

Cheltenham Borough Council Planning Committee

Meeting date: 18 April 2024

Meeting time: 6.00 pm

Meeting venue: Council Chamber - Municipal Offices

Membership:

Councillor Paul Baker (Chair), Councillor Garth Barnes (Vice-Chair), Councillor Glenn Andrews, Councillor Adrian Bamford, Councillor Bernard Fisher, Councillor Paul McCloskey, Councillor Emma Nelson, Councillor Tony Oliver, Councillor Diggory Seacome, Councillor Simon Wheeler and Councillor Barbara Clark

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Phone: 01242 264 246

Agenda

1 Apologies

2 Declarations of Interest

3 Declarations of independent site visits

4 Minutes of the last meeting (Pages 5 - 14)

To approve the minutes of the meeting held on 21st March 2024.

5 Public Questions

6a 24/00812/TREEPO Tree, Spring Acre, Spring Lane, Cheltenham, GL52 3BW (Pages 15 - 20)

6b 24/00389/FUL Land and Springfield Close, The Reddings, Cheltenham GL51 (Pages 21 - 100)

[Planning application documents](#)

6c 24/00318/FUL 2 Walnut Close, Cheltenham, GL52 3AG (Pages 101 - 112)

[Planning application documents](#)

6d 23/00117?FUL Belmont School, Warden Hill Road, Cheltenham, GL51 3AT (Pages 113 - 250)

[Planning application documents](#)

7 Appeal Update (Pages 251 - 282)

Appeal documents for information.

8 Any other items the Chairman determines urgent and requires a decision

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Cheltenham Borough Council Planning Committee Minutes

Meeting date: 21 March 2024

Meeting time: 18:00-22:10

In attendance:

Councillors:

Paul Baker (Chair), Garth Barnes (Vice-Chair), Glenn Andrews, Adrian Bamford, Bernard Fisher, Paul McCloskey, Emma Nelson, Diggory Seacome, Simon Wheeler, Barbara Clark and Jackie Chelin (Reserve)

Also in attendance:

Victoria Harris (Planning Officer), Ben Warren (Planning Officer), Lucy White (Principal Planning Officer) and Chris Gomm (Head of Development Management, Enforcement and Compliance)

1 Apologies

Apologies were received from Councillor Oliver, Councillor Chelin attended as a substitute.

2 Declarations of Interest

Councillor Barnes declared a non pecuniary interest in the Oakley Farm application.

3 Declarations of independent site visits

4 Minutes of the last meeting

The minutes were approved as an accurate record.

5 Public Questions

There were none.

6 Planning Applications

7 23/00625/FUL 456, High Street, Cheltenham GL50 3JA

The Head of Planning introduced the report as published.

The public speaker in objection addressed the committee and made the following points:

- The proposed four storey building is in close proximity to Honeybourne Gate will have a significant detrimental impact on the apartments which face the site.
- As there are many housebound people in Honeybourne Gate looking out of their windows is the only way that they can engage with the outside world and this application will have a huge impact on them.
- There is no car parking facility on the application site. The regulations state that where parking is not provided within the curtilage the approach route should be safe for everyone including older and disabled people.
- The lack of parking makes the proposed apartments almost uninhabitable for older and disabled people.
- The proposal would be out of keeping with the conservation area and have a detrimental impact on the setting of the Grade 2 listed St Marys Cemetery Chapel.
- There is a need for more housing in the area and a much reduced development on this site would be acceptable.

The agent on behalf of the applicant addressed the committee and made the following points:

- This is a brownfield site.
- The committee has granted permission on a previous site that was smaller than the proposal.
- The effect on the view for Honeybourne Gate is not a reason to refuse the application.
- The agent has conducted additional surveys due to highways demand.
- Highways have made the conclusion that there would not be an impact on safety.
- Redevelopment of a redundant brownfield site is surely preferable over greenfield sites.

Councillor Willingham as a local ward member was then asked to address the committee and made the following points:

- He wished to raise several procedural issues Policy SD12 point 9 of the JCS the viability report has not been made available for scrutiny.

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- There has also been no Human Rights Act consideration, the authority is also a potential beneficiary as the committee owns part of the land and granted permission for the billboard. If objectors ask questions this is not good optics for the Council.
- The Council has failed in due regard to the Grampian condition.
- The situation regarding parking cannot be sorted due to a difference of opinion between Gloucestershire County Council and Cheltenham Borough Council.
- Changing the parking zone to zone 12 will cost public money, the developer should be asked to pay for this rather than the County Council.
- This building will block the view of St Marys, this application is such a mess.
- Parking is a huge issue the area is currently over subscribed by approximately 400%, he reiterated that the developer should be made to pay.
- There is a danger that people will try and reverse onto a B road which could cause accidents.
- The parking survey was done when the students were on holiday, which does not give an accurate illustration of the area.
- He believed that the application should be refused or deferred.

Councillor Atherstone as local ward member then addressed the committee and made the following points:

- She stated that she was excited initially when she heard about the proposal, but the developer is not meeting the requirements of affordable housing and parking.
- One parking survey on one evening is not a sufficient representation of the area.
- The developer has suggested that this should be a car free development.
- Parking zone 12 is over subscribed. There could be harm arising for the increasing need for parking.
- The developer cannot make it viable to provide any affordable housing when there should be 40% affordable housing on the site.
- This development is an over development of the site and the loss of amenity for the residents of Honeybourne Gate is a concern.
- The front block is so close to the pavement and close to the bridge on the Honeybourne Line.
- There are empty retail units near the application that are in close proximity to the proposed site that would be much more suitable.

The Head of Planning then made the following points:

- With regard to the viability appraisal the planning department will fully publish these going forward. On this application the confidential viability reports had been circulated to members of the planning committee.
- It is not the role of the planning committee to deal with the large hoarding.

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The matter then went to Member Questions. The responses were as follows:

- There is no car access to any of the blocks, there is only pedestrian access.
- The developer has not considered leaving more space at the front for delivery or a pull in bay.
- The trees outside of the site are in a bad state and they are not covered by a TPO.
- Parking zone 12 is the most convenient, however it has been recommended that the residents of this property will be precluded from obtaining parking permits.
- A small part of the site is under council ownership, however this is not a planning concern.
- The footpath is generally 1.8 meters away from the highway.
- There is secure storage for 18 bikes on the ground floor of block A.
- This application pre dates the bio diversity net gain policy, although there could be limited landscaping within the site.
- It could not be confirmed that there will be any gas on the site.
- There is nothing in the application with regard to netting against seagulls, however this could be imposed as a condition by the committee.

The matter then went to Member debate where the following points were raised:

- This is a difficult decision to make as there are highway issues with no pull in for bin lorries or deliveries.
- The building is ugly and the flats will be on the open market which means some of them will become Airbnb and people who visit them usually have a vehicle.
- Letting developers build flats where furniture cannot be moved in without causing a problem.
- Parking is a major issue and looking at the plans it would not have been impossible to design a drop off spot.
- The design of the block is not accessible.
- The Council does not have a 5 year housing supply and highways have approved the application, the committee needs planning grounds to refuse the application as an appeal could be costly.
- The application site will be overdeveloped and the application could have been designed with a drop off spot.
- It is not the first car free development – as long as the seller is honest and open about the new owners not being able to buy a permit it should not be a problem.
- The lack of affordable housing is an issue, the independent assessment didn't deem it viable to have affordable housing.
- Road safety is a real concern.

The matter went to the vote on the officer recommendation to permit subject to unilateral undertaking:

For: 5

Against : 6

The committee then discussed the grounds for refusal and identified highway safety and amenity with conflict with policies SD4 and SD14 of the Development Plan.

The Chair acknowledged these reasons to which there was no dissent

8 24/00251/CONDIT Oakley Farm, Priors Road, Cheltenham

The planning officer introduced the report.

There were 3 public speakers on the application one objector and two ward councillors.

The public speaker in objection made the following points:

- Site gradients are not just an issue for vehicles, they are also an issue for cyclists and the elderly.
- 56% of the access road is of an unreasonable gradient this does not assist Cheltenham with the Net Zero Policy as the road will be steep people will have to use a car.
- At the appeal the inspector stated that it is a balancing exercise as it is acknowledged that Cheltenham needs more homes but needs to be fair to all. The application needs to be safe and permeable and it was shown to be safe at appeal which the applicant disputes.
- With regard to Condition 13 there needed to be the removal of perceived ambiguity, it has been made clear and unambiguous which should be sufficient.
- The condition should be aligned with the Manual for Gloucestershire Streets. There is lack of clarity in the new condition wording with regard to safety.
- To quote the inspector "the requirement of the condition is fundamental" and without this the application should be refused.
- National planning was only approved under strict conditions.
- There is no ambiguity in the original condition.

Councillor Chidley as the Ward Councillor addressed the committee and made the following comments:

- To recap, the original application was rejected by the Cheltenham Borough Council Planning committee, however the inspectorate made a different decision.
- The residents of Battledown want the application to be the best it can be.
- The Council must be diligent, the gradient is too steep as the parameters are between 1/20-1/12 for up to 30 meters. This is not acceptable.
- A gradient of 1/12 is safe for wheelchair users with assistance.

- On the current plans 56% of the application is at a higher gradient than that.
- The access to the bungalows is too steep to get up a ramp (and indeed get a ramp installed) let alone get into the property.
- The steepness of the gradient will make people take to their cars rather than walk.
- The development that has been suggested will damage trees.
- The wording of the condition must remain as it is, the applicant is the only person who finds it ambiguous.

Councillor Babbage as the Ward Councillor then addressed the committee and made the following comments:

- The site is well known to many.
- Outline permission has been granted which reluctantly has to be accepted.
- The inspector imposed gradients for good reason, he reiterated that the gradient would be difficult for pedestrians and cyclists.
- If the original application had all the information the committee may have made a different decision.
- He urged the committee to reject the scare attempt from the applicant and reject the condition.

The matter then went to Member questions and the responses were as follows:

- The officer suggested revised condition is not the words of the inspector, but it does tie in with the MfGS. The Legal Officer explained that the discussion at the Inquiry was between the appellant and GCC, the current Condition 13 wording in the appeal letter is that of the appeal Inspector and forms part of the appeal decision.
- This is not a matter of if the Inspector is right or wrong, the law acknowledges that following a grant of planning permission some conditions may be changed or modified. The wording of a condition can change.
- CBC and GCC agreed with the Inspector with regard to condition 13, it was agreed that the gradients of up to 1/12 would be no longer than 30m in length. The proposal is in line with the Manual for Gloucestershire Streets, however this document doesn't specifically mention that gradients of between 1:20 and 1:12 cannot be longer than 30m. The MfGS is silent on this matter.
- The purpose of the proposal at the committee today is to decide if the modification is acceptable in planning terms or not.
- The original applicant appealed against the Council's non determination of the original outline application. The application was allowed on appeal with conditions, the original applicant then sold the site.
- The current reserved matters scheme was discussed with the Highway Authority at length and it was only at the latter stages of the discussions that the Highway Authority considered there was a conflict with the requirements of condition 13. GCC are happy that the current reserved matters road design will be of adoptable standard and also with the revised condition imposed.
- The suggested condition 13 wording is MfGS compliant. The applicant will need to provide evidence of the need for any gradients between 1/20 and

1/12 which exceed 30 metres in length and it will then be for CBC to decide if these gradient lengths are necessary to protect trees, retained landscape features, the environment and neighbour amenity. The planning officer stated that it may be a better scheme with the suggested condition.

- It was suggested that if there were less than 250 properties built on the site that it would unlikely change the road gradients. If the variation is approved it will maximise the amount of housing.
- Officers have been informed by the applicant and highways that there is only one way that the road can traverse the site.
- The Head of Development Management confirmed that the condition was necessary to meet planning requirements. Legislation allows for the condition to be amended and if the committee refuses to consider the amendment because, for example, they believe the original condition is better, and thereby refuse the application it will be undefendable at appeal.
- It was confirmed that if the committee didn't agree with the proposal the application would revert to the original condition.
- The current reserved matters application has not been changed in response to this application, however, it was realised late on in the reserved matters conversations that the design of the roads was a problem in satisfying the requirements of original condition 13. The Head of Development Management reiterated that the committee needed to determine if the variation was acceptable in planning terms.
- The planning officer explained that there will be an opportunity to address issues of landscaping, design, appearance, layout, access arrangements and engineering works later on in the process. Condition 13 variation is the only matter before the committee at the moment. The officer stated that if refused it would be largely undefendable at appeal.
- The Legal Officer again reiterated that as condition 13 complied with the MfGS there will need to be robust planning grounds to refuse the application.
- Road gradients will be considered under reserved matters and not at that stage.
- The applicant needs to provide evidence as to why the gradients would need to be increased and the planning officer would need to be satisfied that any increase in gradients is necessary.
- The planning officer stated that the revised wording would give extra clarity and security for the Council at the reserved matters stage.

The matter then went to debate where the following points were raised:

- Aware that the application is an outline permission that at the moment does not affect the 5 year housing supply.
- The gradient is a huge concern, although there was acceptance that housing is needed on Harp Hill.
- There are clear indications that to go against the recommendation would be undefensible at appeal and it would be a mistake for the committee to vote against the proposal.

- With the gradient at 1:12 it is accepted that people will have to be pushed in a wheelchair.
- The highways officer pointed out that the MfGS is stricter than the national guidance with regard to gradients.
- Any consultee can make suggestions to change a condition. GCC could make stipulations as to what they want.
- The Chair then reminded Members that there has to be a planning reason to refuse the application.

The matter then went to the vote to permit:

For: 10

Against: 1

9 23/01545/CONDIT Playing Field adj, 10 Stone Crescent, Cheltenham, GL51 8DP

The Planning Officer introduced the report as published.

There were 2 speakers that wished to speak on the item – one Ward Councillor and a County Councillor.

The Ward Councillor addressed the committee and made the following points:

- The applicant has worked with residents to improve the plans, including traffic and sustainability.
- There will be a three metre path between King George 5th and Stoneville Crescent.
- There have been reports to the police with regard to motorbikes in the park.
- Increased parking for sports events will be low to non-existent.
- Complaints of anti-social behaviour relate to people trying to access the park.

The Borough Councillor then addressed the committee and made the following points:

- Down stream of the application site have experienced sewage flooding.
- There is no affordable housing on the site despite the forecast profit.
- There have been 2 applications before the committee at this meeting that have no provision for affordable housing.

The responses to Member questions were as follows:

- Sewage and water were considered in the original application.
- the viability assessment cover what profit can be gained from the development.
- A development is allowed to make a profit and the profit should be between 15-20%.

- There will be a viability review if there is more profit after the properties are sold.

There was no Member debate and the matter then went to the vote on the officer recommendation to permit.

For: 11 - Permit

10 23/02140/FUL 16 Eldorado Road, Cheltenham, GL50 2PT

The planning officer introduced the report as published.

There were no Member questions and no debate.

The matter then went to the vote to permit:

UNANIMOUS – Permit.

11 24/00096/FUL 1 Dinas Road, Cheltenham, GL51 3ER

The planning officer introduced the report.

There were no Member questions.

There was no Member debate.

The matter went to the vote on the officer recommendation to permit.

UNANIMOUS - permit

12 Appeal Update

Appeal details were noted for information.

13 Any other items the Chairman determines urgent and requires a decision

There were none.

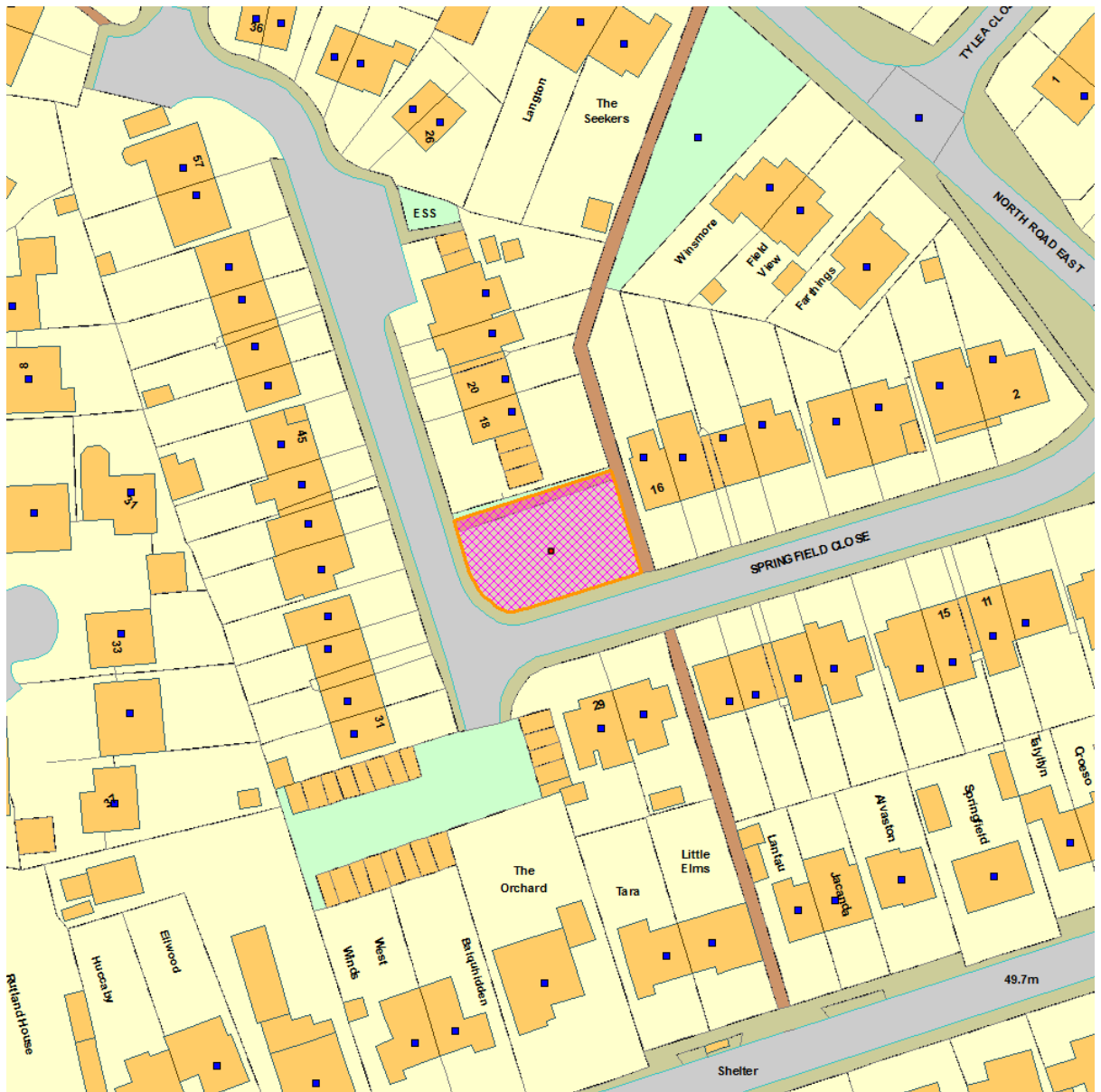
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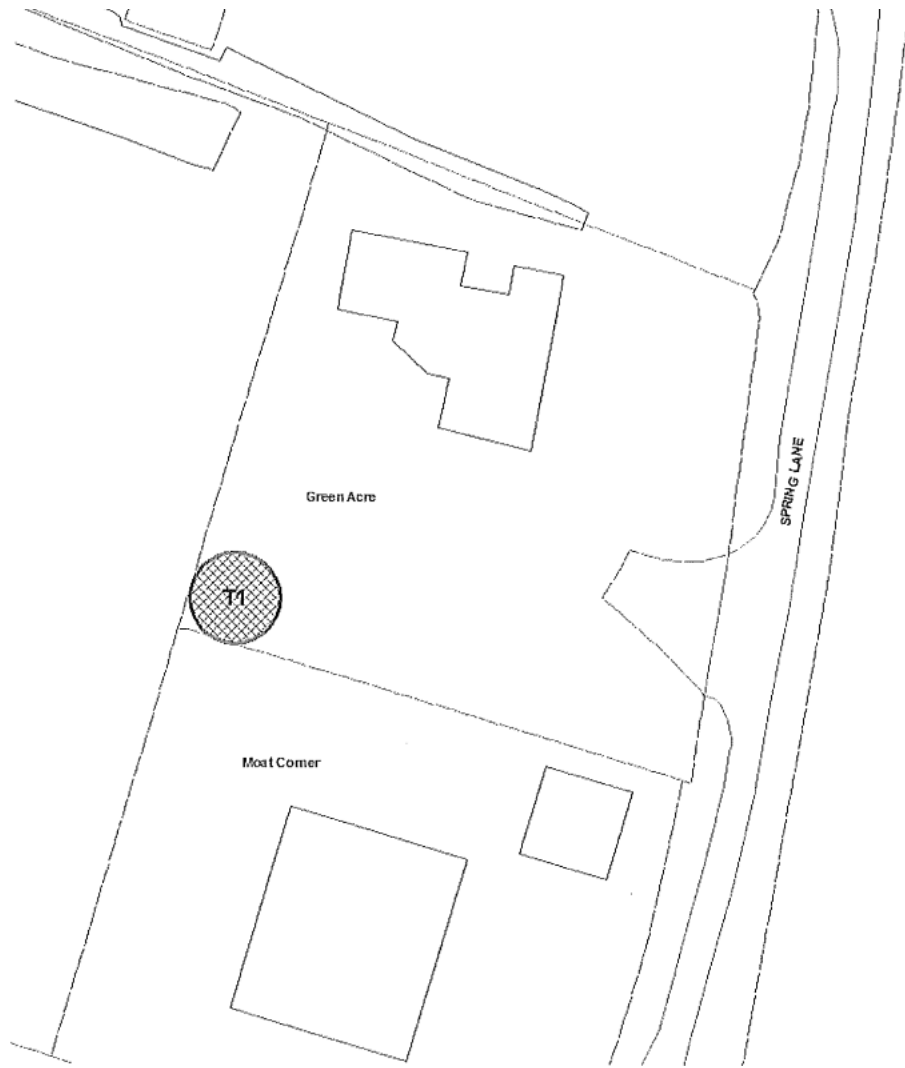
Officer Report

APPLICATION NO: 24/00812/TREEPO		OFFICER: Sam Reader
DATE PROVISIONAL TPO MADE: 22/2/24		DATE OF EXPIRY: 22/8/24
WARD: PRESTBURY		PARISH: PRESTBURY
LOCATION:	Green Acre, Spring Lane, Prestbury	
PROPOSAL:	Protect by TPO one pine tree to rear of Green Acre	

RECOMMENDATION: Confirm TPO

Site map:





1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 Address is at the end of a quiet lane in Prestbury (albeit one that appears to be popular with pedestrians.)
- 1.2 There are trees of varying quality around the site. The Scots pine is the highest value, having the best form and the longest likely lifespan ahead of it. Although it is to the rear of the site, it has fair visibility and contributes to the locality. It is not yet fully grown and has the potential to be a much taller tree visible from many angles and some distance.
- 1.3 The tree overhangs the neighbouring property, Moat Corner, and to a lesser extent (or with less impact) the paddock to the rear.
- 1.4 The TPO has been made in response to planning applications 23/01618/PIP and 23/02089/OUT although these applications did not seek the removal of the tree.
- 1.5 Cheltenham Tree Services have sought permission (under application ref 24/00352/TPO) to prune the tree and permission has been granted for this pruning (see details below).

2. RELEVANT PLANNING HISTORY

Relevant Planning History:

23/01618/PIP – one dwelling (withdrawn)

23/02089/OUT – one infill dwelling (permitted)

24/00352/TPO – crown reduction of 2m height and spread, crown lift to 7m (permitted)

24/00554/FUL – replacement dwelling (pending)

3. POLICIES AND GUIDANCE

Adopted Cheltenham Plan Policies

GI2 Protection and replacement of trees

GI3 Trees and Development

4. PUBLICITY AND REPRESENTATIONS

- 4.1 Copies of the TPO were sent to the owner and immediate neighbour (where the tree overhangs), and a site notice was displayed.
- 4.2 In response to this, the owner of Moat Corner submitted an objection (no other responses were received). The key points were:
 - Amenity value of tree is low and not deserving of a TPO
 - Effects of tree escaping property boundary:
 - Roots lifting paving slabs

- Overhanging branches provide perch for pigeons who make a mess of paving slabs
 - Seasonal debris drop (needles / cones)
 - These factors led to the removal of an arbor that had been installed under the tree, and to the patio becoming unusable
- The admin burden and cost of applying for repeat works

5. OFFICER COMMENTS

The tree appears to be in good condition and should have a good safe lifespan ahead of it. It has good form and contributes to its surroundings.

The planning applications permitted on site would not remove the tree. However, they would likely increase pressure for removal of the tree. The new context for the tree would be a much reduced garden with reduced leisure space, a perception of increased risk of damage to property or injury, an increased likelihood of conflict arising from debris drop, shading, nuisance etc.

Policy GI2 of the Cheltenham Plan states:

The Borough Council will resist the unnecessary felling of trees on private land, and will make Tree Preservation Orders in appropriate cases.

Although no removal of the tree has yet been formally proposed, it is outside of any Conservation Area so is vulnerable during construction and beyond.

Policy GI3 of the Cheltenham Plan states:

Development which would cause permanent damage to trees of high value will not be permitted.

Given that the harm to the tree is foreseeable or at least likely, as a result of increased pressures from development, a TPO to protect the tree (coupled with protective measures during construction as conditions of permission) appeared a more appropriate approach than not permitting development.

Addressing the objection:

- The tree is in good condition, shows good vitality, has excellent colour and good form. It is currently visible from the road and is not yet fully grown. It has many safe years ahead of it. By these criteria, it can be judged to have good amenity value.
- The patio slabs have been lifted. This can be remedied by relaying them on sharp sand to allow for root growth.
- The overhanging branches have been and can continue to be pruned. Debris drop and pigeon guano are not reasonable grounds not to protect a tree.
- The admin burden of applying for tree works is minimal, often taken on by contractors on behalf of clients and should not represent a reason for not applying the TPO legislation. The Council does not apply a fee for applications to work on trees protected by TPO.
- CTS have applied for works to the tree that would reduce the nuisance element to Moat Corner. This application was permitted well within the timeframe afforded to LPAs (which is 8 weeks) at no cost (financial or otherwise) to the owner of Moat Corner.

6. CONCLUSION AND RECOMMENDATION

The TPO is justified:

- The tree is high value with a good safe life expectancy. It appears to be in good condition and has good form.
- It has good public visibility with growth likely to increase this.
- Development around it is likely to increase pressure on it both during construction and beyond.
- The objections to the TPO can be addressed through pruning and reasonable adjustments to accommodate the tree's roots.
- On balance, the benefits of the tree outweigh the problems it is causing.

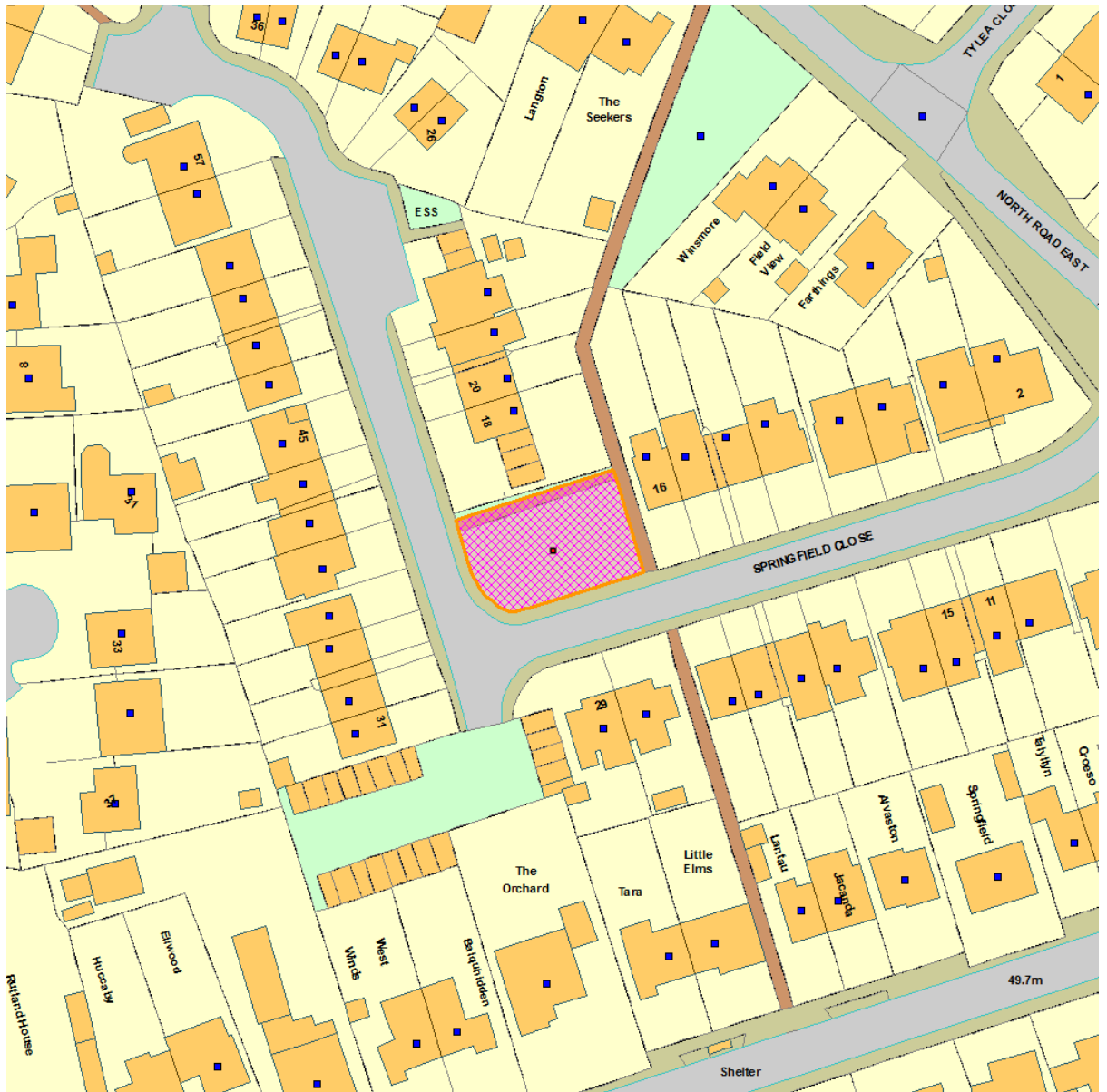
Therefore, the Officer's recommendation is to confirm the TPO.

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Officer Report

APPLICATION NO: 24/00389/FUL		OFFICER: Mr Ben Warren	
DATE REGISTERED: 7th March 2024		DATE OF EXPIRY: 2nd May 2024	
DATE VALIDATED: 7th March 2024		DATE OF SITE VISIT:	
WARD: Benhall/The Reddings		PARISH:	
APPLICANT:	BinCloud Construction Ltd		
AGENT:			
LOCATION:	Land At Springfield Close The Reddings		
PROPOSAL:	Erection of one dwellinghouse		

RECOMMENDATION: Permit



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site relates to a small rectangular piece of land (approximately 0.35 hectares) located on a corner between number 16 and 18 Springfield Close. The site is located within the Principal Urban Area (PUA) and in a built up residential area of Cheltenham.
- 1.2 The applicant is seeking planning permission for the erection of one dwellinghouse.
- 1.3 The application is at planning committee at the request of Councillor Collins due to the level of local interest in the application.
- 1.4 During the course of the application revised plans have been submitted in response to officer's comments/concerns regarding site layout, scale, form and design.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Airport safeguarding over 15m
Principal Urban Area

Relevant Planning History:

23/02014/PREAPP 12th December 2023 CLO

To erect 2 x 3 bed semi detached dwelling on land adjacent to 20 Springfield Close The Reddings, Cheltenham, Gloucestershire, GL51 6SE

23/02028/PREAPP 14th December 2023 CLO

Erection of 2 x four bedroom houses

24/00258/PREAPP 26th February 2024 CLO

Erection of 1 residential dwelling.

23/02144/FUL 5th February 2024 WDN

Erection of two dwellings on land at Springfield Close with parking and associated alterations

3. POLICIES AND GUIDANCE

Section 11 Making effective use of land

Section 12 Achieving well-designed places

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

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

BG1 Cotswold Beechwoods Special Area of Conservation Recreation Pressure

Adopted Joint Core Strategy Policies

SD3 Sustainable Design and Construction

SD4 Design Requirements

SD8 Historic Environment

SD9 Biodiversity and Geodiversity

SD10 Residential Development

SD14 Health and Environmental Quality

INF1 Transport Network

INF2 Flood Risk Management

Supplementary Planning Guidance/Documents

Development on garden land and infill sites in Cheltenham (2009)

Climate Change (2022)

4. CONSULTATIONS

Building Control - 25th March 2024

This application will require Building Regulations approval. Please contact Cheltenham and Tewkesbury Building Control on 01242 264321 for further information.

GCC Highways Planning Liaison Officer - 19th March 2024

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

The justification for this decision is provided below.

Following extensive correspondence, I am now satisfied with the layout as proposed and therefore raise no objections.

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 (Individual)

The Development hereby approved shall not be occupied until the access and parking facilities have been provided as shown on drawing 1A.

Reason: To ensure conformity with submitted details.

Informatives

Alterations to Vehicular Access

The Local Highway Authority has no objection to the above subject to the applicant obtaining a section 184 licence. The construction of a new access will require the extension of a verge and/or footway crossing from the carriageway under the Highways Act 1980 - Section 184 and the Applicant is required to obtain the permission of Gloucestershire Highways on 08000 514 514 or highways@gloucestershire.gov.uk before commencing any

5. PUBLICITY AND REPRESENTATIONS

5.1 35 letters were sent to neighbouring land users, and a site notice was displayed. In response to this neighbour notification process a total of 27 letters of objection have been received. The concerns have been summarised but are not limited to the following:

- Scale, form and design of the proposed dwelling not in keeping with existing development
- Impact on the design and character of the area
- Loss of open green space
- Parking congestion

- Highway safety
- Impact on existing footpaths/public rights of way
- Flood risk

Due to the nature and extent of the local objections, officers did not consider it necessary to re-notify neighbours on the revised plans as the majority of the concerns would remain.

- 5.2 A letter of representation has been received by Councillor Nigel Britter (received 09.04.24), which raises concerns on behalf of locals residents, similar concerns to those summarised above.

6. OFFICER COMMENTS

6.1 Determining Issues

- 6.2 The main considerations in relation to this application are the principle of development, design and layout, the impact of the proposal on neighbouring amenity, parking and highway safety, sustainability, impact on the Beechwoods Special Area of Conservation and Bio-Diversity Net Gain.

6.3 Planning history and site context

- 6.4 The application site relates to a small rectangular piece of land (approximately 0.35 hectares) located on a corner between number 16 and 18 Springfield Close. The land is an open area of grass with no structures or buildings. The highway and footpath of Springfield Close runs along the southern and western boundaries of the site. Existing footpaths also run across the northern and eastern boundaries of this parcel of land. The footpath to the east of the site runs along the rear boundaries of 18 – 22 Springfield Close and to the side of 18 Springfield Close, connecting Springfield close with North Road East.

- 6.5 The site is located within the Principal Urban Area (PUA) and in a built up residential area of Cheltenham. The existing properties in Springfield Close consist of terraced and semi-detached two storey dwellings finished in buff brick with pitched roof forms.

- 6.6 Recently an application for the erection of two dwellings on the site (planning reference: 23/02144/FUL) was submitted but was later withdrawn following concerns raised by officers with regards to site layout, scale, form, design, impact on the design and character of the area and impact on neighbouring amenity. Concerns were also raised regarding access and highway safety by Gloucestershire Highways. Following withdrawal of this application a formal pre-application was submitted where the LPA were asked to comment on a scheme for one dwelling.

6.7 Principle

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

- 6.9 Where housing policies are out-of-date (including situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites), the NPPF is quite clear that development proposals should be approved without delay unless any adverse impacts of doing so would significantly and demonstrably outweigh the

benefits, when assessed against the NPPF policies as a whole, or specific NPPF policies provide clear reason for refusal. At the time of considering this application Cheltenham cannot currently demonstrate a 5 year housing land supply, and therefore this presumption in favour of sustainable development is triggered.

- 6.10 As the council cannot currently demonstrate a 5 year housing land supply, paragraph 11 d) is applicable to this application. Paragraph 11 d) states that permission should be granted unless:
- i) The application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development; or
 - ii) Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework.
- 6.11 JCS policy SD10 relates to residential development and advises how housing development and conversions to dwellings will be permitted on previously developed land in the Principal Urban Area (PUA). The application site is located within a built up area of Cheltenham, adjacent to existing residential development, with access to local amenities and public transport links. The site is therefore in a highly sustainable location, is considered to be appropriate for residential development and is compliant with adopted JCS policy SD10.
- 6.12 Given the above, there is no fundamental reason to suggest that the principle of a dwelling on this site would be unacceptable, subject to all other material considerations, which are discussed below.
- 6.13 Design, layout and landscaping**
- 6.14 Section 12 of the NPPF refers to achieving well designed spaces and states that planning decisions should ensure that developments are visually attractive as a result of good architecture, layout and appropriate and effective landscaping.
- 6.15 Adopted Cheltenham Plan Policy D1 requires new development to adequately reflect principles of urban and architectural design; and to complement and respect neighbouring development and the character of the locality. Furthermore, JCS policy SD4 relates to design, and identifies considerations to include context and character, legibility and identity, amenity and space.
- 6.16 Further detail can also be found in Cheltenham's Supplementary Planning Document – Development on Garden Land and Infill Sites. This document sets out various elements that are considered to create the character of an area and includes grain, type of building, location of buildings, plot widths and building lines.
- 6.17 The application site is currently an undeveloped piece of grass land located on a corner plot to the north side of Springfield Close. The application site has a prominent position in the street scene and whilst the area of grass is not of particular merit for its existing planting value, it provides a positive area of open green space in this reasonably dense residential area. This area of open space offers some relief from the surrounding built development, particularly as the road junction here is at 90 degrees. Whilst officers acknowledge the value the existing area of greenspace has, this land is not designated or protected in anyway and is privately owned. As such, there is no policy reason that would prevent development of this land, subject to all material planning considerations which are discussed below.
- 6.18 The application proposes the erection of a detached two storey dwelling facing south west. As originally submitted, officers raised concerns regarding the site layout, scale,

form and design of the dwelling. The position of the dwelling did not reflect the established building line of existing development and the overall scale, form and design of the dwelling was not considered to reflect that of the existing development, which is broadly uniform in design and appearance. In response to the concerns raised, revised plans have been submitted for consideration.

- 6.19 The revised plans now show a reduction in the scale of the dwelling and it has been repositioned so as to respect the established building lines of the properties to the north and to the east. The reduced footprint of the dwelling now better reflects that of existing development and the design and appearance of the dwelling has also been amended to now reflect that of the existing development in Springfield Close.
- 6.20 The proposed site layout includes a new dropped kerb, driveway and off road parking for 2 vehicles to the front of the property. To the rear of the property, the site would benefit from a private rear garden, enclosed by a 1.8 metres timber fence. The garden space to the rear would provide sufficient space for the storage of bins and bikes. The layout is considered to be acceptable and continues to reflect that of the neighbouring development.
- 6.21 The proposed materials are brickwork, roof tiles and white windows and doors to match existing development. This is considered to be acceptable and appropriate in this context and will ensure the development is in keeping with the design and appearance of the existing properties in Springfield Close.
- 6.22 Officers are mindful of the value of the existing green space, which provides some relief from the existing built-up environment. Officers also acknowledge that local residents have benefited from the use of this land as an area for outdoor recreation and play. However, as already noted, the land is in private ownership and is not protected in policy terms, and, as such, it cannot be considered as a community asset and cannot be protected for that reason. Whilst officers acknowledge that development of this land will impact on the design and character of the street scene, the amended scheme is not considered to be overly prominent or dominant, a large area of grass will remain to the side of the proposed dwelling, ensuring that the new development is well set back from the footpath and highway. Overall, officers are not of the view that the proposed development, in its revised form, would result in a level of harm that would warrant the refusal of planning permission.
- 6.23 Having considered all of the above, in its revised form, officers consider the proposal to be of an acceptable scale, form and design, and will not result in any unacceptable harm to the design or character of the area. As such, the development is considered to be compliant with Cheltenham Plan policy D1, JCS policy SD14 and Cheltenham's SPD – Development on Garden Land and infill sites.
- 6.24 Landscaping details have not been provided and are considered necessary for this prominent corner plot, as such, a condition has been suggested which requires the submission of a detailed landscaping plan. In addition, specific material details are considered necessary and therefore a condition has been suggested.
- 6.25 Due to the prominent corner plot position, officers feel it necessary to remove permitted development rights for new boundary treatments, this is to ensure that the openness of the corner plot is not lost. A further condition has therefore been suggested.
- 6.26 **Impact on neighbouring amenity**
- 6.27 It is necessary to consider the impact of development on neighbouring amenity. JCS Policy SD14 and Cheltenham Plan Policy SL1 state how development should not cause unacceptable harm to the amenity of neighbouring properties. Matters such as a

potential loss of light, loss of privacy, loss of outlook, noise disturbances and overbearing impact will therefore be considered.

6.28 The neighbouring land users that would be most affected by the proposed development are numbers 16 and 18 Springfield Close.

6.29 In terms of the impact on number 16 Springfield Close, this property has a number of windows located in its side elevation which face towards the application site. The smaller ground floor window is a secondary window to the living room and the smaller first floor window is a secondary window to a bedroom. The larger ground floor window serves a kitchen and the larger first floor window serves a bedroom.

The smaller windows are secondary light sources, with the main light sources being in the front elevation and would be unaffected by the proposed development. Similarly, the larger side facing windows that serve the kitchen and the bedroom, also have other light sources in rear elevation of the property which would be unaffected. As such, officers do not consider an unacceptable loss of light or outlook will occur.

With regards to privacy, Cheltenham Plan policy SL1 requires a distance of 10.5 metres for window to boundary distances and 21 metres between windows that face each other, the rear elevation windows of the proposed dwelling would fall short of these distances, and, as such, a condition has been suggested which requires the upper floor rear elevation windows to be obscurely glazed and high level opening. This will suitably protect the privacy of this adjacent land user. In addition, two further conditions are considered necessary, one restricts the insertion of any further first floor rear elevation openings and the other restricts the addition of dormer windows, which in the future could normally be carried out under permitted development if no restrictions are imposed. The inclusion of these conditions would ensure that the neighbour's privacy is maintained in the future.

6.30 In terms of impact on number 18 Springfield Close, a number of garage buildings are located between this neighbouring property and the application site, these garages provide a generous separation distance. Due to the position of the proposed dwelling and its relationship with this neighbouring land user, officers do not consider any unacceptable loss of light, loss of outlook, or loss of privacy would occur.

6.31 The proposed front and side elevation windows of the new dwelling would overlook the highway and are considered to be a sufficient distance away from properties on the opposite side of the highway so as not to result in any unacceptable loss of privacy. This proposed relationship would be the same as existing properties in Springfield Close.

6.32 Concerns regarding a loss of outlook and visual impact on number 27 and 29 Springfield Road were raised by officers during the previous application for two dwellings as their front elevation windows would directly face the proposed side elevation of the development. However, this amended scheme moves the development further away from these properties, and new side facing windows have been introduced in order to break up an otherwise blank elevation. Officers do not consider any unacceptable loss of outlook or visual impact would occur.

6.33 In terms of impact on neighbouring amenity, with the conditions in place, the proposal is considered to be compliant with adopted Cheltenham Plan (2020) policy SL1 and adopted JCS policy SD14.

6.34 **Highway considerations**

- 6.35 Gloucestershire County Council as the local Highways Authority were consulted on this application, their detailed comments can be read above. No objection has been raised subject to a compliance condition.
- 6.36 The development is not considered to result in any unacceptable highway safety implications, is considered to achieve a suitable access and parking provision. In addition, sufficient cycle storage can be achieved within the rear garden. The development therefore accords with JCS policy INF1.
- 6.37 Comments from local residents have suggested that the proposed site layout plans are mis-leading and do not accurately represent the real-life situation. This has been further queried with the Highway officer at Gloucestershire County Council, who confirms their position in their latest comments, which raises no objection to the application on access, highway safety or parking grounds.
- 6.38 **Sustainability**
- 6.39 JCS policy SD3 requires new development to be designed and constructed to maximise the principles of sustainability. Development proposals are required to demonstrate how they contribute to the aims of sustainability and shall be adaptable to climate change in respect of the design, siting, orientation and function of buildings and outside space.
- 6.40 Further supporting text which discusses JCS policy SD3 identifies how the design of development should first identify measures to reduce overall energy demand before the use of renewable energy technologies. It is noted that this can be achieved through the choice of building fabric and construction techniques, optimising solar gain, natural lighting and ventilation to reduce the need for heating, cooling and lighting. It also suggests that design measures should seek to use energy more efficiently, such as increasing levels of insulation and improved air-tightness.
- 6.41 It is also important to note that Cheltenham has recently adopted a new Supplementary Planning Document – Cheltenham Climate Change (adopted June 2022) which is therefore relevant to the considerations of this application. This SPD sets out a strategy for how buildings should respond to the climate change and biodiversity crisis and sets out how applicants can successfully integrate a best practice approach towards climate and biodiversity in their development proposals.
- 6.42 The application is supported by a sustainability statement which discusses key measures such as transport and travel, optimum energy design, water, ecology and bio-diversity, flooding, embodied carbon and waste. Specifically, the statement confirms that:
- The building will have quality insulation levels to the walls, roof and floors.
 - Triple glazed windows are proposed
 - An air or ground source heat pump will be installed
 - Water saving fixtures, rainwater harvesting system and efficient appliances will be installed
- 6.43 Officers also note that current building regulations will require the installation of an Electric Vehicle Charging point which will also contribute to the sustainability of the proposal.
- 6.44 Overall, given the scale of development, which is for one infill residential development, officers consider the identified measures to be acceptable and the development to be compliant with JCS policy SD3 and the newly adopted Climate Change SPD.

6.45 **Flooding and drainage**

6.46 The application site is wholly located in flood zone 1 and is therefore not considered to be susceptible to any flood risk, nor is there any reason to suggest that the proposed development would result in any flooding implications, or unacceptable surface water issues for neighbouring development. The development is therefore considered to be acceptable and accords with JCS policy INF2.

6.47 **Impacts on Beechwoods Special Area of Conservation (SAC)**

6.48 The site is within a zone of influence as set out in the Cotswold Beechwoods SAC Recreation Mitigation Strategy (May 2022) for recreational pressure for the Cotswold Beechwoods SAC, which is afforded protection under the Conservation of Habitats and Species Regulations 2017 (as amended).

6.49 Cheltenham plan policy BG1 states that development will not be permitted where it would be likely to lead directly or indirectly to an adverse effect upon the integrity of the European Site Network and the effects cannot be mitigated. All development within the Borough that leads to a net increase in dwellings will be required to mitigate any adverse effects. Without appropriate mitigation, the proposed development is likely to have a significant effect on the Cotswold Beechwoods SAC (either alone or in combination with other development) through increased recreational pressure.

6.50 The Council has undertaken an Appropriate Assessment and considers the measures set out in the Mitigation Strategy necessary to provide adequate mitigation to address the impacts of the proposal. With regards to mitigation, the applicant can either enter in to a S106 agreement for a contribution to the measures in that strategy or the applicant can provide their own bespoke strategies to mitigate the impacts the proposed development will cause.

6.51 In this instance, the applicant has opted to enter in to a S106 agreement and make the contribution of £673 per additional dwelling. As such, the application is considered to be acceptable in terms of SAC mitigation.

6.52 **Bio-diversity Net Gain**

6.53 As of 2nd April 2024, all minor developments for new housing requires a mandatory 10% requirement for Bio-diversity Net Gain. Whilst this application is minor development for one new residential dwelling, the application was submitted well before the BNG requirement came into effect and is therefore exempt.

6.54 **Footpaths**

6.55 Concerns have been raised in local representations with regards to the impact of the works on existing footpaths. One footpath crosses the land, east to west, adjacent to the boundary with number 18 Springfield Close. The other runs north to south, along the rear boundary of the application site, adjacent to number 16 Springfield Close.

