/LBC 21st December 2018 GRANT

Replacement of third decayed timber to dome at top of building with new.

19/00485/LBC 4th June 2019 GRANT

To remove asbestos cement promenade tiles from the flat roof to the rear of the Pittville Pump Rooms 1960 extension, repair existing asphalt covering and overlay with liquid applied waterproof membrane colour to match existing, renew 10 nr circular skylights using white GPP to match existing profiles, with triple skin polycarbonate skin to adjacent existing leads and copper flashings to suit

20/01702/LBC 21st December 2020 GRANT

Investigate survey to open up three sections of the balcony

20/01899/LBC 29th April 2021 DISPOS

Installation of 8no. speakers located under the colonnade to supply music and announcements to the colonnade area of the Pump Rooms.

21/00579/LBC 21st May 2021 GRANT

To replace six cracked and unsafe slabs like for like

21/01391/DISCON 23rd June 2021 DISCHA

Discharge of conditions 3 (Details of materials) of planning permission 21/00579/LBC to replace 6 cracked slabs

21/01687/LBC 17th September 2021 GRANT

Installation of new gates and railings at East and West Approach Drives and associated alterations, and restoration of c19th steps to the front of the Pump Rooms

21/01687/FUL 17th September 2021 PER

Installation of new gates and railings at East and West Approach Drives and associated alterations, and restoration of c19th steps to the front of the Pump Rooms

21/01874/LBC 1st November 2021 GRANT

Removal of defective insulation and roof covering on the balcony, timber repairs, repointing of stone steps, addition of rodding point

21/02449/DISCON 8th November 2021 DISCHA

Discharge of conditions 3 (Repair and maintenance works) and 4 (Roofing material) of listed building consent ref. 21/01874/LBC

21/02560/FUL 23rd February 2022 WDN

Installation of 2 no. temporary buildings and associated services for a period of 3 years on existing hardstanding adjacent to the Pittville Pump Room, to comprise a storage unit and public WC unit to be associated with the existing outdoor cafe and associated events.

21/02560/LBC 22nd November 2021 NOTREQ

Installation of 2 no. temporary buildings and associated services for a period of 3 years on existing hardstanding adjacent to the Pittville Pump Room, to comprise a storage unit and public WC unit to be associated with the existing outdoor cafe and associated events.

21/02618/FUL 3rd December 2021 WDN

Proposal to retain the current temporary Orangery structure on a permanent basis

21/02618/LBC 25th November 2021 NOTREQ

The proposal seeks to retain the current temporary structure and confirms the layout and arrangement within the application for further detail (retrospective)

3. POLICIES AND GUIDANCE

National Planning Policy Framework

Section 16 Conserving and enhancing the historic environment

Saved Local Plan Policies

Adopted Cheltenham Plan Policies

Adopted Joint Core Strategy Policies

SD8 Historic Environment

Supplementary Planning Guidance/Documents

Other

4. CONSULTATIONS

Historic England

28th February 2022 - Thank you for your letter of 25 February 2022 regarding the above application for listed building consent. On the basis of the information available to date, we do not wish to offer any comments.

It is not necessary for us to be consulted on this application again, unless there are material changes to the proposals. However, if you would like detailed advice from us, please contact us to explain your request.

Building Control

1st March 2022 - The application may require Building Regulations approval. Please contact Cheltenham and Tewkesbury Building Control on 01242 264321 for further information.

Gloucestershire Centre For Environmental Records

18th March 2022 - Biodiversity report available to view in documents tab.

5. PUBLICITY AND REPRESENTATIONS

5.1 A site notice was displayed and the application listed in the Gloucestershire Echo.

6. OFFICER COMMENTS

6.1 The application is before committee as the subject building is owned by Cheltenham Borough Council (CBC).

6.2 The application has been made by the Property and Asset Management Department of CBC.

6.3 The consideration of the scheme is undertaken as a desk based assessment.

6.4 Section 16 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority when considering whether to grant listed building consent to "have special regard to the desirability of preserving the building...or any features of special architectural or historic interest which it possesses."

6.5 Paragraph 189 of the National Planning Policy Framework (MHCLG: 2021) (NPPF) states that "Heritage assets...are an irreplaceable resource, and should be conserved in a manner appropriate to their significance".

6.6 Paragraph 197 of the NPPF states that "In determining applications, local planning authorities should take account of...the desirability of sustaining and enhancing the significance of heritage assets".

6.7 Policy SD8 (Historic Environment) of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011-2013 (adopted December 2017) (JCS) states that "Designated...heritage assets and their settings will be conserved and enhanced as appropriate to their significance."

6.8 The Pump Room is included on the National Heritage List for England at Grade I. First listed on 12 March 1955. List entry number: 1387559.

6.9 Grade I buildings are of exceptional interest, only 2.5% of listed buildings are at this grade (Historic England: April 2022).

6.10 The significance of the Pump Room lies primarily, though not exclusively, as an example of polite architecture of the early nineteenth century (constructed 1825-1830) in the Greek Revival style and in its historical value as a spa building.

6.11 As per the Design and Access Statement "when inspecting the underside of the balcony to make appropriate timber repairs it was found that a double beam was rotten and

defective at one end. The approved repair of splicing in timber would not be adequate to make the timber beam structurally sound. It is therefore proposed that a steel plate arrangement is used to secure the double...beam” (un-numbered, first page).

6.12 The proposed repair work will ensure the structural integrity of the roof in an appropriate manner that will not detract from the architectural or historic value of the building. Therefore its significance will be maintained.

6.13 The Gloucestershire Centre for Environmental Records (GCER) report (created: 15 March 2022) includes reference to various species of bat having been recorded in the vicinity of the proposal site. Given the nature of the works, it is recommended that a suitable informative outlining the legal duties with regard to protected species is added to any consent.

7. Public Sector Equalities Duty (PSED)

7.1 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.

7.2 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 application the planning authority has taken into consideration the requirements of the PSED.

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

8. CONCLUSION/RECOMMENDATION

8.1 The scheme will not detract from the significance of the listed building and therefore it is recommended that consent be given.

9. CONDITIONS / INFORMATIVES

1 The listed building consent 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 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2 The listed building consent 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 All disturbed surfaces shall be made good using materials to match the existing materials, composition, form, finish and colour of the existing building.

Reason: In the interests of the special architectural and historic qualities of the listed building, having regard to adopted policy SD8 of the Joint Core Strategy (2017), Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and Historic Environment Good Practice Advice Note 2.

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, having had regard to all material considerations, the application constitutes sustainable development and has therefore been approved in a timely manner.

- 2 Note that it is unlawful to disturb or harm bats, or damage, destroy or obstruct a roost.

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APPLICATION NO: 22/00340/LBC		OFFICER: Mr Nikita Hooper
DATE REGISTERED: 26th February 2022		DATE OF EXPIRY : 23rd April 2022
WARD: Pittville		PARISH:
APPLICANT:	Cheltenham Borough Council	
LOCATION:	Pittville Pump Room East Approach Drive Cheltenham	
PROPOSAL:	Various repairs works	