6.56 The footpath that runs across the northern section of the site is not an adopted Public Right of Way, however the footpath that runs along the rear boundary of the site, is a public right of way, path number: ZCH96. The proposed development does not affect the adopted Public Right of Way footpath, as such no concerns are raised from a public rights of way point of view. The applicant has also chosen to retain the additional footpath to the north of the site which maintains pedestrian connectivity.

6.57 **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 As already noted, the council cannot currently demonstrate a 5 year housing land supply and therefore the housing policies are out-of-date, with this being the case the NPPF requires development proposals to be approved without delay, unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits of the scheme, when assessed against the NPPF policies as a whole, or specific NPPF policies provide a clear reason for refusing the application.
- 7.2 In this instance the benefit of the scheme would be a contribution of an additional residential dwelling to Cheltenham’s much needed housing stock.
- 7.3 Whilst officers duly acknowledge the concerns of residents, having secured revised plans, officers do not consider there to be a clear reason for refusing the application, or that any adverse impacts would outweigh the benefits of the scheme. As such, officer recommendation is to grant planning permission, 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 No external facing or roofing materials shall be applied unless in accordance with:
a) a written specification of the materials; and/or
b) physical sample(s) of the materials.

The details of 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, having regard to adopted policy D1 of the Cheltenham Plan (2020) and adopted policy SD4 of the Joint Core Strategy (2017).

- 4 Prior to the implementation of any landscaping, full details of a hard and/or soft landscaping scheme 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 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.

- 5 The Development hereby approved shall not be occupied until the access and parking facilities have been provided as shown on drawing 1C.

Reason: To ensure conformity with submitted details, and to ensure a safe and suitable access to the development is provided and maintained in the interests of highway safety, having regard to adopted policy INF1 of the Joint Core Strategy (2017).

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

Reason: Any further boundary treatment requires further consideration to safeguard the amenities of the area, having regard to adopted policy D1 of the Cheltenham Plan (2020) and adopted policy SD4 of the Joint Core Strategy (2017).

- 7 Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and/or re-enacting that order with or without modification), no dormer windows shall be erected without express planning permission.

Reason: The addition of a dormer window requires further consideration to safeguard the amenities of the neighbouring land users, having regard to adopted policy SL1 of the Cheltenham Plan (2020) and adopted policy SD14 of the Joint Core Strategy (2017).

- 8 Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and/or re-enacting that order with or without modification), no additional first floor windows, doors and openings shall be formed in rear elevation of the development hereby approved; without express planning permission.

Reason: Any further openings require detailed consideration to safeguard the privacy of adjacent properties, having regard to adopted policy SL1 of the Cheltenham Plan (2020) and adopted policy SD14 of the Joint Core Strategy (2017).

- 9 Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and/or re-enacting that order), the first floor rear elevation windows shall at all times be glazed with obscure glass to at least Pilkington Level 3 (or equivalent) and shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above floor level of the room that the window serves.

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

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 address concerns regarding site layout, scale, form and design;

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

- 2 The construction of a new access will require the extension of a verge and/or footway crossing from the carriageway under the Highways Act 1980 - Section 184 and the Applicant is required to obtain the permission of Gloucestershire Highways on 08000 514 514 or highways@gloucestershire.gov.uk before commencing any works on the highway. Full Details can be found at www.gloucestershire.gov.uk .

APPLICATION NO: 24/00389/FUL		OFFICER: Mr Ben Warren	
DATE REGISTERED: 7th March 2024		DATE OF EXPIRY : 2nd May 2024	
WARD: Benhall/The Reddings		PARISH:	
APPLICANT:	BinCloud Construction Ltd		
LOCATION:	Land At Springfield Close The Reddings		
PROPOSAL:	Erection of one dwellinghouse		

REPRESENTATIONS

Number of contributors	27
Number of objections	26
Number of representations	0
Number of supporting	0

57 Springfield Close
 The Reddings
 Cheltenham
 Gloucestershire
 GL51 6SG

Comments:

NONE GIVEN

36 Springfield Close
 The Reddings
 Cheltenham
 Gloucestershire
 GL51 6SF

Comments: 26th March 2024

Letter attached.

10 Springfield Close
 The Reddings
 Cheltenham
 Gloucestershire
 GL51 6SE

Comments: 14th March 2024

Hi Planning Department

I am emailing to object to the new drawings submitted recently by Bin Cloud Construction.

Having carefully reviewed their statement and drawings, these are my following objections.

1. Firstly, they've used examples of other houses built nearby or Springfield House, to demonstrate how some houses have been built differently. Springfield house front door is actually facing North Road East, and therefore doesn't disrupt the look of the remaining close and was built on the garden of Number 1.
2. The other examples are Barrington Avenue, which currently does not affect Springfield Close, and these are not our direct neighbours. I find these examples irrelevant.
3. As per their application, this house can't be No.16 because this house already exists and No.16 is the house directly situated on the pathway, which any build would block their light.
4. I've noticed they have ticked there is no flood risk, then this is untruthful because the green currently allows for water to be absorbed, and neighbours near the green have been partially flooded before, even with this land not being utilised. Water has increased around my house and flooded No. 8's garage before, due to the incline of our driveways.
5. Has this been looked at by a flood expert for them to know this knowledge?
6. Once again, they are proposing a larger house which doesn't fit within what the remaining houses represent, because Springfield is fairly uniform in his house size and appearance.
7. In fact, to say larger is an understatement - this house is currently 35% larger than any other house in Springfield Close and is not in the same style either.
8. The landing, ensuite and WC are the same size as the master bedroom and bedroom 1.
9. The bedrooms exceed 41 square meters already.
10. The plan seems to be inconsistent showing a dormer above bedroom 3 but this isn't visible on elevation drawings.
11. A dormer style house would be inconsistent style to the remaining houses in Springfield Close.
12. Alongside the upper floor plan shows an unusually large sized landing space in proportion to the bedrooms, which suggests the potential need for space for stairs to an upper room. Supporting my points 5, 6, 7 and it is inappropriate for this not to be clear within the design and plans.
13. Having reviewed the front garden, I do believe this would still cause a problem with traffic, because that green space allowed 'full vision' of any cars exiting or entering around this corner. I'm based at No.10 and we drive down to this corner to turn around at times. Springfield Close is currently congested with cars.
14. Bin Cloud Construction have also not included any car parking space, so where do the cars park? A four-bedroom house could have 3 to 4 cars + visitors.
15. In addition to the above, there is no clarification as to who is responsible for the remaining land at the side, currently owned by Bin Cloud Construction, but shown on the plan as public space.
16. In fact what are the measurements for the remaining land, because if it's only a thin area remaining, then it will still create congestion problems.

17. Who also cares for the public footpath?
18. There appears to be quite a few inconsistencies, vagueness, and lack of information - the ariel image shows it as a front garden and other drawings show two spaces, with bin and bike store
19. They have taken no time to consider the affect building on this land would have prior to purchasing it.

Many thanks

***** / No 10

Comments: 28th March 2024

Hi Ben

Please accept my new objections in relation to Bin Cloud Construction's revised plans. My comments are as follows:

The first points are where I've copied and pasted using their Design and Access statement to demonstrate some relevant points for planning to consider

1. Please see their own design and access statement:

The height, width, length and massing would be similar to the immediate neighbouring properties. The proposed house would be set behind the existing building lines of the terraced and semi-detached houses at Springfield Close (see image below). The detailed design, material and colour will be similar to the neighbouring houses.

My comments are - The points in red are where they've contradicted their design and access statement compared to the plans they have submitted. They have not currently designed a house with a similar length, width, and height which matches the immediate neighbour properties.

The house is still 56% bigger than any other dwelling / three-bedroom house in Springfield Close. The uniformity of these houses cannot be questioned if you review their style, material, height, width, and mass.

2. Loss of Green Space as per their statement

More than half of the green space will remain undeveloped to protect the character and views of the local area. The existing side path will be retained. The footprint of house will only take 15% of the land. There will be sufficient visual gaps and open space kept. This means that the impact on the open green space and visual character is kept minimal (see sketch CGI image below).

Front garden and rear garden will be created to provide amenity space for the house as well as to keep the common character of the local area.

Points in red again contradict their new drawings with their design and access statement. Please take a look at the measurements of new plans and their CGI within this statement; the CGI is totally off-scale. The statement they've submitted with their plans does not correlate at all. The remaining green space would be smaller than what they are proposing if plans were approved. This land is no longer owned by Gloucestershire CC, Cheltenham CC or Tewkesbury CC so that all land could be lost within the foreseeable future; especially if fenced. Creating a blind corner that the Gloucestershire Highways Report initially objected to.

3. As per No.2 Springfield Close's comment supporting this green as a communal space for health and wellness within the National Development Framework, I would also like to highlight a 2nd area where the National Development Framework for allowing natural green community spaces was adhered to. Opposite Cold Pool Lane, on Grovefield Road, a new estate was recently developed (The old chicken farm and Mercantile & General recreation centre) These new homes were provided with natural green areas amongst this estate. The drainage system has been incorporated to look like a natural stream with flowers and grasses, and other green areas have been retained throughout the entire estate. This allows the houses to have access to nature and space, as and when they wish to use them. Why aren't the National Development Framework principles being considered here in an existing estate where you are potentially 'removing' our green space, instead of 'protecting' it.

4. Two areas down North Road East have green areas remaining which are playgrounds, so once again demonstrating the National Development Framework was adhered to. However, Springfield Close is the only open green space remaining within the North Road East area and Leyson Road.

5. I note they have changed space to represent a 'room' of 18 m², which is larger than the previous application submitted. Is this 'room' habitable because it will require windows? If so, the windows would cause a privacy issue to No.16. I note it contains a double stairwell, but this hasn't been made clear within their drawings. The space/room is significantly bigger than all four definite rooms listed. Five and four bedrooms do not match the existing houses' design. This house, or houses if developed, would stick out like a sore thumb within the close, and is also not in line with houses at all.

6. There is a blatant attempt to achieve planning permission without any real care to Springfield Close residents. The application also identifies four houses to be built - 1 bed, 2 bed, 3 bed or 4 bed. Once again this only supports my point that this application is very confusing. How would one toilet, but no bathroom be suitable for a 5-bedroom house?

7. I strongly object to the confusing plans because, as residents, we do need to know the 'purpose' of this house or properties. Once planning permission is provided, a dormer room could be developed, which would explain the larger area for a second staircase to another flight of stairs to a 3rd floor. This type of plan would impose lots of light restrictions and lack of privacy on NO.16. Regardless of my objections, there should be a general restriction on any additional height, width and fencing due to road safety. Any height would be a major concern for the lack of PRIVACY for No.16's and the lack of PRIVACY imposed on the opposite houses, where an additional room would look directly down into their bedrooms and front rooms.

8. They've demonstrated the 90 degree corner as being slightly larger in their drawings, when in fact it is NOT AS BIG as their drawing has shown. This corner has no square angle to it; it is a circular curve. I find this an unreasonable and false submission.

9. From the new drawings submitted, they have moved the parking spaces and added an additional drop down curve for two spaces, but because they have exaggerated the curve with an angler bend, these drop down spaces, or at least one of them, will still be on the bend of Springfield Close. I note the Highway Officers report also came in on the same day they submitted new plans - therefore does the Gloucestershire Highways

Traffic Report need to be reviewed again and resubmitted for a fair review of the new plans - particularly in relation to point No.7?

Why has Bin Cloud Construction exaggerated this measurement?

10. The road has existed since 1967 and is already congested. As per my telephone conversation, my 3-bedroom house can already accommodate 4 cars, so a 5-bedroom house will have many more cars than they are proposing. The road's access into the close on that corner does need to be considered more seriously.

11. What concerns me is the Emergency vehicles, along with the Waste Disposal trucks, not being able to access and exit this road successfully when it's congested. They already have trouble now and this needs to be reviewed because if someone was to experience a severe accident due to a new blind corner being created, or even an emergency vehicle being significantly delayed, then this responsibility would lay with Cheltenham Borough Council for not adequately listening to the real risks associated with the existing cars and corner now.

12. It would appear that Bin Cloud Construction has purposely designed a house with many conflicting pieces of information or lack of detail, and the design needs to be more concise and clearer, especially when considering the design, height (more so), materials and width of the existing houses.

13. Finally, has anyone requested to review the amenities located under this green? There must be a case why this green was left as a communal site, and I do believe other amenities and drainage are situated underneath it. There is currently a manhole on the pathway, but Bin Cloud Construction has neglected to reference where they would relocate this drain on any block plan/drawing.

Points previously submitted back on the 14th March which are still relevant.

1. Firstly, they've used examples of other houses built nearby or Springfield House, to demonstrate how some houses have been built differently. Springfield house front door is actually facing North Road East, and the side of the house matches the existing houses and therefore doesn't disrupt the look of the remaining close.

2. The other example is Barrington Avenue, which currently does not affect Springfield Close, and these are not our direct neighbours. I find these examples irrelevant.

12. Alongside the upper floor plan shows an unusually large sized landing space in proportion to the bedrooms, which suggests the potential need for space for stairs to an upper room. This space is even bigger now.

15. In addition to the above, there is no clarification as to who is responsible for the remaining land at the side, currently owned by Bin Cloud Construction, but shown on the plan as public space.

17. Who also cares for the public footpath?

Thank you.

No 10

9 Springfield Close
The Reddings
Cheltenham
Gloucestershire
GL51 6SE

Comments: 28th March 2024

Letter attached.

16 Springfield Close
The Reddings
Cheltenham
Gloucestershire
GL51 6SE

Comments: 14th March 2024

Letter attached.

Comments: 27th March 2024

Letter attached revised comment.

11 Springfield Close
The Reddings
Cheltenham
Gloucestershire
GL51 6SE

Comments: 13th March 2024

Whilst this application makes some concessions compared with the previous application for two dwellings, there are still significant issues due to the unclear and contradictory information within the documentation.

- 1) No information is provided on who would own or maintain the retained green area, and whether later planning applications will be made for additional dwellings.
- 2) Similarly, no information is provided regarding the construction, separation or maintenance of the retained pathway.
- 3) The application describes one building but lists the total number of dwellings as four (consisting of one 1-bed, one 2-bed, one 3-bed, and one 4+bed).
- 4) The application references a front garden but also two parking spaces at the front of the property - there is insufficient space for both of these to be true.
- 5) The new dwelling will still have an impact on visibility and safety on the corner of Springfield Close, especially depending on any fencing around the property to separate it from the retained green area.
- 6) The application is very light on detail regarding the design and appearance of the proposed dwelling, especially compared with the detailed renderings in the previous

application. It is therefore difficult to assess how well the property would match the rest of the street.

17 Springfield Close
The Reddings
Cheltenham
Gloucestershire
GL51 6SE

Comments: 27th March 2024

We are opposite to the above planning application. The property is not in keeping with the style of the existing house in our close. More cars parked on the road creating more parking problems. And emergency vehicles and refuse lorry will have problems getting to the end of the close. And who would look after the grass at the front. We feel taking something like this away with ruined the dynamic of the community. Kind regards number 17.

29 Springfield Close
The Reddings
Cheltenham
Gloucestershire
GL51 6SE

Comments: 27th March 2024

Letter attached.

30 Springfield Close
The Reddings
Cheltenham
Gloucestershire
GL51 6SF

Comments: 17th March 2024

Dear Sirs,
The proposed property is still not in keeping with the style of the existing houses. It will restrict the view around a sharp bend in the road. It will not have sufficient off-road parking, leading to additional parking problems. The 'green' creates a nice break in the 'concrete jungle' of houses and driveways, giving people a sense of wellbeing and access to nature. I therefore object.
Kind regards,
Number 30

19 Springfield Close
The Reddings
Cheltenham
Gloucestershire
GL51 6SE

Comments: 13th March 2024

19 Springfield Close,
The Reddings,
Cheltenham
Glos.
GL51 6SE
13/03/2024

Dear Mr. Warren,

As residents of Springfield Close, we are writing to express our concerns and objections to a planning proposal for a one dwelling house on the Close's green space.

Planning Application 24/00389/FUL

One of our main objections is for safety. The building of this property would mean a significant loss of vision to see vehicles driving around the bend of Springfield Close, (from both directions), especially when coming off our driveways onto the Close. At present we have a clear view over the green space and can proceed confidently and safely. We feel that this proposed property would create a blind spot for viewing vehicles coming around the bend.

The design statement shows the property with a front garden. However, the site plans show 2 parking spaces. This is confusing. The application states that this development will not add or remove parking spaces which is contradicting the Block Plan. Where will the cars park?

As a four+ bedroom property, it is possible that there could be an extra four cars and it is likely that these residents will need to park their vehicles in the Close, kerb side. This would exacerbate the existing parking problems on the Close. At certain times of day e.g. early evening to morning and weekends, it would be difficult, if not impossible, for emergency vehicles to access parts of Springfield Close, especially fire engines and ambulances. This problem has already hampered refuse/recycling lorries in the past which have been unable to get through, so the proposed house could make this problem worse. More traffic would be a significant issue.

There seems to be a lot of discrepancies with this proposal that don't make sense. These submission contradictions include the application for 4+ residences (housing types) One of these suggests 4+ beds. Are they applying for 1 house or 4? Will there be another bedroom in the roof? There doesn't seem to be a roof plan. Is there a dormer roof on bedroom 3? (possibly for bedroom 5 in the roof?)

Our other objection is that the proposed property does not blend in with all the other buildings on the close as it is a completely different design and will stand out.

The site plan also shows an area for dustbins and a bike shed with no fence to hide the bins along the pathway. The bins would be permanently on show.

Another objection is that the residents of Springfield Close would lose a substantial piece of socially valuable green community space. The strip of green that will be left is not large

enough for any social activities. Will the current owners maintain the Green or at a later date, apply for an extension to the property or apply for other properties to be built on it? I fear that if this proposal goes through, the new owners will use this as a 'back-door' approach to apply again for more properties to be built on the remaining Green.

For decades, "The Green" has been used for celebrations, meetings, children's play and social events. It is an oasis for our mental health and well-being and the loss of this would be catastrophic for the existing residents. The Close was built over 50 years ago with that green area included for residents as a necessary area for well-being and social interaction. Why take it from us now, when the Government recognises the value and significance of such areas? The proposed property leaves a tiny strip of green space which is not big enough for community gatherings or children's play, plus it belongs to the new owner who would have the right to stop any intrusion onto the green.

The only near, safe green space, for residents, children and grand-children, is on our Close and this has also been a major factor with some of the newer residents who have bought properties on the Close, knowing that they will be able to use it in the future for their children. We are devastated to think that we may lose it. In today's society, green space is so beneficial for people's well-being and mental health, especially the elderly and those who work from home.

I hope you will consider our objections favorably. Thank you for your time.

Yours sincerely

Comments: 28th March 2024

Dear sir / madam,

Please find below and attached to this email, our objection to the proposed planning application - 24/00389/FUL

19 Springfield Close,
The Reddings,
Cheltenham
Glos.
GL51 6SE
13/03/2024

Dear Mr. Warren,

As residents of Springfield Close, we are writing to express our concerns and objections to a planning proposal for a one dwelling house on the Close's green space.

Planning Application 24/00389/FUL

One of our main objections is for safety. The building of this property would mean a significant loss of vision to see vehicles driving around the bend of Springfield Close, (from both directions), especially when coming off our driveways onto the Close. At present we have a clear view over the green space and can proceed confidently and safely. We feel that this proposed property would create a blind spot for viewing vehicles coming around the bend.

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There seems to be a lot of discrepancies with this proposal that don't make sense. These submission contradictions include the application for 4+ residences (housing types) One of these suggests 4+ beds. Are they applying for 1 house or 4? Will there be another bedroom in the roof? There doesn't seem to be a roof plan. Is there a dormer roof on bedroom 3? (possibly for bedroom 5 in the roof?)

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Another objection is that the residents of Springfield Close would lose a substantial piece of socially valuable green community space. The strip of green that will be left is not large enough for any social activities. Will the current owners maintain the Green or at a later date, apply for an extension to the property or apply for other properties to be built on it? I fear that if this proposal goes through, the new owners will use this as a 'back-door' approach to apply again for more properties to be built on the remaining Green.

For decades, "The Green" has been used for celebrations, meetings, children's play and social events. It is an oasis for our mental health and well-being and the loss of this would be catastrophic for the existing residents. The Close was built over 50 years ago with that green area included for residents as a necessary area for well-being and social interaction. Why take it from us now, when the Government recognises the value and significance of such areas? The proposed property leaves a tiny strip of green space which is not big enough for community gatherings or children's play, plus it belongs to the new owner who would have the right to stop any intrusion onto the green.

The only near, safe green space, for residents, children and grand-children, is on our Close and this has also been a major factor with some of the newer residents who have bought properties on the Close, knowing that they will be able to use it in the future for their children. We are devastated to think that we may lose it. In today's society, green space is so beneficial for people's well-being and mental health, especially the elderly and those who work from home.

I hope you will consider our objections favorably. Thank you for your time.

Yours sincerely

Letter attached.

27 Springfield Close
The Reddings
Cheltenham
Gloucestershire
GL51 6SE

Comments: 19th March 2024

Dear sir,

We wish to register our objection to the above subject line planning application on land in Springfield Close, The Reddings, Cheltenham.

Objections are based on the following:

- 1, the planning application is for 1 house, previously 2. We strongly believe once the 1 house is built a second will be built on the remaining land.
- 2, there is no provision for parking, especially with a large number of bedrooms, parking is required as the property is premium room rentable to many individuals with separate vehicles, parking is already restricted in the area of the proposed property.
- 3, The Green space promotes a healthy area for recreation and safe space for families and children in the close. An open grassed space will be lost.
- 4, The remaining land will need to be kept tidy, will this be the responsibility of the home owners ?
- 5, The proposed building could encourage parking outside the property's frontage and impact on a blind corner, for services such as bin collection and large delivery vans who already struggle to negotiate the sharp bend, due to current parking issues. Further high risk for accidents.

We would appreciate you take into consideration our objection.

Regards

No 27 Springfield Close

29 Springfield Close
The Reddings
Cheltenham
Gloucestershire
GL51 6SE

Comments: 27th March 2024

Letter attached.

33 Springfield Close
The Reddings
Cheltenham
Gloucestershire
GL51 6SG

Comments: 27th March 2024

Letter attached.

37 Springfield Close
The Reddings
Cheltenham
Gloucestershire
GL51 6SG

Comments: 18th March 2024

Ref 24/00389/FUL we strongly object to planning we feel safety issue with traffic problems a blind spot on the bend , the proposed building are not online with other properties to many cars in close now loss off light losing our lovely green community space loss off space for children to play on green as have done for many years 37 Springfield close

39 Springfield Close
The Reddings
Cheltenham
Gloucestershire
GL51 6SG

Comments: 21st March 2024

Letter attached.

20 Springfield Close
The Reddings
Cheltenham
Gloucestershire
GL51 6SF

Comments: 25th March 2024

I strongly disagree to the planned building, as the proposed building does not fall in line with the new green infrastructure framework which will help increase the amount of green cover to 40%. The Government environmental plan includes commitment that the public should be able to access green spaces within 15 minutes walk of their home. Giving permission for the house would not follow the government plan. There is also a new biodiversity act which states all new house building projects benefit nature, we have foxes, hedgehogs, squirrels and various birds that have been seen on the green space. There is no benefit to nature if the green space is built on.

There is discrimination on older buildings such as Springfield Close when it is said new policies do not apply. I have lived in Springfield Close for 18 years, we chose our property because there was space for our children to play outside. I regularly walk my dog on the green area.

It is stated that house prices increase by 0.08% when they are near a green area therefore allowing this building will de-value my property and my neighbours. My council tax will not reduce in recognition of this.

The area around the plot is regularly used by visitors parking and if that is no longer available the street will be congested by cars, Also not being able to see cars coming into the coldisac because a building is blocking the view, there is potential for accidents. Also children playing will be in danger from cars driving down the street as they will be seen at the last minute due to the new build blocking their view of traffic.

Where my house is located, my garden privacy will be affected by the second floor of the new build house which will be invasive, I do not want this situation.

Finally if the build were to go ahead potentially myself and my neighbours face access difficulties e.g skips, when large deliveries occur or large vehicles cranes and diggers park to help with the build. Myself and other neighbours have school runs, job shifts and daily routines which could be trapped when we are blocked from leaving the coldisac.

This would cause the utmost inconvenience and costly if I were to miss work.

18 Springfield Close
The Reddings
Cheltenham
Gloucestershire
GL51 6SF

Comments: 20th March 2024

Letter attached.

Comments: 26th March 2024

Letter attached.

2 Springfield Close
The Reddings
Cheltenham
Gloucestershire
GL51 6SE

Comments: 28th March 2024

Letter attached.

47 Springfield Close
The Reddings
Cheltenham
Gloucestershire
GL51 6SG

Comments: 20th March 2024

Letter attached.

3 Springfield Close
The Reddings
Cheltenham
Gloucestershire
GL51 6SE

Comments: 26th March 2024

Letter attached.

8 Springfield Close
The Reddings
Cheltenham
Gloucestershire
GL51 6SE

Comments: 18th March 2024

Letter attached

22 Springfield Close
The Reddings
Cheltenham
Gloucestershire
GL51 6SF

Comments: 22nd March 2024

Dear Sirs

I wish to register my objection to the proposed planning application. My objections are similar to my previous letter objecting to the previous planning application

We have submitted a village green application many months ago and heard nothing. I appreciate this is separate and you don't consider that. However, it is relevant if we are granted village green status.

The development application states they won't add or remove parking spaces. So where are the cars parking? The drawings show a lack of information. A major concern of mine is the footpath. Will the footpath remain? Will the council still maintain this? Would the council retain the remaining green space? I am also concerned the corner may be obscured which would be dangerous. If there are no fences initially, what is to stop these being added or extended beyond the existing building lines? There would be visual interruption and a danger for driving. What would stop a second or subsequent application that then obscured the view for drivers?

I am concerned about the safety aspect of such a dwelling and that the access provided by the footpath would be lost. This is used daily. Would the council add lighting if the building were approved as the footpath would be much darker?

I would be grateful if you could take my concerns on board

Regards

43 Springfield Close
The Reddings
Cheltenham
Gloucestershire
GL51 6SG

Comments: 25th March 2024

Dear Mr Ben Warren

I am writing this email in regard to the planning application proposed for 1 dwelling on the green open space within Springfield Close.

It would be a great shame to lose the open space as it's been used by children of several generations as a safety play area and is still used now.

Having reviewed the new proposal for one 4 bedroomed house with two parking spaces for cars, what about visitors? I still feel that the traffic in the street already causes inadequate parking and a danger on the corner with parked cars. The property would potentially have fencing to the outer path along the corner, so with fencing and parked cars how would drivers be able to see up or down the road?

This would cause a problem for emergency services but also the dustbin men as on several occasions they have had to leave notes on problem vehicles that use the corner for their own parking spaces.

I don't agree with these proposed plans due to Highway safety.

After looking at the new plans, the proposed house looks completely out of place with the rest of the street. The size of the property and the overall look. The size of the landing suggests that they are future planning for a loft conversion as the bedrooms are really small for the size of home. Due to the serious issue with highway concerns, visual impact and the house not in keeping with the street this should not be aloud to be approved.

43 Springfield Close
The Redding's
Cheltenham
GL516SG

Iona
The Reddings
Cheltenham
Gloucestershire
GL51 6RL

Comments: 27th March 2024

I object to this application on the following grounds,

1 The Planning proposal noticed posted on a sign post is incorrect. It refers to the previous application 24/02144/FUL which was withdrawn on February 5th 2024. How are residents supposed to know there has been another application submitted?

2 The location of the drive access is dangerous. It is very close to the corner. The occupants of houses 31 to 40 park outside their properties which causes drivers to cut the corner. This property would obscure the view making it dangerous for traffic following the road around the corner. There is also the issue that the drive of the new property would have to reverse to get on or off the drive into this traffic.

3 The loss of green space.

16 Springfield Close
The Reddings
Cheltenham
Gloucestershire
GL51 6SE

Comments: 27th March 2024

Letter attached.

15 Springfield Close
The Reddings
Cheltenham
Gloucestershire
GL51 6SE

Comments: 28th March 2024

I should like to raise objection to the proposed application for a single property in Springfield Close, The Reddings.

I am a resident at number 15 Springfield Close. I object to the obstruction of the pathway in the Close making it difficult and dangerous for pedestrians to walk around the Close (currently a pathway around the green). I object to the further blockages on the road with extra vehicles caused by access to the proposed property

15 Springfield Close

23 Springfield Close
The Reddings
Cheltenham
Gloucestershire
GL51 6SE

Comments: 2nd April 2024

As a resident on and off for my entire life I am putting into writing both mine and my mothers objections to ANY proposed development of the green land in Springfield Close.

It would block light to many houses o Building time for one house will cause major disruption to members of the close o fQuestions arise as to who will own the area being left as the green o Will they have rights to building more o a four bed house (implied by a former on the plans will need more than the one space on the drawings o they must be made filly aware that they will have no right to any space within the en bloc garage area in the close

Please feel free to reply if you require any clarification

***** - No 23

[REDACTED]
16 Springfield Close
The Reddings
Cheltenham
GL516SE
12th March 2024

Proposed New Development on Springfield Close
Planning Application Ref. 24/00389/FUL

Dear Mr Warren,

I am writing to comment on the amended proposed development. I have a number of objections which I have detailed out and do not feel have been solved at all by these new plans.

1. Significant loss of privacy to my property: The minimum distance of a new proposed property to any existing property should be 20 metres. This is set out in CBC Guidelines 2008. Regardless of partially opening windows or obscured glass. If they stand in their garden they will be able to look straight into my kitchen and living room. Less than 2.5m away from my windows.
2. Insufficient privacy to proposed property: My windows are not obscured and fully open so the proposed property will have inadequate privacy for both upper and lower windows and back garden. That is not within your planning guidance: and should not be approved. My property is considerably less than 20metres away from the new build. Again not adhering to the guidelines CBC have set out for all residential planning.

(Guidelines from CBC [Supplementary Planning Document - Residential Alterations and Extensions](#) Adopted February 2008 page 7)

3. Significant loss of light – This is based on interior daylight recommendations for new buildings in the British Standard Daylight in buildings, BS EN 17037 I have tried to demonstrate how the plans do not adhere to the 45° and 25° design principle but the submitted plans have no measurements on them. I also have shown further on that their proposal is significantly larger than what is drawn. Further impacting this. I have used their drawings to roughly show how detrimental the loss of light will be. Please see below.– you should request accurate measurements in their plans as to how they will adhere to the guidelines. Before anything is approved.

I would like to draw attention to the Error in the application where they claim

“The height, width, length and massing would be similar to the immediate neighbouring properties. The proposed house would be set behind the existing building lines of the terraced and semi-detached houses at Springfield Close”

This is impossible based on their submitted drawn plans: I have measured the upper floorplan of one of the springfield close houses that is currently for sale. TOTAL upstairs meterage is 38.92 m² that accounts for 3 bedrooms a bathroom and hallway. On the proposed plans submitted in tiny writing they state the square meterage for the bedrooms as;

Master bedroom 14 m² .. Bedroom 1 8 m² .. Bedroom 2 11 m² .. Bedroom 3 8 m² TOTAL only for 4 bedrooms 41 m² excluding the landing hallway and bathroom.

Adding the size of the springfield close current landing and bathroom (6.52 m² and 5.03 m²) to account for that missing measurement - that brings the total square meterage to 52.55 which is HUGE and not 'similar' to immediate neighbouring properties and could not be set behind existing building lines.

Just to be clear that is 35% increase in size. A house 35% larger square footage. Based on the numbers in their application that they want you to approve.

Please do look at my images where I have calculated this as I want to be as clear as possible.

Using their sketch I would estimate it to be closer to 47% increase in square footage – please see my working out of this in the images.

In 2015 a national space standard was announced for new builds, our houses would not meet that now as the minimum single bedroom size as recommended by the space standard is a floor area of 7.5m² and a width of 2.15m. You can see on the estate agent plans the smallest bedroom is 6.01m². There for a 4 bedroom property will not meet the national standard based on our current width / height / length and massing.

4. Parking has always been an issue on this road, we don't have off road parking so there are only a few spaces that we can use. Where will their cars park? 4 bed – 4 cars?

5. Traffic will increase and the proposed property will block any line of site on that corner. It will be a single lane, on a blind bend which could cause many awful and avoidable accidents. Currently you can see an oncoming car, through parked cars but the new proposal will remove that ability.

I personally use it to turn my vehicle around several times a day. I have witnessed several instances where ambulances have blocked the road to attend to residents. Drivers / delivery vehicles had to wait as the vehicle owners could not be found. Recently a serious accident when a resident reversed her car onto the road. Refuse trucks will find that bend very difficult to fit around.

6. Again the Design of the house does not fit with the current design of the street. All our houses have an established pattern of acceptable design features in the street– please see attached image 4. They have highlighted random houses around The Reddings as comparisons for their plans, but the comparisons they pull are from roads that do not have a uniform design. Why haven't they pulled examples from our road? Because all our houses maintain the same look and visual design. The planned proposal is not clear enough on design and materials. To state 'material and colour to be similar' is too vague and leaves open to all sorts of interpretations. More clear wording is needed here to ensure that the design is in keeping with the surrounding houses. And a more comprehensive sketch to show exactly what this is. Assuming they sell this on with planning; the developers would not have much guidelines to adhere to; with huge scope for artistic license on materials / sizes / colour / fabrication anything.

7. The 3D rendering is a different design to the planning drawings. This shows a dormer roof, so please confirm which plan is correct? Please also see the 3d rendering is impossible as the square footage is much larger
Does the large landing indicate space for a staircase to the third floor? The dormer window supporting this design?

8. Insufficient measurements and detail in the plans, leaves this development to any kind of changes that you will not be able to reject.

9. The retained green space: not enough information given: what is the size of this? who will maintain this? Will CBC adopt it to maintain it ie cut grass. Will this become the village green space that we have been actively applying for? Safeguarding is needed on this to give clarification to protect it against any future planning applications.
Who will own and maintain the footpath?

10. the site plan shows the front of the property as having two car spaces and dustbin storage – again no house on the street has this. Also the design statement shows the front as a garden. So again unclear and contradicting application plans. If the front garden is correct what parking do they propose for a 4 bedroom house?

11. The bins shown on the front lawn is unsightly. We all bring our wheely bins out on the day of collection and promptly roll them back away, we even do it for our neighbours as it is a lovely street like that. This plan should mirror that.

12. another error on the application is stating the address as 16 springfield close. This is incorrect as that is my address of my property.

13. further error in their application. See image below. Is it a 1 bed? Or 2 bed? Or 3 bed? Or 4+ or just what ever they feel on the day?

Market Housing

Please specify each type of housing and number of units proposed

Housing Type:	
Houses	
1 Bedroom:	1
2 Bedroom:	1
3 Bedroom:	1
4+ Bedroom:	1
Unknown Bedroom:	0
Total:	4

Proposed Market Housing Category Totals	1 Bedroom Total	2 Bedroom Total	3 Bedroom Total	4+ Bedroom Total	Unknown Bedroom Total	Total
	1	1	1	1	0	4

My house is nearest the proposed development and myself and my family will be directly affected by this. The potential loss of privacy due to windows looking directly into our property will directly negatively impact our day to day, for both myself, my husband and my 5 year old son.

I have used the 'springfield green' to teach my son how to ride a bike, and walk our puppy, and meet and talk to neighbours over the years.

Cheltenham prides itself on an 'image of an elegant, spacious town with groups of well proportioned buildings set in generous gardens, with open space extending into the heart of the town' to quote your local development guide. However these plans are the opposite. This planning proposal erodes the streets character with un-neighbourly, poorly designed vague details, and potentially dangerous traffic complications. It gives the impression that you can just build anything anywhere in Cheltenham from a pack bought off the internet.

The green open space is central to our Springfield close. It was built and used as a communal area for not only our residents but many others residing around the area due to the public footpath connecting to it for over 45 years. And we all assumed it would stay that way as the local council maintained it for the last 45 years. If the national development framework requires all new developments to have open green spaces, then this should still apply here. This site should not be built on at all.

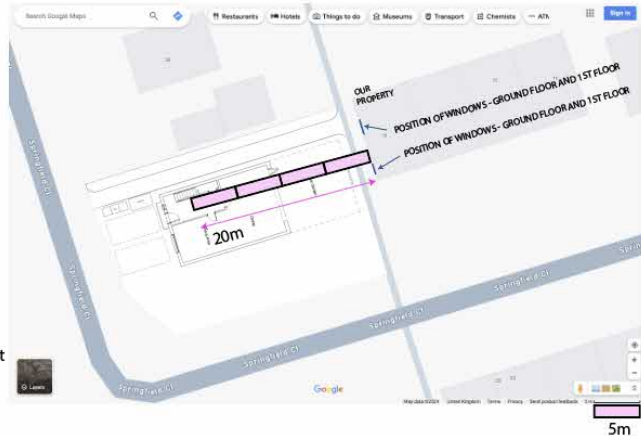
Image 1

Demonstration of Separation distance for New build proposal to existing property

PLANS CLEARLY SHOW THE NEW PROPOSED PROPERTY DOES NOT MEET THE MINIMUM DISTANCE.

MINIMUM DISTANCE IS SET OUT CLEARLY IN
(Guidelines from CBC Supplementary Planning Document - Residential Alterations and Extensions Adopted February 2008 page 7)

GROUND FLOOR WINDOW TO KITCHEN AND LIVING ROOM
1ST FLOOR WINDOW TO BEDROOMS AT 16 SPRINGFIELD CLOSE.



google image for correct sizing

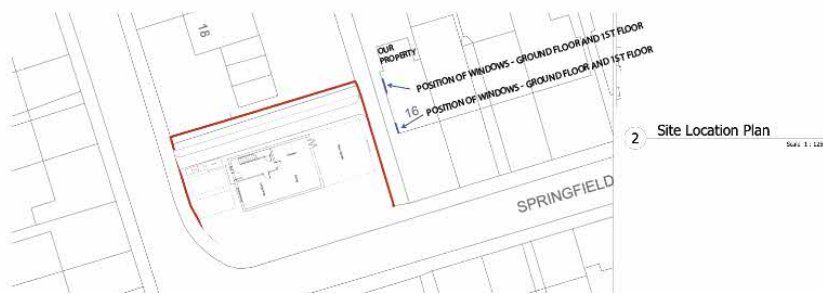


Image 2



Ariel photo showing windows in position to the plot of land:

- 2 x bedroom windows
- 1 x kitchen window
- 1 x living room window

SKETCH TAKEN FROM PLANNING DRAWINGS.



VIEW OF BACK OF PROPOSED PROPERTIES AND WINDOWS THAT ARE FACING WINDOWS TO HABITABLE ROOMS.

IMAGE 3

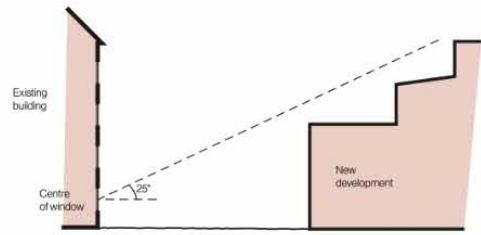


Figure 14: Section in plane perpendicular to the affected window wall

ARTICLE USED FOR REFERENCE

THERE ARE NO ACTUAL MEASUREMENTS ON THE PLANNING SUBMISSION SO I HAVE USED THEIR SKETCH TO APPROXIMATELY SHOW HOW THE PLANNED PROPERTIES WILL RESULT IN LOSS OF LIGHT TO KITCHEN

KITCHEN IS NORTH FACING AND ONLY LIGHT INTO THIS ROOM IS FROM THIS SIDE WINDOW

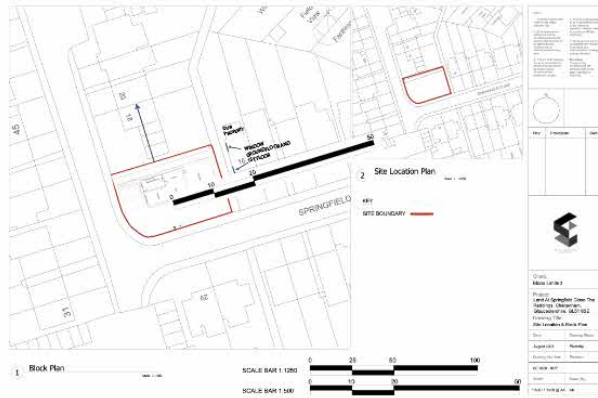


Image 3.5 a b c

A – current plans from right move of house in springfield close with measurements.
B – calculating the square meterage of all rooms – to compare to the proposed plans
C – a realistic approximation based on the proposed plans showing an increased 47% floor plan. Obviously exact widths can not be guessed here and they have not been submitted but based on the increase in square footage it is impossible that this house be a similar size as our current houses or even be in set inline with the houses. It will be a huge eyesore.


← Back Springfield Close, The Reddings, Ch...
£325,000

Photos



Call a...
01242

GALLERY Hide

1 of 17 Picture No. 23



2 of 17 Picture No. 02

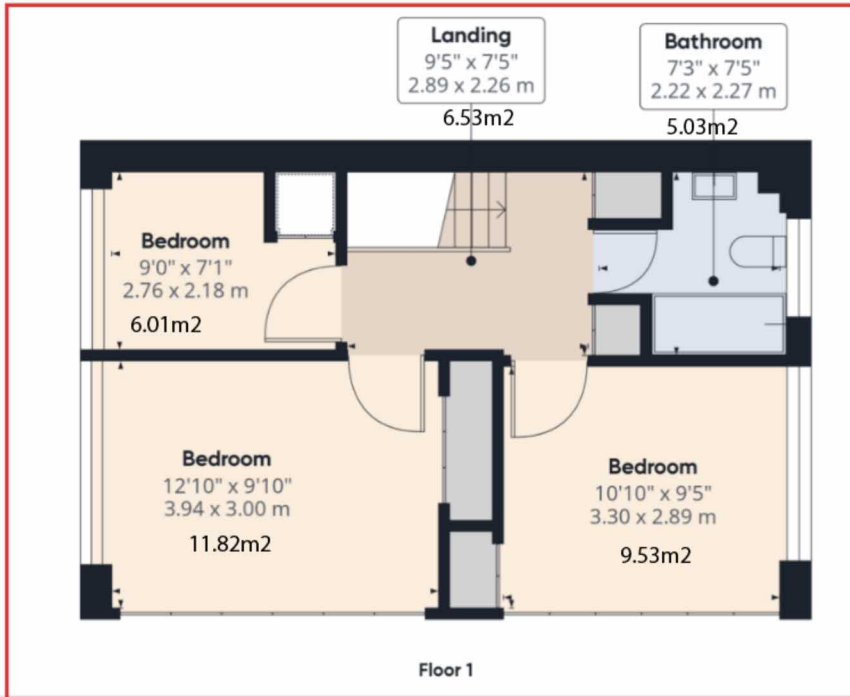


Ground Floor

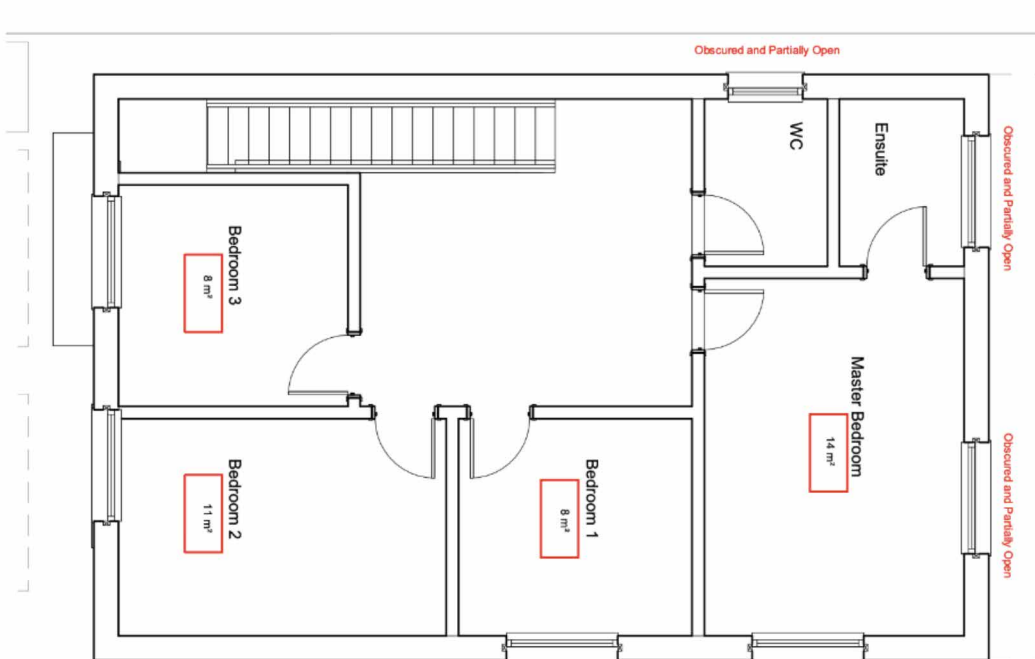
- Hallway: 9'10" x 5'3" (3.02 x 1.62 m)
- Living Room: 15'6" x 14'1" (4.74 x 4.31 m)
- Kitchen: 10'4" x 17'0" (3.16 x 5.20 m)
- Sunroom: 6'6" x 11'3" (1.99 x 3.44 m)
- WC: 6'4" x 2'11" (1.94 x 0.89 m)

Floor 1

- Landing: 9'5" x 7'5" (2.89 x 2.26 m)
- Bedroom: 9'0" x 7'1" (2.76 x 2.18 m)
- Bedroom: 12'10" x 9'10" (3.94 x 3.00 m)
- Bedroom: 10'10" x 9'5" (3.30 x 2.89 m)
- Bathroom: 7'3" x 7'5" (2.22 x 2.27 m)



**TOTAL UPSTAIRS
SQUARE
METERAGE:
38.92**

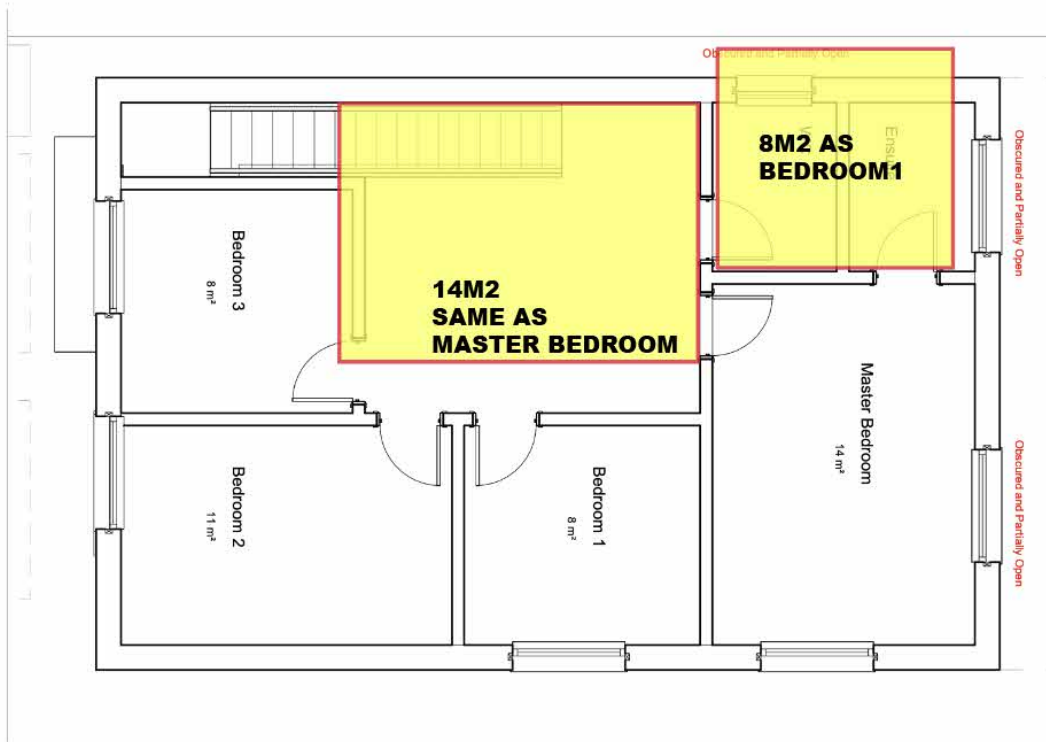


BEDROOMS ALONE ON THIS PLAN ADD UP TO 41M2
ALREADY LARGER THAN EXISTING PROPERTIES
THIS IS NOT INCLUDING THE HALLWAY / WC / ENSUITE

IF I ADD THE ABOVE MEASUREMENTS FOR THE
SMALLER LANDING AND BATHROOM TO APPROXIMATE
TOTAL SQUARE METERAGE: 52.55M2
OR 35% LARGER FOOTPRINT.