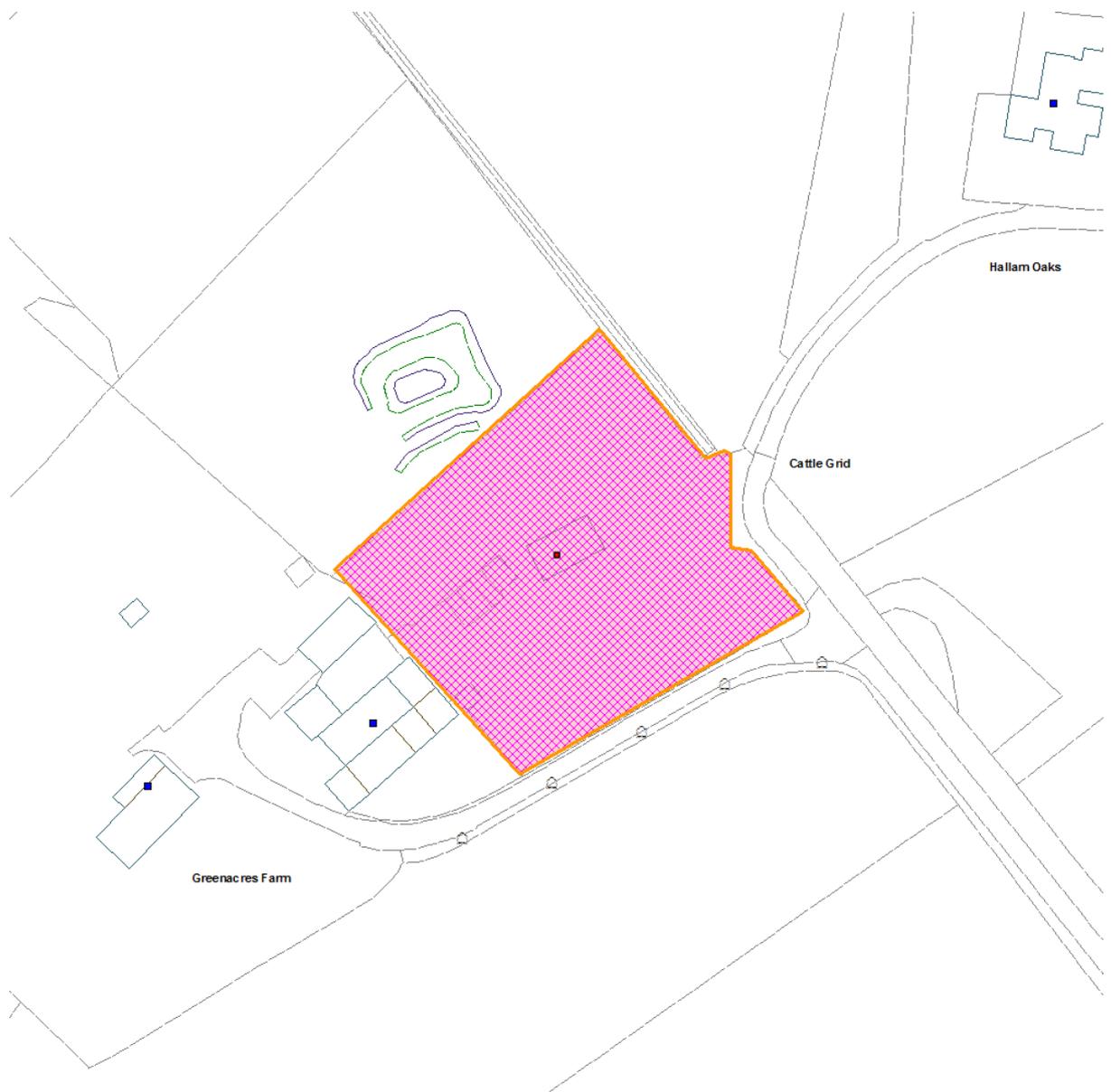
REPRESENTATIONS

Number of contributors	0
Number of objections	0
Number of representations	0
Number of supporting	0

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APPLICATION NO: 22/00257/FUL	OFFICER: Mr Ben Warren
DATE REGISTERED: 15th February 2022	DATE OF EXPIRY: 12th April 2022
DATE VALIDATED: 15th February 2022	DATE OF SITE VISIT:
WARD: Battledown	PARISH: Charlton Kings
APPLICANT:	Mr And Mrs Marley
AGENT:	Coombes Everitt Architects Limited
LOCATION:	Oakfield House Stables Oakfield House Greenway Lane
PROPOSAL:	To rebuild two single-storey storage/stable outbuildings, following demolition of existing buildings.

RECOMMENDATION: Permit



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site relates to an area of land associated with Oakfield House on Greenway Lane, the land previously accommodated two single storey storage/stable buildings, which have recently been demolished. The application site is located outside of the Principle Urban Area (PUA) and is within the Cotswolds Area of Outstanding Natural Beauty (AONB).
- 1.2 The applicant is seeking planning permission to rebuild two single-storey storage/stable outbuildings, following their earlier demolition.
- 1.3 The application is at planning committee at the request of Councillor McCloskey due to the sites sensitive location within the AONB and previous applications that have already been considered by the committee.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Area of Outstanding Natural Beauty
Airport Safeguarding over 45m
Parish Boundary
Outside of the Principal Urban Area
Residents Associations

Relevant Planning History:

19/01252/FUL 23rd October 2019 REF

Erection of a single self-build dwelling following the demolition of existing stables.

20/00154/FUL 8th April 2020 REF

Erection of a single self-build dwelling following the demolition of existing stables (revised scheme)

21/01270/FUL 15th October 2021 REF

Erection of new stable block and riding manege

3. POLICIES AND GUIDANCE

National Planning Policy Framework

Section 2 Achieving sustainable development

Section 4 Decision-making

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

L1 Landscape and Setting

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

SD6 Landscape

SD7 The Cotswolds Area of Outstanding Natural Beauty

SD9 Biodiversity and Geodiversity

SD14 Health and Environmental Quality

INF1 Transport Network
INF2 Flood Risk Management

Other

Cotswold AONB Management Plan 2018-23

4. CONSULTATIONS

Cheltenham Civic Society - 8th March 2022

NEUTRAL

The Planning Forum strongly objects to the proposed planting of laurel trees. This is inappropriate in a rural setting and especially in the AONB. Laurel is toxic to horses.

As the applicant is rebuilding from scratch, having demolished the original stables, there is the option to rebuild in a material which is more sympathetic to the surroundings than sheet metal, subject to planning approval. More details should be specified in terms of materials. The materials should be specified as a condition to ensure they are suitable for the site.

Given the sensitivity of the site, and its history, it is essential that this project is implemented in precisely the form that is approved, and that this is followed up by planning enforcement officers.

Tree Officer - 7th March 2022

22/00257/FUL Greenway Lane Oakfield House Stables

The CBC Tree Section does not object to this application providing the following can be agreed:

- 1) A Method Statement for the demolition of the existing out building is submitted and agreed.
- 2) The foundation for the new stable block utilises existing foundations. Should this not be possible, a no-dig (eg pile and beam or raft) foundation type will be necessary where the proposed build is within the Root Protection Area of the existing nearby oak.
- 3) On no account should the route of any underground services be routed through the Root Protection Area of the oak tree.
- 4) An appropriate landscape plan should be drawn up showing new tree planting. The Coombes Everitt Architect Plan showing the planting of laurel trees is inappropriate. New appropriate species (eg oak, beech, hornbeam) trees should be submitted and agreed. This should be drawn up by a landscape architect or arboriculturist and should include details such as species, size, location, tree pit details etc. If the proposed laurel trees specified on the proposed Block Plan were planted and subsequently established they would likely kill the horses should they eat the foliage, fruit etc. All new planting must be contained within a corale to protect them from grazing horses. The specification of this corale must be described within the landscape plan.

Points 1-3 should protect the adjacent oak tree from significant damage in line with CBC Local Plan Policy GI2+3

GCC Highways Planning Liaison Officer - 8th March 2022

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. The justification for this decision is provided below.

The proposal is not perceived to result in an unacceptable impact on highway safety, nor a severe residual cumulative impact on the road network.

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.

The Highway Authority therefore submits a response of no objection.

Building Control - 15th February 2022

The application will require Building Regulations approval. Please contact Cheltenham and Tewkesbury Building Control on 01242 264321 for further information.

Parish Council - 8th March 2022

Comment:

Given the site's location in the AONB, an alternative roofing material to steel sheet would be better suited.

As the access is shared with other properties, we would ask that if consent is given, a condition be made that free and unhindered access on the access track must be maintained at all times.

Gloucestershire Centre For Environmental Records - 24th February 2022

Bio Diversity report available in Documents tab.

5. PUBLICITY AND REPRESENTATIONS

5.1 11 letters were sent to neighbouring land users and a site notice was displayed, 4 letters of representation have been received in response to this public consultation process, this includes one general comment, which related to the land designations that were published on public access, a comment which supports the principle of the development, but questions the choice of materials and discusses the planting, and two letters of objection, where the concerns relate to the following:

- Impact on the AONB and landscape
- Impact on wildlife and bio-diversity
- Light pollution
- Development outside of the PUA
- Access

6. OFFICER COMMENTS

6.1 Determining Issues

6.2 The main considerations of this application are principle, design, impact on neighbouring amenity, impact on the AONB, impact on existing trees, highway safety and impact on wildlife.

6.3 The site and its context

6.4 The application site is an area of land which is associated with Oakfield House, which is located on Ashley Road, however, the site has its own vehicular access from Greenway Lane. The site previously consisted of two relatively dilapidated storage/stable buildings,

however these have recently been demolished. The site is located outside of Cheltenham's PUA and is wholly within the Cotswolds AONB.

- 6.5 Directly adjacent to the application site is the neighbouring site occupied by 'Greenacres Farm', but generally the immediate locality is open land with dispersed settlements which are generally large detached dwellings sat within generous plots.

6.6 Planning History

- 6.7 The application site has been the subject of three recent planning applications; 19/01252/FUL, 20/00154/FUL and 21/01270/FUL, the first two applications sought consent for the erection of a new dwelling on the site, both applications were refused at committee due to harm to the AONB, subsequent appeals were also dismissed for these applications. The latest application (21/01270/FUL) sought consent for a new stable block and riding manege, which was also refused at committee.

6.8 Principle, design and impact on AONB.

- 6.9 Policy SD7 of the JCS states:

'All development proposals in or within the setting of the Cotswolds AONB will be required to conserve and, where appropriate, enhance its landscape, scenic beauty, wildlife, cultural heritage and other special qualities. Proposals will be required to be consistent with the policies set out in the Cotswolds AONB Management Plan.'

Paragraph 172 of the NPPF states:

'Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding natural Beauty, which have the highest status of protection in relation to these issues.'

- 6.10 The refusal reason given by committee for the most recent application on this site (application number 21/01270/FUL) was:

'The development would not conserve nor enhance the Cotswold AONB and would lead to both adverse landscape and visual change in the local area, including negative impacts on the Public Right of Way (PROW) to the immediate east of the site and would alter the existing rural character of the site and surroundings.'

- 6.11 The previous proposals were all considered to be contrary to the NPPF (para 176), Joint Core Strategy policy SD7, the Cotswold AONB Management Plan 2018-23 and the relevant saved policies of the Local Plan. The appeal inspector's comments on the earlier applications stated that the main issue of development on this site is the effect of the proposal on the character and appearance of the area, including the Cotswold AONB and the adjacent public right of way. The inspector identified that the key characteristic of the site is 'open sloping pastoral landscape' which would be 'clearly sensitive to change'.

- 6.12 This current application proposes the erection of two single storey buildings that include an outbuilding/store and stable block, which are proposed to replace the structures that were recently demolished. The replacement buildings are to be located in the same position as the previous buildings and are generally of a similar scale and form to the buildings that were demolished. The proposed works also includes the laying out of a small area of hardstanding to provide access to these new buildings.

Officers are of the opinion that the location of the application site is conducive to accommodating a replacement stable block and associated outbuilding, and consider this proposal to be wholly appropriate in this rural location.

- 6.13 Whilst officers accepted the scale, form and general design of the proposed new buildings to be acceptable, officers raised concerns regarding the proposed use of materials, specially relating to the proposed use of block work and the sheet metal proposed for the cladding and roofing material, these concerns were also raised by the Civic Society and Parish Council.

Amendments have been sought and revised plans have been submitted for consideration. The revised plans show a change to the materials and the elevations now show a stone plinth detail, timber cladding and a dark colour metal roof material. Officers consider these revised materials to be acceptable and appropriate in this location.

- 6.14 As the proposed new buildings will be of a similar scale and form, and located in the same position as the previous buildings, and having secured revised plans to address concerns regarding the facing materials, it is not considered that this development would result in any adverse landscape or visual change in the local area, and is not considered to negatively affect the Public Right of Way which runs to the east of the site. This assessment aligns with the appeal inspectors previous comments which suggested that the re-construction of stables on this site would conserve and enhance the AONB.

Officers are therefore of the opinion that the application is in accordance with Cheltenham Plan policy D1, JCS policy SD4 and SD7, and the Cotswold AONB Management Plan 2018 -23.

- 6.15 Two conditions are considered necessary in order to ensure the works do not cause harm to the character of the area, these include:

- Restriction on external lighting
- Personal permission for the use of the facilities

6.16 **Impact on neighbouring property**

- 6.17 Due to the scale of the proposed development, its position within the plot and the relationship with neighbouring land users, the proposal is not considered to result in any unacceptable impact on neighbouring amenity. The proposal is therefore considered to be compliant with Cheltenham Plan policy SL1 and Adopted JCS policy SD14.

6.18 **Access and highway issues**

- 6.19 The development does not propose the introduction of a new or altered access, but will utilise the existing access and gate which is located just off the access track, leading from Greenway Lane.

- 6.20 Gloucestershire Highways have reviewed the details of the application and have provided their comments which can be read above. No objection has been raised, the proposal is not considered to result in any unacceptable access or highway safety implications and is therefore considered to be compliant with JCS policy INF1.

6.21 **Trees / landscaping**

- 6.22 Prior to this application being submitted, the applicant has carried out a scheme of tree and hedge planting at the site, this includes the planting of a new native species hedgerow along the eastern, southern and western boundaries of the application site, the addition of a Laurel tree in the south eastern corner of the site and the planting of 14 laurel trees planted in the field to the north of the application site, which is also within the applicants ownership.

- 6.23 The council's Tree Officer has reviewed the application and has provided detailed comments that can be read above. No objection has been raised by the tree officer, but comments regarding the impact of the development on the nearby oak tree have been made. In addition, a concern regarding the laurel trees which may have the potential to be poisonous to horses has also been made.

With regards to the Tree Officers comments, the existing buildings have already been removed therefore a method statement for demolition is not required, however conditions have been suggested which requires a no-dig foundation method within the root protection area of the oak tree and no underground services to be installed within the Root protection area. These conditions will provide suitable protection of the existing Oak tree.

In terms of the already planted Laurel trees, the 14 new trees to the north, are located in a field which is owned by the applicant but is separated from the application site by a fence, these trees therefore do not pose a risk to horses that may be housed on the application site. With regard to the Laurel tree located in the south east section of the site, officers note that this tree needs to be removed, the applicant has therefore submitted revised plans which show this tree will be replaced with a Holm Oak, this will eliminate any risk to any horses.

- 6.24 The planting that has already taken place is a positive gain to the site in terms of landscaping and bio-diversity, these works are similar to those that officers were previously seeking to be carried out by way of condition in the most recently determined application.
- 6.25 Having secured the revised plan, and with the suggested conditions attached, officers consider the proposal to be compliant with Cheltenham Plan Policies GI2 and GI3 and JCS policy SD9.

6.26 **Impact on protected species**

- 6.27 Records identify that important species have been sighted near the application site in the past and in particular various species of bats were recorded in 2017, the sightings were recorded as 210 metres from the site. In addition badgers have been recorded in 2017, also 210m from the site.
- 6.28 During an earlier application on the site (20/00154/FUL), an ecological assessment was provided which concluded that there was an 'occasional pipistrelle night roost used by a small number of individual bats located within the existing stable building', which would have required suitable mitigation measures. As the original stable buildings have now been demolished this roost no longer exists, however officers consider it is necessary that any new building on the site should provide provision of bat roosting facilities. Therefore, a condition has been attached which requires the provision of a bat box to be attached to the new stable building.
- 6.29 It is important to note that all bat species, their breeding sites and resting places are protected by law as they are European Protected Species.
- 6.30 With regard to badgers, the GCER report acknowledges the presence of Badgers in the local area, however there is no information or evidence to suggest that there are any setts on the application site.

6.31 **Other considerations**

Public Sector Equalities Duty (PSED)

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.

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.

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

7. CONCLUSION AND RECOMMENDATION

- 7.1 Having considered all of the above and having sought revised plans to address concerns raised by officers, in consultee comments and in neighbour representations, the application is considered to represent acceptable development that accords with local and national policy. Therefore, officer recommendation is to permit the application, subject to the conditions set out below;

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 Should the proposed development require new foundations, a no-dig (eg pile and beam or raft) foundation type shall be used for any foundation works required within the Root Protection Area of the existing Oak Tree.

Reason: To safeguard the existing tree(s) in the interests of visual amenity, having regard to policies G12 and G13 of the Cheltenham Plan 2020. Approval is required upfront to ensure that important trees are not permanently damaged or lost.

- 4 No underground services shall be routed through the Root Protection Area of the existing Oak Tree.

Reason: To safeguard the existing tree(s) in the interests of visual amenity, having regard to policies G12 and G13 of the Cheltenham Plan 2020. Approval is required upfront to ensure that important trees are not permanently damaged or lost.