**UPSTAIRS
SQUARE
METERAGE: only bedrooms
41m2**

**EXCLUDING LANDING AND WC
AND ENSUITE.**



IF I WAS TO USE THEIR PLANS TO SHOW THE SIZE OF THE LANDING AND BATHROOM AND ENSUITE YOU CAN SEE THAT IT IS ACTUALLY READING AT 14 + 8 M2 WHICH WOULD INCREASE SQUARE FOOTAGE TO 63M2 WHICH IS AN 47% DIFFERENCE

Image 3.d + e retrofitting their 3D drawing with a more accurate size of the proposed property (increased footprint of 40% ish.) Sticking out and not fitting in with the street at all also taking up far more of the green than shown in the plans.





Image 4



the examples proposed for single detached houses are not on our road, or anywhere near our road.

please see below for the uniform design of houses on our road: BLOCKS of 4 houses all attached.



Image 5



Original plan from 1967 clearly shows the path. Between the garages and the green. Same dimensions as the roadside path.

Image 5

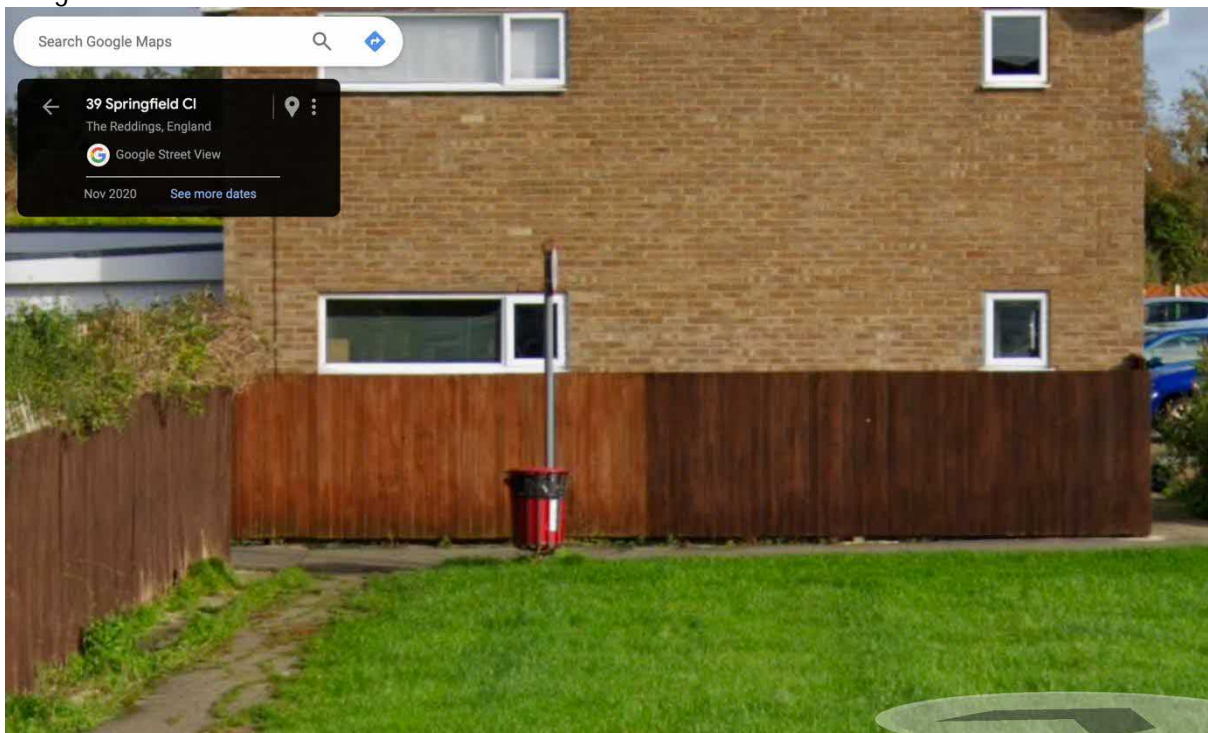


Image 6 is this an error on the application? So it could be a 1 bed or 2 bed or 3 bed or 4+ which would 5*6?? how can an error like this be submitted unless they want the vagueness to then develop loft rooms???

Image 7 another error: stating it is 4 units ???

Existing

Please select the housing categories for any existing units on the site

- Market Housing
- Social, Affordable or Intermediate Rent
- Affordable Home Ownership
- Starter Homes
- Self-build and Custom Build

Totals

Total proposed residential units	4
Total existing residential units	0
Total net gain or loss of residential units	4

Websites and documents I have referenced for CBC guidelines.

<https://images.reading.gov.uk/2022/11/ID95-Site-Layout-Planning-for-Daylight-and-Sunlight-A-Guide-to-Good-Practice-BRE-2022.pdf>

<https://www.cheltenham.gov.uk/planning-policy>

CBC's residential alterations guide

If you would like any more clarification or larger images providing, please let me know.

Kind regards



No 16.


8 Springfield Close

The Reddings

Cheltenham

GL51 6SE

14th March 2024

Mr Ben Warren
Cheltenham Borough Council
Municipal Offices
Promenade
Cheltenham
GL50 1PP

Re: Planning Application 24/00389/FUL Land at Springfield Close, The Reddings.

Dear Sirs,

We are opposed to the above referenced planning application.

The proposed plan for a large house will potentially mean 2/3 cars which will involve additional street parking in the Close causing obstruction and pollution to the existing residents and also emergency vehicles. There is an additional safety issue due to the bend in the road where the house is to be built.

The loss of the open green space because children use this area for playing, people walking their dogs and picnicking on hot summers days. The green space offers light and is very conducive to good mental health for the existing residents. We do not need any further houses in the Close but we do need our green open space for all the existing residents, majority of whom have enjoyed this green open space for many years.

Please consider our objections above and hope that you will refuse planning permission.

Thanking you in anticipation.

Yours Faithfully



20th MARCH 2024

18 Springfield Close
The Reddings
Cheltenham
GL51 6SF

Dear Sir

RE: 24/00389/FUL

After studying the plans for the proposal to build one dwelling at Springfield Close, these are my objections to the plans.

I have lived in this house for over forty years. One of the reasons for moving here was the green, open safe space for children to use without crossing the busy road. I feel the loss of it with the proposed development would be a disservice to present and future families with children in what is a close with family sized homes. Although the plans show a small space left, there is no mention of any plans for it.

Plans for the new Golden Valley Development due to start in 2025 emphasize in the information supplied the importance of green spaces with a landscape led approach, prioritising wellbeing of people and nature. If the Development in Springfield close was allowed we would lose this last local green space.

Volume of cars and parking is already a major issue in the close. Any road space without a dropped kerb has vehicles parked around the area. Leaving my property and those of immediate neighbours has its issues with cars parked opposite in the road and traffic passing from the bottom of the close and around the corner of the road. There has recently been a collision between two cars in the close with these conditions being a possible contributing factor.

In the past, there has been an issue with the refuse collection vehicle not being able to access the close to finish its round because of parking around the corner of the green. Letters were left on vehicles threatening police intervention if they were not removed when they returned to finish the job.

If the development were allowed with limited off-road parking, this would only potentially exacerbate the issue with more people trying to park on the street, also questioning access to emergency vehicles if necessary.

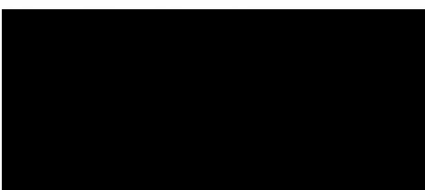
The building of properties on this plot would mean the loss of vision round the corner for traffic from both directions which could lead to safety issues.

The plans for the houses show buildings totally different in design, layout and substantially larger to the rest of the original development of houses in the close, also with no garages on or off site.

The line of build is also still different from the houses around it.

The build would overshadow our property and impact on the enjoyment of our garden and greenhouse with a window overlooking it.

Yours faithfully,

A large black rectangular redaction box covering the signature area.

[REDACTED]
47 Springfield Close
Cheltenham
GL51 6SG

RE: Objection to Planning Permission Application 24/00389/FUL

Dear Ben Warren,

We are writing to formally object to the planning permission application referenced above. While we acknowledge the effort put into the proposal, we have significant concerns regarding its potential impact on safety, parking availability, and the overall well-being of the community, especially young children.

Primarily, the proposed development poses a serious safety risk by potentially creating blind spots at the bend on Springfield Close. As a resident in close proximity, we are deeply concerned about the safety implications of obstructed visibility for both pedestrians and drivers, particularly for young children who frequent the area. Blind spots can significantly increase the likelihood of accidents, putting the lives of community members, especially children, at risk.

Furthermore, the development is likely to exacerbate the already limited parking situation in our neighbourhood. With an increase in residents or visitors due to the proposed development, there will be additional vehicles vying for parking spaces, putting undue strain on our already stretched parking infrastructure. This could lead to congestion, inconvenience, and potential hazards as drivers may resort to parking in unsafe or unauthorised areas.

Additionally, upon reviewing the proposal, we have identified inconsistencies that raise doubts about its suitability for the area. The lack of clarity and coherence in certain aspects of the plan, such as the number of bedrooms is inconsistent throughout, there is only one bathroom which seems odd for the size of property, the roof plan is missing and the landing is disproportionate indicating a further bedroom in the loft space. Is it a front garden or driveway and for how many vehicles? Further clarification is also needed on the pathway and retained green space. Will this remain with the owner of the property and be maintained by them? Will it be sold separately? Will it be adopted by CBC?

We suggest a need for further evaluation and refinement before granting planning permission. It is imperative that any development in our community adheres to established standards and contributes positively to the neighbourhood's character and safety.

In light of these concerns, we urge you to carefully reconsider the approval of the planning permission application. We respectfully request that a thorough assessment be conducted to address the issues raised herein and ensure that the proposed development enhances rather than compromises the safety, parking availability, and overall well-being of our neighbourhood, especially for young children.

Thank you for considering our objections. We trust that you will give them due consideration in your decision-making process. Should you require any further information or clarification, please do not hesitate to contact us.

Yours sincerely,

A solid black rectangular redaction box covering the signature area.

*Langdene
39, Springfield Close
The Reddings
Cheltenham
GL51 6SG.*

*Mr. Ben Warren
Cheltenham Borough Council
Municipal Offices
Promenade
Cheltenham
GL50 1PP*

19th March 2024

Ref. 24/00389/FUL

Dear Mr Warren,

With reference to the 2nd Planning application, while the revised plan is an improvement on the first and some problems have been addressed, it is good to know that the footpath is to be retained.

I still find the overall plan unacceptable for the following reasons

- 1 According to the submission on the "DESIGN" page the proposed house would be set behind existing building lines . According to drawing No1 this is not the case.
- 2 It also says that more than half of the green space will remain undeveloped. Again this is not so as the building plan takes up more than half. Who will be responsible for the upkeep of this?? And it is not a very usable space as a play area. If one reads the leaflet put through our door about the Golden Valley development, it mentions " prioritizing wellbeing of people and nature" Our development plan does not address this as the green space to be left is of little use for this purpose
- 3 There is still no Garage but two parking areas which will be more or less opposite my driveway, making reversing out (I have no option). difficult. I already have problems with cars coming from the far end of the close driving too fast
- 4 For a FOUR bedroom house to have only two parking areas is unrealistic. Where are the probable extra cars going to park? Possibly round the corner making visibility once again poor from oncoming traffic.
- 5 While there are other four bedroom houses in the near area NONE of them are in Springfield Close itself. The one on the corner faces into North Rd East. The original estate was built of three bedroomed family houses each with a garage. And I feel that the plan is detrimental to that ethos
- 6 For a four bedroom house to have only ONE full bathroom and that situated within the master bedroom is also unrealistic
- 7 The upper landing is larger than three of the bedrooms. Why is this.?? Is this in view of probable expansion into the loft area.??
- 8 Already large vehicles such as refuse lorries, ambulances and possibly fire engines sometimes cannot get past parked vehicles and there has been recent warnings given to some owners of parked cars about this.

- 9 Since there is a number of elderly residents [REDACTED] are more likely to need the services of ambulances.
- 10 There has already been an accident with two cars colliding as one reversed out into the road with little vision of traffic approaching
- 11 Somehow the boundary line of the pavement does not seem right when you compare the two applications.

I do hope some notice will be taken of my comments.

Yours sincerely

[REDACTED]

Resident at No 39

26 March 2024

18 Springfield Close

The Reddings

Cheltenham

GL51 6SF

Dear Sir

RE: 24/00389/FUL

Dear Sir

With reference to my previous letter outlining my objections to the proposed planning application, I would like to add to it that with the footprint of the proposed build being significantly larger than the original houses built in the close, it would take it beyond the line of the back of my house.

This would have a significant detrimental impact as it would overshadow my property, rear garden and greenhouse which would have a huge visual impact on our outlook and detract from the pleasure in our home.

On the plans of my property from the land registry, the boundary line is marked as the edge of the path running parallel to the side of the property not the fence line, as I have been cutting the grass on this strip of land as part of my garden for the last 40 years.

Yours faithfully,



Dear Sir

Re planning Proposal- Springfield Close The Reddings Cheltenham - Objection

I would like to inform you of my objections to the above Proposal to build a 4+ bedroom house on 'The Green' (as this most aesthetically valuable piece of green space is known to the local residents).

Clearly it has always been there as a lovely little island of green; so important to one's wellbeing! Green space apparently originally included in the development plans for the estate.

However what really concerns me is the increased traffic and congestion that a 4+ bedroom house would cause. It is most unlikely that there would only be one car to this 4+ bedroom house, 4+ bedrooms gives the possibility of at least 5 cars with parking for 2. All this means extra traffic coming through the entrance of the Close and congestion around a sharp bend in a residential area.

Although I live at number 3 which is at the entrance to the close, my garage is one of 20 (in a block) situated diagonally opposite these proposed houses. It can be really frustrating at times accessing the garage through the existing melange of parked cars without extra cars around the vicinity of The Green. I have attached image (source Map App) with the garage block clearly marked- it shows the limitation for manoeuvres on that corner- cars parked on the proposed driveway will clearly limit the view for traffic and indeed any cars belonging to the property not parked on driveway will cause intense congestion on that corner!

This can be quite dangerous as it is at the moment with many children around and with increased congestion of cars trying to manoeuvre around the sharp bend of The Green I would think be a real risk that emergency vehicles would not be able to get through in a timely manner.

Only yesterday I saw an Age Concern bus dropping a client off right by the green having to reverse into garage block to try to turn round - not easy. I didn't take photo as considered it invasion of privacy - but am sure my information can be checked. It was absolute confirmation of my worries. (Fire truck for example)

Because of the issue of the garage block within close vicinity of the Green (proposed site) all users would be affected accessing or attempting to leave the block by cars belonging to the new houses. I feel this issue is one reason why it has never been deemed suitable to build houses on!

I am also concerned that the construction plans have and will change as some of the plans do not now seem to make sense!

Also who will be responsible for the upkeep of the green space by the house? A space that has the potential for future additions!



Yours sincerely

[Redacted signature]

No 3 Springfield Close

Page 72 36 Springfield Close
CHELTENHAM
GL51 6SF

The Planning Officer
Cheltenham Borough Council
PO Box 12
Municipal Offices
Promenade
CHELTENHAM
GL50 1PP

23 March 2024

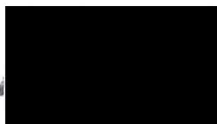
Planning ref. 24/00389/FUL

Dear Sir,

I live in Springfield Close. I object to the above plan on the following grounds:

1. Road safety. The plot in question is adjacent to a sharp right-angled bend in the road. A building on that plot would restrict the view around that bend.
2. Amenity. Except for the plot in question, Springfield Close is densely lined with houses. Also, many front gardens have been paved over. The open green space is a welcome break in the rows of houses, and I feel that it is a valuable amenity that should not be built on. Please take these observations into account when deciding whether to grant planning permission.

Yours faithfully,




16 Springfield Close

The Reddings

Cheltenham

GL516SE

26th Mar 2024

Proposed New FIVE BEDROOM House Springfield Close

Planning Application Ref. No.23/02144/FUL

Dear Mr Warren,

I am dismayed by the proposed building of a large five bedroom house on our green space in Springfield Close. There is a Village Green application in for this space and it would have already been approved if it wasn't for the backlog and inability of the committee to view this application. Unsurprisingly the application was made as the residents of Springfield Close have used this space for decades as a place for our children to play, a place to exercise our pets and a communal area to meet.

I'm astonished that anyone could contemplate shoehorning in another large building on the green but as this is being proposed by a developer based in China rather than someone who would actually have to live with this development, I guess reason isn't part of the thought process. Just profit.

Aside from the soulless nature of this proposal I have specific concerns and objections which are as follows:

1. Safety

The bend of which this proposal sits on is tight and often only the width of a single car. Springfield Close is a cul-de-sac and as such people use this bend to turn their cars around, the refuse collectors use it, delivery drivers use it, and emergency vehicles use it. I fail to see how building houses on this bend is anything other than dangerous. The proximity to the bend, the parking implications and the lack of sight around the bend caused by this proposal will certainly make driving and walking around Springfield Close significantly more dangerous. When cars are parked on that bend it becomes dangerous enough, having a building there it will become far far worse. Approving this application is literally giving the green light to something that will make the lives of residents more at risk from car accidents.

2. Parking

There is not enough parking in Springfield Close. Adding another large house will make this worse as you will be adding possibly four more vehicles whilst simultaneously taking away

existing parking. What is our close to become? A completely concrete parking battle devoid of any greenery at all?

3. Blocking of light

I live in 16 Springfield Close with my wife and son. The entirety of the side of our house will be blocked by this new development. We have four windows that we won't see anything out of other than a fence or someone's eyeballs staring back at us. Approving this essentially means that our living room will be darker, but our kitchen will lose all light as this is the only window it has. Our second upstairs bedroom will also lose the majority of the sunlight we receive. The building will be too close to our property, there is simply not enough space to build two homes here. The councils' own guidelines state that facing windows to habitable rooms (living, dining and bedroom) should be a minimum of 21 metres apart, with at least 10.5 metres from window to boundary. The plans are not a minimum of 21 metres apart from my property.

4. Quality of life

I am not naïve, and I know that everything isn't going to stay exactly the same forever and that I can't preserve my house and its surroundings for eternity but, I look out of my window now and I see green grass, people walking their dogs, the only patch of open space in the area. If we cram more and more houses, buildings and people on top of each other we only degrade the quality of life of the residents of Springfield Close.

Many here have lived in this Close since the homes were built, the Green Space has become the central focal point for all of us. To have this taken away and replaced with yet more housing, more building disruption, more cars, less parking, less sunlight and the last bit of green space in the area being concreted over would reduce the quality of life of all residents.

My own privacy concerns can be dismissed as "one person who doesn't want a window peering into his own home" but you cannot dismiss the degradation of quality of life of all residents in Springfield Close when we all use this communal Green Space that provides us with the only outdoor area to use and that we so desperately need to preserve.

I also note the cynical way in which planning was withdrawn, resubmitted and then changed yet again once so many residents had already submitted their objections. It feels like if they keep trying and resubmitting that people will just lose track and give up on this process. I really hope someone recognises this. We all live in 3 bed houses on this close, this new huge house is not in keeping with the current designs.

Yours Cordially



FAO Mr Ben Warren

Cheltenham Borough Council

Planning & Development

Municipal Offices

Cheltenham

GL50 1PP

29 Springfield Close

The Reddings

Cheltenham

GL51 6SE.

26th March 2024

Dear Sir,

Ref Planning Application Ref. No. 24/00389/FUL Objections

We have been residents here since we purchased the house from in December 1968.

Our main objections are Parking, loading, turning and importantly SAFETY!

My sons car was written off be a council dust cart manoeuvring around the corner of the green, also a car crashed into my front garden avoiding an oncoming vehicle and parked cars.

All of the changes made to this property proposal seem to masking the real scale it would finish at and does not fit the rest of the properties around the close. Current rules ensures that there must be open/green space left for mental health and welfare, why change the rules now!!.

Due to the congested parking on the opposite side of the road and corner, many vehicles have to mount the footpath in front of the house to get by. The corner of the green is a constant place for goods vehicles etc to turn.

Cars are much wider now which makes passing more difficult. Fire hydrant post on the green has disappeared. The building of a one dwelling house would mean further vehicles plus potential visitor's vehicles. The corner is unsafe as it is, making it more of a blind corner would invite more accidents or worse!.

Yours Sincerely



FAO Mr Ben Warren

Cheltenham Borough Council

Planning & Development

Municipal Offices

Cheltenham

GL50 1PP

29 Springfield Close

The Reddings

Cheltenham

GL51 6SE.

26th March 2024

Dear Sir,

Ref Planning Application Ref. No. 24/00389/FUL Objections

We have been residents here since we purchased the house from new in December 1968.

I strongly object to the development of a dwelling house being built on our 'Green'. Even Alex Chalk says it should remain as a village green. Removing this open space for the residents would go against the current framework for our community. Many of the residents who purchased a property did so because of the open space for the children growing up to be safe there.

It would make seeing traffic around the corner impossible, it is bad enough now with all of the parked cars next to and on the corner. A fire engine had to drive over the green to get to a fire at the bottom of the close due to all of the parked cars on the corner in the way.

I would also strongly object to seeing a property in front whilst sitting in my lounge looking out of the window. Why now after 55 years do you want to take away this vital part of our community?.

The 'Green' has been so important for our 3 children growing up and a safe place to do so in full view from our lounge window opposite. Even now my Granddaughters and great Granddaughters enjoy the same safe benefits.

The 'Green' has played a major part of the close, not only for children's sports and activities, making lifelong friends but also the adults as well organising and enjoying many national celebrations.

As you are aware we have collectively applied for 'Village Green' Status in August 2023 with lots of positive endorsements and that is how we want it to remain! Thank you.

Yours Sincerely



FAO Mr Ben Warren

Cheltenham Borough Council

Planning & Development

Municipal Offices

Cheltenham

GL50 1PP

33 Springfield Close

The Reddings

Cheltenham

GL51 6SG.

26th March 2024

Dear Sir,

Ref Planning Application Ref. No. 24/00389/FUL

This is a formal letter of objection to the proposed development of a one dwelling House on the open space we call the Green in Springfield Close.

Firstly, the proposed design and position of the dwellings do not fit with the rest of the properties in the Cul-De-Sac and will form a blind corner. The plan sizes does not match the image proposed.

Secondly, there would be an increase in vehicles thus reducing parking for visitors and residents as we are already at full capacity reducing the close to one lane traffic. Therefore the safety in the Close would be severely compromised. There has been recent collisions resulting from cars reversing out of there driveway and not been able to see traffic in both directions.

I personally have had my [REDACTED] car written off by a large dustbin lorry trying to manoeuvre around the right angled curved corner. There will be a serious accident in the future with all the vehicles in the close and with the two dwellings making the corner totally blind to traffic and seriously unsafe.

The other factor is the footpath alongside the property of no.18. This path is constantly used by the lower half of the close to commute via the connecting footpaths.

The current National Development Framework requires all new developments to provide open green spaces to help visually and to provide a safe space for children and for the mental Health and physical benefits of the residents and adjoining community. So why after 55 years are you entertaining a change to that requirement?.

The 'Green' as we know it has been a major part in my life and three generations of my family since December 1968. Providing a safe place for children to grow up and learn life skills in physical view of many of the residents. Adults and parents have also enjoyed decades of use and enjoyment such as street parties and national celebrations to name but a few. As our 'Green' was the only sizeable one in the local area, we have also entertained and accommodated children from the adjacent Reddings area. This is why now the Reddings has maintained a safe and friendly close Community.

Yours Sincerely

[REDACTED]


16 Springfield Close
The Reddings
Cheltenham
GL516SE
12th March 2024

Proposed New Development on Springfield Close
Planning Application Ref. 24/00389/FUL

Dear Mr Warren,

I have to issue new objections again, as the plans originally submitted on the 6th March have been changed.

In regards to the new MUCH larger plans submitted 18th March- with several changes including jumping to a 5 bedroom house.

And a 5th Room with a 18m² – this is huge and has no windows so can not be marked as a room. This is not representative of the distinctive style of the Springfield Close estate development of the 60's.

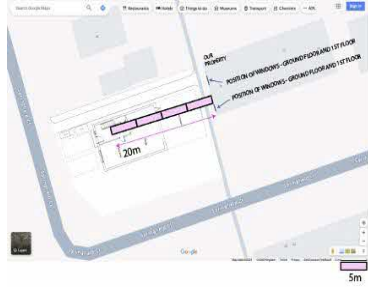
The original objections are as follows and I have amended to add in the new changed plans.

I am writing to comment on the amended proposed development. I have a number of objections which I have detailed out to try to explain how this will directly and negatively impact me and my family;

1. Significant loss of privacy to my property: The minimum distance of a new proposed property to any existing property should be 20 metres. This is set out in CBC Guidelines 2008. Regardless of partially opening windows or obscured glass. If they stand in their garden they will be able to look straight into my kitchen and living room. Less than 2.5m away from my windows. This will directly impact my standard of living, and be extremely distressing to lose this privacy into my kitchen, living room and two bedrooms. The only time this kind of invasive planning is deemed appropriate is in inner city developments that lack development space. Cheltenham and the Reddings is not an inner city project.
2. Insufficient privacy to proposed property: My windows are not obscured and fully open so the proposed property will have inadequate privacy for both upper and lower windows. And back garden. That is not within your planning guidance: and should not be approved. My property is considerably less than 20metres away from the new build. Again not adhering to the guidelines CBC have set out for all residential planning. Those guidelines are in place for a reason; Directly negatively affecting the future residents use of this proposed property.

Who would want to use a garden when your neighbour's window is less than 2.5m away can look directly at you. Imaging letting your kids play in a garden that is overlooked by strangers 3m away. Who would want obscured partially opening bedroom windows. An awful design feature that would be changed once someone moved in no doubt. Just because this planning mentions doing this doesn't mean future amendments to the property wont change this.

I assumed in the original plans for Springfield close, this green was placed where it was because privacy would have been jeopardised but also to ensure green space amenity was available to the development. This was in the 60's when the Reddings was barely developed into. I am outraged that planning is even considered for such a large property that is so detrimental to those around it.



you can see this clearer at the end.

(Guidelines from CBC Supplementary Planning Document - Residential Alterations and Extensions Adopted February 2008 page 7)

3. Significant loss of light – This is based on interior daylight recommendations for new buildings in the British Standard Daylight in buildings, BS EN 17037 I have tried to demonstrate how the plans do not adhere to the 45° and 25° design principle but the submitted plans have no measurements on them. I also have shown further on that their proposal is significantly larger than what is drawn. Further impacting this. I have used their drawings to roughly show how detrimental the loss of light will be. Please see below.– you should request accurate measurements in their plans as to how they will adhere to the guidelines. Before anything is approved.

I would like to draw attention to the Error in the application where they claim

“The height, width, length and massing would be similar to the immediate neighbouring properties. The proposed house would be set behind the existing building lines of the terraced and semi-detached houses at Springfield Close” This was clearly written to placate residents and dismiss our concerns. They don't intend to do this at all. And its only when I added up all the measurements that I realised this.

This “similar’ is impossible based on their submitted drawn plans: I have a measured the upper floorplan of one of the springfield close houses that is currently for sale. TOTAL upstairs meterage is 38.92 m² that accounts for 3 bedrooms a bathroom and hallway. On the proposed plans submitted in tiny writing they state the square meterage for the bedrooms as;

Master bedroom 14 m² .. Bedroom 1 8 m² .. Bedroom 2 11 m² .. Bedroom 3 8 m² NEW ROOM 18 m² excluding bathroom. TOTAL ; 59m²

Adding the size of the Springfield close current bathroom (5.03 m²) to account for that missing measurement - that brings the total square meterage to 64m which is HUGE and not 'similar' to immediate neighbouring properties and could not be set behind existing building lines. It would look horrifyingly larger than the existing properties and just look completely out of place. So the drawing is drawn to look the same as our houses but that is impossible with that square footage.

Just to be clear that is 48% increase in size. A house 48% larger square footage. Based on the numbers in their application that they want you to approve. Tiny red numbers that you have to zoom in to see. That most residents consulted about the planning couldn't read as it is so small and easily missed.

Please do look at my images where I have calculated this as I want to be as clear as possible.

In 2015 a national space standard was announced for new builds, our houses would not meet that now as the minimum single bedroom size as recommended by the space standard is a floor area of 7.5m² and a width of 2.15m. You can see on the estate agent plans the smallest bedroom is 6.01m². Therefore a 4 bedroom property will not meet the national standard based on our current width / height / length and massing. And would obviously have to be larger than our plots.

4. Parking has always been an issue on this road, we don't have off road parking so there are only a few spaces that we can use. Where will their cars park? 5 bed – 5 cars? I see that the highways comment has approved sketch 1A but the original sketches are marked 1 / 2 / 3 and 4. So that is not clear enough.

A new double drop down curb has been added. Cars pulling out of a driveway so close to a bend with no line of sight is so dangerous. There are already accidents in the close and this will absolutely add to that. Who does that responsibility come back to if there is a significant accident? Please note that people drive at 30mph up and down this road. Its an accident waiting to happen

5. Traffic will increase and the proposed property will block any line of site on that corner. It will be a single lane, on a blind bend which could cause many awful and avoidable accidents. Currently you can see an oncoming car, through parked cars but the new proposal will remove that ability. The garages on the corner house a lot of large vehicles also – access and clearing of the road is needed. Not more cars parking.

I personally use it to turn my vehicle around several times a day. I have witnessed several instances where ambulances have blocked the road to attend to residents. Drivers / delivery vehicles had to wait as the vehicle owners could not be found. Recently a serious accident when a resident reversed her car onto the road. Refuse trucks will find that bend very difficult to fit around.

6. Again the Design of the house does not fit with the current design of the street. All our houses have an established pattern of acceptable design features in the street– please see attached image 4. They have highlighted random houses around The Reddings as comparisons for their plans, but the comparisons they pull are from roads that do not have a uniform design. Why haven't they pulled examples from our road? Because all our houses maintain the same look and visual design. The planned proposal is not clear enough on design and materials. To state 'material and colour to be similar' is too vague and leaves open to all sorts of interpretations. More clear wording is needed here to ensure that the design is in keeping with the surrounding houses. And a more comprehensive sketch to show exactly what this is. Assuming they sell this on with planning; the developers would not have much guidelines to adhere to; with huge scope for artistic license on materials / sizes / colour / fabrication anything.

7. The 3D rendering is a different design to the planning drawings. This shows a dormer roof, so please confirm which plan is correct? Please also see the 3d rendering is impossible as the square footage is much larger
Does the large landing indicate space for a staircase to the third floor? The dormer window supporting this design? Again not in keeping with the design of existing properties in the close. Such details should be clear on planning applications. The absence of clarity and detail in the planning alone should be reason alone to reject this. Perhaps they are aiming for a HMO? Such vague plans who knows.

8. Insufficient measurements and detail in the plans, leaves this development to any kind of changes that you will not be able to reject. Or future changes that you can not control.

9. The retained green space: not enough information given: what is the size of this? who will maintain this? Will CBC adopt it to maintain it ie cut grass. Will this become the village green space that we have been actively applying for? Safeguarding is needed on this to give clarification to protect it against any future planning applications. Will it all be in perpetuity?

Who will own and maintain the footpath?

I would like to draw your attention to The Green Space Strategy 2009 created by Cheltenham borough council, in which Planning Policy Guidance 17: Planning for Open Space, Sport and Recreation (2002) (PPG 17) requires Local Planning Authorities to undertake a robust assessment of the existing and future needs of their communities for green space. In this very long document all green space has been counted in Cheltenham, and noted that

“The most common green space type in Cheltenham is Amenity Green Space accounting for 70% of the total number of sites yet they make up only 11.14% of all green space reflecting the small size of most green spaces of this type. “ demonstrating how integral green space is and how it should be protected and not developed on.

I believe that this planning application is in violation of several of Cheltenham borough council guidelines and initiatives. The National Development Framework sets out the design framework for all new developments where green open space must be provided and the

Councils own recent literature issued with the latest council tax bills for 2024/25 recognises this fact and highlights in the case of the Golden Valley development that it is designed with a “landscaped based approach to prioritise the wellbeing of people and nature”.

There are plenty of new affordable homes being created in and around Cheltenham which all create new housing that the council needs, they are built specifically to adhere to your guidelines and provide amenities to the new residents. This proposed 5 bed dwellinghouse is not needed, will not solve the issue of more properties for Cheltenham and will significantly Negatively impact many houses and residents surrounding this space. I feel the loss of green space far outweighs the need for more built up urban creep.

I have looked online and seen far more impressive new home initiatives, ie Tewkesbury-based housing association Bromford has agreed a deal to buy two parcels of land owned by Cheltenham Borough Council and Gloucestershire County Council on Old Gloucester Road in Cheltenham. The housing association will now draw up plans to build 180 homes on the combined 16-acre site. Mixtures of affordable housing / mixed tenure developments. And green spaces. That’s just one that I found. I implore you to recognise this for the greedy profit grabbing opportunity that it is. 1 bad designed house will not affect any housing goals for the council but it will directly impact the lives of the people living around it for years and years to come.

10. the site plan shows the front of the property as having two car spaces and dustbin storage – again no house on the street has this

11. The bins shown on the front lawn is unsightly. We all bring our wheely bins out on the day of collection and promptly roll them back away, we even do it for our neighbours as it is a lovely street like that. This plan should mirror that.

12. another error on the application is stating the address as 16 springfield close. This is incorrect as that is my address of my property.

13. further error in their application. See image below. Is it a 1 bed? Or 2 bed? Or 3 bed? Or 4+ or just what ever they feel on the day?

Market Housing

Please specify each type of housing and number of units proposed

Housing Type:						
Houses						
1 Bedroom:						
1						
2 Bedroom:						
1						
3 Bedroom:						
1						
4+ Bedroom:						
1						
Unknown Bedroom:						
0						
Total:						
4						

Proposed Market Housing Category Totals	1 Bedroom Total	2 Bedroom Total	3 Bedroom Total	4+ Bedroom Total	Unknown Bedroom Total	Total
	1	1	1	1	0	4

My house is nearest the proposed development and myself and my family will be directly affected by this. The potential loss of privacy due to windows looking directly into our

property will directly negatively impact our day to day, for both myself, my husband and my son.

I have used the 'springfield green' to teach my son how to ride a bike, and walk our puppy, and meet and talk to neighbours over the years. Cheltenham prides itself on an 'image of an elegant, spacious town with groups of well proportioned buildings set in generous gardens, with open space extending into the heart of the town' to quote your local development guide. However these plans are the opposite. This planning proposal erodes the streets character with un-neighbourly, poorly designed vague details, and potentially dangerous traffic complications.

The green open space is central to our Springfield close. It was built and used as a communal area for not only our residents but many others residing around the area due to the public footpath connecting to it for over 45 years. And we all assumed it would stay that way as the local council maintained it for the last 45 years. If the national development framework requires all new developments to have open green spaces, then this should still apply here. This site should not be built on at all.

Image 1

Demonstration of Separation distance for New build proposal to existing property

PLANS CLEARLY SHOW THE NEW PROPOSED PROPERTY DOES NOT MEET THE MINIMUM DISTANCE.

MINIMUM DISTANCE IS SET OUT CLEARLY IN (Guidelines from CBC Supplementary Planning Document - Residential Alterations and Extensions Adopted February 2008 page 7)

GROUND FLOOR WINDOW TO KITCHEN AND LIVING ROOM
1ST FLOOR WINDOW TO BEDROOMS AT 16 SPRINGFIELD CLOSE.

google image for correct sizing

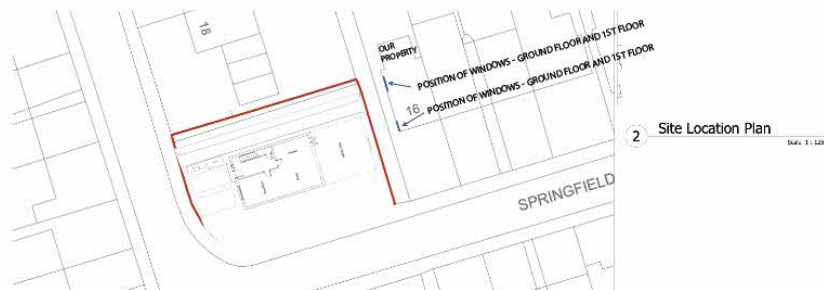
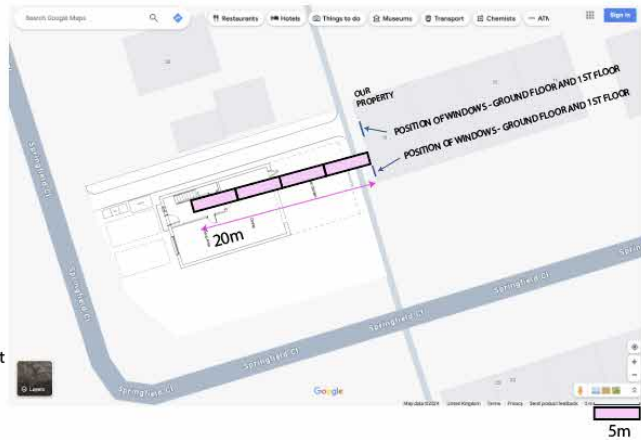


Image 2



Aerial photo showing windows in position to the plot of land:

- 2 x bedroom windows
- 1 x kitchen window
- 1 x living room window

SKETCH TAKEN FROM PLANNING DRAWINGS.



VIEW OF BACK OF PROPOSED PROPERTIES AND WINDOWS THAT ARE FACING WINDOWS TO HABITABLE ROOMS.

IMAGE 3

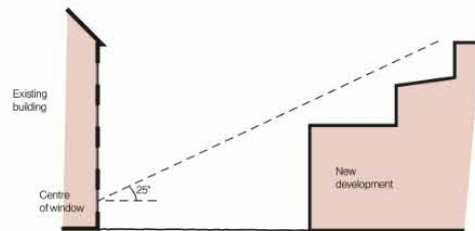


Figure 14: Section in plane perpendicular to the affected window wall

ARTICLE USED FOR REFERENCE

THERE ARE NO ACTUAL MEASUREMENTS ON THE PLANNING SUBMISSION SO I HAVE USED THEIR SKETCH TO APPROXIMATELY SHOW HOW THE PLANNED PROPERTIES WILL RESULT IN LOSS OF LIGHT TO KITCHEN

KITCHEN IS NORTH FACING AND ONLY LIGHT INTO THIS ROOM IS FROM THIS SIDE WINDOW

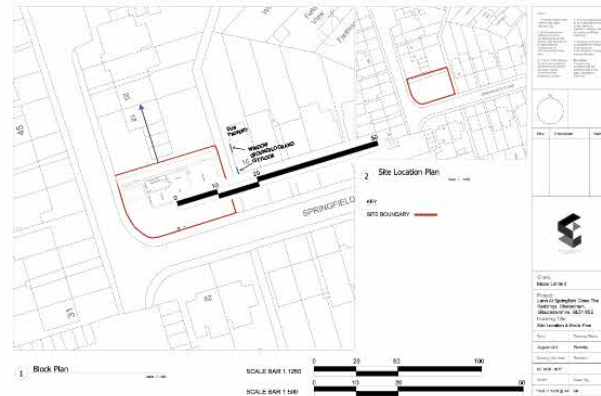


Image 3.5 a b c

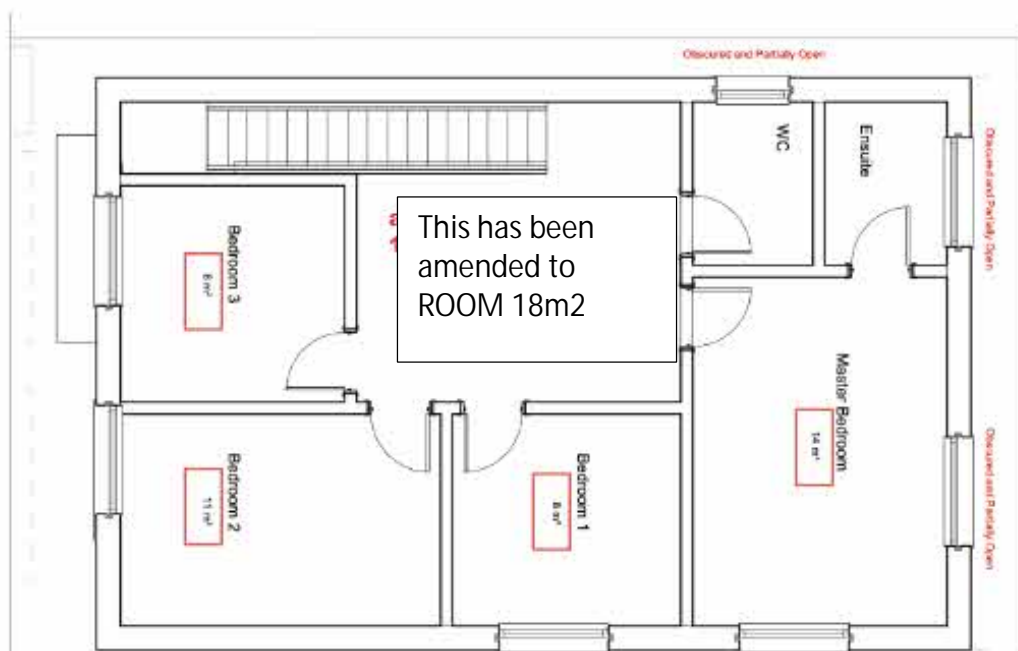
A – current plans from right move of house in springfield close with measurements.

B – calculating the square meterage of all rooms – to compare to the proposed plans

C – a realistic approximation based on the proposed plans showing an increased 47% floor plan. Obviously exact widths can not be guessed here and they have not been submitted but based on the increase in square footage it is impossible that this house be a similar size as our current houses or even be in set inline with the houses. It will be a huge eyesore.



**TOTAL UPSTAIRS
SQUARE
METERAGE:
38.92**



**BEDROOMS ALONE ON THIS PLAN ADD UP TO 41M2
ALREADY LARGER THAN EXISTING PROPERTIES
THI IS NOT INCLUDING THE HALLWAY / WC / ENSUITE**

**UPSTAIRS
SQUARE
METERAGE: only bedrooms
59m2**

**EXCLUDING LANDING AND WC
AND ENSUITE.**

Image 3.d + e retrofitting their 3D drawing with a more accurate size of the proposed property (increased footprint of 40% ish.) Sticking out and not fitting in with the street at all also taking up far more of the green than shown in the plans.



Image 4



the examples proposed for single detached houses are not on our road, or anywhere near our road.

please see below for the uniform design of houses on our road: BLOCKS of 4 houses all attached.



Image 5



Original plan from 1967 clearly shows the path. Between the garages and the green. Same dimensions as the roadside path.

Image 5

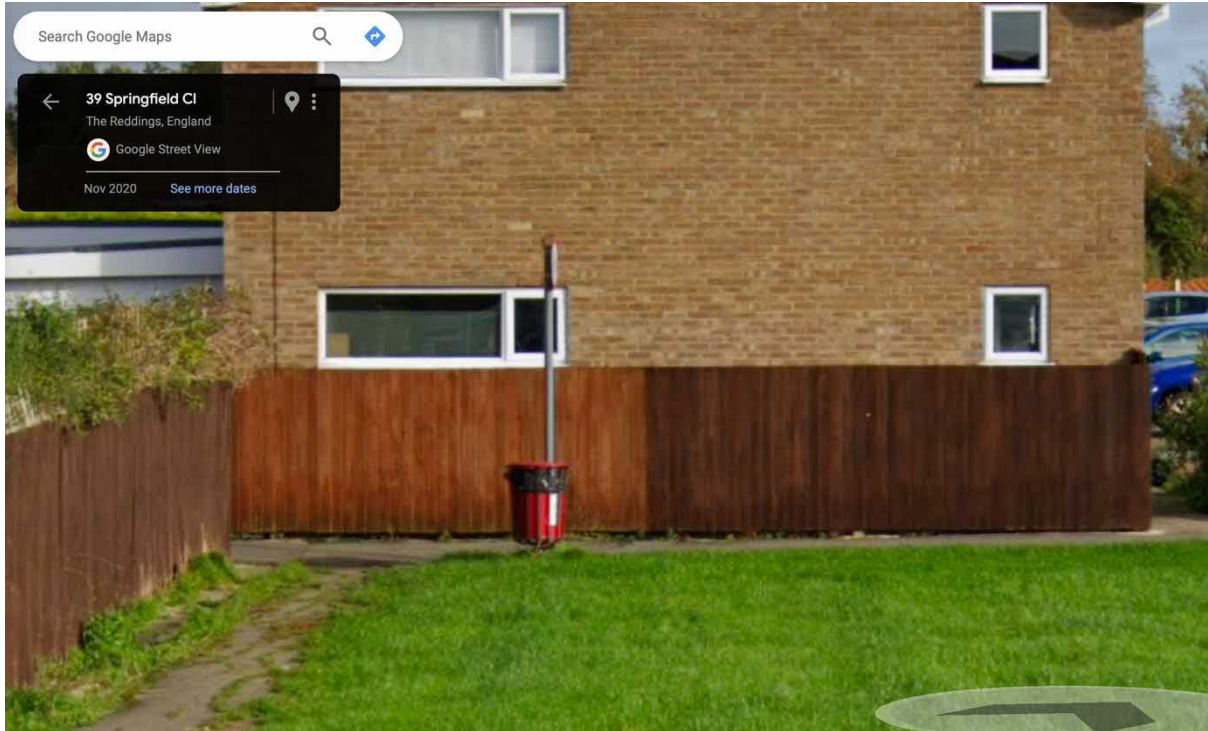


Image 6 is this an error on the application? So it could be a 1 bed or 2 bed or 3 bed or 4+ which would 5?6??? how can an error like this be submitted unless they want the vagueness to then develop loft rooms???

Image 7 another error: stating it is 4 units ???

Existing

Please select the housing categories for any existing units on the site

- Market Housing
- Social, Affordable or Intermediate Rent
- Affordable Home Ownership
- Starter Homes
- Self-build and Custom Build

Totals

Total proposed residential units	<input type="text" value="4"/>
Total existing residential units	<input type="text" value="0"/>
Total net gain or loss of residential units	<input type="text" value="4"/>

Websites and documents I have referenced for CBC guidelines.

<https://images.reading.gov.uk/2022/11/ID95-Site-Layout-Planning-for-Daylight-and-Sunlight-A-Guide-to-Good-Practice-BRE-2022.pdf>

<https://www.cheltenham.gov.uk/planning-policy>

CBC's residential alterations guide

If you would like any more clarification or larger images providing, please let me know.

Kind regards



No 16.

[REDACTED]
19 Springfield Close,
The Reddings,
Cheltenham
Glos.
GL51 6SE

26/03/2024

Planning Application 24/00389/FUL

Dear Mr. Warren,

We are writing to submit our objections to the revised plans for the building of a property on the green space of Springfield Close.

We have looked at the newly submitted plans and are still very concerned and unhappy.

We object to the size of the proposed detached house which will be unlike anything on our Close. All around The Green the houses are terraced and the proposal looks to be considerably larger than the surrounding properties. The houses on the Close are very much 1960s in their exterior design and we feel that this large detached modern build will not fit aesthetically into the Close.

It is very difficult to imagine the planned house as they only give percentages and areas(m²) and don't include specific dimensions on their plans. We cannot see any height dimensions. Is their plan even valid without these?

We are also majorly concerned that our view of traffic coming around the sharp bend will be obscured especially when reversing off driveways. This house will also restrict vision for pedestrians crossing the road, especially school children as they use the alleyways near the property as a short cut.

We also object to the now proposed double dropped kerb as it is still effectively very close to the bend in the road, creating a safety issue. We still feel that the parking will be a problem as Springfield Close residents struggle with all the street parking as it is. If a 4/5 bed roomed house is built, (that will most likely need to accommodate more than 2 vehicles) with visitors and residents this will exacerbate the parking problem.