- 5 The facilities hereby granted shall only be for the benefit of residents of Oakfield House Stables and shall not be used for any commercial or business activities.

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Reason: Increased use or use by others outside of the application site will require further consideration with specific regard to impact on the AONB, on neighbouring amenity and highway safety, having regard to the provisions of the Cheltenham Plan (2020) and the Joint Core Strategy (2017).

- 6 No external lighting shall be installed, unless in accordance with details which shall have first been submitted to, and approved in writing by the Local Planning Authority.

Reason: In the interests of the character and appearance of the area, and impact on neighbouring amenity, with regard to Cheltenham Plan policies D1, L1 and SL1, adopted JCS policies SD6, SD7, SD9 and SD14, and the Cotswold AONB Management Plan 2018-23.

- 7 Prior to the first beneficial use of the site, a bat roosting box shall be installed onto the stable building and shall be maintained as such thereafter.

Reason: To ensure that adequate provision is made in order to safeguard protected species in accordance with adopted JCS policy SD9 and paragraph 175 of the NPPF.

- 8 Prior to the first beneficial use of the development, the existing Laurel tree planted in the south eastern corner of the site, shall be replaced with a Holm Oak tree, as specified on the proposed block plan drawing PL004 Rev B.

Reason: It is understood that the existing Laurel tree needs to be removed, therefore a replacement tree is required in the interests of visual amenity, having regard to policies GI2 and GI3 of the Cheltenham Plan 2020.

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/materials and sought relevant additional information required to fully consider the application;

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

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APPLICATION NO: 22/00257/FUL	OFFICER: Mr Ben Warren
DATE REGISTERED: 15th February 2022	DATE OF EXPIRY : 12th April 2022
WARD: Battledown	PARISH: CHARLK
APPLICANT:	Mr And Mrs Marley
LOCATION:	Oakfield House Stables Oakfield House Greenway Lane
PROPOSAL:	To rebuild two single-storey storage/stable outbuildings, following demolition of existing buildings.

REPRESENTATIONS

Number of contributors	4
Number of objections	2
Number of representations	1
Number of supporting	1

9 Birch Close
Charlton Kings
Cheltenham
Gloucestershire
GL53 8PJ

Comments: 2nd March 2022

This application is described as being in the Principal Urban Area, but it is actually in the Cotswolds Area of Outstanding Natural Beauty (the AONB). See the previous application, 21/01270/FUL.

Southern Lawn
Ashley Road
Cheltenham
Gloucestershire
GL52 6NU

Comments: 17th February 2022

I support the proposed development as it replaces two buildings which were in poor repair, apparently like-for-like.

However, I would also support use of alternative materials (other than metal) for better visual amenity, for example timber cladding. This might also give better protection to any livestock housed in the buildings.

My only concern is that the proposed planting will have a detrimental affect on the footpath which is used by many locals and visitors. If the native species hedgerow is planted on the fence line, it will very soon narrow the path making it difficult to use in the future.

Also, the Laurels seem to be out of place in this beautiful setting and perhaps this could be an opportunity to introduce other deciduous species more welcoming to wildlife.

Hallam Oaks
Greenway Lane
Charlton Kings
Cheltenham
Gloucestershire
GL52 6PN

Comments: 7th March 2022

Letter attached.

Comments: 24th March 2022

Letter attached.

Baedalas Tun
Ashley Road
Cheltenham
Gloucestershire
GL52 6PJ

Comments: 7th March 2022

This is the sixth time in three years that I have received a planning notification for this location which lies well within a sensitive part of the AONB and is consequently not part of the PUA or town plan. As this is the crux of the matter when assessing any new proposed development here it is rather annoying that this has yet again been omitted from the list of constraints for public viewing.

Were this the first application here, with the sheds still standing, it might well have sailed through planning with little opposition or controversy. But as it is not and in view of the history of the several attempts to change the character of this protected land, initially with a domestic dwelling and more recently a manège and stable block, I am struggling to imagine that a new shed and stable will be the end of it.

Having made many comments regarding this location on all the previous applications, many of which are relevant here too, I don't need to be overly repetitive but there are a few concerns I wish to briefly highlight.

I may be mistaken about this but the 'yes' on the application form indicates an altered vehicular access, although on the plan the access appears to be as it is now.

The remains of an ancient moat underground and near to the site indicates that there might be a strong possibility of increased flooding to the two houses below during bad weather.

The amazing wildlife in this rural haven should be protected and conserved. Perhaps here it should be noted that the bats which once roosted in the vicinity have disappeared.

This is an intrinsically dark landscape at night. If planning is granted care should be made to take this into consideration and have restricted external low lighting according to AONB guidelines.

The PROW is very well used. Some trees have already been planted along it, seemingly to shield the users from the proposed development. If the development conserves and enhances the AONB, why is this necessary?

The previous planning application on this site, not too dissimilar to this one, went to committee in October last year and after being robustly and quite passionately debated it was turned down unanimously for the following reasons :

The development would not conserve nor enhance the Cotswold AONB and would lead to adverse landscape and visual change in the local area, including negative impacts on the PROW to the immediate east of the site and would alter the existing rural character of the site and its surroundings.

The development would therefore be contrary to the NPPF (para 176), Joint Core Strategy policy SD7, the Cotswold AONB Management Plan 2018-23 and the relevant saved policies of the Local Plan.

HALLAM OAKS
GREENWAY LANE
CHARLTON KINGS
CHELTENHAM
GL52 6PN

B. Davren, Esq.,
Planning Officer,
Cheltenham Borough Council,
P.O. Box 12, Municipal Office,
Cheltenham, Glos IPP

06.03.22
PLANNING
Rec'd 17 MAR 2022
SERVICES

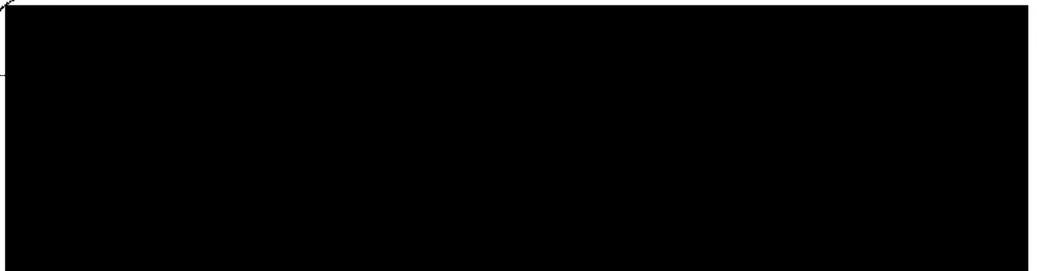
Dear Mr. Davren,

Would you kindly ensure that my enclosed correspondence in reply to Planning Application No. 22/00257/Ful is available to view in the Document Column.

Last time, this was not the case and the technical issue was not resolved. This problem had never been experienced previously and efficiency had always reigned.

With many thanks,

Yours sincerely,



DELIVERED BY HAND
6th MARCH 2022

Hallam Oaks
Greenway Lane
Charlton Kings
Cheltenham
Glos
GL52 6PN

B Warren, Esq.
Planning Officer
Cheltenham Borough Council
PO Box 12
Municipal Offices
Promenade
Cheltenham
GL50 1PP

6th March 2022

Dear Mr Warren

Re: Planning Application 22/00257/FUL

Proposal: To rebuild two single-storey storage/stable outbuildings, following demolition of existing buildings, at Oakfield House Stables, Oakfield House, Greenway Lane

COTSWOLDS AREA OF OUTSTANDING NATURAL BEAUTY

Yet another Planning Application (fourth?) in respect of this particular site.

I am enclosing a copy of my previous letter, dated 5th July 2021, and have numerated the points that remain relevant to the above application - thereby saving some endless repetition.

I will repeat again:

- a) The application seems to ignore the important fact that this proposal concerns the Cotswolds Area of Outstanding Natural Beauty.
- b) 'The Stables' referred to were not built for the purpose of horses but as two small sheds for storage use: hens, hay, etc. I think the application confirms this point by labelling the sheds as a 'Barn' and an 'Outbuilding' in the diagrams.

I do feel, that the 'Outbuilding' still lies forward, at an angle, of its original building line.

- c) This site is OUTSIDE of the Principle Urban Area of Cheltenham.

Further Points:

1. I have been given to understand that the regulations state that, once a building has been demolished, the rights to rebuild are sacrificed (particularly in respect of AONB sites).

Therefore, I find the application is splitting hairs between a 'rebuild' or a 'new planning application'. If the latter, and should the application be granted, what would prevent the two 'new' buildings from being converted into a single bungalow/house in a short passage of time? This would take the matter back to the original application, no. 19/01252/FUL, dated 27.06.2019 that was then refused.

2. I feel the two sheds (Barn, Outbuilding) could have been renovated in their own rights and that the only health and safety issue concerned the bats, who had their roost uprooted (on and off) by mechanical machinery.

3. I do not comprehend the question: 'Is a new or altered access proposed to or from a public highway?' The applicants' reply: 'Yes' to both vehicular/pedestrian.

The proposed 'Stables' exit would surely be on to the private drive belonging to Greenacres Farm? That, in its own right, joins the public highway of Greenway Lane. The pedestrian PROW extends over the private drive. Should Greenway Lane itself (which is already seeing a much greater traffic flow, also parked cars in respect of the Cricket Club), be affected by any proposed application change, then that would be a concern; as would the blocking by vehicles on the private drive affecting easy movement for the other residents.

4. The comment in Southern Lawn's email: 'The Laurels seem to be totally out of place in this beautiful setting' has my understanding.

Indeed, I feel the already planted Laurel hedge, around the perimeter of this proposed site, only serves as an endeavour to urbanise this sensitive AONB.

5. The proposed new structures:

When the sheds were finally demolished, it was a joy to see the AONB opened up more fully. The proposed two new Buildings would only reverse the situation with the blockwood walls clad in sheet metal and, also, with the ugly sheet metal roofing rising up into the sky. This would certainly not conserve or enhance this AONB.

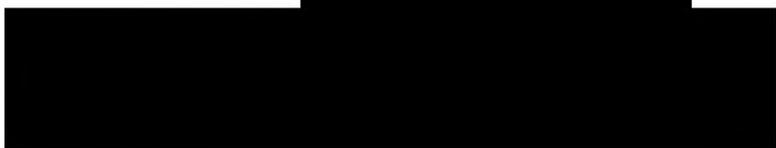
At this stage, I feel it matters not whether an application is for sheds, stables, bungalow, house - either one would damage the pivotal vista of this area, especially so in respect of the PROW running alongside.

Unfortunately, one only has to look to the West to see, in my view, the monstrous, barrack-like building of Oakfield Rise (clearly visible for six months of the year) that overlooks this AONB, including the PROW and Greenway Lane itself, to understand the damage already done. Not to mention the Cricket Club, whose roof stands clearly visible when viewed from the nearby hill, or the disastrous, so-called 'brown field' site at Cromwell Court. Enough damage, no more.

6. I am also enclosing a copy of The Planning Inspector's Appeal Decision Report, made on 16th December 2020 (house application), that was Dismissed. The Inspector's words and reasonings are far more eloquently and clearly written than mine. I have numerated, again, the paragraphs that I consider remain applicable to this current application.

7. I consider that this precious AONB should indeed be conserved and enhanced, not only for the principles involved, but also for the benefit of the people of Cheltenham, Charlton Kings, the many visitors and the all important wildlife. Therefore, I have to currently object to this planning application.

Yours sincerely



Encs.

2 of 3

copy

Hallam Oaks
Greenway Lane
Charlton Kings
Cheltenham
GL52 6PN

M. Holmes, Esq.,
Interim Head of Planning,
Cheltenham Borough Council,
Municipal Offices,
Promenade,
Cheltenham
GL50 9SA

5th July, 2021

Dear Mr Holmes,

**Re: Planning Application Ref: 21/01270/FUL
Area of Outstanding Natural Beauty**

Since 27th June 2019 differing planning applications have been received in respect of the phantom stables at the above named site on Ref Numbers 19/01252/FUL, 20/00154/FUL, followed by Appeal Ref APP/B1605/W/20/3255479 (refused) and now the above. My letters concerning this site, dated 31st July.2019, 12th October 2019 and 17th February 2020 (all 13 points contained therein) remain relevant now. My letter in respect of the Appeal (10th August .2020) also holds. Hopefully, this avoids some needless repetition.

The one Site Notice on Greenway Lane, only read with difficulty being wrapped around the post of the PROW footpath sign, was placed on 17th June 2021. Therefore, I understand that 7th July.2021 is the deadline date for replies and not 18th June.2021 and 28th June 2021 as stated in previous letters.

Moving forward to today, one would think that horses grazing on agriculture/pasture land would be an idyllic dream. The truth is not so simple and not a given right as, I understand, the laws governing such issues are complex.

- The Applicant's application appears to have overlooked the fact that this an AONB and, as such, has recently been accorded further protection under current legislation.
- An application (ref 20/01163/CLPUD) for a large agriculture storage barn, on the opposite side of Greenway Lane, was refused on 14th October 2020, only a few months ago.
- Ref Applicant's Cover letter: There are no existing stables on this site – never have been, as stated before. The two outbuildings (plus one very small shed on the west side of the boundary) were raised to the ground with heavy machinery many months back. Therefore, there is nothing left to repair or extend. In my view, this would be a complete NEW re-build (photos enclosed).
- This demolition took place in conjunction with dubious and inadequate water drainage pipe laying in the field behind the proposed site and alongside the farm track. One of the results of which has increased the water/spring volume over Hallam Oaks' land and into the cattle grid causing overflow and silting.
- It is difficult to ascertain the exact measurements of this proposed Application as only INTERNAL measurements seem to have been supplied. The EXTERNAL ones could be considerably more. But it would appear that the area proposed is in the region of, at least, a third in excess of the existing footprint. Neither does the proposed footprint follow the original, nor the contours of the land. Also, what are the exact height measurements of these proposed stable buildings? What will be the view from the PROW when the trees are leafless during the long winter months?

I
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III
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V

Copy

- VI
- The Applicant may think, mistakenly, that this project would blend in with the existing barns on Greenacres Farm. Those barns, though not beautiful, are full of country character, were built at least 70 years ago (before the AONB 1966 ruling), patched up 'on and off', and are a wonderful example of true SELF BUILD.
- VII
- I find it strange that these proposed stables are not constructed entirely of wood (as are most) as a) they would blend more aesthetically into nature's natural environment and b) even more important, this makes for a much healthier environment for the horses. Also, the proposed rendered blockwork would do nothing to enhance or conserve the area – the mantra of the AONB.
 - Although convenient bathroom facilities are shown, I see no lighting plans – either inside or out. What is proposed - floodlights to upset the precious wildlife even further?
 - Of major concern: How is the waste product of the animals to be disposed – both from the stable site itself and the fouling on the PROW? Unless hygienically maintained the stench could be considerable and obnoxious. The Applicant's property is situated a fair way up the slope and would not be disturbed by such problems.
 - I note, with concern, that once again the Applicant has shown TWO access rights on the proposed plan when there is only ONE access associated with Oakfield House and all its land – the existing one. As I understand it, the access rights are granted solely through the Deeds belonging to Greenacres Farm that owns all the land appertaining to the farm track in this area. Why, too, is the Battledown Manor access, onto the same farm track, not clearly shown on this application?
 - I find the GCC report puzzling as I understand the farm track is not an 'adopted highway'. Also, the GCC says that one of the conditions is that, 'the proposed gates be set back 10m from the end of the carriageway (open inwards only) to avoid becoming an obstruction to oncoming traffic'. Either way (private land/adopted highway), I would welcome this Condition. However, I fail to see how that would prevent blocking or congestion as virtually no consideration has been shown from that quarter, in this respect, during the last year. There is no turning area on the farm track. There have been frequent blockages, despite polite requests to keep entrances and the farm track clear at all times.
- VIII
- A further health and safety concern (by association with this application) is that many families, with young children, dogs, etc., use this PROW. Horses are beautiful creatures but can also be dangerous. I witnessed this recently in the meadow over the road, when a foolish Walker, and her ill-trained dog, greatly disturbed two such creatures. The horses angrily guarded the gate to the meadow for over an hour. - no passing through there. So much so, that I and a three year old had to take the long walk home for safety. If such an event occurred on this relatively narrow PROW – it is not a Bridle path, it could result in dire physical consequences.
- IX
- Finally, how many horses are to be stabled in this proposed livery, how many horse boxes, delivery vans, etc., would potentially be blocking the farm track, how much heavy agricultural machinery would be wending its way to storage on the Oakfield House land?
- X

Until all of the above important issues are addressed, with legal and total accountability, and safety, I have to OBJECT to this application. I feel that it would be no less of a scar on this AONB than its predecessors and I fully endorse the Cheltenham Civic Society report.