There seem to be many discrepancies with the submitted plans, which are confusing.

The 3D image submitted shows a dormer over bedroom 3 but no roof plan has been provided.

The large landing area on the 1st floor is now labelled 'Room'. Is this to be a bedroom or living space? Does it have a required window?

The stairwell appears to be 2 storeys high, so will there be another bedroom in the loft?

We are also concerned and object to privacy issues as the back of the proposed house overlooks no 16. How can a master bedroom have obscured glass and a window that only partially opens? Surely this would be a major safety issue.

Another extremely important objection is that the proposed building is usurping the resident's Green Space. The plans leave a small area (a strip) of grass which is not suitable for social gatherings, dog walking, social events, sports or as a play area for children, which we all, at present, enjoy. Our well-being and mental health needs could be taken from us.

Will the proposed property have fencing around it? What is to stop them extending onto the rest of the space in the future?

It is very sad to think that this property may be built. Every estate needs a green inclusive space and when these houses were originally built the green space was left for the residents' well-being and enjoyment as indeed today's government promotes, a healthy safe space for social well-being and interaction.

Thank you for your time.

Yours sincerely

A solid black rectangular box used to redact the signature of the sender.

FAO Mr Ben Warren
Cheltenham Borough Council
Planning & Development
Municipal Offices
Cheltenham
GL50 1PP

2 Springfield Close
The Reddings
Cheltenham
GL51 6SE

27th March 2024

Dear Sir

Ref Planning Application Ref. No.24/00389/FUL

As with the previous application for this site, I am writing to object to the proposed development for a single four Bedroom house on The Green in Springfield Close.

Any proposal of this nature effects all properties & residents in the road, as being a Cul-De-Sac all are affected in one way or another.

I am fully in support of those objecting who are nearest and would be most affected but also for those of us not in the immediate vicinity but who already know the problems created when additional visitor's and trade vehicles effectively overwhelm the roads capability and force parking across drives and into nearby roads overloading them as well.

Mostly I object to the loss of the green open space known locally as The Green which has served this community as a recreation and play area since Springfield Close was built circa 1967 with The Green located central to the development.

The Green has accommodated many village type activities where not only children played games but also as a meeting place to celebrate national occasions such as royal celebrations, street parties, local carnival etc.

It has continued to be used for recreation purposes throughout the period of previous ownerships as all residents assumed it was still in the care of the local authority being that they have continued to cut the grass and maintain the tarmac footpaths since its creation.

The National Development Framework sets out the design framework for all new developments where green open space must be provided and the Councils own recent literature, issued with the latest council tax bills for 2024/25, recognises this fact and highlights, in the case of the Golden Valley development, that it is designed with a "landscaped based approach to prioritise the wellbeing of people and nature".

There has to be consistency across Local Authority policies to protect green areas already existing and there is no justification in taking away this amenity and deny the residents of Springfield Close the right afforded to others as our wellbeing is equally important.

On this alone this application should be refused.

The application itself throws up many queries and concerns and the latest revisions do not address those of greatest concern as to what is the true size and appearance and potential use for this building, not necessarily now but in the future.

Most of the comments and questions below stem from a lack of information and contradiction in the submitted documents.

The purpose of a drawing is to show with clarity what the proposed building is supposed to look like, its size, and the material used in it its construction. The drawings provided have very few notes and no dimensions and trying to understand and decipher the intent has been both time consuming and frustrating and found not in keeping with Cheltenham Borough Councils own planning submission check list requirements which raises the question as to how it was validated when so much of the information is contradicted and much of what is needed to make an assessment is missing.

The examples of misleading information are as listed below.

The application states that there is a new access off the road, (which has now been revised and widened to double width), but also states that “no parking spaces will be added to the site”. The Block Plan and Design Statement shows and refers to 2 number spaces on site.

The Highways consultancy comment is made based on the Floor Plan, to which it refers, but the Block plan also has the same road bend shape discrepancy. Physically it can be seen on site that the radius is a true radius not an extended one as shown which could have influenced Highways evaluation.

This can be verified on site and using the Google Satellite view which appears to form part of the design statement. Reference to the estate layout each householder possesses shows a true radius noted as 35ft (10.66m) with its springing point about mid-point of the floor plan and likely to be on a line when extended to be within the drop down kerb width.

The application states that the wall finish is brick to match existing properties but the front elevation drawing clearly shows an area between lower and upper windows where the rendering of the drawing indicates that it is a different finish.

If this is intended to show a different panel treatment to match existing houses then there are three different variations of panel finish on the immediately neighbouring houses so which one will it replicate.

If it is intention to build the whole elevation in brick this would not match the existing housing. The 3D image in the Design Statement does not help in determining this but does indicate a small gable and hipped roof dormer over Bed 3 which suggests that a future application could attempt to increase this to a 5 Bed house. A roof plan would clarify this but has not been provided.

The application states that there are four houses to be built one of each house type (Type 1 =1 Bed, Type 2=2Bed, etc.). Clearly the application statement is incorrect and confusing.

The Design Statement shows properties in the area but not in Springfield Close as examples of design variation in the area but should be considered irrelevant.

They are of mixed styles over many different periods not representative of the distinctive style of the Springfield Close estate development of the 60's.

The application states that there will be a timber fence on the site boundary.

The application site is defined by the red line on the Site Plan so covers all of the land and therefore is the site boundary.

Therefore will the whole of the application site be fenced or will it be open plan with the fences shown on the drawings being the only fences.

It is stated the remaining green will be kept as an amenity to the house and to keep the common character of the local area and to minimise the impact on the open green space.

There is nothing to prevent any future owner seeking to extend the house or otherwise build on this land with the total loss of the open green area in which case removal of Permitted Development Rights is essential to protect the area.

A similar comment also applies to the west side **Page 96** where there is no commitment to preserve this in perpetuity.

Using the on-line measuring tool to measure the floor plans the footprint of the building calculates to around 78sqm which is 20% of the 390 sqm site area and not 15% as stated' it also is a 56% increase above the 50sqm footprint of the existing houses nearby and certainly not "overall modest".

Using the room sizes noted on the First Floor layout, (which contains most area information), the net floor area works out to be circa 67.5 including the en-suite, WC and double height stairwell beside bed 3.

Even allowing for variations in measured dimensional accuracy, it is hard to see how this area fits into the building footprint when adding standard construction for external and internal walls. This is even more obvious if the increase in the FF area marked ROOM from the original 14sq.m to 18sqm is used.

The Block plan, shown at 1/200 scale, can't be measured on-line but when printed and scaled the block of the building shown equates to a footprint circa 91sqm in size which itself equates to 23% of the 390sqm site area.

Clearly it is hard to guess what the final size will be and having no dimensions allows for generous interpretation.

The building size using any of the above variation of footprint areas, positions the building clearly beyond the building line relating to the frontage of properties 10 -16. The Block Plan confirms this and is contrary to the Design Statement.

The area at the top of the stairs was originally unnamed and assumed to be a large landing. This is now designated as a ROOM.

If it is proposed to be a habitable room, it would require ventilation and light.

Will that be provided in the form of a window.

If so it would alter the external appearance and also overlook the West side properties

At the time of writing there has only been the standard response from Building Control but there are matters that should be considered in complying with the current regulations which may determine whether the submitted design would need further amendment affecting its appearance.

Also needed to be clarified is the method of FW disposal which is said to be unknown.

Surely there should be no doubt as all service utility records are available from the relevant authority but does this indicate a connection problem affecting neighbouring properties.

Clearly there are multiple issues giving cause for concern as there is insufficient detail provided to satisfy these concerns.

Therefore as well as the loss of green open space it is suggested that the application is refused as it does not allow for a reasoned appraisal.

Yours sincerely



[REDACTED]
9 Springfield Close
The Reddings
Cheltenham
GL51 6SE

Mr Ben Warren
Cheltenham Borough Council
Municipal Offices
Promenade
Cheltenham
GL50 1PP

27/03/2024

Re - 24/00389/FUL - Erection of one dwelling – Objection

Dear Mr Warren,

We are writing to object to the proposed development to erect a dwelling on the land at Springfield Close.

When we moved to the area in July 2022, the central green space was one of the factors that contributed to our purchase. Within the design statement, the applicant states that the ‘footprint of the house will only take 15% of the land’; however, when the new driveway and garden are included within this, the loss of public green space is clearly evident.

Whilst there is a small section of green on the proposed plan, this is simply not enough for any social or community activities. We are saddened that we could be losing a valuable green community space and feel strongly that this area is preserved, not only to continue with its role as part of our community, but to protect the space from encroachment for the enjoyment of future generations.

The main reason for objecting to the proposed development is due to highway safety. As you are aware, there is a well-used public footpath running alongside the green. Currently, the open green space makes it safe to cross the road as you can see traffic in both directions. The proposed dwelling would still make it hard to clearly see traffic coming from around the corner. This visual constraint will make it difficult for pedestrians to safely cross the road. Furthermore, the loss of vision around the bend is also a safety concern for drivers coming up the road.

The design, scale and appearance of the proposed dwelling will have a harsh visual impact on the character of the cul-de-sac. The development will not be well integrated and does not complement the neighbouring buildings. Subsequently, it is incongruous within the street scene.

In conclusion, the proposal would demonstrably harm the amenities enjoyed by local residents, in particular, valuable green space and the right to enjoy a quiet and safe residential environment.

We would be grateful if the council would take our objections into consideration.

Yours sincerely
[REDACTED]

Dear Mr Warren,

Re; Planning Application 24/00389/FUL. Erection of 1 dwelling on land at Springfield Close, The Reddings Cheltenham

I am writing to you as Borough Councillor for Benhall & The Reddings Ward in which the above application is located.

Having reviewed the revised plans submitted I believe the development would still have a profound detrimental and devastating effect on the neighbouring area. I again object to this application on the grounds of visual impact, the effect on the character of the neighbourhood, highway safety and the loss of a valued green open space.

Strong public opposition

I have received much feedback from local residents, who express strong public opposition to this proposal. Many residents who live adjacent to the proposed site have expressed very real and personal reasons why this development should not be permitted. I have encouraged inhabitants to confirm their objections to you directly but list what I see are the reasons for recommending refusal to this application.

Loss of green space

The loss of the green open space known locally as 'The Green' would be widely felt by residents both young and old. It has served this community as a recreation and play area since Springfield Close was built in the 1960's. Having lived in The Reddings for almost 50 years I have seen first-hand just how well the green has been used and how valuable it has become. Today it is still used widely for a whole range of community activities, especially for children to play and provides mental and physical benefit to the local community.

The Local Plan defines Green Space as sections of undeveloped land that provide a positive visual and environmental contribution to Cheltenham. I believe this piece of land meets the requirement and as such should be retained. Indeed when the original plans for the close were approved this Green Space was reserved for the wellbeing of its residents. It should not be underestimated the contribution that this open space makes to health and welfare of the local community, so much so that prior to planning applications being presented, local residents made an application to Gloucestershire County Council for 'village green' status to be applied to this green space but are still waiting for a response.

It should be remembered that Local Green Space is good for people's mental and physical health and is vital for free recreation, which is also known to reduce health problems, it absorbs pollution plus carbon emissions which contribute to global warming and dangerous particulate pollution which contribute to heart disease and respiratory difficulties etc.

This amenity is highly valued. If lost, it is not easily replaceable by an alternative site; it is the only green area of any significance within the locality. Indeed the Council is aware of the great shortage of green space in this part of Cheltenham. Now more than ever it is very important to protect the remaining green spaces for future generations.

Proposal out of charter

The siting of the dwelling is at odds with the rest of the estate. Its position does not follow the building line to that of the nearest properties and is a completely different design. In addition, there are inconsistencies within the drawings submitted which raise doubts about its suitability for the location. The lack of clarity and coherence in certain aspects of the plan, such as the number of bedrooms, only one bathroom which seems odd for the size of property. Also, the roof plan is missing and the landing is disproportionate indicating a further bedroom in the loft space.

Road Safety

I am still very concerned by the impact this will have on the road traffic and safety in this area. Due to the proposal's site location, the building would continue to create a significant loss of visibility for both road users and pedestrians. This would in affect create a blind spot where the ability to see vehicles driving around the corner in either direction would be lost. Also many residents are concerned that this proposal is likely to exacerbate the already limited parking situation within the close which could lead to further congestion and increase potential hazards.

Conclusion

There is a proven need for a green space at this location. It is serving the community that would otherwise have to cover some distance to find an alternative. With many of the houses in the close having small gardens, this space is unique in allowing children to play in a safe area. It is a valuable, much used and well-loved haven of green space. The local community would be devastated if it were to be developed. The community had expected this green open space to continue in perpetuity under the assumed safeguard of the local authority.

The local community has spoken and their wishes and concerns should be listened to. I strongly agree that this proposed development will have an extreme negative and overwhelming effect for the residents and therefore should be refused.

Yours sincerely

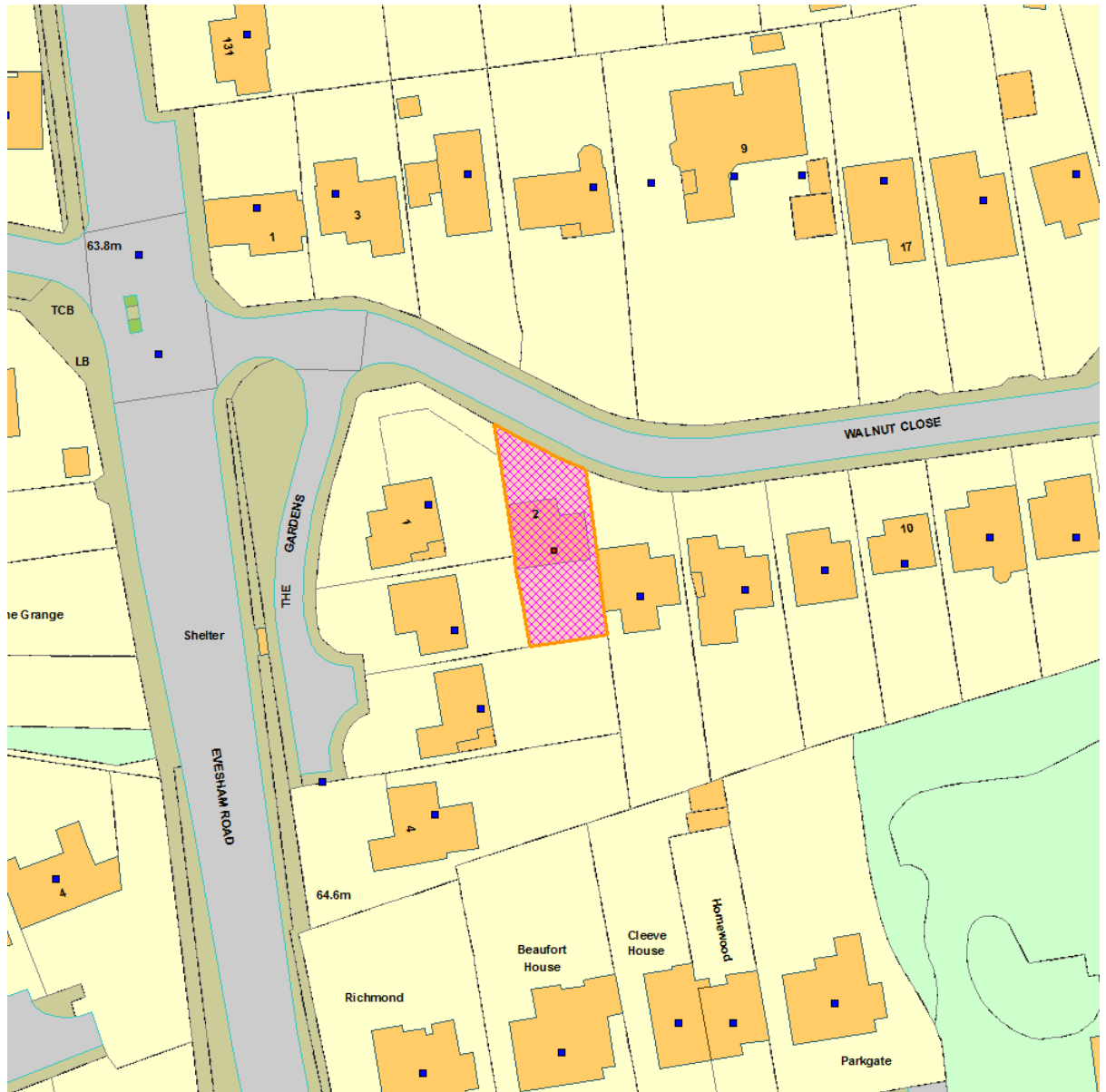
Nigel Britter
Borough Councillor
For the Benhall & The Reddings Ward

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Officer Report

APPLICATION NO: 24/00318/FUL	OFFICER: Mr Ben Warren
DATE REGISTERED: 24th February 2024	DATE OF EXPIRY: 20th April 2024
DATE VALIDATED: 24th February 2024	DATE OF SITE VISIT:
WARD: Pittville	PARISH:
APPLICANT: Mr and Mrs J Cox	
AGENT: SE Architecture	
LOCATION: 2 Walnut Close Cheltenham Gloucestershire	
PROPOSAL: Single and two storey extensions and remodelling works.	

RECOMMENDATION: Permit



This site map is for reference purposes only. OS Crown Copyright. All rights reserved Cheltenham Borough Council 100024384 2007

1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site relates to a detached two storey property located within a residential area on Walnut Close.
- 1.2 The applicant is seeking planning permission for single and two storey extensions and remodelling of the property.
- 1.3 The application is at planning committee at the request of Councillor Fifield who wishes members to consider the impact on neighbouring amenity.
- 1.4 During the course of the application revised plans have been submitted in response to officer's concerns regarding a loss of privacy resulting from the upper floor rear elevation windows within the two storey rear extension.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Principal Urban Area

Relevant Planning History:

None

3. POLICIES AND GUIDANCE

National Planning Policy Framework

Section 2 Achieving sustainable development

Section 4 Decision-making

Section 12 Achieving well-designed places

Adopted Cheltenham Plan Policies

D1 Design

SL1 Safe and sustainable living

Adopted Joint Core Strategy Policies

SD3 Sustainable Design and Construction

SD4 Design Requirements

SD14 Health and Environmental Quality

Supplementary Planning Guidance/Documents

Residential Alterations and Extensions (2008)

Climate Change (2022)

4. CONSULTATIONS

Gloucestershire Centre For Environmental Records - 1st March 2024

Report available to view in documents tab.

Building Control - 6th March 2024

This application will require Building Regulations approval. Please contact Cheltenham and Tewkesbury Building Control on 01242 264321 for further information.

5. PUBLICITY AND REPRESENTATIONS

- 5.1 6 letters were sent to neighbouring land users, 3 letters of representation have been received in response to this neighbour notification process. The comments have been summarised below:

Objections:

- Loss of privacy, loss of outlook, loss of light resulting from proposed two storey rear extension.

Support:

- Good design

6. OFFICER COMMENTS

6.1 Determining Issues

- 6.2 The main considerations in relation to this application are the design and the impact of the proposal on neighbouring amenity.

6.3 Site and context.

- 6.4 The existing building is a detached two storey dwelling with pitched roof and includes a projecting single storey flat roof element to the front and side. The existing building is finished in buff coloured brick, concrete roof tiles, white windows and doors and first floor tile hanging to the front elevation.

- 6.5 In terms of context, the surrounding properties are all detached two storey dwellings. As originally constructed, the properties immediately to the west would have been of a similar form and design to that of the application site, however, nearby properties have recently been the subject of various extensions and modernisation works, resulting in a more varied street scene. Of particular note is the immediate property to the east of the application site, number 4 Walnut Close, which has recently undergone significant extensions and alterations to the front, rear and side of the property. The property has also been modernised, which resulted in the rendering of the whole property. Other nearby properties have also been extended in various forms and include two storey front extensions and additions to the rear.

6.6 Design

- 6.7 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.’

- 6.8 The application proposes a two storey front extension, first floor side extension and part two storey, part single storey rear extension. The proposed works also include the modernisation of the property by proposing a rendered and clad finish to the external elevations, with grey powder coated aluminium windows and doors and a slate roof.

- 6.9 The proposed extensions are reasonably modest additions in terms of their footprint and are considered to sit comfortably within the plot. The proposed extensions and

alterations result in a significant change in the design and appearance of the dwelling. However, the design is not out of context given works undertaken at neighbouring properties. Officers consider the scale and form of the proposed extensions to be acceptable for this site, and consider the resulting design and appearance to be appropriate for a modernised property in this location.

- 6.10 Due to the bend in the highway, number 2 Walnut Close is set further forward in the street scene than the neighbouring properties to the east. Officers acknowledge that the property's position will result in the extended and remodelled dwelling appearing relatively prominent in the street scene, especially when viewed from the east. However, given the sites context and the acceptable overall design approach, officers do not consider any impact on the street scene would result in harm that would warrant the refusal of planning permission.
- 6.11 Overall, the proposal achieves an acceptable form and design and is considered to be compliant with the requirements of the Adopted Cheltenham Plan (2020) policy D1, adopted JCS policy SD4 and the Supplementary Planning Document – Residential Alterations and Extensions (adopted 2008).
- 6.12 Whilst the principle of composite cladding is considered to be acceptable, specific details have not been provided. Given the extent of cladding proposed, officers consider it necessary for this material detail to be submitted. As such, a condition has been suggested.
- 6.13 Impact on neighbouring property**
- 6.14 It is necessary to consider the impact of development on neighbouring amenity. JCS Policy SD14 and Cheltenham Plan Policy SL1 state how development should not cause unacceptable harm to the amenity of neighbouring properties. Matters such as a potential loss of light, loss of privacy, loss of outlook, noise disturbances and overbearing impact will therefore be considered.
- 6.15 The neighbouring properties that would be most affected by the proposed development are those to the west of the application site, and includes number 1, 2 & 3 the Gardens. The rear gardens of numbers 1 and 2 extend up to the side boundary of the application site. The rear garden of number 3 extends across the rear boundary of the application site.
- 6.16 In terms of impact on number 1, due to the position of this property in relation to the application site, the rear elevation windows of this property generally overlook the front of the application site. The proposed first floor side extension will be approximately 10 metres away from the rear elevation of number 1 and will be the same depth and height of the existing property. Whilst the proposed side extension would move the side wall closer to the boundary, due to this neighbouring property's position within its plot and its relationship with application site property, officers do not consider that any unacceptable loss of light or loss of outlook will occur to any rear elevation windows. Officers acknowledge that the proposed extensions will be visible from the rear garden of number 1, however given the sites relationship with the application site, with a significant portion of number 1's garden being unaffected by the proposed works, officers do not consider the development would result in an unacceptable overbearing impact or overshadowing. The application also proposes a new two storey front extension, however, given its position on the opposite side of the plot, and the distance away from number 1, no concerns are raised regarding its impact.
- 6.17 In terms of impact on number 2 The Gardens, the rear elevation of this property overlooks the rear garden of the application site, the existing window to boundary distance is approximately 9 metres. Concerns have been raised by this neighbouring land user with regards to a loss of light, loss of outlook and overbearing impact as a

result of the proposed two storey rear extension. No concerns have been raised in terms of the single storey part of the rear extension. The proposed two storey extension is set away from the shared boundary with number 2, by approximately 5 metres, as such, the extension is roughly 14 metres away from the rear elevation of number 2 the Gardens, this exceeds the minimum distance of 12 metres that is usually required for windows that face a new two storey wall. With this separation distance, officers do not consider this extension to result in any unacceptable loss of light or loss of outlook. Furthermore, given the reasonably modest depth of the extension of 3 metres, and its position within the plot, officers do not consider the extension to result in an overbearing impact. Officers are also mindful that this proposed development would be read in the context of the existing extensions to the rear of 4 Walnut Close.

- 6.18 Number 3 the Gardens will not be unduly affected in terms of light or outlook; however its rear garden runs along the rear boundary of the application site. Due to the limited depth of application sites rear garden, the first floor rear elevation windows within the new two storey extension would achieve a window to boundary distance of approximately 9 metres, this falls short of the minimum 10.5 metres usually required. As such, there is potential for an unacceptable loss of privacy to this neighbour's garden. Having raised these concerns, revised plans have been submitted, the rear elevation window design has been amended. The windows are now proposed to be obscurely glazed and include restricted opening mechanisms. Officers consider this response to be acceptable and will maintain appropriate privacy levels. A relevant condition has been suggested.
- 6.19 Due to the position of the proposed extensions within the plot and relationship with the neighbouring land user at number 4 Walnut Close, no concerns are raised regarding impact on this property.
- 6.20 It is the view of officers that the proposal is considered to be compliant with Adopted Cheltenham Plan (2020) policy SL1 and adopted JCS policy SD14.

Other considerations

6.21 *Climate change*

The Cheltenham Climate Change SPD (adopted June 2022), sets out a strategy for decarbonising homes over the next decade. For residential alterations and extensions there is an opportunity to improve the environmental performance of a home through the inclusion of technologies and features such as photovoltaics, replacement windows, heat recovery, permeable (or minimal) hard surfaces, works to chimneys, insulation, replacement heating systems (heat pump) and thoughtful kitchen design.

The application is supported by a sustainability statement which discusses various key points highlighted in the Climate Change SPD. Officers consider the submitted information and measures to be acceptable for this scale of works.

6.22 *Environmental Impact*

Records show that important species have been sighted near the application site in the past and in particular bats recorded in 2019, the sightings recorded as 135-235 metres from the site. Given the distance from the site and the nature of the works which is additions to an existing residential building, it is not considered that this development would have any impact on these species.

6.23 *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 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 Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and/or re-enacting that order), the first floor rear elevation windows within the new two storey rear extension; shall at all times be glazed with obscure glass to at least Pilkington Level 3 (or equivalent) and shall incorporate a restricted opening mechanism as detailed on drawing number 03A.

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

- 4 Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and/or re-enacting that order with or without modification), no additional windows, doors and openings shall be formed at first floor, in the rear elevation of the two storey rear extension; without express planning permission.

Reason: Any further openings require detailed consideration to safeguard the privacy of adjacent properties, having regard to adopted policy SL1 of the Cheltenham Plan (2020) and adopted policy SD14 of the Joint Core Strategy (2017).

- 5 No external cladding shall be applied unless in accordance with material 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, having regard to adopted policy D1 of the Cheltenham Plan (2020) and adopted policy SD4 of the Joint Core Strategy (2017).

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: 24/00318/FUL	OFFICER: Mr Ben Warren
DATE REGISTERED: 24th February 2024	DATE OF EXPIRY : 20th April 2024
WARD: Pittville	PARISH:
APPLICANT:	Mr and Mrs J Cox
LOCATION:	2 Walnut Close Cheltenham Gloucestershire
PROPOSAL:	Single and two storey extensions and remodelling works.

REPRESENTATIONS

Number of contributors	3
Number of objections	2
Number of representations	0
Number of supporting	1

4 Walnut Close
Cheltenham
Gloucestershire
GL52 3AG

Comments: 1st March 2024

I think the design looks great and will fit in nicely with a lot of the newly refurbished and new build properties that are appearing now on the close.

3 The Gardens
Cheltenham
Gloucestershire
GL50 4QE

Comments: 18th March 2024

I object to the proposed upper floor extension to the south elevation.

No 2 Walnut Close occupies a relatively small plot which looks directly onto the side of no. 2 The Gardens and also onto no. 3 The Gardens.

The side and ground floor rear extensions will have some impact on the sense of space and privacy enjoyed by no.3 both from the house and from the garden but this should not be severe. However, the substantial upper floor rear extension is half the width of the house and would also protrude closer towards the boundary with no. 3, materially affecting the privacy of both the garden and the rear rooms of the house. At present, the south elevation of no. 2 Walnut Close does not overlap the north elevation of no. 3, and for good reason - its provides privacy and a sense of space. The proposed top floor extension with its full height roof will negatively impact this.

I am the son of the owner occupier and write with their agreement and support.

2 The Gardens
Cheltenham
Gloucestershire
GL50 4QE

Comments: 29th March 2024

We note the recent minor revision to the plans regarding the windows of the proposed rear upper storey. This in no way alleviates our original objection, which concerns the bulkiness of the upper storey including its gable roof. It is this which has considerable impact for the visual impact upon all of our rear rooms and garden.

We understand that the applicant would prefer to have a wider extension at the front (as we have suggested) since it would provide them with more usable additional space and would be cheaper. It would be interesting and helpful to know whether planning regulations absolutely forbid or preclude such a proposal as it would have little visual impact for neighbouring properties and would be a win-win all round, or whether there is scope within them for such a compromise in this particular case given the locations of the properties concerned.

Comments: 4th April 2024

We gather that the possibility of extending further at the front (ie the full width of the property) was discussed with the applicants' agent, and that from the officer's perspective, this would move a new two storey extension closer to the shared boundary. We also gather that the officer has said that the distance between the rear elevation of number 1 The Gardens and the potential relocated 2 storey extension to the front would fall short of the minimum distance of 12 metres usually required (it would be 10.5 metres).

And yet at the same time the already proposed full width extension of the side of the property, which we understand the officer is minded to allow, would move that extension to exactly the same point as the suggested full width extension at the front of the property. The distance between the rear elevation of Nr 1 The Gardens and the proposed side extension would be 10.5 metres and the distance between the rear elevation of Nr 2 The Gardens and the side extension would be 9.3 metres - both well short of the 12 metres distance usually required.

It seems odd that the side extension should be allowed but the full width extension at the front should be disallowed when both fall well short of the usually required 12 metres distance.

A full width extension at the front would cause only the same impact on Nr 1 The Gardens as the side extension does on both Nr 1 and Nr 2. The proposed rear extension would significantly impact the aspect for the rear rooms and garden of Nr 2, albeit that its distance from Nr 2 would be about 15 metres.

We ask that the suggestion of a full width extension at the front, which we understand to have been the applicants' preferred (and less costly) option, should be reconsidered.

Comments: 8th March 2024

We live in the house which looks directly on to the side of 2 Walnut Close. As such, its outlook is very different from those of other houses in the area which are to the side of properties which have had similar extensions recently. Our breakfast room, kitchen, lounge and 2 upstairs bedrooms look out directly on to 2 Walnut Close.

We have every sympathy with the desire to extend that property to meet modern day needs. We offer no objection to the proposed extensions at the front, to the side above the existing garage, nor to the ground floor at the rear. However, the proposed upper storey at the rear would be only 5 metres from our garden. With a full roof height, it would thus have some impact on the light for our house; equally if not more importantly, it would significantly impinge on the outlook from all four of our rear rooms as well as from our garden, thus having considerable visual impact for the rear of our house and garden. It would also make our property less attractive to prospective purchasers as it would be more hemmed in.

Our property is exactly the same design as 2 Walnut Close. We extended it to the side above the garage 16 years ago and this provided adequate extra space to accommodate 4 bedrooms and 2 en suites, even without a ground floor extension at the rear or upper floor extension at the front. We suggest that the applicant instead develops plans that incorporate a wider first floor extension at the front of 2 Walnut Close and that they should be approved. Not only would this provide almost as much additional space as a first floor extension at the rear but its visual impact not only on our house but also on neighbouring properties opposite and to the side would be negligible, and the resulting frontage would be in keeping with other recent extensions in Walnut Close. It would be a win-win for all concerned.

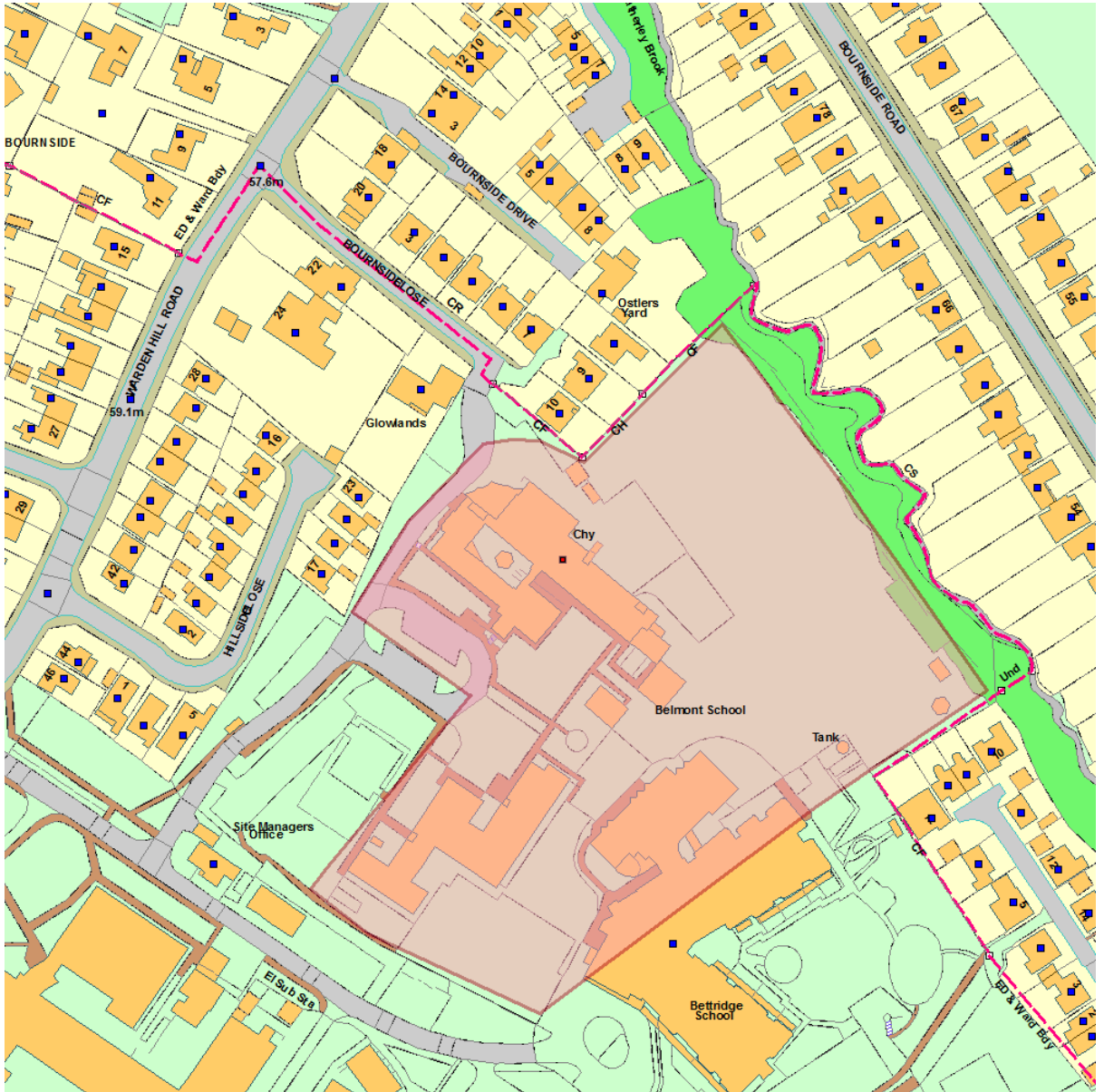
If at least the rear 3 metre ground floor extension goes ahead, the rear fence for which we are responsible would be impacted by the work. At least 1 1/2 of our fence panels would need to be removed, and there might also be repercussions for our patio and garden. We would expect all this to be made good.

Finally, it is not clear from the plans where any boiler might be located, but we would oppose any boiler vent that outlets into our garden.

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

RECOMMENDATION: Permit



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1. DESCRIPTION OF SITE AND PROPOSAL

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

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Airport Safeguarding over 45m
Principal Urban Area

Relevant Planning History:

22/00190/PREAPP 26th May 2022 CLO

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

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

11/01052/DEEM3 1st August 2011 NOOBJ

Erection of glasshouse for teaching of horticulture

13/02088/ADV 3rd March 2014 GRANT

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

14/00625/FUL 29th May 2014 PER

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

15/00385/FUL 19th June 2015 PER

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

15/01335/CONDIT 22nd September 2015 PER

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

20/00560/DEEM3 31st March 2020 NOOBJ

Erection of an extension to create soft play area

20/02259/DEEM3 7th January 2021 NOOBJ

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

21/01495/CONDIT 24th June 2021 NOTREQ

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

3. POLICIES AND GUIDANCE

National Planning Policy Framework

Section 2 Achieving sustainable development

Section 4 Decision-making

Section 8 Promoting healthy and safe communities

Section 9 Promoting sustainable transport

Section 12 Achieving well-designed places

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

Section 15 Conserving and enhancing the natural environment

Adopted Cheltenham Plan Policies

D1 Design

SL1 Safe and Sustainable Living

GI2 Protection and replacement of trees

GI3 Trees and Development

Adopted Joint Core Strategy Policies

SD3 Sustainable Design and Construction

SD4 Design Requirements

SD9 Biodiversity and Geodiversity

SD14 Health and Environmental Quality

INF1 Transport Network

INF2 Flood Risk Management

INF3 Green Infrastructure

INF5 Renewable Energy/Low Carbon Energy Development

Supplementary Planning Guidance/Documents

Cheltenham Climate Change (2022)

4. CONSULTATIONS

See appendix at end of report

5. PUBLICITY AND REPRESENTATIONS

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

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

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

6. OFFICER COMMENTS

6.1 Determining Issues

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

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

6.3 Policy Framework/Principle

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

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

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

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

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

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

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

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

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

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

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

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

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

6.12 Design and layout

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

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

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

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

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

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

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

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

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

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

6.21 Impact on neighbouring property

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

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

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

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

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

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

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

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

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

- 6.32** Subject to the imposition of the above suggested conditions and on balance, the proposed development is considered to be broadly compliant with adopted Cheltenham Plan (2020) policy SL1 and adopted JCS policy SD14 which require development to protect the existing amenity of neighbouring land users and the locality in general.
- 6.33** The above conclusion is reached having taken full account of the fact that this is a school and there are existing sports and play facilities available on site, the use of which generates a level of noise and disturbance to neighbouring residents currently. It is accepted that the proposed development would increase the potential for noise and disturbance and at different times of the day/year. Officers have therefore had to balance, very carefully, the needs, expectations and aspirations of the school against the need to protect the amenities of neighbouring residents.
- 6.34 Access and highway issues**
- 6.35** Paragraph 115 of the NPPF states that development should only be refused on highways grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe.
- 6.36** Policy INF1 of the JCS reiterates the stance of the NPPF and states that proposals should ensure that safe and efficient access to the highway network is provided for all transport modes.
- 6.37** The proposals include no additional car parking provision. The users of the proposed facilities would utilise existing areas for car parking on site which are located at the front of the main school buildings and accessed via Warden Hill Road and Bournside School.
- 6.38** Given the potential increase in parking demand resulting from the proposed development, particularly at weekends and after school hours and potential for parking congestion within nearby streets, the County Council Highways Development Management Team, acting as Local Highway Authority (HA) was consulted.
- 6.39** The HA raise no objection to the proposed development and conclude that the parking demands resulting from *the proposed development are able to be accommodated within the school grounds, within which there are a number of existing and sizeable parking areas which should be able to accommodate any increase in parking demand. Similarly, the number of estimated trips is not likely to result in a severe impact on the local road network, given that the greatest demands would occur outside of peak travel times.*
- 6.40** However, in recognition of the potential need to accommodate a larger number of visitors on the site than currently experienced and to ensure that the parking demand is not displaced onto neighbouring streets, their recommendation is subject to a condition that requires the submission and approval of a Car Park Management Plan. This plan would inform on ways off-site parking would be mitigated and parking arrangements maintained and managed throughout the lifetime of the development. The suggested condition has been added.
- 6.41 Sustainability**
- 6.42** NPPF paragraph 157 states that: *'The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure'*.
- 6.43** NPPF paragraph 159 b) goes on to state that new development should be planned for in ways that *'can help to reduce greenhouse gas emissions, such as through its location,*

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

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

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

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

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

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

6.59 Ecology/Biodiversity and Environmental Impact

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

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

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

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

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

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

6.66 Trees and Landscaping

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

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

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

6.69 Community Use

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

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

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

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

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

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

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

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

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

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

6.77 Public Sector Equalities Duty (PSED)

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

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

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

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

7. PLANNING BALANCE, CONCLUSION AND RECOMMENDATION

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

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

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

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

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

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

8. CONDITIONS / INFORMATIVES

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

INFORMATIVES

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

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

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

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

- 2 Construction Management Plan (CMP)

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

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

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

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

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

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

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

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

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

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

Consultations Appendix

Friends Of Bournside

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

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

Sport England 1

2nd March 2023 -

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

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

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

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

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

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

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

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

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

Sport England 2

23rd March 2023 -

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

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

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

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

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

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

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

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

Sport England 3

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

Sport England 4

5th February 2024 -

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

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

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

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

For Clarity

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

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

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

Environmental Health 1

20th March 2023 –

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

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

Objection points:

Noise:

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

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

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

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

Extent of facilities:

Page 136

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

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

Note:

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

Conditions for the application:

Noise control:

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

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

Construction:

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

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

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

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

Lighting:

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

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

Environmental Health 2

17th October 2023 –

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

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

Comments on recently submitted documents:

SF Planning:

Planning and management statement:

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

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

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

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

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

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

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

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

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

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

Paragraph 11.2:

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

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

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

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

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

Original comments on application - all of which remain:

Noise:

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

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

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

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

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

Extent of facilities:

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

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

Note:

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

Lighting:

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

Environmental Health 3

6th February 2024 -

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

Points from the operational plan:

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

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

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

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

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

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

Proposed site layout:

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

Noise impact assessment:

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

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

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

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

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

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

Environmental Health 4

23rd February 2024 –

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

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

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

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

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

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

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

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

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

Environment Agency 1

7th March 2023 -

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

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

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

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

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

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

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

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

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

Environment Agency 2

12th February 2024 –

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

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

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

Environment Agency 3

11th October 2023 –

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

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

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

GCC Local Flood Authority (LLFA) 1

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

GCC Local Flood Authority (LLFA) 2

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

GCC Local Flood Authority (LLFA) 3

3rd October 2023 –

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

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

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

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

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

GCC Local Flood Authority (LLFA) 4

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

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

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

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

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

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

Tree Officer 1

16th March 2023 –

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

Tree Officer 2

3rd October 2023 –

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

Tree Officer 3

31st January 2024 –

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

Ecologist 1

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

Ecologist 2

28th November 2023 –

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

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

Ecologist 3

24th January 2024 –

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

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

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

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

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

GCC Highways Planning Liaison Officer

27th April 2023 –

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

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

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

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

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

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

Conditions

Car Park Management Plan

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

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

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

Informative

Construction Management Plan (CMP)

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

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

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

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

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

Severn Trent Water Ltd

20th March 2023 –

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

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

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

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

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

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

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

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

Building Control 1

14th March 2023 - No comment

Building Control 2

27th September 2023 - No comment

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

REPRESENTATIONS

Number of contributors	44
Number of objections	23
Number of representations	2
Number of supporting	19

The Lindens
 1 The Burgage
 Prestbury Cheltenham
 Gloucestershire
 GL52 3DJ

Comments: 31st October 2023

I am writing in support of this planning application. I worked for 34 years as a Chartered Physiotherapist initially for the NHS and more recently for the Leonard Cheshire Disability charity, and went on to develop an inclusive cycling project for Gloucestershire, which I am continuing to deliver today, seven years on from retirement. I believe passionately in the importance of participating in physical activity and/or sport for the mental and physical health and wellbeing of people of all ages and abilities. For people who, through no fault of their own, have a lifelong or acquired disability, accessing safe and appropriate sporting and physical activity facilities is usually difficult and often impossible. The facilities proposed in this planning application will enable all the students of Belmont, Bettridge and other local special schools and people of all ages in the community, to take part in sports and physical activities such as cycling, in a safe and suitable environment. Currently, the closest facility for safe adapted cycling is an athletics track in Gloucester - 10 miles away. The proposed 2 metre wide cycle track around the school campus, will provide a safe cycle route for people of all ages and abilities on the existing adapted bikes, from the current Belmont students to the residents of the local Leonard Cheshire home and future generations.

6 Bournside Close
Cheltenham
Gloucestershire
GL51 3AR

Comments: 20th March 2023

I would like to register an objection to some aspects of this planning proposal on the following grounds:

1) Noise outside of normal school hours

As with many of our neighbours, we accept that by living near a school site there will be associated noise during standard school hours. The current proposal to have the sports facility in use until 10pm at night and over both Saturdays and Sundays goes beyond reasonable expectations of the disruption one should expect from a school site, with impacts on residents' sleep, and ability to enjoy our homes and gardens in peace and quiet after school hours.

As it currently stands, inside with double-glazed windows shut we often hear evening noise coming from the outdoor sports facilities at Bournside school (shouts and so on), so the noise from the proposed facility at Belmont would have a far greater impact as it is that much closer.

In addition, on the few occasions that Belmont currently host weekend or evening activities, we are often disturbed by noise from the school car park which is just a few metres from our house (e.g. loud conversations across the car park as people get into their cars). Because the car park users are on a school site, perhaps they have no awareness that they are also in a residential area where noise can cause a nuisance. This is perfectly tolerable whilst it happens only occasionally, but would be a problem if it became the norm.

2) Concern over traffic

The proposal states that the site entrance would remain via Warden Hill road, but it does not specify how traffic will exit.

I would like a condition put in place specifying that traffic must not enter or exit via Bournside Close. The current arrangement whereby school taxis exit via Bournside Close is thoroughly unsuitable, and must not be made even worse.

3) Biodiversity

The UK is facing a biodiversity crisis, and on the day (20/03/23) that the UN has launched a plan to save humanity from the climate crisis, I feel that this proposal does not do nearly enough to compensate for replacing green field with asphalt, and bringing noise and disruption close to a strip of land that is a haven for local wildlife.

I have over the past two years observed the school removing significant areas of wildlife habitat from the site, including cutting down trees at their boundary in which birds were nesting, in order to make way for additional parking spaces (parking spaces which were not included on the relevant planning application), which gives me no confidence that

they take this issue seriously. I would therefore like conditions to be imposed that ensure maximum effort is put into ongoing responsible environmental stewardship of this land. Instructing the school to plant some token trees is not enough, especially since those planted in recent years on the Bournside site have failed.

4) Commercial use of the facility

Whilst the proposal states this is only a 'tertiary' motivation for the development, I have concerns about the fundamental change of land use that would result if this were to effectively turn into a commercial sports facility. I'd like to see restrictions imposed to ensure that the facility is used for its main purpose (Belmont pupils, other Gloucestershire special schools, local primary pupils) with only very limited scope for commercial/community activities, and only where they are run by organisations whose aims are in line with the school's (focussed on accessible/disability sport) rather than general sporting clubs who have other facilities available to them.

With many thanks for your consideration.

Comments: 8th October 2023

I continue to object to this proposal because the relatively minor changes made since the original proposal do not address the concerns that I and others have raised. The school had an opportunity to engage constructively with residents over the summer, but did not. The school has repeatedly broken trust with the residents of Bournside Close regarding the use of their 'emergency gate' for daily school traffic and, as such, I am no longer able to trust any assurances they provide over the intended use of this site. I strongly object to the proposed hours of operation, which are vastly out of keeping with the main stated purpose of the facilities.

76 Bournside Road
Cheltenham
Gloucestershire
GL51 3AH

Comments: 26th September 2023

The revised plans do not meet the concerns initially raised. We have received a letter from the Head which has also not really added any weight to the proposal and that this is going to be beneficial to the surrounding community or individuals at the school.

This continues to be a design/proposal which is for a leisure centre to the public and not at all in the interests of the students.

Inclusions of a sound wall is acknowledging the noise, yet does not change the the proposed hours of operation. There is zero benefit to the students of this site being open weekends or evening until 10pm.

Sound/light pollution are not being addressed. Also the school has given no details around the bleacher seating in their plans - where they will be located or the height of them. These too could have a privacy concern and add further to noise pollution.

They need to restrict operating hours for this to be acceptable to residents in any form. We do not want football matches going on with floodlights until 10pm.

Objection remains and thoughts inline with all the other vast majority of objections.

Comments: 5th April 2023

Firstly, I would like to say I am not in objection of the aims of the proposal, however I believe the actual intent behind the proposal is not that which is being presented.

Nobody would object to improving the education facilities of children with SEN. However, the facilities being built are not being aimed at the small number of students, which potentially may not be practical for disabled pupils. This is an application instead to open the school up as a public sports facility. The school are starting with this and will look to put retrospective applications in to further expand it.

As a resident who backs onto this space, it is already loud in the summer months when students are outside. However, that is to confined hours and infrequent. This is perfectly acceptable of course. However, this would become exponentially worse if this permission was granted.

The hours of use for a large sports facility for loud sporting activity is quite simply unacceptable to be open and accessible until 10pm. This will severely ruin quality of life in what is a quite and tranquil area, certainly come weekends when the school is mostly closed.

10pm is very late when there are many young children who live in the residences which sit opposite the proposed new sports facility. In the summer months, windows will not be able to be left open with the noise which will be emitted from the site due to loud cheering from the bleachers at football games, for example. Young children will be in bed. The assumption is this will be utilised for football matches for adults. Therefore noise pollution must be considered - not just for residents but local wildlife. We have an abundance of wildlife living along the stream at the bottom of gardens.

In addition to this, the secondary concern is light pollution. If this facility is open at such late hours, it will need sufficient lighting so the site is not dangerous to navigate. This will reflect into all the neighbouring homes which reside opposite - so now we have noise and lighting to contend with far beyond what anyone would deem as reasonable hours.

My final point of concern is the brook itself and the water levels. We get very high water levels in the brook when there is persistent rain, which is becoming more frequent. We had damage to our riverbank reinforcement wall which took some of the slabs away due to the speed of the high levels of water in Summer 2022 - they have been there for years. With less natural land for water to naturally drain away, this will create considerable more water surface run off which will collect in the brook, further pushing water levels up during these periods risking severe damage and flooding to our properties.

As such, to summarise:

1. Facilities are not reasonable - this is a school for SEN, not a sports facility for the general public (does it need an entire change of purpose?)

2. The operating hours are not reasonable - weekend extension is not ideal, but opening until 10pm at night it completely inconsiderate and completely unreasonable for fair use.

3. The lighting situation and bleachers elevating views into gardens is of concern. We do not want light pollution late at night as this will be a nuisance to residents, but also an issue for the wildlife.

We strongly object to this being fair and reasonable usage and believe the application (not well circulated and information provided to residents) is not in fact of any benefit to the students given the nature of what is being installed. This is simply a public facility being pushed through under the guise of school facilities. Not needed.

I find it quite upsetting as residents requesting extensions, we cannot have windows at certain angles etc, due to sensitivity around privacy or other minor low impacting issues...yet the school can quietly pop a public leisure centre at the bottom of our gardens with extreme usage. Please consider this fairly.

74 Bournside Road
Cheltenham
Gloucestershire
GL51 3AH

Comments: 9th April 2023

We are writing in regard to the proposed plans for Belmont School to improve their sports facilities on their playing fields. Looking at the plans in detail this weekend we are shocked to see the huge scale and ambition of the proposals which we feel are out of scale with local needs and do not sit well within the suburban environment around the school. We back onto the proposed development in the bottom left hand corner.

We were not aware or invited to any consultation meeting in January. Plans like these, that will have such a huge impact on the local area, should have been consulted more widely.

We are concerned about the light and noise pollution. The extended opening hours, operating all year round seem to be completely unreasonable given that the school backs onto suburban gardens that will be impacted both by noise and light pollution every day of the year until 10pm at night . We knew when we bought our house in Bournside Road 20 years ago that we were backing onto the school site, and that there would be noise during the school day. We could not have anticipated that anyone would conceive building what is effectively a commercial sports complex on the Belmont site and open up the fields to all. To enable the opening hours until 10 at night all year round, we are sure retrospective planning for increased lighting will be submitted. The scale of the development not only impacts us, but also the wildlife and habitat at the bottom of our gardens.

We cannot see any provision for extra parking and traffic control. I feel particularly sorry for those that live near the current exit gate. It is not clear how cars will flow though the site at all hours. The roads are already blocked at certain times of the day, this will greatly increase commuter times and parking problems in the local area. (and the traffic risk to local students who have had a number of accidents outside Bournside school over

the years). Also, there has to be an increased security risk to our homes that back onto the site. What security arrangements will be put in place and who will staff the complex until 10 at night?

We do not understand the need for this sports development, given that extensive sporting facilities already exist at the neighbouring Bournside and Leckhampton schools. What unmet need is this development really serving that could not be addressed within existing built sport facilities?

Finally we cannot understand the status as having a low flood risk. Other comments suggest that the incorrect post code has been used to ascertain the flood implications. Belmont may not have an increased flood risk but there will be implications for others that live adjacent to Hatherley Brook, such as ourselves and our neighbours. Belmont playing fields sit much higher in the landscape than the gardens along Bournside Road. With a number of developments around Cheltenham in recent years, Hatherley Brook is getting deeper and faster. Only in 2007 did we experience catastrophic floods around here that flooded houses at the end of our road and encroached into our gardens. (caused by heavy rain - not by burst pipes) Others have commented on the erosion at the bottom of their garden. We are responsible for the damage caused on our side of the bank - who is responsible for the damage on Belmont side? There have been issues around Merestones with falling trees and a collapsed bank along a footpath, that have yet to be rectified.

In short we object to such a large scale development of this site. We would be supportive of school improvements, but believe the scale of development is beyond what is needed for the school and will have a huge detrimental impact to local residents.

Comments: 11th October 2023

Reference 23/00117/FUL- Installation of 200m oval running track, with a 100m straight and run-off, 2no. smaller 100m ovals, a campus-wide 2 metre wide cycle track and a long jump pit. Erection of 2no. MUGAs (to include five-a-side football pitches), 2no. BMX pump tracks (advanced and beginner) and bleacher seating. ¿Belmont School Warden Hill Road Cheltenham Gloucestershire GL51 3AT

I am writing in reference to the above planning application as we continue to object to this proposal. I support the comments of our neighbours in Bournside Road who have also objected to this proposal.

This proposal remains an overdevelopment & what amounts to a change of use to an "open all hours" sports facility immediately adjacent to many residential properties. It is out of scale with local needs and does not sit well within the suburban environment around the school.

We back onto the proposed development in the bottom left hand corner

Intended use

In the responses since the last proposal, there have been a large number of comments requesting clarification on who will use the new facilities and in what number. This remains unclear. letter of the 5th October to residents states that he wishes to "reassure residents that principal reason for the improved facilities are for educational

use of our students", while then going on to state that "in relation to any other user, the access to the school is controlled and any ancillary use must be booked in", clearly suggesting that use is intended outside of the schools students.

This is reinforced by the proposed normal weekday operational hours which are 08.30-22.00 and 08.30-16.30 at weekends, all year round. Given these operating hours are well outside that of normal school hours and even term times at Belmont, it would suggest use is expected well beyond Belmont pupils and outside school hours. The inclusion of 2 BMX tracks in the application only reinforces this view.

Given that the user numbers and hours on which the site will be used are not defined, I cannot see how any credible assessment on noise levels, environmental impact, flood risk, parking or traffic can be made based on the revised proposals. There is a world of difference between 170 Belmont students using the site in school hours and potentially anyone in Gloucestershire being able to use it all year round.

Noise

A noise impact assessment has been made as part of the revised application and its summary states that with the installation of a 2m acoustic fence, the resultant highest predicted noise levels from the site backing on to our gardens will be around 49 dB. This is only 1 dB below the noise level considered to be a moderate outdoor annoyance so the results should be considered at best borderline. There is no statistical analysis in the report or confidence levels around these estimates which is concerning given their borderline nature.

It is important to note that the noise impact assessment is considered "in a vacuum" as it fails to take into account the existing environmental cumulative noise from the other local schools (Bournside, Belmont and Betteridge) as the measurements in the report were made between 18.00 and 21.00 hours when these schools are closed. As many Bournside residents have commented, the noise from existing school usage at the back of our properties is already significant during the school without the additional noise from this proposal adding to those levels during the school day and then extending them to late at night and weekends for every day of the year under this proposal.

As an illustration, I today measured the noise in our back garden using an iPhone app with an average of 56 dB and a peak of 77 dB over a 10 minute period at 12.40pm measured just outside my back door when school pupils were outside on a break. This is already at a level of "Serious annoyance" i.e. > 55 dB" according to the WHO guidance referred to in the noise impact assessment. We live at 74 Bournside Road and back onto the proposed development in the bottom left hand corner, so noise levels on those properties on the North side of the development will be much higher during school hours, as others have commented.

In addition, the fact that an acoustic fence is included in the revised plans suggest that the applicant accepts that noise impact is likely to be significant, but there is no fence planned on the North side of the site where noise levels are already very high. Surrounding properties are virtually all more than one story high so I fail to see how a 2m low level acoustic fence will have any impact at all. The noise impact assessment just assumes that the installation of the acoustic fencing will keep noise levels within an acceptable level but does not verify that this would be the case by testing its impact at all on the site or provide any statistical analysis/confidence levels that this will be effective,

especially so given earlier points regarding no clarity on numbers using the site or hours of use.

Flood risk

The applicants recent letter to residents now recognises that there is an increased potential for run off and flood risk. How can we be sure that the proposed rainwater storage facility is sufficient to mitigate this ever increasing risk as no assessment of this proposal has been provided or looked at by consultees at this stage?

Flood Lighting

While no application for floodlighting is included at this stage I cannot see how it will be possible to operate the facilities as proposed without flood lighting for most of the year, requiring a future application for floodlighting. This will cause significant light pollution into the adjacent properties on Bournside Road in addition to the noise.

Overall there has been little if any attempt by the school to address the main concerns of residents or provide any real clarity on the use case for the site. This is a very ambitious plan that steps well beyond the needs for the schools students and will have significant negative impact on local residents.

19 Oldbury Road
Cheltenham
Gloucestershire
GL51 0HH

Comments: 16th February 2024

I am highly supportive of this application due to having a child at this school to whom like many others children at Belmont Special Needs school would benefit them, in aspects of outdoor activities and different types of sports to which many have a high interest.

This application will also give the children a chance to socialise with other communities and schools in a safe environment to which will help in developing skills for life.

Comments: 16th February 2024

I am highly supportive of this application due to having a child at this school to whom like many others children at Belmont Special Needs school would benefit them, in aspects of outdoor activities and different types of sports to which many have a high interest.

This application will also give the children a chance to socialise with other communities and schools in a safe environment to which will help in developing skills for life.

141 Fairview Road
Cheltenham
Gloucestershire
GL52 2EX

Comments: 19th October 2023

Application Reference - 23/00117/FUL

To whom it may concern

Please see our comments in support of the proposed Belmont School Sports Facilities.

Please see a summary from SWCP (South West Cerebral Palsy) Tri County Disability Football Project.

SWCP were fortunate to receive funding from the sports partnerships in Wiltshire, Gloucestershire and Somerset.

Between April and October, we hosted around 15 disability football sessions / football festivals.

Kevin the Head Teacher from Belmont School was kind enough to allow us to use the grass field at the school to host some of the sessions.

These were attended by both students from Belmont and other young people with additional needs from in and around Cheltenham.

We have since the conclusion of the project been able to signpost some of the young people to sessions / clubs in & around the areas they live in.

We have had some lovely feedback from parents about their children's experience as the majority would not be able to access grassroots football / sports opportunities.

We had several parents tell us they were not sure their child would cope in our sessions but were pleased to tell us they had thoroughly enjoyed the sessions and it would be fantastic if more sessions could take place.

The positive impact on so many of the participants who had had their first experiences of attending a football session was fantastic to see as well as new friendships being built between players. It was also a great opportunity for parents to talk to each other, share experiences and to add to their own networks.

Whilst there are a handful of disability clubs in Gloucestershire there remains a need for additional provision and opportunities for young people with SEN to access football / all sports and become more active.

Statistics show that people with a disability have struggled to access sports and exercise since the pandemic so if there are new opportunities to offer accessibility to sports / becoming active in new facilities we really should (in my opinion) look to support this -

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The provision of new facilities that Belmont School are planning to build would certainly support access to so many young people who want the chance to become more active, get fit, play for a team and improve their mental health and well-being.

Parents and carers have so many barriers to a host of areas - it would be fantastic to have such a great provision within the community that could allow these young people to have a safe place to enjoy their sports

As a club we hope to be able, to host some additional sessions in 2024 and have some of these new proposed facilities to utilise.

Belmont is a fantastic school which I've been fortunate enough to visit a few times - the whole vibe around the school is one of a very happy and caring place to be.

We ran a Facebook page through the time the sessions were taking place so please do check it out to see what a great time these sessions have for the young people with SEN who attended (as well as a great opportunity for parents to chat)

<https://m.facebook.com/groups/263401959457976/?ref=share>

Thanks for reading

***** (SWCP Founder & Development)

Email - *****

137 Arle Road
Cheltenham
Gloucestershire
GL51 8LJ

Comments: 12th February 2024

I am supporting for the work done, as it will make a huge difference to our children at Belmont.

72 Bournside Road
Cheltenham
Gloucestershire
GL51 3AH

Comments: 13th March 2023

Letter attached.

42 Fairfield Parade
Cheltenham
Gloucestershire
GL53 7PJ

Comments: 3rd November 2023

I write in support of the proposed application for the development of a cycle track, running track, BMX track and pitches. Historically, people with a disability have struggled significantly to find access to appropriately designed and supervised sports amenities. This has over many years, prevented positive progress for equality and inclusion for people with disabilities within the Cheltenham district. There is nowhere else in Cheltenham for our daughter, who uses a very specialist bike that is provided, to cycle safely. An approved application would both provide essential amenities for people with a disability, and be a positive demonstration of the local authority's strategic intent to support diversity and inclusion.

My daughter who is 30 years old and has profound learning disabilities already benefits from the present arrangement for cycling at Belmont School on a Sunday and this has had a positive affect on her mental and physical wellbeing. She also benefits from the vital social interactions with her peers as this also helps towards the prevention of social isolation. I have personally witnessed this with other users of the existing cycling arrangements at Belmont School. I was heartened by the acoustic assessment carried out by industry professionals who clearly noted that the predicted noise pollution to surrounding neighbourhoods fell below the recognised limits for noise annoyance.

10 Church Avenue
Falfield
Wotton-Under-Edge
GL12 8BY

Comments: 14th February 2024

I fully support the proposed plans.

My child attends the school and they alongside the other pupils will absolutely benefit from something like this. Sadly there are not enough places for inclusive sports facilities around, therefore SEN children miss out on opportunities to feel equal to others. It also enables them to have physical exercise and burn off that additional steam that they have resulting in a better mind set which benefits both them and their families.

17 Cadbury Close
Hucclecote
Gloucester
GL3 3UJ

Comments: 1st November 2023

Hello

I'd like to offer some support for the new sports facility at Belmont School. I am a military veteran and medically retired healthcare practitioner who has benefited from accessible cycling and other para sport as part of my rehabilitation from a number of injuries and health conditions.

These new facilities will allow local children and young people with additional needs to benefit from a safe secure place to exercise and enjoy sport.

This will bring benefits for their health and well being along with the opportunity to develop new skills and also provide a space where their families can share in their fun during holidays and weekends.

If at all possible It would be fantastic opportunity for a weekly accessible cycling session to be available to older local people with disabilities or injuries to use the track and the accessible bikes and trikes as this could be a real community asset if approved.

This is just as important for disabled children as other children. I'm aware that an accessible cycling group meet at the school already on a Sunday and that the families really benefit from a safe space to spend time together.

I can appreciate people in neighbouring properties may be concerned. Frankly seeing most have decent sized gardens backing on to the school so there is some distance between the houses and sports facilities then priority should be given to the school. It vital the school provides a healthy learning environment where children can thrive and make use of the open space effectively.

Bettridge School
Warden Hill Road
Cheltenham
Gloucestershire
GL51 3AT

Comments: 9th October 2023

Dear Lucy

I am emailing in full support of the proposed plans for the Community Sport Development at Belmont School.

As a neighbouring special school, Bettridge is a specialist provision catering for 148 children and young people from the age of 2 to 19 with Special Educational Needs within the areas of Communication and Interaction, Cognition and Learning and Sensory and/or Physical needs.

Our learners benefit from being as active as possible, being able to access their local environment in a safe and inclusive way as part of the 5 ways to Wellbeing that we promote at Bettridge.

Having the opportunity to access such a facility as the proposed plans at Belmont School on our door step will have a massive positive impact on the emotional and physical wellbeing of our learners.

This will be used by learners during the school day to access the athletics track and cycle track, which is accessible for wheelchairs and adapted bikes and by learners during weekends and holidays as part of respite and extra-curricular clubs.

The availability of an accessible toilet and shower facility will be so important and enable some of our most complex learners to enjoy this great facility alongside their peers.

We wholeheartedly support this application and hope that the development will come to fruition to benefit our children and young people and those of the wider community.

Kind regards,

55 Eldon Road
Cheltenham
Gloucestershire
GL52 6TX

Comments: 14th November 2023

I am writing in support of the application. I have been volunteering with Goals Beyond Grass for the last couple of years at the inclusive cycling sessions on Sunday afternoons at Belmont School. So far, we've been making do with basically a carpark and a playground to run the sessions, which is not sustainable in the long term. The new facilities planned in the application are needed to provide people of all ages with varying degrees of mental and/or physical disabilities the opportunity to exercise in an

environment appropriate to them. Everyone knows how important exercise and fresh air are to mental health and this applies just as much to people with disabilities as to able-bodied people. Accessing safe and appropriate sporting and physical activity facilities for people with disabilities is hard enough as it is and, as a caring society, I feel we should be taking the opportunity provided by this application to improve the facilities available and make them easier to access.

9 Rochester Close
Cheltenham
Gloucestershire
GL51 3DJ

Comments: 4th November 2023

I'm ** years old, go to Belmont every Sunday with Go Beyond the Grass to use tricycles around the school premises. The new facilities will greatly enhance our enjoyment of these sessions, which are for all ages with disabilities or just do not have the confidence to ride cycles with two wheels on the road. The sessions have greatly improved my stamina, fitness and recovery from two hip replacements, so I know it will be of benefit to the pupils. I know some of the residents who greatly object to the track and I find their reasoning unfounded, especially when they say the noise disturbs their peaceful Sundays. I am there I know how much noise we generate, low key chatter and laughter. I am afraid it is a case of NIMBYISM.

19 Oldbury Road
Cheltenham
Gloucestershire
GL51 0HH

Comments: 16th February 2024

This application for these sports facilities are a welcome Proposal for the school, due to the needs of the Children at the Belmont school and the opportunities for them to expand thier interest in outdoor activities.

These also give the opportunity to socialise with other communities and schools, which in them self's are a great learning experience.

Avenoke
Kidnappers Lane
Cheltenham
Gloucestershire
GL53 0NL

Comments: 5th October 2023

I am in full support of this proposal. As a local resident with two children (one with special needs) I am keen to see more facilities like this in Cheltenham and locally. The school does good work already for special needs and these improved facilities will allow the children to access more high-quality opportunities. The plans improve access to sports and recreation for the children who already attend and allow areas like the school field to be accessed all year around and not only in the summer months.

I also want to highlight the need for these facilities locally, many children can't access facilities like the prince of Wales stadium, they are often fully booked by big mainstream clubs for adults and the size of the venue is huge for children with disabilities. Smaller facilities for children with autism and special needs are really needed. I hope this plan is supported as it is needed and will improve the quality of life for many children now and in the future.

Comments: 16th February 2024

The amended plans appear to have less facilities for the children, but are still a very big improvement on the large muddy field that many of the children can't access at this time. I am in full support of this application as the benefits to disabled children at this school and in Cheltenham are very big.

Parents of disabled children have so few places for sport and recreation this facility is very much needed for this school.

5 Hillside Close
Cheltenham
Gloucestershire
GL51 3AS

Comments: 10th October 2023

Planning application 23/00117/FUL
Additional sports facilities at Belmont School

I am writing to express my views on this amended proposal and wish to highlight the following key areas:

Hours of use
Users of the facility
Number of users
Number of activities
Noise

Hours of use.

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Current use is NOT as stated, and hours should be restricted to between 8.30 to 6pm on weekdays for outdoor activities plus 10am to 1pm on Saturday and Sunday, with no bank holiday usage. It should be noted that the school erected a marquee and all through the summer holidays there was a great amount of noise all day and every day. In particular, the noise of the weekend of 16th/17th September was outrageous, with screaming and screeching in what sounded like a swimming pool environment. The noise on the Sunday of that weekend did not stop until 6pm and could be heard through closed windows.

Users of the facility

The pseudo-conciliatory update letter received from Belmont school say that the 'main focus' is the provision of education of the children. Unfortunately this makes no further promises, and leaves it open for ancillary use. In addition the school makes much of ancillary use already in place, and that other users must share their ethos and values. The school did nothing to confirm or demonstrate this ethos during the school holidays or the weekend referred to above and I cannot see this changing. It should not fall to residents to make complaint and act as 'police' for Belmont school.

Numbers of users

There appears to be no information on the numbers of users or scale of usage the current hours of use stated in the proposal are misleading and disingenuous, and although Belmont say access to the school is controlled they make no reference to the noise of vehicles accessing and exiting the premises, with not only raised voices, but the electronic gates clanging noisily every time a vehicle goes in and out. Increased users is only going to exacerbate this. Currently vehicles such as bin collection wake me up as early as 6.30am. What restrictions would be in place?

Number of activities

The plans indicate a large amount of activities, carried out on a small site in close proximity. What control will there be over the types of activities? I refer to the apparent lack of controls referred to in Hours of use. As there is already a Sports Centre at Bournside school and I see no need to have another sports complex in the area. I bought my property near to a school, expecting normal school hours and use, which I can tolerate, but I did not buy a property to be subjected to innumerable activities and times of a commercial sports complex.

Noise

As well as points raised above about noise, the Environmental health report also questions the hours of use and the impact on residents for their amenity and the noise . I understand that noise surveys have been carried out and revealed the need for mitigation. While I agree this is necessary I note that an extra tree (New Tree 13) is planned outside my home. This will cut out my light and remove the amenity of my garden, and as the current large tree adjacent to the proposed one failed to cut out the noise, I fail to see how another will do the job.

Lack of decent consultation from the school to the local residents has created a level of bad feeling, and in one of their recent communications they stated that residents were agreeing with their proposals. I take exception to such a generalisation by the school.
Yours respectfully

Comments: 15th February 2024

15/2/24

Head of Planning
Cheltenham Borough Council

Planning Application 23/00117/FUL

Additional Sports facilities at Belmont School.

Please refer to the submission made in October 2023 for relevant facts and background

I write with reference to the above Planning submission and confirm my objections. I now wish to add further comments in the light of amendments.

The Environmental Health document is vague around the use of the facility during "non-school days" weekends and holidays and there has already been an application for highly unsocial hours, which given the need to clear up after a session, and the revving of engines, slamming of car doors and shouting across the car park which goes on now, as well as the clanging of Belmont's electric gates, I can see this noise escalating until very late at night.

Last summer a large marquee was erected and the noise emanating from this with what sounded like a swimming gala (and I believe it could have been as there are companies who provide swimming pools in a marquee) was horrendous, with shouting, screaming and loud music going on all day and long into the evening.

I consider that if this application is granted and the facilities are used/rented out on an even greater scale than is now, the noise and disruption to neighbours will be immense; as it is with the current cycling clubs on a weekend with screaming and instructors shouting. If this was for the sole use of students during the school day then the project is laudable, BUT THIS IS PATENTLY A MONEY MAKING INITIATIVE, and there will be no monitoring of the use or misuse of facilities, giving rise to even greater unrest from neighbours, and even the other schools within the site, with whom we have an excellent relationship.

Understandably parents of children who attend this school will be in favour as they presume it will benefit their child, but as above, this is not going to be solely for the students' benefit. Those parents may find that their child is 'squeezed out' of the queue to use the facilities in preference to any odd and disparate group which will make money for the school. The frailties of human nature will prevail where money is concerned.

No matter what trees or screening are deployed this will not stop the noise, traffic or extra pollution. I have 2 metres between my home and my fence which is immediately next to the site. I am disabled and need to use my garden without undue noise, shouting etc for both my physical and mental health and this proposal will threaten this completely and the amenity of my garden will be taken away.

The noise assessment does not address all aspects of the proposal nor the cumulative impacts when considering the increasing level of noise occurring in the school today. Currently I am being woken up by heavy vehicles accessing the site at 4.45am. I understand the acoustic report is 49/50 which I consider is too close a number to be

comfortable with, especially this is BEFORE any further escalation of activity. This only gives a leeway of 2%. Far too small a margin.

Whilst no floodlighting appears on the plans, I am concerned by a comment in the 'background papers' which states:

'There shall be no external lighting associated with the running track, multiple use games area, and BMX pump tracks, unless details have first been submitted to and approved in writing by the Local Planning Authority'. However there is also a conflicting statement 'The LEMP should include a bat sensitive lighting plan to demonstrate no light spill into woodland/hedgerows or this can be provided as a separate document.'

With regard to the proposed MUGA, my understanding is that there is already one at Bettridge School which is vastly underused. Would it not be more ecologically sound to come to an arrangement with this school to use this instead of erecting a further one, wasting resources, money and ruining the carbon footprint of the area.

Yours faithfully

Comments: 17th March 2023

Reference number: 23/00117/FUL

Whilst I would not wish to stop pupils of the school being given unique opportunities to help with their well being, it should not be to the detriment of the mental health of neighbours. With just 160 pupils, I consider this application is too big and intrusive. We already experience noise from the site, especially lorries coming in as early as 5.41 am. The provision of all items in the proposal would be intrusive, noisy, unsociable and deprive many of us of the amenity of the solitude of our gardens.

In line with your suggested considerations, my comments are as follows:

- Noise or disturbance from the development

There is no way that, with a development like this, there will not be excessive noise. It is only natural for users to be shouting either to teammates or encouragement to their children. Obviously with bleacher seating being provided there is a strong intention to have large volume events on this site. Although the site is gated at the moment, to allow access the site may well have to remain open because of the unsociable hours required; this will mean that the facilities are an attraction during the night to unauthorised users, with the resultant noise and anti-social behaviour. and disturbance.

- Unsociable hours.

The opening hours are excessive, from 8.30 in the morning to 10.00 at night every day and 8.30 am to 4.30pm weekends and bank holidays. Knowing that it takes people a while to exit, these hours are sure to be extended to even later at night, with the resultant banging of car doors, shouting across car parks, revving engines, loud music from in car systems etc.

- Traffic

There is no provision made for parking, so as already happens, drivers will be parking on the main road and surrounding roads, creating hazards for pedestrians and residents alike. There is sheer chaos at school opening and closing times, so this can only get worse with more general access.

Entry to the site is currently managed by metal electric gates and a press button speaker linked to the school office. At the moment every entry can be heard on my property,

especially the clanging of the metal gates each time a vehicle enters and exits. With opening times extended to 10pm and on weekends and Bank Holidays, noise from traffic will be decidedly worse and even more intrusive. It must also be presumed that although opening hours are as per the application, users are more than likely to still be on the premises/grounds AT LEAST 30mins after those times. As late as these times are, and also all weekend and bank holidays, these must be considered as unsociable.

- Amenity

If amenity means having the use of ones own garden I consider this will be taken away. To lose the amenity of being able to sit in my own garden without excessive noise both from participants and cars (drivers and passengers have little or no consideration for neighbours, calling across to each other and banging vehicle doors) this will mean a direct loss of the amenity of my garden and will adversely affect my mental health.

- Privacy

The very nature of 2 BMX tracks will mean that these will be raised to a greater height than the normal permitted height of a garden fence and as such my garden will then be overlooked, making me exceedingly vulnerable, and removing my privacy.

I trust these points will be treated seriously and taken into account by officers.

.*****

17 Hillside Close
Cheltenham
Gloucestershire
GL51 3AS

Comments: 19th March 2023

We strongly object to this application on the basis of security, increased noise, traffic, pollution, litter and possible light pollution.

The main school road is directly behind our garden and we already suffer with noise from traffic, pupils, cleaners, deliveries, main school gates opening and closing from 5.41 am well into the evening. These issues have slowly increased over the years and as residents we unfairly have no power to control the situation.

As an ongoing theme, we are regularly submitted to foul language from pupils. Young children and elderly residents, indeed anybody living in the cul de sac should not be submitted to this in the comfort of their own homes and gardens.

Over the last few years, the noise pollution in our garden (weekdays and weekends) seems to have gone from being very limited to truly intrusive and litter pollution along the cul de sac side of the boundary of the fence behind the car park has not been seen to.

Should this also be a commercial project running until late in the evening it will undoubtedly bring more noise, disturbance and potential increased security threats to our property. Is this really fair and justifiable? On more than one occasion pupils from the school have encroached on our private land with a teacher following without asking permission on one occasion. With regular visitors this could become an even wider issue which causes great concern and anxiety.

This is a briefly history of issues connected with the school and we can only see things becoming even worse if the submission is approved.

We have not been invited to any meetings to discuss these plans.

To confirm, we strongly object the proposal.

23 Hillside Close
Cheltenham
Gloucestershire
GL51 3AS

Comments: 20th March 2023

I strongly object to the proposed sports facilities at Belmont School.

As neighbours of the school we are subjected to increasing noise, pollution and disruption. Our privacy and enjoyment of our homes and gardens are at times severely curtailed and would only be worsened as these facilities are clearly not for the sole use of the school.

We suffer dangerous, inconsiderate and illegal parking of cars during school start/finish times and fear this would continue at weekends/evenings.

We have a perfectly suitable sports facility in the Prince of Wales stadium, these proposed facilities are being crammed into an area clearly not intended for such use.

I strongly object to these proposals

10 Bournside Close
Cheltenham
Gloucestershire
GL51 3AR

Comments: 12th February 2024

Dear Lucy

Whilst we are pleased to see removal of the northernmost MUGA pitch, we are still mindful to object to the proposals. We broadly support new facilities if they are proportionate and sensitive to the surrounding environment. At present there are too many uncertainties. We have previously commented in detail, so have tried to keep the following brief to highlight our key concerns:

1. We object to floodlighting (or any other lighting) in the future. This seems to be retained as a possibility - it is inappropriate for the area.
2. What is the purpose of the new play area, trim trail, trampolines etc? We were told there was an identified need for the original facilities proposed, so where does the need for these new additions suddenly come from? There are other play areas within the schools' complex. Could the play area not be retained as grass, especially seeing as drainage will be improved?
3. There is still no real clarity as to how many people could be on site at anyone time as no numbers are attached to out-of-hours cycle track and athletics track usage. This

leaves the door open to large numbers of people being on site during evenings, weekends and holidays. How can an assessment of impacts be done without this information?

4. At the third time of asking - what is the new access track highlighted by the blue arrow near our house? This contradicts the text which says no new access around the site is planned.

5. We support the suggestions of the EH department regarding hours of usage.

6. The noise assessment seems incomplete.

- no inclusion of the new activities (as a parent I know children can make a lot of noise on trampolines).

- no consideration of people moving around the site (including the possible new access right by our back fence), parents cheering, instructors, etc.

- no consideration of more frequent traffic compared to present day, including parking on the tennis court which currently happens.

- no consideration of the noise the shipping container bike shed can make if not handled with care.

- no mention of prohibiting music, loudspeakers - these are used sometimes during normal school hours in close proximity to our property, which can be irritating.

- no cumulative assessment of existing noise that could happen concurrently, eg from the tennis court and the new installation right outside our fence where children often engage in whacking plastic and metal tubs.

7. We are now into the second year of the application being considered - surely the applicant can provide more detail on the planting zone and acoustic fence along our boundary. We seem to have been forgotten in this respect as well as for wider landscaping features. Acoustic and visual protection is key for us. It was discussed with the applicant at the consultation meeting last January but not a word since on the detail. Have the practicalities of mitigation and proximity to the cycle path been considered? We agree with the Tree Officer's comments and furthermore believe planting should be mature and offer protection from the 1st day of operation (preferably during construction too).

8. The management plan needs to go beyond just noise, with firm commitments from the applicant to act upon any feedback (either a complaint or constructive feedback). We have contacted the school in the last year on alarm bells going off (within the hours it still claims to be operational), children throwing things into our garden and lights sometimes being left on at night in the new block...we don't get a response at present which does not inspire confidence and lends strength to the argument that noise etc should be predominantly eradicated/minimised through design and physical mitigation. (Note that proper planting of a substantial hedge would help mitigate some of these issues). We would also want firm commitments made during construction that would mean sensitive positioning of construction compounds and use of machinery etc, especially given the possible length of construction.

9. We think there should be some indication of how the facilities will be maintained - we would not wish to the facilities fall into disrepair during or after the expected lifetime (understood to be 10-15 years).

Comments: 13th March 2023

13 March 2023
Mrs Lucy White
Cheltenham Borough Council: Planning
Municipal Offices
Promenade
Cheltenham GL50 1PP

Dear Mrs White

Application Ref No: 23/00117/FUL - 200m oval running track, with a 100m straight and run-off, with 2 smaller 100m ovals; a campus-wide 2-metre wide cycle track; 2no. MUGAs which include five-a-side football pitches; a long jump pit; 2no. BMX pump tracks (advanced and beginner), and bleacher seating at Belmont School Warden Hill Road Cheltenham Gloucestershire GL51 3AT

Our family lives at No.10 Bournside Close. Our house is one of those closest to the Belmont School sports field, site of the proposed development. It is also adjacent to the main school building and one of the school's dedicated parking areas. The school is an integral part of the local community, and the application site is bounded on 3 sides by residential property and amenity space - therefore careful and sensitive planning needs to be undertaken to ensure that the proposal fits into this constrained location.

We would like to begin by saying that we are broadly supportive of the principle of developing new sporting facilities for pupils attending Belmont School. Having benefitted from access to good sporting facilities when younger we appreciate the transformative effect sport can have particularly for school age pupils. We are aware that increased opportunities for sport and active leisure also form part of the Cheltenham Plan, however, we do have a number of concerns and objections to the application as it currently stands, in relation to how the application has been consulted upon and feedback incorporated by the applicant and now how it is presented in the application.

Overall, from what we can glean from the application documents, we believe that the current proposal is of such a scale and nature that it is out of keeping with its environment and the locality and will give rise to a loss of ecological habitat and an over intensification of use of the site, particularly in relation to non-school activities planned outside normal school hours, thereby affecting both our amenity and the general amenity of the neighbourhood.

Our comments and concerns are set out below and summarised as follows:

1. Pre-application consultation - lack of meaningful engagement in consultation process and failure to incorporate pre-application feedback;
2. The proposed development - concerns relating to the location and design of elements of the proposed development; operational hours and controls;
3. Environmental Effects of the proposed development during construction and operation;

Pre-application Consultation

We were first made aware of the proposed development in December 2022 and attended the consultation meeting at the school on 10 January 2023. Given the pre-application was submitted approximately one year ago, and that the pre-application advice was to engage 'as fully as possible with local community/residents', we question the value of

engaging with the local community only a fortnight prior to the planning application being submitted. It is also not clear how any engagement has helped shape the proposed development and the summary of the consultation process in the Design and Access Statement (DAS) is somewhat limited and selective. We would draw your attention to the DAS, which appears to be the only report accompanying the application describing the development and which could have provided greater detail in relation to, for example:

- The wider setting of the development, the full set of constraints and sensitive receptors (residential areas and wildlife corridor) and how those have been considered in design and any proposed mitigation;
- The evolution of the development and why certain design choices have been made;
- Specific measures to address loss of ecological habitat and the provision of Biodiversity Net Gain;
- How the development relates, either positively or negatively, to policy, including elements of the Cheltenham Plan.

The Proposed Development

Operating Hours:

The planning application and the DAS state the existing school hours (and proposed hours of operation of the development) are:

- Monday to Friday - 08:30 to 22:00
- Saturday to Sunday - 08:30 to 16:30

Having lived at our address for 10 years and having worked at home for a large proportion of the time since the Covid-19 pandemic began, we believe that the proposed existing/operational hours misrepresent by some margin the current baseline of normal/regular use by the school. Children arrive at the school on weekdays at around 08:30 and are generally offsite by 15:00. It is very rare to see children using the playing fields at any time of the year after 15:00. The DAS notes that the school currently has sports days and weekend fundraisers, but it is unclear what these refer to - as with all schools there are one or two main sports day a year in the summer term, but we do not recall any weekend regular or frequent fundraiser events. During school holidays the playing fields are very rarely used during weekdays. On the weekends there is a regular group of cyclists which uses the site on Sunday afternoons (from around 12:00 to 16:00 and are very quiet) but that is really it. There have been some Cycle Stars events over the weekends (again very quiet) but none recently. We do not recall the playing field being used with any regularity for other sports outside the term time hours of 08:30-15:00. The current usage is therefore very low and we think the proposed operating hours reflect operational hours for a commercial business rather than for a school and represent a very significant increase with potential impacts on noise levels and our privacy and amenity.

Site usage:

On 10 January we were told the main users of the development would be the school and other special schools/community groups, particularly those with special educational and physical disabilities - this is also stated in Section 5 of the DAS. The DAS now refers to potential users including local primary schools, Bournside School as well as local sports clubs. The current number of children regularly using the playing field is low, being mainly the 170 or so children at Belmont and never all at once bar maybe Sports Day. The numbers suggested in the DAS are far in excess of this. There is therefore potential not only for more frequent use but also much larger groups using the site and proposed development at any one time. There is a distinct lack of information provided in this

respect. If the school is intending to raise funds for the development and also has to maintain the facilities and rent them out to other users, then it should present the likely anticipated use and related effects of this on the neighbourhood and the road network. We think this information should be made available as the increased frequency of use and numbers using the site have the potential to have significant adverse effects with regards to noise, loss of privacy and reduction in amenity (e.g. enjoyment of garden and house).

Operational Controls:

If the proposal is to become a sports facility for non-school users, we believe it only reasonable to see operational controls to be adopted and agreed with the local community, providing information on what can/cannot be done on the site i.e. sports and non-sports events and activities. We understand that this is a common practice for such facilities. From a disturbance perspective we would want to see a limit on the frequency and scale of activities outside of normal school hours, on weekends, bank holidays and outside term time and in the use of such things as loudspeakers, music and items like starter pistols (especially outside of normal term-time weekday school hours, i.e. 0830-1500), as well as dealing with litter/refuse etc. A booking mechanism that could vet users (those outside the anticipated user-groups in the DAS) has been referred to together with as a process for reporting anti-social behaviour.

Landscape planting:

There is no information provided so far on any proposed landscape planting. At the consultation we and others requested consideration be given to a wider buffer between our properties and the cycling track. This has not been included in the application and is not recognised in the DAS. We would like a wider planting buffer, say 4m-5m, instead of the proposed 3m buffer. We were told at this was not possible due to space constraints however from the plans provided there appears to be room to gain some additional metres. For planting, our preference would be for native deciduous hedgerow (eg Hawthorn) as the main planting feature maintained to around 1m-1.5m wide and 2.5m-3m height, with small trees in front of that. This would provide added security and privacy to our garden (but not affect light levels), whilst also providing visual interest to those using the development. It could also provide environmental benefits such as habitat and food for birds. There may be an opportunity to plant this early so as to provide a benefit from 'day 1' as well as providing screening and privacy during construction.

From the plans provided there appears to be opportunity to plant some small trees in certain spaces, for example in the green spaces between the running track and the bends of the running track, the area near the corner of our property, close to the proposed access route and around the parking area close to Bournside Close. This would provide further privacy, visual and environmental benefits and increased interest to those using the site. There are good examples of small-scale tree planting in Hatherley Park and we don't see why this type of planting couldn't be implemented into the proposed development, particularly as a number of trees have been lost and/or removed in recent years across the school site. Landscaping was discussed at the consultation meeting and the conclusion was that the cost of any landscaping would be minimal in the context of the overall funding required. Our community would welcome the opportunity to provide input to the planting scheme adopted in the area.

Floodlighting:

We are pleased that flood lighting is not, as yet, proposed but remain concerned they this could be implemented in the future. Prior to the consultation the plans on the school

website showed floodlights and although the message at the meeting was that floodlights were not being considered it does appear they had been considered at pre-application stage. At the time of writing this letter the 3D plan on the school's website still includes floodlights.

We reiterate our concerns made to the school (and the comments at the pre-application stage) and believe floodlights would be wholly inappropriate at this site given the proximity the adjacent wildlife corridor and surrounding sensitive residential areas.

MUGA:

A question raised at the consultation that does not appear to have been recorded in the DAS is:

- Could the MUGA pitches be located elsewhere within the footprint of Belmont School?

We object to the proposed location of the MUGA pitches. There are several hardstanding areas that look appropriate from a size perspective within the existing developed footprint - just to the right as you enter Belmont School gates and in the southern corner of school site. At the consultation the architects said they'd consulted with Sport England and that the MUGA pitches had to go on the existing playing field to maintain them as sports pitches. However, we don't see why an existing grass pitch or pitches could not be retained within the proposed running track.

The current grass pitch is used regularly during school hours by the children at Belmont. Keeping the grass pitch would help maintain a greater area of open grassland next to the wildlife corridor (the only substantial area of grassland within the school boundary). For a variety of reasons, the retention of green spaces is an important consideration in the Cheltenham Plan (Chapter 16).

There are other MUGA (or similar) pitches in the wider Schools area, one at Bettridge and one at Bournside. Given those schools have expressed an interest in using the proposed facilities at Belmont, could this arrangement not be reciprocated, particularly at Bettridge, which from the plans provided appears to be accessible from Belmont and will likely have very similar standards of safeguarding? The use of existing facilities nearby would also have sustainability benefits.

Running Track:

Another point raised at the consultation meeting but not recorded in the DAS:

- Could the running track be a green colour rather than red so that it blended in better with the surroundings and have less visual impact?

We were told the colour had to be red for the benefit of visually impaired users, but could a green track with sight lines also be appropriate and have less visual impact? Can this reasoning be confirmed with Sport England?

Vehicular Access:

One final significant point raised at the consultation but not recorded in the DAS:

- Would there need to be any new vehicular access to the playing field?

We were told that there would no new vehicular access however the application includes a new access route (marked by blue arrows) very close to the edge of our property. This would seemingly involve the demolition of an existing out-building. What is the purpose of this access? Is it for vehicles to access the playing field (including during construction) or is it for increased pedestrian access to the playing field?

Other design matters:

Other areas of the design that are not clear or apparent in the application include:

- Height and colour of proposed fencing around the MUGA pitches
- Would the MUGA pitches have solid boards at lower heights (for example to play balls off and which can generate a lot of noise)?
- Fencing requirements around the perimeter of the site - we were told on 10 January there would be need to better security and that the school would be looking to install security fencing inside. This is not included in the plans.
- What provisions are there for shelter for children from hot weather, heavy rain etc? Will there need to be temporary shelters erected?

Environmental effects of the proposed development

Given the above concerns and general lack of information presented in the application, we are concerned that the application does not contain a report of the potential environmental and traffic effects of the proposed development. The scale of the proposed development and its location, we would have expected both environmental and transport assessments to have been undertaken and the results presented in the application. In addition to the matters set out in the earlier sections, our principal concerns relate to the following.

Ecology:

At the time of writing the ecology report was not available to review. As a wildlife corridor runs along the proposed development and wildlife uses the grassland, we trust there will be consideration of all significant impacts on ecology. We would also be keen to see where mitigation, enhancement and biodiversity net gain has been incorporated into the proposed development.

Traffic Effects:

No Transport Assessment is included in the planning application therefore it is difficult to determine the likely impacts arising from the proposed increase in operating hours and additional site usage arising from this increase as well as the increased intensity of uses. The DAS states there will be no increase in traffic but given the increased usage implied by the scale of the proposed development, and the proposed increase in operating hours and likely numbers visiting the site, this is very likely to give rise to an increase in traffic arriving and departing the school grounds, both during and outside of regular school hours, as well as different types of traffic entering the site, such as coaches.

There is already pressure on traffic around the area during school hours, specifically at peak times, and we believe that the additional generated traffic could be forced to use the Bournside Close emergency exit gate more than it currently is, which is an unwelcome prospect. Located adjacent to this exit, we would be most affected by any increase in traffic as our property is adjacent to one of the parking areas and we have bedrooms with a direct line of sight to both the playing field and the car park. This has the potential to be give rise to an increase in noise and a reduction in amenity at both the front and the back of the house.

Parking:

Given the proximity to residential property, any parking proposed after 15:00 on term weekdays and on weekends/school holidays should be directed to parking areas away from the Bournside Close boundary and, in this respect, the school has a number of other parking areas. We would note that, from an HSE perspective, this would also help avoid any accidents between users of the cycle path and cars in this area.

Flood Risk & Drainage:

We trust the Environment Agency and/or the Council will check the drainage calculations as well as advise on any permits required to ensure that no additional flood risk occurs, particularly with respect to Hatherley Brook which has flooded in the past. Some ground raising is proposed along the perimeter of the development so we would like assurance that sufficient drainage will be included along the cycling track such that there is no risk of water running into the adjacent properties in Bournside Close (there is currently a natural fall from our property to the playing field). In that respect, planting and landscaping could also help attenuate water.

At the consultation we mentioned that our property (and I think some others) have drainage to the rear of the house, where I believe it joins with drainage system marked by the manhole cover next to the tennis court and close to where the oak tree once stood. This doesn't seem to be recorded on any of the plans submitted and would need to be considered when undertaking any groundworks.

Litter and waste:

We were told at the consultation that no further provision would be made for dealing with waste. Given the potential increase in numbers visiting the site, surely extra facilities will need to be considered for rubbish collection as well as a strict protocol for users to follow? There is already an issue with seagulls in the area. We wouldn't want any further increases in those or appearance of vermin, etc.

Construction Phase Effects:

We would like to be consulted on any construction management plans to ensure this phase is carried out sensitively, particularly with respect to privacy. During the previous build at the school, a double-story workers' compound, including welfare facilities, was erected close to our bedroom window over the summer holidays. As you will imagine, this was not greatly appreciated.

Cumulative effects arising from intensification of use:

We note that there is a mismatch between the site plan and the 3-D plan of the proposed development, with the latter not showing elements such as:

- The proposed new access route
- The shipping containers that house bikes and the uncovered equipment storage area behind (both adjacent to our property)
- The current extent of parking adjacent to Bournside Close and the reduction in trees/green space (2021).
- The new school block that was built in 2021

We appreciate bullet points 2 & 3 may well have been carried out as permitted development and that point 4 received planning consent (which we did not object to), however we believe the intensification of development at the site over the years and its cumulative impact together with the proposed development should be considered particularly with respect to the increase in noise and loss of privacy and amenity. We would note that the pre-application feedback concurs with this point and comments that '..the cumulative effect of the proposals [is] currently considered an over-intensive use of the school grounds'.

Protecting amenity, disturbance from noise and increase traffic, as well as loss of privacy are all considerations within the Cheltenham Plan (Chapter 14 - Health and Environmental Quality). The DAS refers to the fact that we have chosen to live next to a

school and the associated noise that brings - that is true but the flip side, as raised at the consultation, is that outside of the regular operating hours (08:30-15:00 school weekdays) the site is extremely quiet.

Summary

We have significant concerns around the lack of information provided in the application generally, and in particular in relation to operational hours and controls of the site and uses, the frequency of use (not the same as operating hours), the number of users and the likely levels of additional traffic which this will generate out of school hours. There is no real consideration of landscaping or other mitigation which could retain privacy and provide noise attenuation to local residents but also provide wider environmental benefits and user interest. We believe that there is a continued role for the community in supporting a successful and thriving school at this location, operating comfortably in its locality and being a good neighbour. We would like to be consulted and have active participation in future with respect to planting/landscaping and associated maintenance schemes, in future construction management plans, and operational rules for use of the facilities for non-school users and out of hours uses.

With respect to the planning application specifically, we object to the intensification of uses implied by the scale of the proposed development and the increase in operating hours proposed. We object to the location of the proposed MUGA pitches and believe that other, more appropriate locations within the existing built footprint of the school should be considered. We consider that a more sustainable option of sharing existing similar facilities at Bettridge and Bournside Schools has not been fully explored.

Whilst we strongly support the overall objective of providing better sporting facilities for the users of Belmont School, we believe that the development as proposed is flawed and has the potential to give rise to a number of significant adverse environmental effects which have not been addressed in the application documents and which are contrary to Local Plan policies. These effects, experienced by individual properties adjacent to the site and the wider community, arise from potential increases in traffic through the working day, weekends and school holidays, a loss of biodiversity, the potential for increased flood risk and general loss of amenity from the intensification, increased duration and likely diversification of uses at the site.