Yours sincerely

[Redacted signature]



Appeal Decision

Site visit made on 22 October 2020

by **S Shapland BSc (Hons) MSc CMILT MCIHT**

an Inspector appointed by the Secretary of State

Decision date: 16 December 2020

Appeal Ref: APP/B1605/W/20/3255479

Oakfield House Stables, Greenway Lane, Cheltenham GL52 6NU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Newbay Consulting Ltd against the decision of Cheltenham Borough Council.
 - The application Ref 20/00154/FUL, dated 27 January 2020, was refused by notice dated 8 April 2020.
 - The development proposed is erection of a single self-build dwelling following the demolition of existing stables (revised scheme).
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the area, including the Cotswolds Area of Outstanding Natural Beauty.

Reasons

3. The appeal site is located outside of the principal urban area of Cheltenham and is within the Cotswolds Area of Outstanding Natural Beauty (AONB). Although the site is next to Greenacres Farm, it is separated from built development in the settlement of Battledown by fields and is therefore within the rural area.
4. As the appeal site is located within the AONB, Section 85 of the Countryside and Rights of Way Act 2000 requires that I have regard to the purpose of conserving and enhancing the natural beauty of AONB's. Furthermore, Paragraph 172 of the National Planning Policy Framework (the Framework) specifies that great weight must be given to conserving and enhancing landscape and scenic beauty of these areas.
5. The Cotswolds AONB Management plan 2018-2023 (CAMP) identifies special qualities of the AONB. They include, amongst other things, the tranquillity of the area away from major sources of development and visual clutter. The site lies within National Character Area 106 Severn and Avon Vales, and within the Coopers Hill to Winchcombe Character Type within the Escarpment landscape type identified within the CAMP.
6. The Cheltenham Borough Council Landscape Character and Sensitivity Assessment (CLCSA) of the Cotswolds AONB provides a more detailed

assessment of the landscape in which the appeal site is located. This identifies the appeal site as being located within the Battledown Settled Lowland Landscape Character Area within the Settled Lowlands Landscape Character Type. This assessment identifies the area as being one of an open, sloping and undulating pastoral landscape with well-defined boundaries formed principally by post and rail fencing and hedgerows.

7. I note the appellant's comments made that the landscape characteristics of the appeal site as identified within the CLCSA do not necessarily correlate with the key features of the wider Escarpment landscape type as identified within the CAMP. However, the CLCSA is clear that a key characteristic of the appeal site is one of open sloping pastoral landscape. It is clearly sensitive to change.
8. Key visual receptors identified in the CLCSA include footpath users throughout the area, residents of properties along Ashley Road and road users along Greenway South. The Landscape Value derives principally from the filtered views to the east, looking towards the elevated Escarpment slopes associated with Ham Hill North. The assessment concludes that the appeal site is located in an area with high visual sensitivity, high landscape character sensitivity, with an overall landscape sensitivity of high. The landscape value is identified as high, with the overall landscape constraint being major overall.
9. The proposal would be of a single storey height with a green roof, and would replace dilapidated stables on what the appellant considers to be previously developed land. However, the site is mostly open containing little built development. The proposal would introduce a substantial amount of additional built form into the site which would have an urbanising effect upon its appearance.
10. The submitted landscape visual impact assessment¹ (LVIA) identifies one of the key visual receptors of the site are users of the Public Right of Way (PROW) which is adjacent to the site. The LVIA indicates that the effect on this receptor would not be significant.
11. However, I feel that this does not adequately consider the extent of the importance of views from the appeal site towards the wider AONB and the effect the proposal would have on these. Viewpoint 5 of the LVIA has been taken looking from the PROW towards the appeal site. It appears to show the site being well screened behind mature vegetation, however based on my observations from the site visit the site was much more prominent than indicated by this viewpoint and the LVIA. Whilst I acknowledge that the existing stables are clearly visible, the introduction of additional built form as part of the appeal proposal would be even more visible and prominent in this location.
12. It was also evident that from this location the Escarpment in the direction of Ham Hill is clearly visible in the distance. By introducing a new dwelling in this location, users from this PROW who were to look out towards the Escarpment would be presented with a large dwelling which would be prominent in the foreground.
13. A comprehensive planting schedule is shown on the boundary treatments. However, given the close proximity of the adjacent PROW, and the topography

¹ Landscape and Visual Impact assessment prepared by MHP chartered landscape architects

of the land which slopes upwards away from the appeal site, the proposed dwelling would be evident even with the amount of landscaping proposed. In addition, any landscaping scheme would take several years to reach full maturity.

14. The appellant has drawn my attention to a recent appeal decision² in which the inspector accepted that whilst the Framework indicates that great weight should be given to conserving and enhancing landscape and scenic beauty in AONB's, that does not rule out sensitively designed schemes being brought forward. However, that decision related to a different site within Winchcombe, which is not in the locality of the appeal site. I have considered this appeal against its own site specific context.
15. Consequently, I find that the proposal would harm the character and appearance of the area, and would fail to conserve or enhance the scenic beauty of the AONB. It therefore conflicts with policy SD7 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy, which seeks, amongst other things that development conserves and where appropriate enhances the landscape and scenic beauty of AONB's. There would be conflict with the aims of the CAMP, which seeks, amongst other things that development within AONB's are compatible with and reinforce the landscape character of the location. The proposal would be contrary to paragraph 172 of the framework which seeks, amongst other things that great weight is given to conserving and enhancing the scenic beauty of AONB's.

Other Matters

16. The Council acknowledges that it is unable to identify a five year supply of housing. Paragraph 11 and Footnote 7 of the Framework states that relevant policies for the supply of housing should not be considered up to date where a five year housing land supply cannot be demonstrated. Where relevant policies are out of date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.
17. The appellant contends that the relevant development plan policies should be considered out of date, and therefore a presumption in favour of sustainable development applies. However, paragraph 11 d)i of the Framework states that the presumption in favour of sustainable development does not apply where the application of policies that protect areas or assets of particular importance provides a clear reason for refusal. Footnote 6 of this paragraph includes land designated as an AONB. I have found significant harm to the character and appearance of the area, and have identified that the harm to the AONB provides a clear reason for refusal. Consequently, the presumption in favour of sustainable development is not triggered in this instance.
18. The appeal proposal is for a self-build dwelling, and the appellant has drawn my attention to a recent Government announcement³ which reinforces their commitment towards the importance of self-build housing. Several appeal decisions⁴ have also been cited where the Inspectors have given varying degrees of weight to the importance of developments which are self-build

² APP/G1630/W/19/3228967

³ Press release from Robert Jenrick MP, Secretary of State for Housing Communities and Local Government published 30.10.20.

⁴ APP/W0340/W/15/3051146, APP/Y3940/W/16/3150774, APP/H1840/W/19/3241879, APP/Y3940/W/20/3255756

housing. I have not been presented with the full details of those cases, and thus cannot be certain of the circumstances which led to them being found acceptable. Notwithstanding this, in this instance I have no mechanism to secure the proposal as a self-build property.

19. I note the appellant's arguments that the proposal would add a dwelling to the local housing supply and that it would provide minor economic benefits in terms of its construction. The appellant also contends that new residents would provide support to the existing facilities in the area. However, as the proposal is for one house, these benefits would be very limited and they would not outweigh the significant harm to the AONB I have identified.

Conclusions

20. For the reasons given above the appeal is dismissed.

S Shapland

INSPECTOR

Hallam Oaks
Greenway Lane
Charlton Kings
Cheltenham
Glos
GL52 6PN

B Warren, Esq.
Planning Officer
Cheltenham Borough Council
PO Box 12
Municipal Offices
Promenade
Cheltenham
GL50 1PP

17TH March 2022

Dear Mr Warren

Re: Planning Application 22/00257/FUL

Proposal: To rebuild two single-storey storage/stable outbuildings, following demolition of existing buildings, at Oakfield House Stables, Oakfield House, Greenway Lane

COTSWOLDS AREA OF OUTSTANDING NATURAL BEAUTY

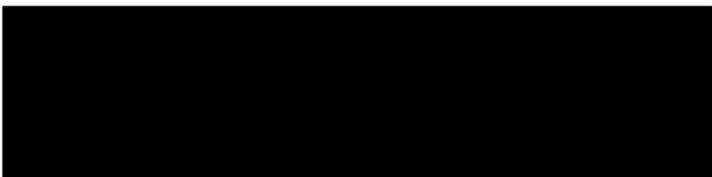
1. Thank you for re-printing correctly the Inspector's Appeal Decision Report (my letter to you dated 06.03.2022). Appreciated.