We trust these points are clear and will be considered in the decision-making process for this application and we look forward to receiving your feedback on these matters.

Yours sincerely,

Comments: 22nd March 2023

Dear Lucy

We understand that the official period for commenting on the above proposal has ended, however we wanted to raise some concerns based on documents that have been added to the application as late as the 20th March and which we think need further explanation. Our position remains that we object to the proposal as it stands.

1 - Downlighting - this is mentioned in the ecology report but has never been mentioned before, either in the original set of documents provided or at the consultation. Given the application had said floodlighting was not being applied for we'd like to know what the purpose of this downlighting is, the location and design before any further comment.

2 - Revised drawings - there is a revised proposed site layout and revised existing and proposed site sections. What has changed since the equivalent documents were submitted in January? There is no obvious explanation provided.

3 - Justification for the loss of the playing field - we have direct views over the playing field and we find it quite hard to believe that 350 children currently access the playing field every single day of the school year and certainly rarely if ever at the same time. Whatever the current number is, there is likely to be an intensification of use during school hours with pupils from Belmont, Bournside and Bettridge (and maybe local primary schools) using the facilities. This makes it even more important that use outside of normal school hours is controlled to protect and preserve local residents' privacy and amenity as well as limit other environmental, ecology and traffic impacts.

We still don't understand the rationale for the 2 x 100m oval tracks - there is already a 200m oval as well as a straight 100m track for those that cannot run the full 100m.

The fact that the facilities will be used by at least Belmont, Bettridge and Bournside (the latter which now seems to be one of the prime beneficiaries of the facilities) also again raises the question as to whether the facilities could be spread out and shared across the wider schools' estates. In the grand scheme of things the Belmont playing field is quite small and much more constrained compared with the larger wide open space around Bournside school, much of which is set well back from residential areas and away from wildlife corridors and watercourse, as well as sharing the use of the existing facilities across the combined school areas.

We'd like to understand where ball-games have been banned as we see children playing football daily on the hardstanding play area next to the playing field, there are goals there this morning as we write and as recently as last Friday we were returning footballs landing in our garden.

As noted in our initial response, we are broadly in favour of improving sporting facilities (with appropriate controls and mitigation) but feel that as this increasingly seems to be a

shared facility across the three schools, more should be done to explore joint siting of new facilities and the sharing of existing ones.

yours sincerely

Comments: 16th February 2024

Dear Lucy

We hadn't at first picked up on the fact the suggested noise management plan applies only to the MUGA. Is the applicant suggesting no management of noise across the whole site? Noise is noise. If it's loud enough to impact amenity etc, the source is irrelevant. The plan ought to cover all activities and associated movements of people outside of normal term-time school hours, as well as include other behaviours that may negatively impact local residents.

Comments: 4th October 2023

Having reviewed the most recent set of plans, we continue to object to this development in its present form. Without meaning to repeat existing comments (the majority of which still stand), we would like to draw attention to:

Consultation -

Despite rhetoric to the contrary earlier in the year and over the summer there has been no attempt by the applicant to further engage with residents other than a letter received days before the revised application went in. The updated Design and Access Statement (DAS) still refers to a selective list of concerns raised at the only public consultation to date, whilst not capturing many of the comments made in response to the original application. As a result, we can only conclude that the applicant has little interest in direct communication with its immediate neighbours. Furthermore, the Planning and Management Summary (PMS) (Section 4) demonstrates that it doesn't consider any of the comments and concerns received from the public as important.

Current operational hours and current usage -

The revised application continues to suggest normal operational hours are 0830-2200 (weekdays) and 0830-1630 (weekends) - throughout the calendar year (not just during school terms). We find it very hard to believe this - we've lived next to the school for over 10 years and the school is not continually operated and staffed during those hours. Suggesting otherwise is misleading.

Regardless of the 'operating' hours though, the focus should be on the current use of the playing field and outside space, especially outside of normal school hours. The applicant refers to various current uses but many of these are irrelevant to this application and obfuscate the current situation, for example the Cheltenham Bird Club, Finesteps and Stagecoach all use inside space.

It is currently very rare to see anyone using the playing field after 1500 during school term weekdays (many of the children are picked up by taxis and leave around 1445). During weekends throughout the year the Sunday cycling group (which uses hard surfaces) is the only frequent regularly observed user over the last few years, with occasional use by Cycle Stars. The recent summer holidays also included some occasional football sessions on the playing field.

Proposed usage and operational hours -

We still have no real idea as to how frequently (and in what numbers) the playing field or outside space will be used after normal school hours have ended, on the weekends or throughout the school holidays. That surely makes it hard to assess impacts on traffic, noise, privacy, etc?

The applicant's letter to residents, dated September 23, states that the proposed usage is 'much misunderstood', however any confusion is as a result of the mixed information coming from the applicant itself, particularly around secondary and tertiary usage, the latter which is vague and could well include activities outside those currently permitted. The applicant and its consultants seem to have differing opinions about who will use the facilities - for example we were led to believe in the original application that Bournside School had expressed interest in the running track, and now the applicant's planning consultant says that as Bournside has its own artificial pitch it won't need to use the new facilities. Which is it? Inconsistencies like this just add to the confusion.

We were informed at the public consultation that the capital cost was in the region of £1.5M for the development - surely therefore to attract investment the applicant must have some target in mind for tertiary (commercial) usage in order for example to maintain the surfaces as well as eventually replace them (the application states the expected lifetime of the MUGA pitches is only 10-15years).

The PMS states that the school is open to discussion on operational hours - that's good to hear because we have been waiting all summer to discuss this with the applicant. The PMS makes the point that out-of-hours activities have not so far resulted in any complaints but to date those activities are so limited that there is little to complain about. If outdoor activities continue in the same vein as suggested in the table in the PMS, then the applicant shouldn't have an issue accepting a reduced set of operational hours compared to those proposed, one more in line with current use.

What is indisputable is that the proposed development will see increased usage during normal school hours; in line with the Environmental Health Department's previous comments this should be factored into ensuring that residents are given fair respite from what can at times be an extremely noisy site, noting that residents include families with young children, retirees and people who spend time working from home.

Noise assessment -

The summary states that with the installation of a 2m acoustic fence the resultant highest predicted noise levels from the MUGA pitches in our gardens will be around 49 dB, which is only 1 dB below the noise considered to be a nuisance (so the results could be considered borderline in terms of potential impact). No level of confidence/error has been expressed in these results. No effort has been made to consider cumulative noise from full joint use of the running, cycling, pump track, MUGA pitches and other users, despite this being recommended by the Environmental Health Department and despite the applicant saying that all these activities could happen concurrently.

The layout shows a new access route just to the south of our property (indicated by blue arrows, requiring demolition of a building and despite the applicant saying no new vehicular or pedestrian access within the site is planned) - no attempt has been made to model noise from people or vehicles moving through that route or more generally from

people moving around the whole site, including those stationary on seats - are we led to believe that anyone walking around or watching will be silent?

Why hasn't the opening of doors and movement of bikes in the shipping containers next to our house been considered (or for other residents noise from the school entrance gates)? This often creates a loud noise with an echo effect. These containers are within 10m of our garden, both our daughters' bedrooms and the master bedroom. We think the acoustic fence should extend along that boundary of our house too; and given other comments there could be an argument for this fence being installed more widely around the site, including along the boundary with 11 Bournside Close and Hillside Close.

Many of the points noted in the Noise Management Plan (NMP) were raised by residents at the original application so it is good to see at least some comments have been taken on board. However, it should go further. Things like starter guns and loudspeakers should also be banned. Normal school hours have also seen the increased playing of loud music close to our boundary which can be heard inside our house. This should also be prohibited.

Landscaping -

The applicant still doesn't acknowledge that residents in the north-west corner (where the acoustic fence is proposed) requested an extended planting buffer of 5m rather than 3m (raised at the public consultation and then later again). This would help further mitigate noise pollution and provide more visual privacy, especially during after-school hours when our children may be in their bedrooms, one of which looks out onto the playing field. Presumably there will need to be at least 1-2m space around the acoustic fence in order that it doesn't interfere with existing fences, and to access and maintain it to a high level over its full lifetime - so at the very least there should be a 4-5m buffer just to incorporate the originally proposed 3m planting zone.

We've yet to be further consulted on the planting buffer scheme for this area (the need to do seemed to have been acknowledged). There is an opportunity to provide a mixture of native hedgerow and native trees along the length of that fence to provide a degree of ecological connectivity with the woodland area at the eastern boundary of the site. We believe these should be relatively mature at the time of planting so that they provide immediate mitigation. The planting should also be maintained as appropriate to maximise ecological benefit but reduce nuisance to residents.

We raised further planting/landscaping with the applicant at the consultation, which it acknowledged should be achievable. Seeing as the layout plan identifies the properties at the end of Bournside Close as having 'residential overlook', it is disappointing that as a group we seem to have been totally excluded from the updated landscaping proposals, namely hedge and tree planting and enhanced grassland. There appears to be ample space in the northern areas of the site to plant some small trees within and outside the running track (outside of the planting buffer zone), that would further reduce visual impact, maintain privacy, and provide visual stimulation to the children, ecological benefit and rainwater attenuation.

Tree/hedge planting could also be considered alongside the western boundary with 11 Bournside Close and Hillside Close. These areas have seen a lot of vegetation disappear with the remodelling and expansion of parking provision a couple of years ago. New trees would provide similar benefits to those mentioned above and in particular help attenuate

rainwater...heavy rain at present results in a silt-laden stream of water flowing off the school site and into Bournside Close.

Layout -

Increasingly it seems that there is not enough space for all the activities and adequate mitigation to residents. The BMX track seems like a step too far. The provision of a new cycling track, running track and MUGA pitches would already put Belmont far above many other schools in the area in terms of sporting activity provision. The cycling track will already provide changes in surface, scenery, slope etc so why is more stimulation needed? Removing the pump track and moving the other activities even just 5m to the south-east could increase room to provide the mitigation requested and still maintain a (much larger) buffer zone for properties to the south. Even a re-configuration of the pump track might be able to achieve this if it had to stay.

We also think more explanation is still required on the siting of the MUGA pitches. Bettridge already has a large MUGA pitch which we have rarely if ever seen in use when walking past it - can this not be a shared area? That would immediately provide a sustainability benefit in minimising resource use, and maintain grass coverage. Why haven't other locations, for example in the southernmost corner of the school site, been considered? That location would mean relocation of some equipment but would take the northernmost MUGA pitch well away from any residents.

The cycle track is presently tight up against the planting buffer along the Bournside Close and Bournside Drive properties. How will this work with respect to roots and branches from the trees/hedges that were discussed as being planting options, as well as debris on the track?

Is there a throwing area and a new climbing frame? This is not clear from the documents. If these are part of the plan then where are they on the updated layout?

Benefit -

The applicant states that the current status of the playing field does not benefit all children, however it is very clear looking out onto the field during normal school hours that a lot of the children at Belmont do enjoy playing there, either in formally arranged games or informally. Many of the games played seem to have a spatial extent that would mean they'd likely be impractical under the proposed change in land use. Furthermore, will children have the freedom to roam and run around the only large open space available within the school if the development goes ahead? Will there be controls on children being able just to walk around and play informally on the field in order to reduce wear and tear? The actual 'play zones' on the layout appear very limited in area. There seems to be the attitude that 'grass is bad', 'artificial surfaces are good'. We suspect it's a lot more nuanced than this and we think close consideration should be given to what is being taken away as this cannot be replicated anywhere else within the school site and is potentially then lost for ever.

Parking -

The parking management plan is also something the residents requested so good to hear the applicant has listened. This should include banning parking on the existing playground next to the playing field. This has been an unwelcome new occurrence over the summer as the playground is elevated and allows view back into our property outside of normal school hours.

Construction Management Plan -

Given the age of some of the school buildings, where demolition is needed hazardous materials will need to be considered. We think that the acoustic fence and a mature planting buffer should be in place prior to any construction starting.

Summary -

Whilst we still oppose this development as it currently stands we do believe there can be a way forward that still benefits the school greatly in its ambition to improve sporting provision whilst also respecting better the environment and local residents' amenity and privacy - however this can only be achieved if the applicant starts to fully listen and engage with its neighbours.

9 Bournside Close
Cheltenham
Gloucestershire
GL51 3AR

Comments: 9th February 2024

I continue to oppose the application due to many of the issues outlined in my previous response not having been addressed.

While supporting additional facilities for the students at the school, the overarching principle of the suitability of the site for the proposed project is the real issue here.

The development area is small and surrounded by residential properties. The current green space is a haven for both wildlife and the children of the school during break times and indeed throughout the school day. Too many individual resources would be crammed in a small space and my view is that a smaller more sensible approach to facility improvement while retaining the green space would make more sense. Perhaps the development of the cycle track but keeping the sports pitches (grass) which seem to get more and more use and is great to see.

The proposed hours of use still represent a massive change to the current hours of use. No after school activities take place outdoors at present and no students are using the space at weekends or in school holidays at present. The statement regarding the hours is rather muddled and contradictory to the tables supplied.

School hours in term time and very limited weekend use would be OK should the application be granted in any form, but bank holidays, Sundays and most of the school holiday periods need to be protected for reasonable expected peace and quiet for the residents.

The management of the site out of school hours, particularly with multiple activities would concern especially regarding access and parking as the proposed development would massively increase traffic. The "alamo" of taxis leaving at 3pm is quite challenge for residents as it is.

The provision of lighting which previously was excluded for the lifetime of the facilities appears watered down and would need rewording back to the original proposal. In

addition, I feel that, if the development were to go ahead, there would need to be statements that loudspeakers, music and starter guns etc would not be in operation at any time.

There is nothing in the proposal regarding the maximum number of people on each facility or the total on site at any given time and therefore calculations of noise levels at their peak cannot be calculated. Additionally, as per the EA consultation document the noise analysis is generally not fit for purpose.

The proposed screening to the boundary to our property (Northern boundary) seems a little vague. If there is to be an acoustic fence and 3 metre planting strip, how does this work with our boundary fences in terms of maintenance of the planting - there would clearly need to be a gap for access to control the planting which is not shown on the plans.

If, as stated that the facilities would be for the students at Belmont school it is rather telling that nobody identifying as a parent of a student has written in support of the proposal. This, coupled with the lack of current after school outdoor sports participation, leads me to think that ultimately the students are not the real target user group.

The reduction to one MUGA pitch in the most recent application is welcome. However, in this space the provision of swings, trampoline etc seems unnecessary. Additionally, this being the only space without "formal" sporting infrastructure and therefore potentially the only "free play" space there would likely be a high concentration of pupils and the associated noise in close proximity to our property. Currently the whole site is enjoyed, and students are evenly dispersed across the space.

It is again disappointing that, apart from the first "consultation" at the school ahead of the first application, there has been zero attempt to keep local residents informed or indeed to look for a plan that could work for all. Instead, we have seen the three proposals "appear" with the two most recent not addressing the concerns raised by residents from the first.

It is a shame that this process has driven a wedge between the school and local residents as I am sure we all want a good outcome for the students while preserving our right to utilise our outdoor spaces with a reasonable level of tranquility. Unfortunately, the nature of the proposal in relation to the site and its location determines generally a strong resistance to the development from residents and I too strongly oppose it.

Comments: 10th March 2023

9, Bournside Close
Cheltenham
GL51 3AR

5th March 2023

Ref Planning application 23/00117/FUL - Belmont School sports development

Mrs White
Planning
Municipal Offices
Promenade
Cheltenham

Dear Mrs White,

My name is ***** and I live on Bournside Close with my family. Our house, along with our neighbours either side, are the closest properties to the playing fields of Belmont school and therefore will be impacted to the greatest extent by any development of the site.

We have enjoyed a good relationship with the school over the 14 years we have lived on the close and in principle support an improvement to the facilities there for children with additional needs it supports. However, having attended the consultation held at the school in January and now having seen the application on the council website I would like to make a number points that I ask to be considered.

1. We were told at the consultation that the proposed facilities were for the sole use of the Belmont and Bettridge schools plus potentially partner organisations supporting children with additional needs. I would not support should the facilities be made available for hire to parties outside of this. I now see within the updated application it is proposed that the MUGA pitches are likely to be hired out to the general public under the proposal. This would be totally opposed by myself and I suspect all local residents. It is one thing to improve facilities for children with special needs which I support as a principle however renting out the space to the general public would guarantee a heightened level of noise and bad language.

2. The lack of natural grass in the plans is a concern both for the look of the site and also the potential drainage implications, as well as the impact on local bio-diversity We have experienced flooding in periods of excessive rainfall and any decrease in natural drainage nearby is likely to be an issue.

3. The main issue regarding lack of natural grass is within the proposed installation generally and particularly within the two MUGA pitches. I understand that these are designed for basketball and football amongst other games. Currently at Belmont school they have a small football area and a sperate designated basketball court. While this area is used as a general break time play area I have not witnessed and formal sports activities using these facilities. With this in mind I wonder what benefit the two proposed MUGA courts would provide. I therefore question the inclusion of such provision in the plan and suggest a grassed area would be better all round and could only support a proposal excluding the MUGA courts.

4. While I understand that there are no floodlights within the application, I believe that initially there were proposed, and I want to ensure that any planning agreement included a clear undertaking to not retrospectively fit lighting in the future.

5. The times that the facility will be used is very important to me as a neighbour as when using our garden in the evening and at weekends it is important that it is a quiet calm place that we can enjoy. In order for me to support the plan there would need to be a curfew of no later than 6.30pm (and obviously no early mornings) and restricted to a small number of weekends a year. I do note in the design and access statement that the proposed opening hours are 8.30 to 10pm - supposedly aligned to the schools normal working hours which is rather laughable as the school is effectively silent from 3pm.

6. I am broadly supportive of the running track as I understand it will be suitable for wheelchair use. However again please note that the current grass running track has been rarely used by Belmont school as far as I have seen. The cycle track sounds a really good idea and I fully support that development.

7. The expected increase in use of the site will undoubtedly increase the level of traffic although unrealistically the application states there would be no more than there is currently. The access via Bournside Close is already tolerated but there would be strong objection to any more increase in the current levels.

8. Finally, I want to address the issue of the boundary. One of the things we love and in fact drew us to buy our house is our outlook. My concern is the impact this development will have. I see that there is provision for a 3-metre planting between our boundary and the cycle track. I feel 5 metres would be a minimum requirement for my support and that any planting was agreed by ourselves and maintained by the school to our agreed height.

Thanks in advance for your consideration of the points above and look forward to finding a revised proposal that is satisfactory for all. However, I cannot lend my support to the proposal in this form and in essence formally object to this proposal without revision.

I am available should you wish to discuss my concerns on *****

Yours faithfully

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Comments: 9th October 2023

Mrs Lucy White
Cheltenham Borough Council: Planning
Municipal Offices
Promenade
Cheltenham GL50 1PP

6th October 2023

Reference Belmont school proposed development

I write to oppose the application as submitted. Many of the points I made in my previous letter still stand as the application remains largely as it was originally. Below are the key issues with the application from the point of view of a resident of one of the properties identified as having residential overlook within the application.

Consultation

Firstly, I would like to make a point regarding the lack of meaningful consultation. The lack of any contact outside of the original consultation has occurred - particularly as residents have reached out directly and through local councilors but no response has been forthcoming, and no resident concerns have been properly addressed in the largely unchanged submission. This lack of communication is very unfortunate and although there are many local residents who are impacted by the proposed development, there are a small number of properties that will be impacted the most and the school has not reached out and in fact, as one of those residents, did not even receive a letter outlining the new proposal.

Hours of use

The hours of use outlined currently within the application appear to be purposefully misleading. While I know the school has a number of after school activities in the school week, these are exclusively within the buildings and not utilising the outside space. Indeed, the after-school hours use of the school would appear not to be for the students at the school but third party users and as this is inside, there is no disturbance to the school's neighbors. If current normal use of outdoor space is proposed this is fine, as use is very limited. However, I am sure this is not what is proposed, and the willful misrepresentation of current use is very concerning. Currently all students leave the site at 2.45 to 3.00pm.

Loss of green space

The proposed development removes virtually all of the natural grass. I work from home and can see the use by current students make of this important facility. The students are free to make use of the space in so many ways including casual football matches. I believe this change is not only an act of environmental vandalism, it is also removing a clearly well-loved outdoor space for generally informal sporting and general recreational facilities and I cannot help but feel this is a real negative for the current Belmont students. The portrayal of the field as a muddy unused space (as suggested in the proposal) is again misleading.

Loss of amenity for the school's neighbours

Not sure I can put this any better way than the environmental health feedback from the previous application (see below). I would, however, add that the value of our garden and the tranquility we currently enjoy should very much be considered when reviewing this application.

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

Users and number of users

There were numerous requests within the responses to the last proposal to understand better who will use the new facilities. This has not been clarified and without understanding of the users and the number of users, it is impossible to understand any impact on noise, parking and traffic. Suggestions that there will be no impact is clearly again not particularly credible or transparent.

Scope of the development

There has been no change in the number of facilities being crammed into a small space surrounded by houses. One has to question if some of the proposed facilities are required due to other facilities on the wider school estate e.g. the MUGA pitch at Bettridge school which appears to be used very occasionally. If (as I suspect is the case) the proposed MUGA pitches would be used by third parties, then additional space when Bettridge and indeed Bournside have sufficient capacity.

While I am not qualified to comment fully on the appropriateness of the proposed devolvement for the Belmont school students, I have seen that very rarely (if ever) outside of one sports day a year, that the athletics track as marked out on the grass has been used at all. There needs to be a proposal that keeps the grass area and enhances the facilities for the current students - potentially drainage to facilitate year-round use.

Noise pollution

While the new proposal has tried to provide for what is expected to be an increase in noise by including noise reducing fencing, I honestly doubt how this can be effective as our properties are more than one story high and fail to see how noise travelling up and across would be affected. Also, the provided data in the proposal only deals with one activity and the "abatement" of that noise only brings the noise level just below an "acceptable" level, however it does not model any cumulative noise, should more than one activity be happening at the same time.

Furthermore, I struggle to understand under the current proposal, how there would be room for the additional fencing, the cycle track, the planting between our boundary and the athletics track. We also suggested that a more reasonable boundary was 5 meters, but no feedback on this has been forthcoming.

Communication received from school today 5th October (6 days ahead of the deadline for comments) demonstrates the lack of willingness to engage with local residents to the point where Mr Day states that should we have any "immediate concerns" we e.mail him directly without actually giving and e.mail address other than typing "XXXXXX." This only highlights the poor attention to detail across the whole process.

In summary we strongly oppose the proposal in its current form. We have no issue with improving facilities for the children of Belmont school, but feel the proposal goes way beyond this and question the loss of the green space both environmentally, aesthetically and loss of current usage by students.

Comments: 6th October 2023

Mrs Lucy White
Cheltenham Borough Council: Planning
Municipal Offices
Promenade
Cheltenham GL50 1PP

6th October 2023

Reference Belmont school proposed development

I write to oppose the application as submitted. Many of the points I made in my previous letter still stand as the application remains largely as it was originally. Below are the key issues with the application from the point of view of a resident of one of the properties identified as having residential overlook within the application.

Consultation

Firstly, I would like to make a point regarding the lack of meaningful consultation. The lack of any contact outside of the original consultation has occurred - particularly as residents have reached out directly and through local councilors but no response has been forthcoming, and no resident concerns have been properly addressed in the largely unchanged submission. This lack of communication is very unfortunate and although there are many local residents who are impacted by the proposed development, there are a small number of properties that will be impacted the most and the school has not reached out and in fact, as one of those residents, did not even receive a letter outlining the new proposal.

Hours of use

The current hours of use outlined within the application appear to be purposefully misleading. While I know the school has a number of after school activities in the school week, these are exclusively within the buildings and not utilising the outside space. Indeed, the after-school hours use of the school would appear not to be for the students at the school but third party users and as this is inside, there is no disturbance to the school's neighbors. If current normal use of outdoor space is proposed this is fine, as use is very limited. However, I am sure this is not what is proposed, and the willful misrepresentation of current use is very concerning. Currently all students leave the site at 2.45 to 3.00pm.

Loss of green space

The proposed development removes virtually all of the natural grass. I work from home and can see the use by current students make of this important facility. The students are free to make use of the space in so many ways including casual football matches. I believe this change is not only an act of environmental vandalism, it is also removing a clearly well-loved outdoor space for generally informal sporting and general recreational facilities and I cannot help but feel this is a real negative for the current Belmont students. The portrayal of the field as a muddy unused space (as suggested in the proposal) is again misleading.

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In summary we strongly oppose the proposal in its current form. We have no issue with improving facilities for the children of Belmont school, but feel the proposal goes way beyond this and question the loss of the green space both environmentally, aesthetically and loss of current usage by students.

8 Bournside Close
Cheltenham
Gloucestershire
GL51 3AR

Comments: 18th March 2023

8 Bournside Close
Cheltenham
Glos
GL51 3AR

18/03/23

Dear Mrs White

Full Planning Application - Belmont School Ref No 2300117/FUL

After having the opportunity to view the full planning application, together with the accompanying drawings and plans, we can confirm we are very concerned now the full detail has become apparent.

To give a little background, our house is situated towards the end of a row of 4 houses at the North Western end of the playing field and has a very clear view of the field and the hills beyond. We have lived here for just over 23 years and the view and surrounding nature has always been a big part of the enjoyment of living here. The plans submitted will in our view substantially change this outlook, privacy and enjoyment of the views.

Over the years we have also enjoyed a friendly and respectful relationship with the school and in that time, apart from the odd football being kicked in to our garden which we have happily thrown back, the noise levels and disruption in general, have been minimal and restricted to school hours and term times. Sport tend to be played regularly in the field with the bigger events held every year i.e. sports days. More recently a cycling event has been set up at the weekend for a few hours, again with minimum noise levels and whilst at first there was quite a bit of interest, numbers have of late dwindled.

Whilst in principle we are not against some expansion of the sporting facilities at Belmont, benefiting both the students there and any other neighbouring schools with children with additional needs as detailed, it would appear that despite what was said in the January public consultation meeting it seems that the facility may in fact be open to any other schools nearby and other members of the public. This is a completely different to what we who attended were assured and will make a far bigger impact on the numbers visiting the site. Whilst this may increase funding for the school this will increase the noise pollution especially if Adults are also included. This can already be established by the floodlit pitches in Bournside School which, although next door, you can still hear a lot of shouting in the evenings.

General Issues with plans

An increase in numbers, increase in noise, increase in vehicles going in and out of the school. If no further parking is being added how will this operate? We will need full assurances that the gates leading in to Bournside Close will not be used for this purpose, we already have a problem with a stream of cars exiting twice a day without looking to see if any cars are approaching from their right hand side, almost causing an accident on more than one occasion.

Proposed hours of opening Week days 8.30 - 10.00pm and Weekends 8.30 - 4.30pm. This is far in excess of current usage and the proposed lateness during the week would seem to point toward the requirement for possible use of floodlights which seem to appear in some of the planning documentation, despite verbally assurances to the contrary. We need absolute and categorical confirmation that floodlights will at no time be requested for this site. Perhaps an increase of a couple of hours after school would allow any neighbouring schools to travel to Belmont for usage but the times open at the weekend currently for the Cycle club would seem about right. Any increase in these hours would suggest additional security may be needed at unnecessary additional cost.

Scope

Why the need for the football pitches at all? It does appear to be a very over ambitious project. It seems sensible to extend the size of the running track and make this more of a hardstanding material and the same with the Cycle track both of which will improve the current facility and attract more Children to the site. The proposed football pitches seem to be completely excessive and are not the most attractive material to look out on, this would appear to be nothing more than a project to attract any other groups and additional funding.

The current playground is used daily for football by the students, has this been considered for adapting and improving for usage of a proper pitch? There are other nearby pitches that could also be used by Belmont to save the creation of these two additional pitches.

Environment and wellbeing The other major issue with re-developing the whole of the playing field on this side of Belmont, is the impact on the environment and local habitat and wildlife, which are seen here on a daily basis, there would be virtually no grass left to see or for birds and animals and insects to roam. We have also viewed countless times the benefit of this open green space for the students of Belmont. They seem to thrive when running around, letting off steam or just walking quietly taking in their surroundings, it would be a shame to replace this with Astro Turf, MUGA or other hardstanding surface. The travesty of this is indescribable.

Other points of Concern

The proposed viewing and seating area designed to spectate sporting events, we have not really had any detail as to the height and if the spectators will be able to see straight in to our gardens.

The proposed 3 metre buffer zone, we would like to request that this be increased to 5metres at least with perhaps hedging or small trees to protect our privacy but still allowing natural light through.

The point regarding the fact that the current Homeowners acknowledged that we had all bought houses next to a school with a sports playing field is a bit disingenuous to say the least. There is a vast difference between a green field used for occasional sports to a hard surfaced, brightly coloured, multi-sport venue open to all.

As we have said we are not against the improvement of general sporting facilities at Belmont but we unfortunately, cannot agree to the plans in their current form so hereby formally submit our objection.

Yours sincerely

Comments: 12th February 2024

8 Bournside Close, Cheltenham Glos , GL51 3AR -(Objects)

Having reviewed the latest planning documentation containing even more surveys, costing goodness knows how much to produce, it is evident, that unfortunately it has not provided us with any further reassurance to the concerns raised previously and our objection to this proposal still stands.

The Flood risk and Drainage report, whilst assesses the potential risk of the nearby Brook flooding and the water table levels, it has not considered that our weather has changed dramatically in the last decade and that flooding is more likely, the proposed changes to tackle the problem including a tank, various gravel filters and manholes around the perimeter of the field is extensive, and would be entirely unnecessary without this development. It is noted that the network of foul sewer joins run right across the site but there is still no acknowledgement that this would cause extensive problems if built upon or redeveloped.

The noise impact statements just do not make sense and admit that further long-term assessments would need to be made in real life, at the proposed site. What you will have, is the potential of the normal noise from the playground, which at the time of writing has increased exponentially in the last 12 months with even more banging and shouting, bad language and loud music than before, on top of the noise from the new resin pitches and tracks. There is absolutely zero input from any members of staff to try and reduce

this noise, which makes the proposal of having a formal complaints process for Homeowners to report to the school, frankly laughable, it will just be ignored.

The environmental health response is also worthy of note and reiterates the 'loss of amenities to the neighbours along with an increase of noise and disturbance'. Although one of the five a side pitches have been removed with plans to add a Play Area, this will not alleviate the noise in fact if anything it will make it worse as more students will congregate in this area, and any buffering attempts with acoustic fencing or planting will not blot out the increase in noise pollution.

The Operational plan mentions the normal school core hours which we have disputed before and there is still no evidence of many activities taking place between 15.30 and 19.30 in the week, and at the weekends. The proposed increase in opening hours is nonsensical just for usage by the students at Belmont and with so many nearby facilities available for other SEN students would they attract the numbers they are expecting? EH are even suggesting a reduction in the times proposed and questioning if the new times are for existing contracts and if any conditions are imposed on the current application?

The subject of Lighting (floodlit or otherwise), has reared its head again after receiving reassurance in past paperwork, that at no time will this be considered in the future, it now seems to indicate that 'external lighting is not being considered unless first submitted to and approved by local planning', which rather begs the question has it already, will it be approved, if not now but in the future? We need guaranteed confirmation this will not at any point be requested or considered.

In conclusion, this could have been such a good opportunity for Belmont to fully engage with its neighbours, and come up with a mutually agreed plan for the improvement of the existing space. Perhaps by utilising some of the field for a proper track for cycling or running, and keeping the majority of the green space for sports events and nature studies. The primary difference being, this would be for the benefit of all students, including those who are not able or interested in sport, to appreciate and enjoy. Sadly, this opportunity has been missed leading to strong opposition from the majority of the neighbours surrounding this site.

Comments: 6th October 2023

8 Bournside Close, GL51 3AR - (Objects)

Further to our comments raised on 18/03/23 having read the revised plans and additional supporting documentation added, we can confirm our position and comments remain the same and our objection to the purposed planning application still stands. This is due to the fact that our initial concerns have not been resolved and if anything, now more detail is available, our concerns have increased as summarised below: -

- In the planning and management statement where more detail is provided surrounding the hours of operation, we would dispute the finishing time of 10.00 p.m. Whilst we have witnessed some later sporting activities after school there does not appear to be any late activities unless it has been extremely occasional, so why the need to operate this late in the evening. Confirmation is still required that Bournside Close will not be used as a further exit point for vehicles using these facilities.

- The noise levels have increased dramatically in the last 6 months with play time now so noisy with the students dragging bins across the playground, banging on the lids and shouting through parking bollards and there has been no attempt by staff to try and stop

this. More hard standing surfaces will only increase the noise levels. The proposed acoustic fence is not shown in any detail on the plans, only that it is along the north western border and is to be 2m high. More information is required on the material, density and the exact location and height compared to existing garden fencing running along the back of this location.

- The Noise impact assessment appears to back up that the level of decibels in their study could well exceed the 50 dba and are suggesting in some areas the monitoring was limited. A more stringent study to determine the exact impact of the noise levels especially in the evenings would be recommended.

- Now it has been established that the size of the pitches is too small for even a 5 a side match it does seem to be a lot of effort and money spent with no great benefit. As suggested before we would support the enhancement of the cycling and running tracks to improve on the current facility. This would be of benefit to the existing students and for Betteridge who I understand already have their own hard standing pitch. This will leave more green field space for the students who do not want to participate in sport in their playtimes, to have access to. It will also have less impact on the surrounding wild life and insect population.

- We need assurance that there will be no floodlights or any other lighting of a similar nature to be installed in the future.

- The flooding risk assessment has not fully taken in to account the past flooding of the brook and breach of its banks. Although acknowledged this is a rare event, the risk can only increase with the impact of climate change. The maintenance work suggested by the report surely backs up the potential problems. There needs to be further drainage studies to assess the location of any sewers as highlighted by another Homeowner in the location of the development.

In summary, whilst in principle we can see the benefit of improving the sports facilities at the school in order to help nurture and develop the students, this development does seem to be far too ambitious for the 'normal' running of the school and the potential interest from surrounding schools.

We trust our comments and recommendations will be given full consideration.

Ostlers Yard
Bournside Drive
Cheltenham
Gloucestershire
GL51 3AP

Comments: 28th February 2024

Dear Lucy

I have just read the latest comments of the EHO inviting details of lighting to be submitted so that this can be agreed with the Council before any permission is issued. As previously stated, I remain concerned about ANY form of lighting and consider that no lighting at all should be permitted as stated within the comments of the EHO submitted on 6 February 2024 in which it is stated that: 'Any kind of lighting/floodlighting in this particular area for this scheme is unlikely to be considered acceptable by the Council'. It is unclear why there should be any need for lighting at all given that the proposed hours

of use likely to be considered acceptable for the amenity of local residents are limited to daylight hours only.

If any form of lighting is permitted against this advice, please can any condition require this to be COMPLETELY SWITCHED OFF from dusk onwards both for the amenity of residents and for the local wildlife. I am recording some truly amazing birds visiting Hatherley Brook at dawn (kingfishers, owls, song thrushes, bullfinches etc) as well as badgers visiting at night and it is imperative in this wildlife depleted world that these birds and animals are afforded as much protection and as little disturbance as possible.

Regarding noise, please can I also ask that, if the application is permitted, users of the site are not permitted to play music as this can be more intrusive than voice noise. Please can this also be restricted by a suitably worded condition?

Yours sincerely

Comments: 21st March 2023

Dear Ms White

I have already submitted an objection to this application but feel I must make some additional comments, having now had sight of the additional sports strategy submitted by the headmaster and several of the statutory consultee responses.

LIGHTING

I am relieved that the EHO has requested that, should the development be granted, a condition should be imposed which provides 'There is to be no floodlighting installed as part of this development, this shall be the case for the lifetime of this development'.

Should the development proceed, such a condition would clearly be necessary, would address a main concern, and would be a huge relief to all neighbours of the site.

However, I am alarmed that the response from the County Ecologist states the following: "The ecologists state that no new lighting that could cause light spill is planned and that the flood light will be replaced by downlighters, however we would need to see a lighting plan to confirm this statement".

Where is this new downlighting proposed?? It does not appear on the plans submitted by the applicant and for residents to find out about the potential for such lighting to be included as part of the proposals through a comment submitted in response to an ecology report is inappropriate and procedurally unfair, to say the least.

It is evident, given the location of the proposals next to sensitive receptors (both residential and ecological), that no new lighting should be erected as part of any development proposed. If lighting is necessary, operationally, for the proposals to be able to be fully utilised, then it is clear that the development is located in the wrong place, and that it should be refused.

Nonetheless, if the development does go ahead, please could the condition proposed by the EHO be amended to read: 'There is to be NO FLOODLIGHTING OR OTHER

ARTIFICIAL LIGHTING installed as part of this development; this shall be the case for the lifetime of this development'.

JUSTIFICATION FOR THE LOSS OF THE PLAYING FIELD AND CREATION OF TWO MINOR OVALS

The headmaster's suggestion in his additional response to Sport England that many of Belmont's children find it impossible to engage in sports like rugby and football begs the question as to why two five a side pitches are therefore proposed. In similar vein, the suggestion that the minor ovals are needed for children who cannot yet run 200 metres should be afforded little weight; surely, a 100m line can be marked on to the 200m track for these children? Thirdly, the suggestion that 'The design will also allow for the school or community groups to offer running/athletics at the same time as accessible cycling' is to ignore Sport England's concern 'about the conflict of different surfaces in such close proximity which could lead to accidents'. In my opinion, it does nothing to justify the extent of what is proposed and therefore fails to address the concerns raised. Indeed, it raises further worries as the latest suggestion is that the facilities will also be open to all the children attending Bournside School - numbering approximately 1,800!

BLEACHER SEATING

I would concur with the comment submitted by 72 Bournside Road that the installation of bleacher seating could result in visual intrusion of the type envisaged in the recent Tate Modern case. It is evident that tiered seating in a school playing field is not necessary for the common and ordinary use and occupation of the land and its construction does not confer proper consideration for the interests of neighbouring occupiers.

CLIMATE EMERGENCY

Cheltenham Borough Council declared a climate emergency in February 2019. It seems counterintuitive in the current climate to be replacing a grass playing field with artificial pitches which can only increase surface water runoff. Whilst the school site itself may be in Flood Zone 1, Hatherley Brook into which surface water will drain is shown on the government website to be in Flood Zone 3 which is at high risk of flooding. I would remind you of Policy INF2 of the Joint Core Strategy which provides that proposals 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 (full text reproduced below).

Policy INF2: Flood Risk Management 1. Development proposals must avoid areas at risk of flooding, in accordance with a risk- based sequential approach. Proposals 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. For sites of strategic scale, the cumulative impact of the proposed development on flood risk in relation to existing settlements, communities or allocated sites must be assessed and effectively mitigated 2. Minimising the risk of flooding and providing resilience to flooding, taking into account climate change, will be achieved by: This policy contributes towards achieving Objective 6. i. Requiring new development to, where possible, contribute to a reduction in existing flood risk; ii. Applying a sequential test for assessment of applications for development giving priority to land in Flood Zone 1, and, if no suitable land can be found in Flood Zone 1, applying the exception test; iii. Requiring new development that could cause or exacerbate flooding to be subject to a flood risk assessment which conforms to national policy and incorporates the latest available updates to modelling and climate change data

and historic data and information and guidance contained in the authorities' Strategic Flood Risk Assessments and Supplementary Planning Documents, in order to demonstrate it will be safe, without increasing flood risk elsewhere; iv. Requiring new development to incorporate suitable Sustainable Drainage Systems (SuDS) where appropriate in the view of the local authority to manage surface water drainage: to avoid any increase in discharge into the public sewer system; to ensure that flood risk is not increased on-site or elsewhere; and to protect the quality of the receiving watercourse and groundwater. Where possible, the authorities will promote the retrofitting of SuDS and encourage development proposals to reduce the overall flood risk through the design and layout of schemes which enhance natural forms of drainage. Developers will be required to fully fund such mitigation measures for the expected lifetime of the development including adequate provision for ongoing maintenance; v. Working with key partners, including the Environment Agency and Gloucestershire County Council, to ensure that any risk of flooding from development proposals is appropriately mitigated and the natural environment is protected in all new development.

The Cheltenham Plan provides at paragraph 10.1 as follows: 'Although often perceived as an essentially man-made environment, the town of Cheltenham contains many habitats that harbour a rich array of wildlife. Ponds, railway cuttings, hedges and verges, small copses, parks, cemeteries, school playing fields, allotments and even old buildings all host a wealth of species ranging from larger mammals like foxes and badgers to wild flowers and butterflies. 10.2. The rural areas of the Borough also contain some very significant habitats; the limestone grassland flora of Leckhampton Hill, which is rich in plant and insect species, and the ancient woodlands of the Cotswold escarpment being the most prominent features. Most areas of natural vegetation in the countryside support a great diversity of wildlife. 10.3. Many wildlife habitats are under severe threat from development and agricultural pressures; even a minor environmental change not requiring planning permission may radically alter the ecological balance and lead to the loss of valuable species.'

POLICY SL1 of the Cheltenham Plan states: **SAFE AND SUSTAINABLE LIVING**
Development will only be permitted where it would: a) not cause unacceptable harm to the amenity of adjoining land users and living conditions in the locality; and b) not, by nature of its size, location, layout or design, give rise to crime or the fear of crime nor endanger public safety.

In light of these policies, which are there to protect both local residential amenity and the wildlife contained in places such as on the school playing fields and along the Hatherley Brook corridor (which, incidentally, has not been assessed within the submitted ecology report as the report has only considered the playing field up to the fence line above the brook), it is inconceivable that the current proposals should be permitted.

The applicant appears to be intent on alienating its neighbours by not being upfront about what this development entails. The applicant should be asked to submit a clear planning statement clarifying many details concerning lighting, proposed users of the site, realistic hours of use and potential traffic impacts, including where users are expected to park and how they would ingress into and exit from the site. The planning statement should consider the development's accordance, or otherwise, with planning policy and any material considerations the applicant feels may outweigh these.

It is clear at present that the applicant has not provided sufficient detail or justification for the proposed development, and therefore, in its current form, the application should be refused.

Yours sincerely

Comments: 4th October 2023

Dear Mrs White

Application reference 23/00117/FUL - development at Belmont School

I write in respect of the revised plans for the above application. I previously submitted comments in response to the original plans and would ask that my previous comments also be taken into account, please.

Floodlighting

I note that the headmaster affirms in the Planning and Management Statement that there are to be no floodlights as part of the development. Whilst this is to be welcomed (as floodlighting could have severely detrimental effects on both the local wildlife and on local residential amenity), I remain anxious that floodlighting may be applied for at a later date. For this reason, and as requested by the Environmental Health Officer in their response of 20 March 2023, I would ask that a condition be imposed on any permission granted as follows:

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

I am also concerned that "other lighting" could be applied for / incorporated which may, in itself, have a detrimental impact on ecology / local amenity. I would therefore ask that it be made clear within the reasoning for the imposition of the above condition that "floodlighting" includes any form of lighting. It is important to be aware that this site is pitch black at night and any lighting would disturb wildlife and residents, even if at low level.

Hours of use

I note the headmaster's comments that use of the new facilities will be limited by daylight hours but I consider that, in order to provide appropriate protection to residential amenity, a condition should be imposed formally limiting out of school usage to specific times - say, until 8pm on weekday evenings, until 4pm on Saturdays and not at all on Sundays or bank holidays.

Acoustic fence

I note that a new 2m high acoustic fence is to be erected along our fence line (we are situated at the point overlooking the north west corner of the site). I do not take issue with this but I would ask for the following points to be borne in mind, please:

a) I would suggest that a maintenance easement of at least 50cm be left between our fence line and the new acoustic fence so that we are able to maintain / repair our own

fences. Such a gap would also provide a wildlife corridor for small mammals, particularly hedgehogs;

b) I would ask that hedgehog holes be created at intervals along the new acoustic fence to facilitate hedgehog highways;

c) I would also request that the ash sapling which abuts our fence (but on the school's side) be left in situ as this provides our property with significant screening from the development.

3m buffer planting

I previously commented on the 3m planting buffer which is to be erected along the length of our fence (running along the western edge of the development). I asked if this could be 5m, if possible, but I note that it remains as 3m on the revised plans. I would request that this be planted with a mix of broadleaved native species, ideally hawthorn dominant (eg 60%), for both reasons of security and to facilitate safe nesting habitat for birds, especially sparrows. In order for the buffer to become a more rapid and effective screen from the development, standard native tree planting should also be incorporated. A suitably worded condition requiring submission of a detailed scheme of landscaping would be appropriate. It is also important to ensure that this planting should be effectively managed and maintained for the lifetime of the development, and a further condition requiring a landscape management and aftercare plan to this effect would therefore be appropriate.

MUGA pitches

I note from the plans that the proposed pitches are coloured green and I would ask that these remain green, please, as Google Earth pictures of nearby schools which have allowed blue pitches to be created demonstrate just how much of an eyesore they are. A suitably worded condition to this effect should be imposed.

I trust that the above comments will be taken into account in your consideration of the application.

Yours sincerely

Comments: 26th January 2024

Dear Mrs White

Application reference 23/00117/FUL - development at Belmont School

I write in respect of the revised plans for the above application. I have previously submitted comments twice in response to the original and subsequent versions of the plans and would ask that my previous comments also be taken into account, please.

Floodlighting

I remain particularly concerned about floodlighting. Whilst I noted in my last letter that the headmaster had affirmed in the Planning and Management Statement that there were to be no floodlights as part of the development, I note in this latest iteration within Appendix B of the document entitled 'Operational Plan' the ominous statement that, 'There shall be no external lighting associated with the running track, multiple use games area, and BMX

pump tracks, unless details have first been submitted to and approved in writing by the Local Planning Authority'.

To me, this indicates a clear intention to apply for floodlighting at a later date. I would reiterate that the Belmont school playing fields are completely pitch black at night and used by a multitude of wildlife (as described in my previous letters) and the introduction of ANY LIGHTING would have a hugely detrimental impact on the visiting wildlife and on local residential amenity.

The Council's Environmental Health Officer has recognised the risk that ANY FORM of lighting at this site poses in its response to the last consultation in which it was stated:

"Lighting:

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

I would therefore implore the Council to adopt the approach of the Environmental Health Officer in its response of 20 March 2023 and to impose a condition on any permission granted which would prevent the installation of floodlighting AT ANY TIME during the lifetime of the development, as follows:

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

I also continue to share the concerns of the EHO that "other lighting" could be applied for / incorporated which may, in itself, have a detrimental impact on ecology / local amenity so would ask that this also be expressly prevented, please.

Proposed Play Area

I note from the plans that a new play area is proposed in place of one of the previously proposed MUGA pitches. The plans indicate that this will have a polymeric surface. Whilst I mourn the loss of the grass and have continued concerns about drainage from a man-made surface, if this proposal is allowed, I would ask that the polymeric pitch be green, please, to minimise the visual impact. A suitably worded condition to this effect would be appropriate.

I trust that the above comments will be taken into account in your consideration of the application.

Comments: 14th March 2023

Dear Mrs White

Application reference 23/00117/FUL - development at Belmont School

I write in respect of the above application about which I wish to express some concerns.

Impact on wildlife and biodiversity net gain

Our house (Ostlers Yard on Bournside Drive) directly overlooks the north west corner of Belmont's playing field. Hatherley Brook runs alongside the northern edge of the playing field and then runs through our garden. As I am sure you are aware, the brook constitutes a significant wildlife corridor acting as a green lung linking the countryside at the edge of the escarpment on Leckhampton Hill, passing through the centre of Cheltenham, before extending onwards to the Severn Vale floodplain near Longford. As such, it attracts a significant amount of wildlife, much of which regularly visits our garden, including foxes, badgers, hedgehogs, deer and, of particular note, bats. It also supports a plethora of birds - owls, redwings, fieldfares, mistle thrushes, songthrushes, woodpeckers (green and greater spotted), many of the finches and even nuthatches and tree creepers on occasion, to name but a few.

It is concerning that no ecology report has yet been uploaded onto the CBC webpage and I wonder if this means it has still to be submitted. This would seem curious as it was referred to by the applicant's agents at the public meeting in January when I was advised that the report had referenced a number of interesting species located along Hatherley Brook. I did ask for a copy of the report at that time, or at least a list of the species mentioned, but nothing was ever sent on to me. I consider it imperative that you and the County Ecologist have sight of this report at the earliest opportunity. In the same vein, has the applicant provided details of potential biodiversity net gain which may result from the application?

On the basis of the importance of the wildlife referred to above which would, without doubt, be detrimentally affected by night-time lighting, our main concern regarding the proposals relates to the potential for there to be floodlighting. In this regard, it is understood that the initial proposals for the development did include floodlighting. Whilst the consultation in January confirmed that no floodlighting is currently proposed (and I note that this is reiterated within the submitted Design and Access Statement), in order to ensure both the protection of the abundant local wildlife as well as our amenity and that of our neighbours, I would ask that a condition be imposed preventing the installation of any floodlighting (or lighting at all) without specific planning permission.

Loss of playing field

I have read, and agree with, the comments made by Sport England querying the justification for the complete loss of the playing field. It appears that the applicant is trying to be too ambitious and to squeeze too many facilities into a space which cannot support it. Loss of the playing field will inevitably have an impact on surface water run off into Hatherley Brook and will remove an open feeding area for various bird species (particularly mistle thrushes and green woodpeckers) which can be seen foraging on the field at weekends.

Impact on residential amenity through noise

I note from the Design and Access Statement the school's intention to allow the new facilities to be used by the community and I am somewhat concerned about the resultant potential for increased noise and possible antisocial behaviour, particularly during the evenings and at weekends. Whilst I note that the Statement indicates that Sunday is included within the school's current opening hours, and that during the week these hours extend until 10pm, I am not aware of activities currently taking place on the field on Sundays nor late into weekday evenings. Should such activities occur, I consider that this would impact negatively on the residential enjoyment of our properties, particularly our gardens. For this reason, I would ask that a condition be imposed limiting out of school usage to specific times - say, until 6.30pm on weekday evenings, until 4pm on Saturdays and not at all on Sundays or bank holidays.

Planting buffer

The current plans suggest that a 3m planting buffer will be erected along the length of our fence (running along the western edge of the development). I would prefer this to be 5m, please, and planted with deciduous trees (best case would be if tree types could be agreed with residents first). Another option would be to include planting further into the site within the margins between the athletics track and the perimeter access / cycling track. This would provide additional cover as well as a contribution towards biodiversity net gain and would also provide additional interest for those using the track. I understand that some residents would like to retain a clear view into the site but that does not include us; as we are closest to Hatherley Brook where the need for planting for wildlife is greater, I would ask that our section be planted for privacy, please.

Colour of track

I would question the need for the track to be a red colour; it would be more in keeping with a sports field for the track to be green, if possible, please.

General

Finally, I would like to express some general concerns about the overall nature of this application. It appears that the proposals have changed since pre-app from something supported by Sport England to something which appears to be designed to generate maximum revenue. Until it was pointed out at the public consultation, the indicative plan on the school's website still retained references to floodlighting whilst the failure to supply the ecology report rings alarm bells. It would be interesting to have sight of the information submitted at pre-application stage and, in particular, CBC's consideration of the question of floodlighting at that point.

In the circumstances, I feel I have no option but to object to the application in its current form.

Yours sincerely

72 Bournside Road
Cheltenham
Gloucestershire
GL51 3AH

Comments: 10th March 2023

I write as a resident of 72 Bournside Road - a property adjacent to the Belmont School playing field. As a retired secondary school teacher I support, in principle, the wish to provide enhanced sports facilities for schools and would be keen, perhaps with other Bournside Road residents, to work with the school and the planning team to ensure that the plans meet some of the school's aims but also protect the residents' privacy and quality of life.

I have endorsed and signed a letter to be submitted by *****, 56 Bournside Road but would ask that the following points be considered in the Planning Application process:

1. Floodlights: Please ensure floodlights are not allowed to be added as a separate application in the future.
2. That use of the facilities is restricted to the children of Belmont School and partner schools of children with additional needs.
3. Careful management of the additional "community use", ie. usage outside normal school hours, will be absolutely vital if the development is to receive and maintain the support of local residents. This covers areas such as time restrictions, noise, public access and possible anti- social behaviour.
4. Screening: additional fencing, hedging and trees will be needed to maintain the privacy of the houses / gardens in Bournside Road and other roads adjacent to the school field. Residents should be involved in the decisions about this screening.
5. The siting of the proposed bleacher seating is a concern - how long / high is this to be? Is it really needed? Does this not actually turn the facility into a sports arena?
6. Possible flooding: Drainage and land levelling will need to be considered carefully to ensure that the environmental impact upon the river separating the school land from Bournside Road gardens is not seriously compromised.
7. I believe the proposals are seriously over ambitious. Will the proposed facilities really bring in the income required to make the development viable? I think not. Perhaps a more modest plan including a single, multi - purpose hard activity / play area plus a cycle track would be more sensible.
8. Following on from point 7 it seems a great shame that the proposal removes the vast majority of the Belmont School field. Green areas are of huge, and increasing, importance and if drainage of the school field is a problem that restricts its use in winter then perhaps some thought should be given as to how this can be improved without removing it altogether.

Thank you in advance for your consideration of my points.

Yours faithfully,

Comments: 10th March 2023

I write as a resident of 72 Bournside Road - a property adjacent to the Belmont School playing field. As a retired secondary school teacher I support, in principle, the wish to provide enhanced sports facilities for schools and would be keen, perhaps with other Bournside Road residents, to work with the school and the planning team to ensure that the plans meet some of the school's aims but also protect the residents' privacy and quality of life.

I have endorsed and signed a letter to be submitted by Mr. David Almond, 56 Bournside Road but would ask that the following points be considered in the Planning Application process:

1. Floodlights: Please ensure floodlights are not allowed to be added as a separate application in the future.
2. That use of the facilities is restricted to the children of Belmont School and partner schools of children with additional needs.
3. Careful management of the additional "community use", ie. usage outside normal school hours, will be absolutely vital if the development is to receive and maintain the support of local residents. This covers areas such as time restrictions, noise, public access and possible anti- social behaviour.
4. Screening: additional fencing, hedging and trees will be needed to maintain the privacy of the houses / gardens in Bournside Road and other roads adjacent to the school field. Residents should be involved in the decisions about this screening.
5. The siting of the proposed bleacher seating is a concern - how long / high is this to be? Is it really needed? Does this not actually turn the facility into a sports arena?
6. Possible flooding: Drainage and land levelling will need to be considered carefully to ensure that the environmental impact upon the river separating the school land from Bournside Road gardens is not seriously compromised.
7. I believe the proposals are seriously over ambitious. Will the proposed facilities really bring in the income required to make the development viable? I think not. Perhaps a more modest plan including a single, multi - purpose hard activity / play area plus a cycle track would be more sensible.
8. Following on from point 7 it seems a great shame that the proposal removes the vast majority of the Belmont School field. Green areas are of huge, and increasing, importance and if drainage of the school field is a problem that restricts its use in winter then perhaps some thought should be given as to how this can be improved without removing it altogether.

Thank you in advance for your consideration of my points.

Yours faithfully,

Comments: 6th October 2023

The comments I submitted on 10/03/23 remain and I wish these to be considered when the application is discussed - thank you. The comments made in points 7 and 8 are particularly relevant .

However, I wish to add that the promised engagement and consultation with the school's neighbours has not taken place.

The letter received on 15/09/23 from the headteacher was patronising in tone and did not address any of the concerns raised in the comments from residents other than let us know that we have misunderstood the use of the proposed facility and to put the burden of responsibility for monitoring noise and behaviour onto us. Mr. Day's letter also contained a significant error concerning the siting of the proposed acoustic fence. This error has since been acknowledged and corrected - fine, but this lack of attention to detail is a concern.

Finally I would like to stress that I consider this proposal, for what amounts to a sports arena, to be an over ambitious vanity project. A more sensible approach would have been to have worked with a group of residents to produce a workable and affordable scheme that would have improved the provision for Belmont's students. A great shame that Mr. Day and his consultants have failed to recognise this.

70 Bournside Road
Cheltenham
Gloucestershire
GL51 3AH

Comments: 10th October 2023

70 Bournside Road
Cheltenham GL51 3AH

10 October 2023

Head of Planning
Cheltenham Borough Council My e-mail and by hand
P.O. Box 12
Municipal Offices
Promenade
Cheltenham GL50 1PP

Planning Application 23/00117/FUL

Additional Sports facilities at Belmont School.

We believe that it is very significant that Sport England, the body with statutory responsibility for such matters, does not support even the amended version of this application.

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Like diamonds, planning permissions are forever. Professional knowledge gained from working on planning matters tells us that planning permissions have to be right from Day 1.

Reference should be made to our letter of 8 March 2023, please. This application, as originally submitted, was totally devoid of any limitations on use, times or days and totally devoid of any concessions about the effect that this proposal would have on the neighbourhood, other than some trees on the Eastern boundary.

There have since been expressions of intention from the School, in the form of a Management Plan and otherwise, about how and when the facilities are to be used. No doubt they are made in good faith, but they can only be based on the perceptions existing in 2022 and 2023. Intentions can and do change. They can change because of a change in management: they can change as a result of pressures from various sources - one group may complain that a similar group is allowed to use the site - "Why can't we?". Financial pressures, such as construction and maintenance costs, can bring changes of intention - sponsors may say "We are paying for this - we want to use it".

If this had been a commercial enterprise, rather than Belmont School, the initial application would have been opposed outright. So in March we made suggestions for conditions, supported by evidence - conditions about times, days, no lighting, limits to sound, limits to the effect on wildlife, and so on. Others have made broadly similar requests.

A letter from the School dated "September 2023" makes the point that local residents may not know who the parties are that already use "the site" - it is unclear if this means the presently grassed area lying between the School buildings and the boundaries, or just the School buildings themselves. Speaking for ourselves, we do not know every user, but what we do know is what hours of the day, what days of the week and what weeks of the year, the presently grassed area leading down towards the Brook has been used for recreational purposes over the past 45 years..

The application does not even suggest a condition of there being no floodlights.

A detailed Sound Report has been submitted. What its author does not have is the experience of living by the School for 45 years and experiencing the times of the day, the days of the week and the weeks of the year during which use has been made of the grassed area leading from the School buildings down to the boundary by the Brook. What happens inside the School does not affect us. What matters is the proposed changes to the times of the day, the days of the weeks and the weeks of the year that this proposal would bring about in respect of that grassed area, as well as the nature of the intended activities on it. The report also fails to take account of the fact that the human ear is attuned to the sound of the human voice, not just to the existence of X number of decibels.

The only change of any significance in the amended version of the application is the intention to construct an acoustic fence. In a circular letter dated "September 2023" it is stated that the acoustic fence is to be on the "North-Eastern boundary", which suggests the boundary by the Brook. This is misleading. Close examination of the revised plans and enquiry of the School reveals that it is proposed that the acoustic be only by the properties on Bournside Close. The School has on 5 October, six days before the deadline, made a correction after we pointed the error out to them.

The properties by the proposed acoustic fence are the only properties shown on the revised plans as "Residential Overlook" What, then, can we see from the windows at the back of our house and from our garden?

Despite the School's publicly stated aims of safeguarding its pupils, the revised plans submitted in September still do not make any proposal to safeguard against an accident occurring by reason of the proximity of the proposed cycle track to the existing metal paling fence above the Brook with its pointed tops designed to be harmful to an intruder climbing in from outside, but potentially more harmful to a cyclist in an accident while "letting off steam" or otherwise engaging in the cycling activity intended to benefit the School's pupils and other users. Such an omission is difficult to understand. The occurrence of an accident of the type envisaged will have to be brought to the attention of the authorities appropriate to the nature of the event.

Conditions in a planning permission are legally binding, set out clearly and accessible to all. They can be monitored and enforced. They can actually help management by enabling pressures to be resisted.

In the absence of binding formal planning conditions to deal adequately with the issues that have been raised by ourselves and other residents, the "conditional support" mentioned in our letter of 8 March 2023 must, regrettably, turn to outright opposition, and the application should, we respectfully submit, be refused.

Yours faithfully,

Comments: 14th February 2024

70 Bournside Road
Cheltenham GL51 3AH

14 February 2024

Head of Planning
Cheltenham Borough Council My e-mail and by hand
P.O. Box 12
Municipal Offices
Promenade
Cheltenham GL50 1PP

Planning Application 23/00117/FUL

Additional Sports facilities at Belmont School.

Please refer to the submission made in February and October 2023 for relevant facts and background. This submission will be shorter.

It cannot be disputed that if this application is granted at all, it will cause a significant change compared to what has been happening on the grassed area between the School buildings and the boundaries to our knowledge for 46 years. That change will impact on the amenities of the neighbouring residential properties. It is our respectful submission that this application should be refused, although we realise that others may think differently, particularly in light of the School's aims.

At last, there is some recognition by the Applicant that activities on that area need to be determined by binding conditions decided by and subject to monitoring by the local Planning Authority rather than being determined solely by the School, if this application is to be granted at all.

The present suggested wording of the Conditions limiting periods of use is capable of being misunderstood or misinterpreted. What does "used" mean? Does it mean whistle to whistle or gathering on site beforehand or remaining after physical activities have ceased? Precision of wording is essential so that all concerned understand what is and what is not permitted, as battles in Court have shown. Our suggested wording for any Condition about times and days should read:

"Other than for the purposes of inspection and maintenance there shall be no entry on to the area where (list the facilities for which permission may be granted) are situated before (time and days) and that area shall be vacated no later than (time and days)".

It is disappointing to see that the risk of injury - or worse - arising from the closeness of the proposed cycle track - especially the overtaking area - to the spike-topped boundary fence near to the Hatherley Brook continues to be ignored by the Applicant. If this application is to be granted at all, the following Condition is suggested.

"The perimeter cycle track shall not be used for cycling (as opposed to walking or running) until there has been submitted to and approved by the Planning Authority a professional Risk Assessment and all requirements arising therefrom have been fully implemented".

In light of the first paragraph of this submission, we respectfully suggest that the hours of permitted use, if this application is granted at all, should be Monday to Friday in School term time 08.30 to 16.30, Monday to Friday out of School term time 08.30 to 13.00, Saturdays, Sundays and Bank or Public Holidays all year round 10.00 to 13.00, so that the residents of neighbouring properties within sight or sound of the site may be afforded some respite to enjoy the amenities of their properties when they are most likely to be used and appreciated.

Lastly, if this application falls to be determined at a meeting which members of the public are permitted to attend and speak, we would wish to be afforded such an opportunity.

Yours faithfully,

.....

Comments: 9th March 2023

70 Bournside Road
Cheltenham GL51 3AH

8 March 2023

Head of Planning
Cheltenham Borough Council My e-mail and by hand
P.O. Box 12
Municipal Offices
Promenade
Cheltenham GL50 1PP

Planning Application 23/00117/FUL

Additional Sports facilities at Belmont School.

We are writing to express our views on this proposal. May we start by saying that we support the aims of the application, but that support is, in a quite literal sense, conditional. We attended the 2012 Paralympic Games in London - a memorable and moving occasion- and we are aware of the ongoing efforts in the U.K. to make sport more inclusive.

Background.

What is now all Bournside Road began to be developed in the 1930s at either end. The majority of the houses, mainly detached with some semi-detached, were built in the space between during the 1950s, with only a few being built since. Many of the houses have been extended considerably, including No. 70. The road is the quintessential English suburban tree-lined residential avenue. Many of the houses on the South- West side, i.e., the side nearest the site of the present proposal, have larger gardens than would probably have been the case had they been built even a decade later. It is clear to us as local residents that the gardens are used, tended and enjoyed, as is ours. Some residents, we know, work from home.

We bought No. 70 in January 1978, aware that there was a schools complex nearby, and we have lived here ever since. We raised three children here and the house is still "H.Q."

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for the three generations of our family. It is clear that other properties are similarly used. We have in recent years made various changes aimed at enabling us to remain here.

The present activities in and around Belmont School are mainly Monday to Friday during school term time. Such activity as takes place at other times (leaving aside building and maintenance work which necessarily spill over) can be lively - even raucous on occasion - but it is usually brief and confined to relatively short periods of the day Monday to Friday, with noticeably less activity at weekends and in holidays, and it is in any event mainly confined to the paved area adjacent to the school building, perhaps 100 or more metres from our boundary; this proposal would bring that activity to within about ten metres of our boundary. There are sometimes sports activities which can be noisy and intrusive, especially when sound amplification systems and a klaxon are used, but they are brief and infrequent. We hope we are reasonable as neighbours - we offered access via our garden when some items were thrown or kicked over the fence onto the School side of Hatherley Brook, and we have never complained about the droning noise of the School's central heating system when it is kept on overnight during cold spells although it is audible inside our house despite our modern double glazing. All of this, so far, is in line with what one expects, having chosen to live near a schools complex.

The present proposal goes much further, because it is for extensive sports facilities covering the whole of what has hitherto been grassed field. It appears to be the intention to extend the activities to almost all of the year, seven days a week and for long hours, more akin to a commercial sports complex.

We attended the consultation on 10 January. It was difficult to find from any one of the three persons attending on behalf of the School and the engineers a comprehensive view of what the proposal involved, although the plans shown were helpful. It emerged that there were no proposals to alter in any way the metal, spike-topped paling fence on the North-East boundary, i.e., adjacent to No. 70 and other houses from about No. 40-something to No. 72 or 74, and please see the concerns below about this. Some intentions about use were mentioned. We have examined the application on line. It is just for change of use with no mention of any limitations. Intentions can change; planning conditions do not.

No locality, unless it be in an area specifically protected by statute, can be expected to remain unaltered over the passage of time. Please see footnote 1 below.

How the proposal may be funded is not any of our business, but mention was made at the consultation on 10 January of approaching local businesses. It is a short step to sponsors expecting that their staff and families be permitted to use the facilities; the greater the activity the greater the impact, particularly if, as we understand from a letter from Councillor Chelin, it is intended to allow other groups to use the facilities whenever they are not booked by the priority groups which are to have first pickings after the School itself. Without appropriate conditions the site could be used indiscriminately to generate revenue.

Suggested formal conditions, with reasons

No. 70 is almost the last property in the row along the North- East boundary of the subject site. The bottom of the garden is, perhaps, ten metres from the site fence. The Hatherley Brook flows between, with varying amounts of land separating. That area has many mature trees, but of the 20 or so which can be distinguished from No. 70, all but two are deciduous, so providing no screen for several months of the year. The area either side of the Brook is, and always has been, a habitat for wildlife. Foxes have earths and they rear their cubs in and around; some 25 species of birds of various sizes from owls to wrens frequent it and our garden, and squirrels are ever-present. Even the local cats hunt there. We have seen fieldmice, hedgehogs, frogs and slow-worms. Birds and foxes forage on the existing grassed area when it is quiet. It is inevitable that any increase in activity on the subject site will cause greater disturbance to wildlife. We notice less wildlife activity when the outside area of the School is being used as at present. A condition limiting the days and times of use will benefit wildlife as well as reducing the detrimental effect on the amenities of the nearby residences.

Our suggestion is that formal planning conditions be imposed requiring activity on the subject site be limited to 08.30 (sunrise if later) to 17.00 (sunset if earlier) on Monday to Friday, 10.00 to 15.00 on Saturdays, 10.00 to 13.00 on Sundays, with no activity on Bank Holidays. We understand that no floodlights are to be installed. We ask for a formal condition that no lighting at all be permitted. Similarly, we ask for a condition that no amplification of sound above 85 - 90 decibels (about the volume of a garden lawnmower) be permitted. All persons using the site should be required to conduct themselves in such a way that these conditions are not breached.

One aspect caused us particular concern. The cycle track is to run in part next to the metal fence previously mentioned, with a wider section for overtaking. Any overtaking cyclist is likely to be on the outside and will be moving faster. We see that some of the present pupils of Belmont School are of near-adult stature. Very little would have to go wrong for a rider to be thrown against or onto the top of the metal palings, with the potential for very serious injury or worse. Please see footnote 2 below. A suitable evergreen hedge about 1 metre wide and 3 or 4 metres high would provide a much more forgiving surface for the unfortunate rider(s) to be propelled onto. We lack the knowledge to suggest a particular species of shrub, but hopefully others can suggest one whose foliage extends from ground level. This would also lessen the noise and visual intrusion on to the adjoining properties and would have the incidental benefit of providing a habitat for insects and perhaps small birds as well as something of a screen for the wildlife corridor either side of the Brook. We ask that a formal planning condition to this effect be imposed.

Other considerations.

Security out of school hours is another concern. How will unauthorised access to the site be prevented? Hatherley Park suffers, on occasion, anti-social behaviour, now that it is left unlocked. Unfortunately, the Police cannot be expected to treat trespassers on Belmont School as a late-night priority. To whose attention would such occurrences be drawn, and how?

Drainage of the artificial surfaces, we understand, is to be by catchment tanks which allow gradual seepage to Hatherley Brook. The flow characteristics of the Brook have altered over the years, with more rapid upsurges in flow during heavy rain, especially since the development at Merestones around the former education facility, and it is predicted that the extensive development further upstream on the far side of Shurdington Road will add still more to the variations in the flow of the Brook. The rate of water flow from the site into the Brook requires to be monitored.

A good number of years ago, when the development of the area part of which became Castanum Court was being considered, there was talk locally of some parts of the area around that site having at some point in the past been used for landfill; methane was mentioned. It might seem unlikely that such use would have extended as far as the subject site, but perhaps it would be prudent for trial borings to be undertaken.

Conclusion.

In short, not NIMBY, rather YIMBY, B; Yes, In My Back Yard, But - managed and with conditions and limitations enshrined in law to lessen the impact on the local residents and the environment.

We make no apology for the length of this submission. This proposal is the biggest change to the area around our property for at least forty-five years, probably a good deal longer. We bought near to a schools complex, not a near-commercial sports complex, which is what this proposal will produce unless appropriate conditions are attached and complied with.

Sincerely,

Footnote 1 from ALM. In my professional work on some 50 occasions it fell to me, as one of the regulators of the road transport industry, to preside over Public Inquiries, to receive oral and written evidence, to consider that evidence and produce a written Decision, with

findings of fact and reasons, for allowing, often with some conditions, or refusing, consent for the proposed use of a site as a road transport base. The subject-matter may be different; the principles are the same - how best can one allow the proposed activity to take place without undue adverse effects on the residences within sight and sound of the site, inside the confines provided by the law.

Footnote 2 from ALM. From 1988 to 2005 I was H.M. Coroner for this area, conducting some 1500 Inquests. Although none were in circumstances such as are envisaged here, I think I can recognise a potential hazard when I see one; something which can go wrong, one day will go wrong, as emerged so often in Court.

cc. Cllrs Beale, Oliver, Harman and Chelin

Letter Attached.

62 Bournside Road
Cheltenham
Gloucestershire
GL51 3AH

Comments: 9th October 2023

Dear Lucy,

I'm writing regarding the planning application for amendments to Belmont School and I'm told you are the person to write to.

My family and I live at 62 Bournside Road and our garden backs onto the school over the brook, so I believe that we are considered the northern boundary.

During the school term, there is noise from the school whenever the playing field is in use, and also at weekends when events are being run, especially those which use a PA sound system. Although loud at times, we accept that this is part of living next to a school and don't object.

However, most weekends it is quiet and we appreciate the peace and value during those times.

I have learned this week that there is no longer an acoustic fence along the northern boundary within the plans for amendments to Belmont School.

This is most frustrating as we were given to believe that one would be installed, and so, like many of my neighbours, I am now in a position where I object to the planning application.

This is most disappointing, I was in full support of the application as we value any local improvements to sporting facilities for young people, but only when measures to limit noise or sound pollution are put in place.

We were notified that there would be an acoustic fence and we hope that one will be included in the plans. Yours sincerely

Comments: 20th March 2023

Like my neighbours on Bournside Road, I support the original plan to provide new and additional sporting facilities for the children of Belmont and Bettridge Schools, but add my voice to the concerns already voiced regarding any future extracurricular facilities which may compromise the private and peaceful setting of our homes. Particular concerns are the future use of floodlights, flooding risks into Hatherley Brook without sufficient drainage and any loud antisocial behaviour, especially after hours.

60 Bournside Road
Cheltenham
Gloucestershire
GL51 3AH

Comments: 10th October 2023

My family and I live on Bournside Road, no 60, our garden backs onto the school over the brook, so I think we are considered the northern boundary.

During the day there is noise from the school when the playing field is in use. Whilst at times loud, I accept that is part of living next to a school. At weekends it is quiet and we value that time.

I am given to understand there will not be an acoustic fence along the Bournside Road boundary, as we were given to believe. I am now in a position where I want to object to the planning application. I do not accept the schools position that this is not a change a change of use of the site, it clearly is.

I find this disappointing, I was given to support the application when notified there would be an acoustic fence. It appears to me that the most sensible way forward would be to include one in the plans

58 Bournside Road
Cheltenham
Gloucestershire
GL51 3AH

Comments: 9th October 2023

Dear Lucy,

I am writing to object to the lack of acoustic fencing bordering Bournside rd houses. I totally agree with my neighbours,60,62 and 56, I live at no 58.

There have been occasions when the noise level has been unacceptable, as stated by no 60, we do relish the weekends as a quieter time.

So on that basis I objective to the latest planning for Belmont school.

56 Bournside Road
Cheltenham
Gloucestershire
GL51 3AH

Comments: 15th March 2023

Letter attached.

Comments: 13th March 2023

I posted a hard copy letter today, along with a number of signatures from my immediate neighbours who live in properties adjacent to the Belmont sports field. I am copying the contents of the letter below via the online portal for convenience.

Since posting the letter I noticed the additional detail of bleacher seating, which will face directly into our properties. Please can this seating be removed entirely from the plans as it is unnecessarily intrusive.

BEGINS

FAO: Planning, Cheltenham Borough Council

RE: Objection to Belmont School proposed sports development

We write as residents of Bournside Road with properties adjacent to the Belmont School playing field.

Belmont School wrote to inform us of their proposed sports development before Christmas and held a consultation on 10 January.

We are, of course, supportive in principle of the intent to provide improved sports facilities for children with additional needs. We are keen to work with the school and planning team to ensure the plans meet their requirements.

Based on the information we have received so far we are obliged to object to the plans and consider them too expansive and intrusive. If the below points are considered and reasonable adjustment is made then we will be able to reconsider our objection:

1. The current plans do not include floodlights. It will be very tempting to introduce these in future. Please could you stipulate that a criteria for approval is that floodlights can not be added in future?
2. We understand the school's intent is to make the facilities available throughout the evenings (when daylight allows based on current plans) and for weekend usage. Can this be limited to specific times and frequency? For example, as the facilities are for children please could they close after school hours and be available for a limited number of Saturday mornings (i.e. not Sundays or Bank Holidays) only per year? We were informed at the consultation that current usage is approximately one weekend per month. If the

facilities are used throughout the summer evenings and weekends our gardens, one of the most attractive features of the road, will be impacted.

3. I understand the intent is to make the facilities available to Belmont School children and Belmont's existing partners with additional needs. However, if the school deem it necessary to generate extra revenue to maintain the facility the intent is to also make it available to the general public at a charge. This changes the usage significantly and detracts from our support, which is based upon the provision of sports and educational facilities for the children of the school. Please can you introduce criteria that limits the usage to specific groups of people i.e. Belmont school pupils, pupils or members of equivalent schools or organisations with additional needs. Bournside Road has many young families and we would like to avoid the possibility that our children overhear adults or teenagers shouting and using foul language, which is inevitable when sports facilities are used by those demographics.

4. Belmont School have removed a large amount hedge and tree material in the new year, which has impacted on our privacy. The current plans put a cycle and running track adjacent to the border. Please could new planting be included and the current fence style, position and height be maintained. Please could individual residents be consulted on planting that directly affects their border?

5. The proposal removes a lot of natural grass and therefore natural drainage. This presents a flooding risk to all of us, a risk that will only increase over the next few years. Please could you review the plans and significantly reduce the use of artificial surfaces. Please could you consider the flooding and drainage survey very carefully and please could the residents have sight of both the survey and your analysis of it. From the documents online I note the site is assessed to be in zone 1, a low risk flood zone. This is surprising as the Government's published flood risk data places the location in zone 3, a high risk flooding area.

We hope that you agree these 5 points are both reasonable and justified. If they are addressed satisfactorily then we will support the development. If they are not then we will be obliged to continue objecting to it.

Please could you confirm how the application is being treated? Is a Planning Committee handling this or is it being delegated to officers to handle under delegated powers? If a planning meeting is due to sit please could we send a representative?

We have copied this letter to Councillor Jackie Chelin. Please could you confirm whether she will be on the committee itself and/or able to speak on our behalf so that we can ensure we provide her with the appropriate detail?

We have also copied this letter to the County Counsellor Tim Harman for consideration of the waterways and wider flood risk that obviously span beyond our Ward and Borough.

We have coordinated this letter as a group but individuals have also made their own representations, which we fully support.

We thank you in advance for your consideration of our points and look forward to working together in order to meet all of our needs.

Yours faithfully,

ENDS

Comments: 11th October 2023

My letter in March raised five reasonable points for which we were seeking reasonable adjustments to the proposal. I am maintaining my objection because they have not been satisfactorily mitigated, and in most cases not addressed at all.

I would like to make the following additional observations as a neighbour to add perspective and detail to consultee comments.

1. Management process. The letter to residents on 5 October points to a management process that will be implemented to ensure concerns are dealt with positively. The level of engagement so far (2 letters and a consultation on 10 January) does not give me confidence this management process will have sufficient rigour or inclusion.
2. Hours and scale of use. As a neighbour I observe use of outdoor facilities at the site only takes place during school hours, a cycle club for a short period on Sundays and one or two set piece events per year. During the 10 January consultation the Headteacher told me current usage was only one weekend per month. On this basis the proposal is contradictory. It is a large development that requires large scale investment for the construction and large scale usage to generate the revenue necessary for ongoing maintenance. If the the current users and hours of use remain the same then who is going to pay for it?
3. Tree border and bleacher seating. Large ash trees line the Hatherley Brook border, they shed their leaves in winter and all of these will likely die from Ash dieback in the next 10 years. Two border my property, one of these died last year and the tree surgeon who rendered it safe advised the other won't last much longer. This needs to be considered when assessing the impact on neighbours privacy, noise, amenity, and visuals. Users of the development and those sitting on the proposed bleacher seating will look directly into my bedroom window and that of my baby daughter.

Comments: 16th February 2024

Having reviewed the latest documents all of the points in my previous comments still stand. The operational plan lacks specifics, includes inconsistencies and lacks accountability. That gives me little confidence that the concerns that have been registered by multiple objections will be taken into account throughout the life of the development.

In the original correspondence it was suggested that we consider the following when making comments; noise or disturbance, traffic, visual impact, privacy, and amenity. I have significant concerns in each category and these have been reflected by my previous comments and a range of comments from other objectors.

54 Bournside Road
Cheltenham
Gloucestershire
GL51 3AH

Comments: 12th March 2023

We are strongly opposed to this proposal.

The provision of facilities on this site must be exclusively for the use of children attending Belmont School and Belmont's existing partners with additional needs. They must not be made available on a commercial basis to any other user group.

Noise and light pollution are of serious ecological and environmental concern. The flooding risk is significant as identified by the Flood Risk Assessment which places this site in zone 3, a high risk zone.

Providing enhanced facilities for the children at Belmont School is to be encouraged and supported. These plans go way beyond that and therefore are opposed.

Comments: 17th September 2023

As a neighbour I have received a letter from Mr Kevin Day, headteacher at Belmont School. Other than stating 'September' it is not dated but suggests that more information relating to this application will be submitted within the week. Given the content of the letter I continue to object. My concerns are heightened by his acceptance of them. I will respond to Mr Day directly and comment on this site when more information is available.

Comments: 26th September 2023

Dear Mr Day

I am writing in response to your letter, dated September 2023, entitled 'UPDATE ON OUR PLANS'.

I am surprised it has taken so long for you to contact your neighbours given that it was back in June when Cllr Jackie Chelin told us you were keen to re-engage. Jackie noted that you acknowledged our concerns and were keen to improve communications.

I am disappointed that the CEO of The Sand Academies Trust has not been in touch since writing to us on 4th May. Martin Hughes suggested a catch up at school to discuss any concerns. Despite writing that he was 'acutely aware that support from the community is vital' we have heard nothing.

This lack of engagement however did not prepare me for the tone and content of your letter which only heightens our anxiety. You acknowledge our concerns but fail to address the cause of any of them. A survey has found that noise pollution is an issue that requires mitigation but instead of dealing with it at source you plan to mask the rise in volume with an acoustic fence. A fence through which we are expected to monitor whether users' behaviour is aligned with your vision, values, and ethos. It beggars belief

that your management plan relies on the goodwill of those whose views you continue to ignore.

Complex biodiversity challenges are not simply resolved by additional planting. You seem oblivious to the fact that our gardens are already impacted by flooding. Your proposal will increase the likelihood of further damage to our land and property.

Nothing, it would appear, has changed including your approach to unified working. You have not commented on the layout, nor have you given any revised estimate on user numbers. You have not referred to operational hours. This is insulting given our stated willingness to collaborate with the school and our agreement with the principle of improving provision for your students.

I will respond to the application and reiterate all my existing concerns. I have copied this letter to elected members, CBC officers, The Sand Academies Trust and other interested parties.

Comments: 5th February 2024

As residents of Bournside Road, whose property overlooks the field intended to be used for this development, we object to the proposal.

We again highlight the complete lack of communication from the headteacher and academy trustees despite a commitment from them to engage with stakeholders and local residents with whom they claim to have a good relationship. This does not engender a spirit of trust.

External lighting clearly remains a possibility, indeed a bat sensitive lighting plan is referred to. A statement that no lighting will be incorporated for the lifetime of the project is essential.

The scale of this proposal remains inappropriate, unnecessary and ecologically unsustainable. How can this be justified? Seating that faces private gardens is intrusive. The expensive drainage plan is only required as a result of the development itself.

The hours of use, although scaled back, must be strictly controlled. User behaviour cannot be monitored by those whose land is adjacent to the site as previous plans have indicated. The revised submission provides no assurance that local residents will be respected and the limited supporting voices come from those whose homes are not impacted.

We remain opposed to the proposed development and revised management plan but supportive, in principle, of improved provision for Belmont pupils.

48 Bournside Road
Cheltenham
Gloucestershire
GL51 3AH

Comments: 18th March 2023

We are submitting an objection to this application which proposes intensification from the current use as a sports field / open play space exclusively for the use of children attending Belmont School, into a much larger and diverse multi games /sport/activity facility serving 'thousands of people' (according to the schools web site).

This represents a change of use and will have a substantial negative impact on the amenity & peaceful enjoyment of our home, damage the overall residential character of Bournside Road & introduce a scale of use not sympathetic to its setting as a school located in and surrounded by private homes and gardens.

Specifically, the school currently operates its outside space during term time, Monday - Friday 8.30 - 5pm. The application proposes operation of the new facilities 7 days a week until 10pm enabling multiple groups of 'external users' to participate in noisy, organised team pursuits with spectator facilities, precisely when neighbouring residents want to peacefully enjoy their properties and gardens.

The lack of planting on the site will exacerbate this negative impact - especially on residents' privacy with overlooking directly into properties by multiple users who are not part of the school community. In these circumstances safe, private & quiet enjoyment of the numerous residential gardens adjacent to the school will be impossible - with inevitable impacts on health and wellbeing & security of residents.

It will be impossible to operate the facilities as proposed without flood lighting for most of the year. This will cause significant light pollution into the adjacent properties on Bournside Road - this is now a recognised health hazard & must not be allowed.

The application proposes the complete loss of the natural open field currently in situ & replaces this with surfacing to allow multiple activities. This will not be supportive of the ecology and nature of the riverside location which at present supports significant wild & bird life.

The application does not make any reference to flood impact of the Hatherley and indeed states it is not in a flood plain. This is incorrect. The Hatherley flows between the school and Bournside Rd properties and floods at this point into Bournside Rd gardens. The hard surfacing proposed, replacing grass and planting currently allowing natural drainage will negatively increase that risk and impact - especially as the application says the watercourse is assumed as "run off" for the new proposals. This is unacceptable.

No reference is made to traffic impact. School traffic already negatively impacts the Bournside Rd during term time - used as a favourite 'rat run' for car and taxi drop off to the school. Currently within a limited school use window, intensifying and increasing school use for non-pupils will add to a system already at capacity serving existing school

traffic and visitors to Hatherley Park. This will further impact Bournside Rd residents' quiet enjoyment and amenity.

The application shows no consideration or care for the impact of its plans on the neighbourhood or residents within it. An information evening held by the school Headmaster only partially revealed the proposals, but appears to have served as a 'tick box' to facilitate the planning submission. This directly opposes the true localism principle that should involve local residents, underpin any planning proposals and decisions about them.

This application is a blatant attempt to expand the sports facilities at a specialist education facility which is well embedded and accepted in its local community, into a commercially motivated sports operation reaching well beyond the school community. This is in complete defiance of the needs and the right to enjoy a good quality of private amenity of us, its neighbours. If permitted, it will render the peaceful enjoyment of our homes and this amenity impossible.

Comments: 10th October 2023

We are writing to object to the above application.

We have noted the recently submitted information and clarifications and the minor improvements proposed to site planting and screening.

These do nothing to remove our objections as this remains an overdevelopment & to all intents & purposes a change of use to the development area sitting within the school site immediately adjacent to many residential properties.

The development will increase noise nuisance, loss of amenity and cause harm to those residents in the adjacent homes.

We accept we have a school on our boundary and there are realities associated with that & we understand the assertion about the current school premises hours and current ancillary users as set out in the planning statement & management plan.

What is misrepresented however, is the current use of the specific proposed development site - currently undeveloped immediately adjacent to Bournside Road and other residential properties.

Specifically, at present the school & outside users DO NOT use the full extent of the area proposed for development for any sports or other noisy group activities.

We can clearly see the school and hear any activity on this land from inside our house and garden (which runs down to the boundary with the Hatherley). We are thus acutely aware whenever anyone is present on the proposed development site or of any activity on any part of it. Based on actual disturbance to our peace & quiet - not desk top study - we know that most use and so noise reaching us from proposed site is - critically - confined to pupil use within the school day.

This can be evidenced because during term time noise levels from the existing school including the development site rise from about 9 am until about 3.30pm with specific large peaks mid-morning and lunchtime (at break times), also during school team sports

on the existing small pitch; and in the better weather outdoor lessons next to the Forest School; and then the annual sports day. (The latter being very intrusive because of the spectators, the music and the headmaster using a megaphone to encourage noisy excitement giving a depressing taste of what the school has in mind for its future).

Evenings and weekends and school holidays we can see and hear that there are no visible lights and no detectable human activity or noise intruding across the boundary into our home or garden from the site.

Actual noise levels are generally well below 50 decibels in our house/ garden - usually 30-40db - when there is no activity on the development area & with no real detectable activity or noise from the school as noted above.

During the weekday, in term time, noise levels at our property rise well above 50 decibel - 70 db to 90 db & beyond if outdoor games are being played on the existing field or playground.

Thus, external school activity noise is already more than the 50db noted as being harmful to health by WHO. This is only tolerable to us as a noise intrusion since it is time limited and almost exclusively contained within school term, Monday to Friday 9.30 - 3.30pm.

However, if permitted the proposed development would not only destroy this precious urban open green space but create a new location for noisy group and individual sport activities at hours and days when it simply doesn't exist across that area of the site at present. To suggest otherwise shows either a lack of awareness by the school of their impact now or represents a disingenuous attempt to ignore the future effect on neighbouring residents.

The development as proposed will bring loud noise sources closer to neighbouring residents whilst simultaneously expanding the capacity for more non-school users to make more noise outside core school pupil hours & so cause irrevocable harm to residents' privacy, amenity, quiet enjoyment, health and wellbeing.

To exacerbate all the above the school have designed into their scheme 2 BMX tracks. We assume this is to attract external users since educational need seems hard to justify - certainly not to the extent proposed on this site. This activity is known as a generator of noisy group use and often most associated with indiscipline and anti-social behaviour. Bizarrely to create these the school propose to destroy one of the most peaceful areas of open spaces on their land, next to their nature area & the Woodland School area. This area appears to offer a place of refuge some pupils who seem to regularly & gladly retreat there. It offers an amenity so rare in urban environments - many schools would be envious of such an amenity. This site is completely the wrong place for BMX tracks.

All the above equates to overdevelopment in relation to the size of the school and its location bounded as it is by residential properties and represents a change of use of the development land away from education to sports facility.

We are in little doubt, given what has been published in various posts about school ambitions for the site that if development proceeds we will experience longer hours of noise & a creep of permission with many outside clubs and users on site out of current pupil hours just to make the facilities viable (it seems to be unfunded at present) & expect it will only time before floodlighting is sought to support that.

No screening or greening - let alone the inadequate current proposals - will offset the harm that will be caused by the scale of the current proposals and how close they will have to be to be to currently quiet homes & gardens.

We do not accept or trust that the school will consider or consult residents openly or will fairly listen and take account of views or concerns over any management plan etc (they have failed so far after all) and have little confidence residents will be a concern when they are running any such facilities. Proposing acoustic fencing to only one boundary illustrates the schools disingenuous and misleading attempts at addressing concerns of residents.

Our wider concerns about traffic impacts and flooding as previously expressed remain.

Comments: 15th February 2024

We are writing to object to the proposals submitted January 2024. The excessive scale of the development, potential intensity of use, & proposed hours of use are still such that we will suffer significant loss of our current amenity - through a direct harmful impact on our quiet enjoyment and well-being through noise nuisance, and intrusions into our privacy. The development still proposes a change of use from a natural grass surface playing and amenity field, used within limited hours, to an artificial surfaced outdoor sports facility to be at such a scale that would result in significant noise intrusions and privacy loss to our home.

The scale of development means no space is left for any consideration or attempt at a sufficient planting buffer or noise screen. The proposals are simply overdevelopment of the site. The developer choosing to maximise development on this open space to shoehorn in their 'check list' of activities - with no consideration for the realities of the site or its residential neighbours.

Specifically:

1. The whole, currently naturally surfaced area is to be replaced with artificial surfaces for designated (noise generating) activities not just by school pupils but by outside clubs and critically to be used outside school core hours and at weekends and school holidays.

2. Currently there is no activity on the site post 3.30pm; during school holidays nor at weekends - just peace and quiet which offers a significant & welcome period of respite for neighbouring residents from the intense pupil noise & traffic disturbance from this School - part of the combined School sites in that location, which includes Gloucestershire's largest school, with all the disruption that causes now.

3. The management statement submitted still gives no assurance of such future respite but instead gives only indicative activity, allowing much freedom of interpretation on actual operation hours, concurrent uses, and numbers of proposed users on site at any one time. In addition, the Plan demands any condition must only relate to part of the facilities (MUGA)! This alongside again raising the possibility of future flood lighting gives rise to further cynicism about intended site operations and we would still see the site in operation for 52 weeks, seven days a week, from morning until night. All this must reasonably also put into question the revised noise assessment.

4. The newly designated play 'pitch' & the remaining designated, MUGA track are both in fact to be developed in the same location, and at the same shape & size as previously submitted. They could therefore be used for anything after development - our concerns about intensity of use and noise generated from the site remain. Additionally, the MUGA pitch still includes a rebound fence following the boundary with Bournside Road with Bleacher seating facing the houses and along that boundary an overtake track is included for the extensive cycle track. All this will just exacerbate noise disturbance events at this sensitive point for adjoining neighbours.

5. The Pump track remains at the scale originally proposed & close to residential properties. This use is especially known for noise generation and antisocial verbal behaviour. Indeed, the updated Acoustic report acknowledges the potential for unpredictable noise levels from this use. The track is at a scale completely inappropriate to a modest suburban school site intended for educational use. Our cynicism about future users of this is thus not abated.

Surely such substantial development for this use should be strategically considered for location away from residential properties. It should not be positioned at the bottom of people's back gardens.

6. The noise assessment has been revised but is confusing and relies heavily on assumptions from other sites and uses. It is heavily caveated about the effect of uses on this site. It still does not reflect our own experience of the current noise levels.

7. The report is questionable as it does not recognise any impact on, nor offer any attempt to protect the privacy and quiet amenity currently enjoyed by properties along two substantial residential boundaries -with Bournside Road & Sir Charles Irving Close. This even though the MUGA & Pump tracks will be closest to those properties, and despite there currently being clear sight and acoustic lines from these properties into the school - and so out from it to the houses all year. The fact that the plan attempts to mitigate noise on one boundary only (Bournside Close) is inconsistent and unfair, some residents are recognised others not.

We suggest this is simply because the development is so large no space is left for a 'noise buffer' although the need for one is recognised - a fact mentioned by other consultants in relation to landscaping for example.

8. The management statement seems to make no mention of traffic impact. Strange, since attendees at the school mostly rely on buses, taxi, or vehicle transportation with this already seen in large numbers to and from the site at school start and close. Increasing hours will increase traffic and consequential road damage exacerbating local traffic challenges we already are subjected to.

9. The Flood risk and Drainage report, assesses the potential risk of the nearby Hatherley flooding concluding with an elaborate expensive proposal, requiring ongoing maintenance, to pump the inevitable run off from a below surface tank into the Hatherley from the artificial surfaces- Only necessary because of the overdevelopment on current naturally draining surface. There is little acknowledgement of over spills & risk of downstream flooding to properties already at risk. Leaving more open space on site would surely allow better natural ground absorption.

Finally, it is disappointing and concerning that the school continues to ignore good practice and avoid any direct engagement with its neighbouring community. Instead obfuscating behind expert reports which we residents - lay people - are supposed to either be able to interpret or simply accept. Not the behaviour of a responsible inclusive developer and definitely not a way to build trust with a community it seems to expect will be the monitors of behaviour on their site, and who are expected to believe that concerns post development will be taken seriously and swiftly resolved.

We continue to object to the proposals submitted.

Comments: 11th October 2023

We are writing to object to the above application.

We have noted the recently submitted information and clarifications and the minor improvements proposed to site planting and screening.

These do nothing to remove our objections as this remains an overdevelopment & to all intents & purposes a change of use to the development area sitting within the school site immediately adjacent to many residential properties.

The development will increase noise nuisance, loss of amenity and cause harm to those residents in the adjacent homes.

We accept we have a school on our boundary and there are realities associated with that & we understand the assertion about the current school premises hours and current ancillary users as set out in the planning statement & management plan.

What is misrepresented however, is the current use of the specific proposed development site - currently undeveloped immediately adjacent to Bournside Road and other residential properties.

Specifically, at present the school & outside users DO NOT use the full extent of the area proposed for development for any sports or other noisy group activities.

We can clearly see the school and hear any activity on this land from inside our house and garden (which runs down to the boundary with the Hatherley). We are thus acutely aware whenever anyone is present on the proposed development site or of any activity on any part of it. Based on actual disturbance to our peace & quiet - not desk top study - we know that most use and so noise reaching us from proposed site is - critically - confined to pupil use within the school day.

This can be evidenced because during term time noise levels from the existing school including the development site rise from about 9 am until about 3.30pm with specific large peaks mid-morning and lunchtime (at break times), also during school team sports on the existing small pitch; and in the better weather outdoor lessons next to the Forest School; and then the annual sports day. (The latter being very intrusive because of the spectators, the music and the headmaster using a megaphone to encourage noisy excitement giving a depressing taste of what the school has in mind for its future).

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Evenings and weekends and school holidays we can see and hear that there are no visible lights and no detectable human activity or noise intruding across the boundary into our home or garden from the site.

Actual noise levels are generally well below 50 decibels in our house/ garden - usually 30-40db - when there is no activity on the development area & with no real detectable activity or noise from the school as noted above.

During the weekday, in term time, noise levels at our property rise well above 50 decibel - 70 db to 90 db & beyond if outdoor games are being played on the existing field or playground.

Thus, external school activity noise is already more than the 50db noted as being harmful to health by WHO. This is only tolerable to us as a noise intrusion since it is time limited and almost exclusively contained within school term, Monday to Friday 9.30 - 3.30pm.

However, if permitted the proposed development would not only destroy this precious urban open green space but create a new location for noisy group and individual sport activities at hours and days when it simply doesn't exist across that area of the site at present. To suggest otherwise shows either a lack of awareness by the school of their impact now or represents a disingenuous attempt to ignore the future effect on neighbouring residents.

The development as proposed will bring loud noise sources closer to neighbouring residents whilst simultaneously expanding the capacity for more non-school users to make more noise outside core school pupil hours & so cause irrevocable harm to residents' privacy, amenity, quiet enjoyment, health and wellbeing.