However, frustratingly, a correction is still needed. When I enclosed, originally, the copy of that letter I indicated the salient points (in Roman Numerals, on the left hand side of the pages) for clarity. These numbers were omitted in the reprint. Therefore, for the sake of the record being correct, I would like to state here that the Inspector's points that I specifically referred to were: 2, 3, 4, 8, 9, 11 and 13 only (out of a total of 19).

2. Since my letter dated 06.03.2022, I have read the subsequent reports submitted by the Consultees. I have been disturbed to learn that Laurels are actually toxic for horses.

I am mystified, therefore, why the applicant has already planted the hedge of Laurels around the proposed perimeter (and more Laurels northwards, higher up the field) as, according to the prior application, 21/01270/FUL stables and manège, the cover letter of 23.05.2021 states, 'they currently have a number of horses at livery close by and now wish to bring them home.' I would have assumed that the applicant already had this equestrian knowledge.

Yours sincerely



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site relates to a detached building located within a residential area on the corner of Church Street and New Street in Charlton Kings. The application site is located just outside the boundary of the St Mary's Conservation Area.
- 1.2 The applicant is seeking planning permission for a single storey rear extension, first floor side/rear extension and alterations to the front façade of the existing building.
- 1.3 The application is at planning committee at the request of Councillor McCloskey who wishes members to be able to have the opportunity to debate design.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Airport Safeguarding over 45m
Principal Urban Area
Neighbourhood Shopping Area
Smoke Control Order

Relevant Planning History:

21/02250/PREAPP 12th January 2022 CLO
Demolish and rebuild of one dwelling, detached residential house
81/00464/PF 29th October 1981 PER
Erection Of 2 Storey Extension
20/01654/PRIOR 6th November 2020 NPRIOR
Change of use from newsagent to residential
20/01733/PRIOR 7th October 2020 NOTREQ
Change of use from shop into additional residential accommodation

3. POLICIES AND GUIDANCE

National Planning Policy Framework

Section 12 Achieving well-designed places
Section 16 Conserving and enhancing the historic 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
SD8 Historic Environment
SD9 Biodiversity and Geodiversity
SD14 Health and Environmental Quality
INF3 Green Infrastructure

Supplementary Planning Guidance/Documents

Residential Alterations and Extensions (2008)

4. CONSULTATIONS

Building Control - 22nd February 2022

The application will require Building Regulations approval. Please contact Cheltenham and Tewkesbury Building Control on 01242 264321 for further information.

Parish Council - 8th March 2022

No Objection.

Gloucestershire Centre For Environmental Records - 1st March 2022

Bio Diversity report available in Documents tab.

Tree Officer - 25th February 2022

A tree protection plan for the adjacent trees to the west of the site should be submitted if this land is to be used for access, scaffolding, storage etc.

Reason: to protect the amenity value of trees in the Borough as per Policies GI2 and GI3 of The Cheltenham Plan.

5. PUBLICITY AND REPRESENTATIONS

- 5.1 4 letters were sent to neighbouring properties, no letters of objection have been received in response to this direct neighbour notification process, but one letter of support has been received from another Cheltenham Resident.
- 5.2 The comments received in the letter of support suggest that the works will improve the design of the existing building and will not result in harm to the design or character of the area.

6. OFFICER COMMENTS

6.1 **Determining Issues**

- 6.2 The main considerations in relation to this application are the design, the impact on the character of the area and designated heritage assets, the impact of the proposal on neighbouring amenity and impact on existing trees.
- 6.3 The surrounding area has been visited and google maps / google street view have been used to fully consider the proposed development.

6.4 **Site location and context**

- 6.5 Whilst the site itself is not within the conservation area, it has a very prominent position on the edge of the St Mary's Conservation Area boundary, and is also in close proximity of a number of listed buildings; including the St Marys' Grade II* listed Church and Churchyard, and the adjacent Grade II listed St Mary's Hall. Other than the Church and Church hall, the immediate properties are residential in use.
- 6.6 The building that is the subject of this application was until recently, in use as a newsagent, however an application for a change of use of the building to a residential dwelling was granted in 2020.

6.7 **Pre-application**

- 6.8 Prior to the submission of this application the applicant submitted a formal pre-application, whereby officers were asked to review and provide a response/comments

on proposed works to the site. The proposed works in the pre-application are the same as those now proposed within this application.

- 6.9 In the pre-application response, officers gave general support for the redevelopment/modernisation of the property, suggesting that the single storey extension to the rear was acceptable and also considered the changes to the front faced to be acceptable in principle, subject to some design changes. However, officers did raise concerns with the scale, form and design of the proposed first floor rear extension, and did not consider the principle of this proposed extension to be acceptable.
- 6.10 **Design, impact on the character of the area and the setting of heritage assets.**
- 6.11 Policy SD4 of the JCS notes how development should “respond positively to, and respect the character of, the site and its surroundings, enhancing local distinctiveness, and addressing the urban structure and grain of the locality”. Furthermore, development “should be of a scale, type, density and materials appropriate to the site and its surroundings”. This is supported through adopted Cheltenham Plan Policy D1 which requires development to ‘complement and respect neighbouring development and the character of the locality.’
- 6.12 Policy SD8 of the JCS relates to the historic environment and states how ‘Designated and undesignated heritage assets and their settings will be conserved and enhanced as appropriate to their significance’. Section 16 of the NPPF also echoes the importance of conserving and enhancing heritage assets.
- 6.13 Cheltenham’s Supplementary Planning Document – Residential Alterations and Extensions document states that rear extensions should be subservient to the original building in height and width.
- 6.14 The plans submitted within this application are broadly the same as those reviewed by officers at pre-application stage. The only changes proposed within this application relate to the design and formation of the windows and doors within the front elevation of the existing building.
- 6.15 The proposed single storey rear extension will sit comfortably within the plot and will read clearly as a subservient addition to the existing building. The scale, form and design of this extension is considered to be acceptable for a modern single storey addition to the rear of the site.
- 6.16 The works to the front elevation include alterations to the window and door arrangements, and new external facing materials. The scheme proposes new timber sash windows and a composite front door, new facing render and black slate roof tiles which are all considered to be acceptable and are generally seen to be a positive improvement on the design and appearance of the existing building.
- 6.17 The existing frontage building is a relatively modest building, and takes the general form and scale of a cottage style property. This building has previously been extended with a generous two storey rear extension following the grant of planning permission in 1981. This existing extension already has an overall ridge height that is higher than the main building, is approximately half the width of the existing building and appears as wing. Whilst this extension has already been approved, it would have been considered at a time where local and national policy and framework would have been very different. Design has certainly advanced significantly since the 1980’s and there is now a very different policy framework that requires consideration, this includes the Cheltenham Plan, the JCS, the NPPF and Cheltenham’s SPD’s. If the existing extension was a proposal now, it is very unlikely that this would be supported by

officers as it would fail to play a subservient and supporting role due to its overall scale and height.

- 6.18 This application proposes to add a further first floor addition to the rear of the building, which would nearly double the size of this existing rear extension, and would result in the extension running the entire width of the existing building. The proposed extension would have the same form and design of the existing two storey extension and again would have a ridge height that is greater than that of the existing building.

The current extension, whilst still taller than the frontage building is at least set back away from the side boundary which is clearly visible in the street scene, this therefore limits its impact on the surroundings somewhat. The further first floor addition would be much more visible in the street scene, is considered to be overly large and would result in a dominant addition to the rear of the building. The extension would fail to read as a subservient addition to the existing building, and would detract from the design and character of the existing cottage. For these reasons the proposal fails to achieve the design objectives of Cheltenham Plan policy D1, adopted JCS policy SD4 and the information contained within Cheltenham's Supplementary Planning Document – Residential Alterations and Extensions (adopted 2008).

- 6.19 Furthermore, as identified in paragraph 6.5 above, the site has a particularly sensitive location, officers consider that the large addition to the rear will also have a negative impact on the setting of the surrounding designated heritage assets, and would therefore be contrary to JCS policy SD8 which requires development to conserve and enhance designated heritage assets, including their setting.

6.20 **Impact on neighbouring property**

- 6.21 In terms of neighbouring amenity, due to the sites position and relationship with neighbouring land users, the proposed works are not considered to result in any unacceptable loss of light, or overbearing impact. In terms of privacy, the new and enlarged windows on the eastern elevation could be conditioned to have obscure glazing in order to protect the privacy of the neighbouring property.

- 6.22 No letters of objection have been received in response to the neighbour consultation process.

- 6.23 The proposal is considered to be compliant with Adopted Cheltenham Plan (2020) policy SL1 and adopted JCS policy SD14 which requires development to protect the existing amenity of neighbouring land users and the locality.

6.24 **Trees**

- 6.25 There are a number of trees located within the grounds of the Church Hall building that would be directly adjacent to the proposed development, these trees are protected due to their location within the conservation area. The council's tree officer has therefore reviewed and commented on this application, the comments can be read above.

- 6.26 No objection has been raised to the proposed development, however a condition requiring a tree protection plan has been suggested. A suitably worded condition would ensure the development does not have any unacceptable impact on these protected trees and would therefore be in accordance with Cheltenham Plan Policies GI2 and GI3.

6.27 Environmental Impact

6.28 Whilst records show that important species or habitats have been sighted on or near the application site in the past, it is not considered that the proposed development will have any impact on these species.

6.29 Other considerations

Public Sector Equalities Duty (PSED)

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.

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.

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

7. CONCLUSION AND RECOMMENDATION

- 7.1 The advice provided at pre-application stage highlighted concerns regarding the scale of the proposed first floor rear extension and the impact this would have, the proposal remains the same as that which was seen at pre-application stage and therefore the concerns have not been addressed.
- 7.2 Having considered all of the above, whilst some aspects of the scheme are considered to be acceptable, revised plans have not been submitted to address officers concerns which relate to the scale, form and design of the proposed first floor rear extension. Therefore officer recommendation is to refuse the application.

8. INFORMATIVES / REFUSAL REASONS

- 1 By virtue of the size, scale and form of the proposed first floor addition to the rear, the proposal represents an unacceptable development that fails to read clearly as a subservient addition to the existing building, and does not adequately respond to its context. The proposed first floor extension would appear as a large and dominant addition to the existing building and therefore does not achieve an appropriate design.

Due to the sites position, the scale of the proposed first floor extension would also result in harm to the design and character of the area, which is particularly sensitive due to the sites position on the edge of the St Mary's Conservation Area, and its close proximity to the Grade II listed St Marys Hall and Grade II star listed St Mary's Church buildings.

Accordingly, the proposal is therefore contrary to the aims and objectives of adopted policy D1 the Cheltenham Plan (2020), adopted policy SD4 of the Joint Core Strategy

(2017) and advice contained within the Council's Supplementary Planning Document: Residential Alterations and Extensions (2008).

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, having had regard to all material considerations, the authority cannot provide a solution that will overcome the concerns regarding design and impact on the area;

As a consequence, the proposal cannot be considered to be sustainable development and therefore the authority had no option but to refuse planning permission.

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APPLICATION NO: 22/00312/FUL	OFFICER: Mr Ben Warren
DATE REGISTERED: 18th February 2022	DATE OF EXPIRY : 15th April 2022
WARD: Charlton Kings	PARISH: CHARLK
APPLICANT:	Mr And Mrs Aghera
LOCATION:	2 Church Street Charlton Kings Cheltenham
PROPOSAL:	Single storey rear extension, second storey addition to side/rear and alterations to front facade

REPRESENTATIONS

Number of contributors	1
Number of objections	0
Number of representations	0
Number of supporting	1

Oldbury
Sandhurst Road
Cheltenham
Gloucestershire
GL52 6LJ

Comments: 3rd March 2022

The property changed use from a newsagent to residential in 2020 and the development of the shop area is part of this. As a shop, with its colourful hanging baskets and canopies, it was pleasing to the street scene close to the church and village centre. As a closed shop, with living accommodation to the rear and above the shop, it does not currently look as pleasing and the shop area has not been refurbished as living accommodation to date.

Clearly, the proposed development has been carefully considered, it will enhance the current building and the proposed extension will actually help the street view from the side by hiding more the roof extension at 4 Church Street, adjacent to the property, which is itself not very pleasing but was permitted in 2011.

The alterations to the front façade will improve the external appearance and will complete the redevelopment from a shop into residential accommodation.

We are however concerned about the details of the pre-planning advice received included in the application form and believe this to be unhelpful and almost obstructive.

First, we do not understand the first statement at all that 'the principle of the first floor extension is not considered to be acceptable'.

This might suggest that any first floor extension would be considered to be unacceptable. More detail is given and it is noted that the extension should be in conformance with the Cheltenham Supplementary Planning Document - Residential Alterations and Extensions adopted in February 2008.

We see nothing in the application that conflicts with this. To the points made that 'the extension would be too large and would result in a dominant addition to the rear of the building, the extension would therefore not achieve the required level of subservience as required in the design policies and within Cheltenham's Supplementary Planning Document', we would like to comment as follows.

We are not sure why the extension is considered to be too large. The proposed extension, described clearly as a second storey addition to the side, brings the second floor exactly into line with the current second floor extension at the rear and is complementary to the total development.

In terms of it being too large, it adds approximately 27% or just over a quarter of the floor area to the second floor space. Is this too large? There seem to be many extensions in the village and at Ham that exceed this and have been completed in recent years. Equally, owing to its careful and considered design it does not appear to be a dominant addition to the rear of the building. The height is unchanged from the existing building.

The design style shown in the proposed side extension 1 appears to exactly match that in the existing side extension 1. The sole difference is that the second storey comes into line at the rear with the existing second floor and ground floor and now in line at the side with the front of the building.

Referring to the paragraph on subservience in the Planning Document, this proposed extension does not dominate or detract from the original building and in fact actually enhances it. The extension is not higher than the original. The extension matches the style of the original building in every way.

A tree in the grounds of the church hall, behind the old village stocks, also partially hides the extension, especially when in leaf in the spring, summer and autumn months.

Secondly, officers feel that more thought should be given to the alterations to the front elevation to achieve an acceptable design appropriate to this sensitive location.

The property is not in the conservation area but is close to its boundary. While there are some pleasing aspects of the village, especially the historic church and churchyard and a few older cottages nearby, the village unfortunately has not been sensitively developed over the years and contains many buildings of varying vintages of rather poor design, certainly not in keeping with the earlier buildings.

Regarding centralisation of the front door, many of the older cottages in the village do not have doors in the centre of the building and more traditionally are towards one side of the building. In fact, the proposed doorway is where an original doorway has been found and the existing door was placed there when the building became a shop. Its current location does not suit the redevelopment where it would open into the centre of a new lounge area.

The windows could be aligned with those on the upper floor and this might be more pleasing, although this could be problematic in resiting the door to its original position and there are examples in the village of properties where the windows on the ground floor align with those on the first floor and equally many where they don't. We are sure an acceptable agreement can be found here.

We trust that this pre-planning advice will not present material problems to this application proceeding and would be pleased to see this development progress.

Thank you for the opportunity to comment on this application.

Comments: 5th March 2022

This is just a further submission to support the revised plans which were added at around the same time as my comments on the original application.

The only changes appear to be to the layout and design of the windows on the proposed front extension, the types of windows in the proposed rear extension first floor and the types of windows in the proposed side extension 1.

The front elevation was commented on by the Planning Officer in his pre-planning comments and this revised plan appears to address those concerns.

The changes to the windows at the rear and side just appear to match more closely the style of those at the front.

All in all, this seems to give the property a more pleasing appearance and we commend the revised plans.

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Appeals Lodged MAR/APR 2022

Address	Proposal	Delegated or Committee Decision	Appeal Type	Anticipated Appeal Determination Date	Reference
18 Wentworth Road Cheltenham Gloucestershire GL51 0NR	Erection of a detached bungalow	Delegated Decision	Written representations	June 2022	Appeal ref: 22/00005/PP1 Planning ref: 21/01723/FUL

Appeals Determined

Nothing to report.

Authorised By: Liam Jones 05.04.2022

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