To exacerbate all the above the school have designed into their scheme 2 BMX tracks. We assume this is to attract external users since educational need seems hard to justify - certainly not to the extent proposed on this site. This activity is known as a generator of noisy group use and often most associated with indiscipline and anti-social behaviour. Bizarrely to create these the school propose to destroy one of the most peaceful areas of open spaces on their land, next to their nature area & the Woodland School area. This area appears to offer a place of refuge some pupils who seem to regularly & gladly retreat there. It offers an amenity so rare in urban environments - many schools would be envious of such an amenity. This site is completely the wrong place for BMX tracks.

All the above equates to overdevelopment in relation to the size of the school and its location bounded as it is by residential properties and represents a change of use of the development land away from education to sports facility.

We are in little doubt, given what has been published in various posts about school ambitions for the site that if development proceeds we will experience longer hours of noise & a creep of permission with many outside clubs and users on site out of current pupil hours just to make the facilities viable (it seems to be unfunded at present) & expect it will only time before floodlighting is sought to support that.

No screening or greening - let alone the inadequate current proposals - will offset the harm that will be caused by the scale of the current proposals and how close they will have to come at that scale to currently quiet homes & gardens.

We do not accept or trust that the school will consider or consult residents openly or will fairly listen and take account of views or concerns over any management plan etc (they have failed so far after all) and have little confidence residents will be a concern when they are running any such facilities. Proposing acoustic fencing to only one boundary illustrates the schools disingenuous and misleading attempts at addressing concerns of residents.

Our wider concerns about traffic impacts and flooding as previously expressed remain.

10 Sir Charles Irving Close
Cheltenham
Gloucestershire
GL50 2DS

Comments: 26th September 2023

I am broadly in support of the school improving it's amenities, however, in this instance the scale & impact of the proposals upon all the neighbouring parties is excessive & disproportionate to the needs.

There are 4 parts to my objection, and further information is required regarding the proposed levels for the development.

1. As a direct result of the noise impact assessment carried out it is noted that there is now a proposal for a 2m high acoustic fence along the northern boundary. Whilst this is not along the boundary of our property this fence will have a significant impact upon all of the properties along that boundary by excluding light into their rear gardens. Rights of Light matters must be taken into consideration & a sun path trajectory impact plan for this fence should be provided for the Planning Council to consider in respect of how it would affect the use of the rear gardens for those affected.
2. The revised drawings now show a long jump pit in the southern corner of the site where currently there is an existing workshop/shed. At a previous public presentation the Headmaster advised that this shed would be remaining. I would highlight that the designers have failed to consider the orientation for this long jump pit, as at all times of the day the jumper will be running & jumping directly into the sun!
3. New Trees 3, 4, 5, 6 & 7. All of these trees are located directly on top of existing crucial surface water drainage that comes from St.James school playing field, Sir Charles Irving Close & Betteridge School. There was previously a large beautiful horse chestnut tree exactly where tree 4 is proposed, however, this was brutally cut down when the surface water drainage to Hatherley Brook was blocked & had to be repaired. If the scheme is to proceed then the Planning officers & committee need to stipulate mature 4m trees in these locations for immediate privacy & the drainage will need to be diverted accordingly.
4. Levels for the BMX track. The information presented does not give sufficient relative levels to the existing ground levels from any topographical survey of the areas and so it is not possible to ascertain how high the track will actually be from the current ground levels. It can be seen that the track itself is relatively modest with a highest point of

+1.2m, however the perimeter cycle track which circumnavigates the whole school is shown at -0.5m. On the principle that the perimeter cycle track is at existing ground level (and not cut into the ground by 500mm) then that would imply that the BMX track's highest point will actually be 1.7m above the current ground level. This would create a significant breach of privacy to all properties along the southern boundary & increase the potential for noise transfer above the existing fences. Please can the actual highest point of the BMX track above current ground level be identified for the Planning Committee to consider in relation to the comments above.

In my view the scale of the scheme is too much. A single MUGA in the centre, with all the other facilities (BMX & perimeter cycle track, Long Jump pit) brought further into the site away from the boundaries will provide a good compromise that will protect the existing rights of light, acoustic (Environmental) & privacy that is currently the status quo whilst also providing improved facilities for the students. No development should unduly impact the adjacent parties and this proposal clearly does, on many levels.

Comments: 26th September 2023

Reference Severn Trent Water response in March 2023 about public sewer (Foul) drain.

The location of the Sprint Track & Long Jump Pit is directly over the existing live public sewer that comes out from the rear garden of our property.

Severn Trent Water advise in their comments that nothing can be built above the public sewer.

Is there an easement in place for this at present & can this matter be considered by the Committee. The impact upon my property if the public sewer is to become blocked would be massive as the inspection chamber collects all the foul from the properties in Sir Charles Irving Close before discharging into the drainage in the playing field.

8 Sir Charles Irving Close
Cheltenham
Gloucestershire
GL50 2DS

Comments: 11th April 2023

Objection to proposed Belmont School Sports Development

I would firstly like to say that I broadly support the intention to improve the sports facilities for the school, however the changes proposed by this application are a drastic change compared to what currently exists.

For context of my comments, my property backs directly on to the southern end of the playing field, overlooking the current forest school area.

The change in hours of use

The proposed hours do not seem to align with the existing school hours, with the grounds being open for far longer than they are currently. I have a small child, and if there are spectators or people using the field after their bedtime, then this will disturb their sleep

and mean the windows cannot be left open during the summer. If the BMX track is open all hours of the day and at weekends too, then there will be no respite from the noise. If the facilities are also open to the public then there will also be more noise/usage than if it was constrained to the schools? Access to several hundred school children vs several thousand residents are very different proposals.

Loss of Privacy

The raised BMX tracks will be overlooking my garden and into my living room. Would it be possible to have some kind of hedge planted to provide screening, without loss of light? The bleacher seating is also a similar concern.

Security Concerns

With the extended opening and wider use allowed, how will the security of the site be maintained?

I think if we are talking about a running track and football pitches that are open to the wider school community and during school hours then that is OK, but if we are talking about BMX tracks that are open until late at night and weekends then that would have a big negative impact on our day to day lives.

7 Sir Charles Irving Close
Cheltenham
Gloucestershire
GL50 2DS

Comments: 11th February 2024

After reviewing the revised plans i would like to put forward my objection. I shall try and keep any emotion out of this albeit hard.

The revised plans, although marginally smaller, fails take into account the residents' main concerns at all. Everyone's main issue here, apart from the long list of others, is times of use, the MUGA and BMX track. Our house is adjacent to Bettridges playground. The noise that comes from the children is loud. Due to it being a special needs school the shouting (often with explicit language) is much louder than a regular school due to behavioral traits of the children that go there, however this is tolerable because the school operates in school hours. From 3pm we then have the noise (albeit muffled) from Bournsides astros until 10pm. However, again this is tolerable because the noise is mainly heard at the front of the house. Our house then backs on directly to Belmont playing field.

The revised plans for the green space directly behind our garden is absolutely devastating. Our house will be immediately affected. Last night, I visited the MUGA at Bournside which they book out to a group of SEN adults. The noise of the ball ricocheting off the fence was intolerable as were the mens loud voices screaming obscenities when a goal was missed or scored, that coupled with the coaches constant shouting it would be unbearable to live like that. Adults were present with them and did nothing to stop the language or screaming. They also had a ghetto blaster playing music very loudly, when I asked what this was for, I was told it's common with SEN people to calm and focus them. With permission from the coaches I have video evidence on my phone. The only communication we have had from Belmont is a letter addressing anti social behavior,

which concluded that they are expecting it, which they will and have asked us as residents to complain of any foul play through an online management system but we know full well this will be ignored and we shall end up taking it to Environmental Health. It will be a constant battle and no one should be asked or expected to live like that.

The noise assessment creates a completely false assessment and scored 49/50. 50 being intolerable. This is an insignificant significance, 49 may as well be 50 as the difference is of such small scale, which I find odd in itself and does not address the proposal at all nor does it take into consideration the impact of INCREASED noise. The green space simply isn't big enough to protect residents from the level of noise this will create. This is a small space for what is required and the noise will simply be amplified. .

The hours of use are absolutely abhorrent. We, as residents, will be subject to constant disruption. We have 2 sons, one who is in bed by 7pm and the other studying for GCSEs in a few years time. Both sleep on the back of the house. The level of noise will be relentless, even weekends/bank holidays and school holidays. The residents will get zero rest bite. How anyone could suggest these times and think they are acceptable is unfathomable.

We support anything that is for the children of the school within school hours but opening it up to the wider community because there is a need opens the question as to why The Prince of Wales isn't being looked at to provide this need? Other sites that are bigger and not surrounded by houses that people have paid substantial sums for and will become far less desirable. An acoustic fence and trees will do absolutely nothing to block the noise.

Bournside and St James have always put the residents first and we have a strong connection with the school because of this, however the Headmaster at Belmont does nothing to support local residents, even removing his email address off the one piece of communication we have received. I have lost count of the times residents have had to call because the alarm is going off at all hours and no one responds, therefore residents have resulted in calling the police. This project won't be policed in any shape or form and any complaints we make will fall onto deaf ears. And i'm pretty sure should this go ahead, any constraints placed on usage won't be adhered to. We occasionally have rubbish thrown into our garden (we have complained but don't ever get a response) so I can only imagine the eye sore this is going to be in years to come as it won't be maintained, Forest school for example, is a mess, with plastic chairs thrown in and overturned bins. I appreciate it's Forest School but take a look at St James and see the difference! Again we have supporting photos of this.

Betteridge have a full size tennis court which is never in use and is now becoming a significant eye sore, why can't the MUGA go on here? I appreciate that this is a different school but one that supports the offering. Why aren't the schools making better use of the facilities they currently have? The poly tunnel is now without its cover and exposed to the elements - again, never used and a dumping ground.

Belmont currently offers an astro facility and we have also been informed by Bournside that they have offered Belmont the use of its facilities making adaptations where needed.

My comments on the wildlife have already been documented as have the importance of green space for SEND children however I will reiterate those here. SEND children thrive and regulate with the use of green space, this is a proven fact and continues to be explored by many world class pediatricians and children specialists. Children with neurodiverse needs including dyspraxia, autism and adhd to name a few, especially need

the open natural space. Children with these needs can experience hypersensitivity or hyposensitivity to sensory experiences such as hearing, tasting, smelling, touching, feeling and visual processing. Taking neurodiverse children with over sensitivity issues to connect with natural environments through sight, sound and touch can enhance their abilities to cope with a wider range of stimuli, reducing their experiences with sensory problems. Under sensitive children experiencing nature with focus on sight, sounds and smells can increase sensory stimulation. By the children having these exposures to nature, it will inevitably lead to them gaining life skills and their own unique way and ability to cope with day to day scenarios. These are not things that a child can learn within a classroom or via the use of construction materials ie: a gravel running track or concrete muga. It is also notable that some of these children, of which are transported via taxi to the school may not have the use of a garden or outside space, and this is their only source of access to a natural space.

These plans are cruel and completely over the top. If this is passed I will have no faith in CBC Planning department and question that this is a town i want to reside in as any green space is deemed vulnerable in a residential area.

Opening this out to outside users is a gateway to disaster for all concerned with no thought to residents at all.

If this really is for the children of the school and only in use 9-3pm Monday to Friday without the addition of the MUGA/BMX track and the green space is kept with the running track added, we would support the plans.

Comments: 8th October 2023

Dear all,

I am truly appalled by this planning application. Our house is currently surrounded by 4 schools all of which we support. My children being pupils of *****. However my ** year old son sleeps on the front of the house and we have a fair bit of noise coming from the bookings on the astro at Bournside which goes on throughout the weekend and now to see this directly at the back of our house is an utter travesty. We will be surrounded by constant disturbance. My older son is ** and he sleeps on the back. The disturbance to him and us (we also sleep on the back) will be huge. He will be studying for his GCSEs next year making revision impossible. We received a letter from the school on Tuesday outlining the noise reducing fence and how they would manage anti social behaviour. It was laughable, who is going to police this anti social behaviour? All this did was confirm that they indeed anticipate anti social behaviour on the pitches. Both my son's play football and we are only to aware of the foul language/shouting these bring. We are absolutely devastated this could even be considered. This will have a direct impact on our house, our view will be visibility reduced as will the value. We have plenty of bookable offerings in Cheltenham and the pump track at the Burrows. We are at huge risk of losing all our green space and not to mention the wildlife that currently resides there. Foxes/badgers and bats. Leckhampton High school also now offers additional astros to hire out. More and more people will want to park in what is already an over crowded space in our cul de space because they will drop off at the cut through to Bournside. If this gets approved we shall lose all faith in CBC. I understand the school

wanting to develop its opportunities but this is more than unreasonable with so many people effected.

The Gloucestershire Resource
Centre Ltd
City Works, Alfred Street
Gloucester
GL1 4DF

Comments: 9th October 2023

I am writing to lend Active Gloucestershire's support to the proposed development of outdoor sport and physical activity facilities at Belmont Special School.

We very much support the Belmont Community Sport project being developed by the school, its partners and stakeholders and believe they will provide a welcome and much needed opportunity for the development and delivery of accessible cycling and athletics within Cheltenham and Gloucestershire.

Firstly, the new facilities will greatly enhance the ability of children and young people to access cycling and athletics coaching and facilities, particularly those with special educational needs and/or physical disabilities. While opportunities to participate in cycling and athletics do currently exist with the county, they are limited in terms of facility availability and in providing a safe and welcoming space for children with special needs. The facilities propose address these shortfalls directly and as such offer genuine 'access for all'.

Secondly, at Active Gloucestershire we believe that physical activity can have a transformative impact on the lives of people and their communities. It is the single biggest thing that can be done to improve a person's health. Cycling and athletics are popular and accessible activities, particularly among children and young people outside of school hours, and Belmont's scheme can therefore contribute greatly to our vision that everyone in Gloucestershire is active every day.

For these reasons we fully endorse the project and will continue to be actively engaged in its development and delivery.

17 Hillside Close
Cheltenham
Gloucestershire
GL51 3AS

Comments: 21st September 2023

Since the initial proposal I must bring to your attention the increase in noise and disturbance caused by the school during the whole of the summer holidays and especially at weekends outside of normal school hours.

Over the last months during weekends the school is being used for extra activities which causes a large noise disturbance in our road and garden.

Over the summer a marquee has been erected that I presume required no approval with what appears to be a swimming pool inside located in the car park behind our garden and Hillside Close.

This has been used over the summer holidays and weekends... as you can imagine the noise for this facility creates makes it unbearable to sit in our garden or even have the windows open.

In the last few weeks, I received a letter from the headmaster of Belmont School which honestly was appalling and reiterated the fact the school has no respect for the local neighbourhood or residents and whatever happens is pressing on with the project.

With the further amendments to the planning for the running track and BMX track, I'm appealed that the installation of the facility is continuing.

Without any doubt this will cause mass noise and traffic pollution outside of school hours and over weekends for the local community and especially the residents who's gardens back onto the school.

Being able to sit peacefully in your own back garden is a simple pleasure that is now being taken away from the residents due to the increased noise and pollution from the enterprise activity of the school.

I must reiterate I strongly oppose this scheme to make the school more of a commercial facility.

Respect of people's houses and environment should be as important as making money.

72 Bournside Road
Cheltenham
Gloucestershire
GL51 3AH

Comments: 9th October 2023

Installation of 200m oval running track, with a 100m straight and run-off, 2no. smaller 100m ovals, a campus-wide 2 metre wide cycle track and a long jump pit. Erection of 2no. MUGAs (to include five-a-side football pitches), 2no. BMX pump tracks (advanced and beginner) and bleacher seating.

Belmont School Warden Hill Road Cheltenham Gloucestershire GL51 3AT

With reference to the above planning application I wish to re-affirm my strong objection to this proposal.

I very much support the comments made in the letter from 9 Bournside Close

As far as I am aware see there has been very little response from the school to allay the main concerns raised by the residents who are most affected by this application just an inaccurate newsletter from the head teacher, which has been amended. I still feel strongly that an open meeting for those affected would be a positive step forward

The main points in my objection are:

Loss of privacy in our garden and house.

I am concerned for my own emotional and mental well being if such a drastic change to our evenings and weekends occurs.

Intrusive and increased noise level at weekends and outside school hours,

Little consideration has been made as to the impact of the running track and long jump to houses on the northern boundary.

Loss of green space.

Environmental impact

Damage to the large, mature trees.

Loss of green playing area for pupils which they appear to love using on a daily basis.

How much use these new facilities will actually be used by the pupils of Belmont during the normal school day?

Flooding impact to the properties on the northern boundary

The impact of lighting if added in the future.

Additional negative impact to traffic which is currently awful at the start and end of school day

It is the wrong site for such an ambitious plan.

Comments: 16th March 2023

72 Bournside Rd.

Cheltenham. GL51 3AH

16.03.2023

Belmont School, Cheltenham - Proposed development of Sports Facilities

To the Panning Committee

I must strongly object to the current, over ambitious, proposed sports development plans for the highly respected Belmont School. The planned development is for a sports arena, intended for the use of 2000 special school pupils in Gloucestershire, therefore, this will no longer be the sports field of our local school. I fully agree with the concerns raised in the comments already published by our neighbours objecting to the development.

My main concerns and questions are:

I have lived with my husband at 72 Bournside Road for the past 11 years. We are retired secondary school teachers and do appreciate and understand a school is always looking to improve its facilities for the benefit of its pupils. We also understand the importance of a school's relationship with its local community. Sadly, we were not informed of the development nor invited to the meeting of 20th January, finding out about the plans by a chance remark from our neighbours asking us what we thought of the plans! We hurriedly arranged to see the plans but without the chance to really have our questions answered. Our house will be directly affected by this development and I was disappointed we were not included in these initial discussions. This is such a huge change of use I don't think this is an acceptable approach. Our garden is very close to the proposed cycle track and the end/beginning? of the 100 metre track(more noise) and is directly opposite surface water discharge pipe (flooding?).

I would support the development of a cycle track, but away from the fence and banks of the stream. A cycle track around the school would be a good idea and would be well used but the positioning needs to be rethought, both in terms of safety of the pupils and damage to the environment. I would also support the creation of one MUGA pitch. The pupils at Belmont appear to love the recently acquired cycling equipment and it is uplifting to see them benefitting from its use in lesson time and at break times.

We have lived in harmony with the three local schools during our time here and have enjoyed hearing and seeing the children playing and participating in their lessons, knowing peace will prevail after 3p.m. and it will be quiet at weekends and out of term time. This appears about to be turned on its head.

The planning committee must be mindful that the residents of all the homes around the proposed development live there for 365 days a year and we have been tolerant of the noise from the school's day to day activities and continuous building works. The privacy of our homes is a major concern for all of us. I am not aware of any representatives from the school or the design team have visited Bournside Road to get an understanding of the site views and elevations of our homes in relation to the school. We are overlooked directly into our homes and gardens and I believe this is of real concern to us all if the development means usage 14 hours a day, 363 days of the year! I would like to those making the final decision, regarding these plans, of the recent court ruling which found in favour of the residents privacy against the viewing platform of the Tate Modern. The proposed bleacher seating would be totally inappropriate looking directly into family homes and gardens, especially at weekends and evenings which appears to be when it would be used.

The Residential Overlook on the north side of the development is not considered on the plans. The houses on the north side are overlooked from the school for a good proportion of the year and vice versa. The trees do not block the view completely at any time of the year. A 3 metre planting buffer is planned for the north west boundary, this should also be considered for the northern boundary.

The impact on the environment with the removal of the schools largest, living green space to be replaced by a very large area of solid surfaces. The school environment already consists of large areas of tarmac, paving and concrete. For much of the school year the pupils use the field at break and lunchtimes for recreation and during lessons for some sports activities. Where will the pupils play if this area is removed? Having taught in several education authorities I am not aware of any school having a permanent athletics track. Cheltenham is well provided for, with a wonderful Prince of Wales Athletics stadium for extra-curricular activities and athletic clubs. I would suggest further development at the Prince of Wales stadium to include diversity and inclusivity would be a far better use of the monies. During the normal school day, how much time will pupils actually spend using the athletics track, when there is so much to cover in the formal curriculum? What happens to all the other sports? Athletics in most schools happens only for a short period in the summer term, so is this very expensive track development could be a white elephant. There is a small problem with items being thrown over the current fencing, which is difficult to remove and recover due to the steepness of the bank, this may be more of a problem with a greater number of people using the school.

Included in the reports there is a suggestion any development should not be closer than 8 metres from the stream bank so how can the cycle track be placed so close to the fence? Which would then suggest that the plan is too large for the available space.

It will be crucial that the tree report is carefully followed if the trees on the riparian strip are to survive and not have their roots damaged, therefore causing weakness/death of tree and the potential to fall in either direction onto the school or private gardens. The debris which falls from the trees throughout the season will surely create a caretaking/maintenance headache. Tree roots also cause distortion of the ground as the trees grow,

will this not cause on- going problems with the tracks? Take a walk or drive along Bournside Road to see what happens.

The impact on the wide range of wildlife living along this river bank must be a major consideration. Will the fox den in the river bank be damaged when the field is levelled? The school site might not be vulnerable to flooding but on the north side of the stream we do have issues when we have heavy rain. I have video footage of the stream becoming a fast flowing torrent and reaching the top of the river bank on the north side. As we have the discharge point opposite the bottom of our garden, the water coming off the harder surfaces of the development could increase the damage to the banks at this point and to other areas of the gardens. This has happened at least twice in 10 years, so not a 1 in a 100 event!

I really don't think this is the right site for this development, although I understand the benefits of physical activity and do not object to the principle of improving of facilities for Belmont and Betteridge pupils. I think a public Q & A meeting of all parties should be held before the plans are considered any further.

Thank you for your consideration.

Allsorts
Brunel Mall
Third Floor
London Road
Stroud
Gloucestershire
GL5 2BP

Comments: 10th October 2023

Letter attached.

10 Flint Road
Cheltenham
Gloucestershire
GL51 3JE

Comments: 26th October 2023

I am the lead coach for Cycle Stars, we are a youth cycling club in Cheltenham, providing opportunities for children to learn to ride bikes safely, compete, meet friends and have fun.

We have been providing coaching at Belmont School for two years.

We fully support Belmont School in their application to improve the facilities. There are very few locations that children can ride their bikes safely. Without the support of places like Belmont School, Cycle Stars couldn't operate and provide the opportunities for children. Enhancing the facilities at the school can only improve the experience for young riders and providing exercise and social benefits which will help with mental health for our children.

All Saints Academy
Blaisdon Way
Cheltenham
GL51 0WH

Comments: 11th October 2023

Good afternoon Lucy,

I am writing to express my support for planning reference 23/00117/FUL at Belmont School. Move More, the charity that I work for, currently delivers physical activity and health interventions in every primary school in Cheltenham and Tewkesbury, we also deliver holiday camps, community provision and family support services and are therefore aware of and strong advocates of the benefits that being physically active can bring to children and young people. We have worked with Belmont School for several years, through in school delivery, events and competitions and funding support. The school has a real positive, can-do attitude to ensure their pupils can access a variety of enrichment opportunities, however due to the needs of some of their pupils, access to facilities with appropriate provision can be a real challenge. The proposed development will remove many of the barriers that children with Special Educational Needs and Disabilities encounter when participating in physical activity as it will provide a variety of opportunities of on a specialist site, where additional features such as adapted equipment and a changing facility with a hoist are also present. Belmont are strong advocates of partnership working and are keen to ensure that children with SEND from mainstream and other Special Schools can utilise the proposed development, therefore benefitting children from across Gloucestershire. The facility would also enable Move More to further expand our growing SEND provision for schools, allowing more children to experience the social, emotional and physical benefits of being physical active.

The proposed development would be real asset to sport and physical activity infrastructure in Cheltenham and further across Gloucestershire, where they are very few specialist facilities with a variety of adapted equipment for children and young people with SEND.

Best wishes,

Hill House,
Parkside Close,
Churchdown
GL3 1JR

Comments: 9th February 2024

As a parent of a child who attends Belmont I would like to fully support this planning application.

I believe this development will benefit the children of Belmont enormously. By not only by providing a safe and accessible outdoor space for our children to access and enjoy in all weathers. But by giving our children the opportunity to partake in inclusive and accessible outdoor sports and activities, which may otherwise not be available to them in the wider community.

The sad reality is that there are not enough inclusive and or accessible sports facilities available for children with additional needs.

I therefore ask you to please consider all of the above and what this may mean for our children when making your final decision.

3 Bushel Close
Cheltenham
Gloucestershire
GL52 3NA

Comments: 14th February 2024

I would like to support this planning application for Belmont school.

I think it's a great idea. My daughter ***** attends this school and I think she and other children will benefit greatly from all these amenities that are being proposed.

It would be a wonderful addition to the school and it will definitely help all the children with their physical and mental development.

Walnut House
Frog Lane
Ilmington
CV36 4LQ

Comments: 7th February 2024

I am amazed this application is to be considered.

Of course activity amenities should be available to disabled children. However this application is not solely for the use of the children but is to be made available to non pupils outside of school times.

The proposed site is small open space...a breathing space, enjoyed by wildlife along with current pupils in the midst of housing development.

The amount of amenities to be constructed are far too many to be arranged in such an area.

The space is currently used by the school only and is thoroughly enjoyed by the pupils (and rightly so) without any disturbance to those living on the perimeter. Its a very happy place!

The proposed application would make the site available every day of the week. Residents would not be able to enjoy full and uninterrupted use of their gardens at weekends

To make the space available to outsiders would be of no benefit to the pupils whatsoever, and they should be the priority. There are already extensive sport facilities right next door for people to hire/ use.

I desperately hope this application is refused or made only available for pupils during school time only allowing this precious piece of green to remain in its current form.

141 Fairview Road
Cheltenham
Gloucestershire
GL52 2EX

Comments: 27th January 2024

I believe that this would be a fantastic sports development especially for those with special educational needs. There are not many opportunities for children and adults with a disability to be able to access sport

70 Bournside Road
Cheltenham GL51 3AH

8 March 2023

Head of Planning
Cheltenham Borough Council
P.O. Box 12
Municipal Offices
Promenade
Cheltenham GL50 1PP

My e-mail and by hand

Planning Application 23/00117/FUL

Additional Sports facilities at Belmont School.

We are writing to express our views on this proposal. May we start by saying that we support the aims of the application, but that support is, in a quite literal sense, **conditional**. We attended the 2012 Paralympic Games in London – a memorable and moving occasion- and we are aware of the ongoing efforts in the U.K. to make sport more inclusive.

Background.

What is now all Bournside Road began to be developed in the 1930s at either end. The majority of the houses, mainly detached with some semi-detached, were built in the space between during the 1950s, with only a few being built since. Many of the houses have been extended considerably, including No. 70. The road is the quintessential English suburban tree-lined residential avenue. Many of the houses on the South- West side, i.e., the side nearest the site of the present proposal, have larger gardens than would probably have been the case had they been built even a decade later. It is clear to us as local residents that the gardens are used, tended and enjoyed, as is ours. Some residents, we know, work from home.

We bought No. 70 in January 1978, aware that there was a schools complex nearby, and we have lived here ever since. We raised three children here and the house is still “H.Q.” for the three generations of our family. It is clear that other properties are similarly used. We have in recent years made various changes aimed at enabling us to remain here.

The present activities in and around Belmont School are mainly Monday to Friday during school term time. Such activity as takes place at other times (leaving aside building and maintenance work which necessarily spill over) can be lively – even raucous on occasion – but it is usually brief and confined to relatively short periods of the day Monday to Friday, with noticeably less activity at weekends and in holidays, and it is in any event mainly

confined to the paved area adjacent to the school building, perhaps 100 or more metres from our boundary; this proposal would bring that activity to within about ten metres of our boundary. There are sometimes sports activities which can be noisy and intrusive, especially when sound amplification systems and a klaxon are used, but they are brief and infrequent. We hope we are reasonable as neighbours – we offered access via our garden when some items were thrown or kicked over the fence onto the School side of Hatherley Brook, and we have never complained about the droning noise of the School’s central heating system when it is kept on overnight during cold spells although it is audible inside our house despite our modern double glazing. All of this, so far, is in line with what one expects, having chosen to live near a schools complex.

The present proposal goes much further, because it is for extensive sports facilities covering the whole of what has hitherto been grassed field. It appears to be the intention to extend the activities to almost all of the year, seven days a week and for long hours, more akin to a commercial sports complex.

We attended the consultation on 10 January. It was difficult to find from any one of the three persons attending on behalf of the School and the engineers a comprehensive view of what the proposal involved, although the plans shown were helpful. It emerged that there were no proposals to alter in any way the metal, spike-topped paling fence on the North-East boundary, i.e., adjacent to No. 70 and other houses from about No. 40-something to No. 72 or 74, and please see the concerns below about this. Some intentions about use were mentioned. We have examined the application on line. It is just for change of use with no mention of any limitations. Intentions can change; planning conditions do not.

No locality, unless it be in an area specifically protected by statute, can be expected to remain unaltered over the passage of time. Please see footnote 1 below.

How the proposal may be funded is not any of our business, but mention was made at the consultation on 10 January of approaching local businesses. It is a short step to sponsors expecting that their staff and families be permitted to use the facilities; the greater the activity the greater the impact, particularly if, as we understand from a letter from Councillor Chelin, it is intended to allow other groups to use the facilities whenever they are not booked by the priority groups which are to have first pickings after the School itself. Without appropriate conditions the site could be used indiscriminately to generate revenue.

Suggested formal conditions, with reasons

No. 70 is almost the last property in the row along the North- East boundary of the subject site. The bottom of the garden is, perhaps, ten metres from the site fence. The Hatherley Brook flows between, with varying amounts of land separating. That area has many mature trees, but of the 20 or so which can be distinguished from No. 70, all but two are deciduous, so providing no screen for several months of the year. The area either side of the Brook is, and always has been, a habitat for wildlife. Foxes have earths and they rear their cubs in and around; some 25 species of birds of various sizes from owls to wrens frequent it and our

garden, and squirrels are ever-present. Even the local cats hunt there. We have seen fieldmice, hedgehogs, frogs and slow-worms. Birds and foxes forage on the existing grassed area when it is quiet. It is inevitable that any increase in activity on the subject site will cause greater disturbance to wildlife. We notice less wildlife activity when the outside area of the School is being used as at present. A **condition** limiting the days and times of use will benefit wildlife as well as reducing the detrimental effect on the amenities of the nearby residences.

Our suggestion is that formal planning **conditions** be imposed requiring activity on the subject site be limited to 08.30 (sunrise if later) to 17.00 (sunset if earlier) on Monday to Friday, 10.00 to 15.00 on Saturdays, 10.00 to 13.00 on Sundays, with no activity on Bank Holidays. We understand that no floodlights are to be installed. We ask for a formal **condition** that no lighting at all be permitted. Similarly, we ask for a **condition** that no amplification of sound above 85 - 90 decibels (about the volume of a garden lawnmower) be permitted. All persons using the site should be required to conduct themselves in such a way that these conditions are not breached.

One aspect caused us particular concern. The cycle track is to run in part next to the metal fence previously mentioned, with a wider section for overtaking. Any overtaking cyclist is likely to be on the outside and will be moving faster. We see that some of the present pupils of Belmont School are of near-adult stature. Very little would have to go wrong for a rider to be thrown against or onto the top of the metal palings, with the potential for very serious injury or worse. Please see footnote 2 below. A suitable evergreen hedge about 1 metre wide and 3 or 4 metres high would provide a much more forgiving surface for the unfortunate rider(s) to be propelled onto. We lack the knowledge to suggest a particular species of shrub, but hopefully others can suggest one whose foliage extends from ground level. This would also lessen the noise and visual intrusion on to the adjoining properties and would have the incidental benefit of providing a habitat for insects and perhaps small birds as well as something of a screen for the wildlife corridor either side of the Brook. We ask that a formal planning **condition** to this effect be imposed.

Other considerations.

Security out of school hours is another concern. How will unauthorised access to the site be prevented? Hatherley Park suffers, on occasion, anti-social behaviour, now that it is left unlocked. Unfortunately, the Police cannot be expected to treat trespassers on Belmont School as a late-night priority. To whose attention would such occurrences be drawn, and how?

Drainage of the artificial surfaces, we understand, is to be by catchment tanks which allow gradual seepage to Hatherley Brook. The flow characteristics of the Brook have altered over the years, with more rapid upsurges in flow during heavy rain, especially since the development at Merestones around the former education facility, and it is predicted that the extensive development further upstream on the far side of Shurdington Road will add still more to the variations in the flow of the Brook. The rate of water flow from the site into the

Brook requires to be monitored.

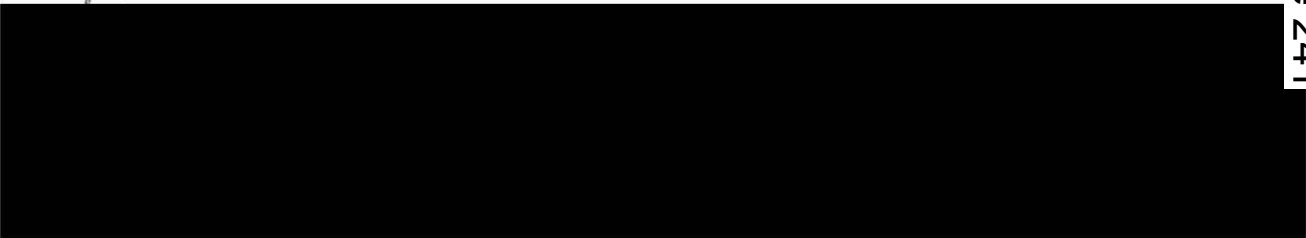
A good number of years ago, when the development of the area part of which became Castanum Court was being considered, there was talk locally of some parts of the area around that site having at some point in the past been used for landfill; methane was mentioned. It might seem unlikely that such use would have extended as far as the subject site, but perhaps it would be prudent for trial borings to be undertaken.

Conclusion.

In short, not NIMBY, rather YIMBY, B; Yes, In My Back Yard, But - managed and with conditions and limitations enshrined in law to lessen the impact on the local residents and the environment.

We make no apology for the length of this submission. This proposal is the biggest change to the area around our property for at least forty-five years, probably a good deal longer. We bought near to a schools complex, not a near-commercial sports complex, which is what this proposal will produce unless appropriate **conditions** are attached and complied with.

Sincerely,



Footnote 1 from ALM. In my professional work on some 50 occasions it fell to me, as one of the regulators of the road transport industry, to preside over Public Inquiries, to receive oral and written evidence, to consider that evidence and produce a written Decision, with findings of fact and reasons, for allowing, often with some conditions, or refusing, consent for the proposed use of a site as a road transport base. The subject-matter may be different; the principles are the same - how best can one allow the proposed activity to take place without undue adverse effects on the residences within sight and sound of the site, inside the confines provided by the law.

Footnote 2 from ALM. From 1988 to 2005 I was H.M. Coroner for this area, conducting some 1500 Inquests. Although none were in circumstances such as are envisaged here, I think I can recognise a potential hazard when I see one; something which can go wrong, one day will go wrong, as emerged so often in Court.

cc. Cllrs Beale, Oliver, Harman and Chelin

[REDACTED]
72 Bournside Rd.,
Cheltenham.
Glos. GL51 3AH
10th March 2023

Comments concerning Planning Proposal : 23/00117/FUL
Belmont School Warden Hill Road Cheltenham Gloucestershire GL51 3AT.
FAO : Planning Department – Cheltenham Borough Council.

I write as a resident of 72 Bournside Road - a property adjacent to the Belmont School playing field. As a retired secondary school teacher I support, in principle, the wish to provide enhanced sports facilities for schools and would be keen, perhaps with other Bournside Road residents, to work with the school and the planning team to ensure that the plans meet some of the school's aims but also protect the residents' privacy and quality of life.

I have endorsed and signed a letter to be submitted by [REDACTED] 56 Bournside Road but would ask that the following points be considered in the Planning Application process:

1. Floodlights: Please ensure floodlights are not allowed to be added as a separate application in the future.
2. That use of the facilities is restricted to the children of Belmont School and partner schools of children with additional needs.
3. Careful management of the additional "community use", ie. usage outside normal school hours, will be absolutely vital if the development is to receive and maintain the support of local residents. This covers areas such as time restrictions, noise, public access and possible anti- social behaviour.
4. Screening: additional fencing, hedging and trees will be needed to maintain the privacy of the houses / gardens in Bournside Road and other roads adjacent to the school field. Residents should be involved in the decisions about this screening.
5. The siting of the proposed bleacher seating is a concern – how long / high is this to be? Is it really needed? Does this not actually turn the facility into a sports arena?
6. Possible flooding: Drainage and land levelling will need to be considered carefully to ensure that the environmental impact upon the river separating the school land from Bournside Road gardens is not seriously compromised.
7. I believe the proposals are seriously over ambitious. Will the proposed facilities really bring in the income required to make the development viable? I think not. Perhaps a more modest plan including a single, multi - purpose hard activity / play area plus a cycle track would be more sensible.
8. Following on from point 7 it seems a great shame that the proposal removes the vast majority of the Belmont School field. Green areas are of huge, and increasing, importance and if drainage of the school field is a problem that restricts its use in winter then perhaps some thought should be given as to how this can be improved without removing it altogether.

Thank you in advance for your consideration of my points.

Yours faithfully,

[REDACTED]



Planning,
Municipal Offices,
Promenade,
Cheltenham,
Gloucestershire,
GL50 9SA

FAO: Planning, Cheltenham Borough Council

RE: Objection to Belmont School proposed sports development

We write as residents of Bournside Road with properties adjacent to the Belmont School playing field.

Belmont School wrote to inform us of their proposed sports development before Christmas and held a consultation on 10 January.

We are, of course, supportive in principle of the intent to provide improved sports facilities for children with additional needs. We are keen to work with the school and planning team to ensure the plans meet their requirements.

Based on the information we have received so far we are obliged to object to the plans and consider them too expansive and intrusive. If the below points are considered and reasonable adjustment is made then we will be able to reconsider our objection:

1. The current plans do not include floodlights. It will be very tempting to introduce these in future. Please could you stipulate that a criteria for approval is that floodlights can not be added in future?
2. We understand the school's intent is to make the facilities available throughout the evenings (when daylight allows based on current plans) and for weekend usage. Can this be limited to specific times and frequency? For example, as the facilities are for children please could they close after school hours and be available for a limited number of Saturday mornings (i.e. not Sundays or Bank Holidays) only per year? We were informed at the consultation that current usage is approximately one weekend per month. If the facilities are used throughout the summer evenings and weekends our gardens, one of the most attractive features of the road, will be impacted.
3. I understand the intent is to make the facilities available to Belmont School children and Belmont's existing partners with additional needs. However, if the school deem it necessary to generate extra revenue to maintain the facility the intent is to also make it available to the general public at a charge. This changes the usage significantly and detracts from our support, which is based upon the provision of sports and educational facilities for the

children of the school. Please can you introduce criteria that limits the usage to specific groups of people i.e. Belmont school pupils, pupils or members of equivalent schools or organisations with additional needs. Bournside Road has many young families and we would like to avoid the possibility that our children overhear adults or teenagers shouting and using foul language, which is inevitable when sports facilities are used by those demographics.

4. Belmont School have removed a large amount hedge and tree material in the new year, which has impacted on our privacy. The current plans put a cycle and running track adjacent to the border. Please could new planting be included and the current fence style, position and height be maintained. Please could individual residents be consulted on planting that directly affects their border?
5. The proposal removes a lot of natural grass and therefore natural drainage. This presents a flooding risk to all of us, a risk that will only increase over the next few years. Please could you review the plans and significantly reduce the use of artificial surfaces. Please could you consider the flooding and drainage survey very carefully and please could the residents have sight of both the survey and your analysis of it. From the documents online I note the site is assessed to be in zone 1, a low risk flood zone. This is surprising as the Government's published flood risk data places the location in zone 3, a high risk flooding area.

We hope that you agree these 5 points are both reasonable and justified. If they are addressed satisfactorily then we will support the development. If they are not then we will be obliged to continue objecting to it.

Please could you confirm how the application is being treated? Is a Planning Committee handling this or is it being delegated to officers to handle under delegated powers? If a planning meeting is due to sit please could we send a representative?

We have copied this letter to Councillor Jackie Chelin. Please could you confirm whether she will be on the committee itself and/or able to speak on our behalf so that we can ensure we provide her with the appropriate detail?

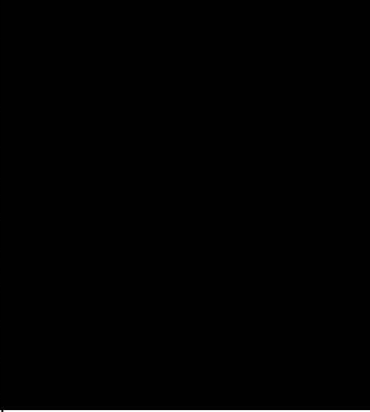
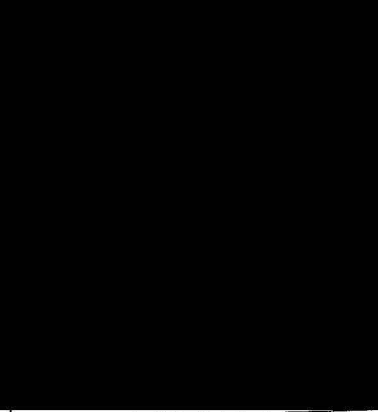
We have also copied this letter to the County Counsellor Tim Harman for consideration of the waterways and wider flood risk that obviously span beyond our Ward and Borough.

We have coordinated this letter as a group but individuals have also made their own representations, which we fully support.

We thank you in advance for your consideration of our points and look forward to working together in order to meet all of our needs.

Yours faithfully,

 (on behalf of the following residents of Bournside Road)

Address	Name	Signature
58 Bournside Rd		
72 Bournside Road		
72 BOURNSIDE RD,		
74 BOURNSIDE RD		
58 BOURNSIDE RD		
54 B SIDE RD		
60 Bournside rd.		
68 BOURNSIDE RD		
68 BOURNSIDE RD		
60 Bournside		
56 BOURNSIDE RD		

October 4th 2023

To whom it may concern,

I write in support of the Belmont Community Sport project, which will increase opportunities for Belmont School students and the local community to access inclusive, engaging sport and physical activity.

Allsorts is a charity that supports children and young people aged 0-25 with additional needs, and their families, living in Gloucestershire. We have had the pleasure of working in partnership with Belmont School across numerous projects, not least through the delivery of specialist play schemes, PE provision and school sport for the school throughout the last five years. Belmont is a large, thriving school that will only get busier due to its excellent reputation as a specialist provider, but the PE and school sport facilities need to grow and develop to meet the needs and interests of the students.

As a provider of specialist PE, I can say with confidence that the facilities proposed through the Belmont Community Sport project will greatly enhance what the school are able to offer to students. Spaces will be larger, more accessible and offer greater versatility within the PE curriculum and across school sport. Surfaces will permit the usage of different types of equipment, broadening the experience of sport and exercise for students, who may not be able to experience safe and effective exercise outside of school, be that for financial reasons, various forms of accessibility, or otherwise. Belmont's existing facilities are limiting the opportunity that the site could provide for teachers and students, to deliver and receive experiences that generate positive physical, emotional and mental health, and a life-long love of being physically active.

As a community provider, we will also be able to provide inclusive sport and exercise for Belmont students after-school, weekday evenings and weekends, utilising the first-class facilities that this project will produce. The link between PE, school sport and community sport is a vital one, as it allows students to make friendships outside of school, and remaining physically active outside and beyond their time at school.

I would be very happy to discuss this project with any stakeholders who would like to understand how these facilities will benefit the students at Belmont School.

Best Regards,

Max Pemberton
Allsorts Head of Sport

70 Bournside Road
Cheltenham GL51 3AH

14 February 2024

Head of Planning
Cheltenham Borough Council
P.O. Box 12
Municipal Offices
Promenade
Cheltenham GL50 1PP

My e-mail and by hand

Planning Application 23/00117/FUL

Additional Sports facilities at Belmont School.

Please refer to the submission made in February and October 2023 for relevant facts and background. This submission will be shorter.

It cannot be disputed that if this application is granted at all, it will cause a significant change compared to what has been happening on the grassed area between the School buildings and the boundaries to our knowledge for 46 years. That change will impact on the amenities of the neighbouring residential properties. It is our respectful submission that this application should be refused, although we realise that others may think differently, particularly in light of the School's aims.

At last, there is some recognition by the Applicant that activities on that area need to be determined by binding conditions decided by and subject to monitoring by the local Planning Authority rather than being determined solely by the School, if this application is to be granted at all.

The present suggested wording of the Conditions limiting periods of use is capable of being misunderstood or misinterpreted. What does "used" mean? Does it mean whistle to whistle or gathering on site beforehand or remaining after physical activities have ceased? Precision of wording is essential so that all concerned understand what is and what is not permitted, as battles in Court have shown. Our suggested wording for any Condition about times and days should read:

"Other than for the purposes of inspection and maintenance there shall be no entry on to the area where (list the facilities for which permission may be granted) are situated before (time and days) and that area shall be vacated no later than (time and days)".

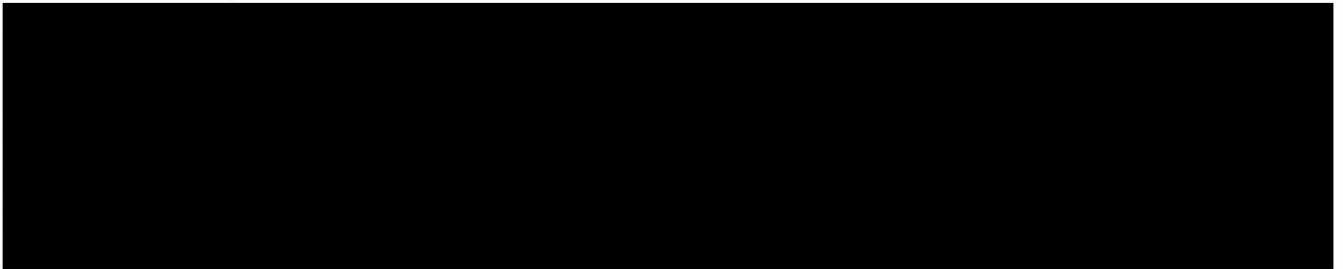
It is disappointing to see that the risk of injury – or worse – arising from the closeness of the proposed cycle track – especially the overtaking area – to the spike-topped boundary fence near to the Hatherley Brook continues to be ignored by the Applicant. If this application is to be granted at all, the following Condition is suggested.

"The perimeter cycle track shall not be used for cycling (as opposed to walking or running) until there has been submitted to and approved by the Planning Authority a professional Risk Assessment and all requirements arising therefrom have been fully implemented".

In light of the first paragraph of this submission, we respectfully suggest that the hours of permitted use, if this application is granted at all, should be Monday to Friday in School term time 08.30 to 16.30, Monday to Friday out of School term time 08.30 to 13.00, Saturdays, Sundays and Bank or Public Holidays all year round 10.00 to 13.00, so that the residents of neighbouring properties within sight or sound of the site may be afforded some respite to enjoy the amenities of their properties when they are most likely to be used and appreciated.

Lastly, if this application falls to be determined at a meeting which members of the public are permitted to attend and speak, we would wish to be afforded such an opportunity.

Yours faithfully,



Application No.	Appeal Ref	Site Address	Appeal Type	Start Date	Questionnaire	Statement	Final Comments	Decision	Date of Decision	Costs Deci	Hearing Date	Costs awarded
21/02755/FUL	23/00001/PP1	Land at Brecon House	Hearing	10.01.2023	17.01.2023	14.02.2023	14.02.2023	Dismissed	27.04.2023	n/a	22.03.2023	
22/00839/FUL	23/00002/PP1	30 St Georges Place	written	16.01.2023	23.01.2023	20.02.2023	20.02.2023	Allowed	18.05.2023			
22/01145/FUL	23/00003/PP1	3 Apple Close	written	24.01.2023	31.01.2023	28.02.2023	28.02.2023	Allowed	19.04.2023			
22/00708/FUL	23/00004/PP1	37 Market Street	written	24.01.2023	31.01.2023	28.02.2023	28.02.2023	Allowed	19.04.2023	Allowed		4,860
20/01788/FUL	23/00005/PP1	Land at Shurdington Road	Hearing	17.04.2023	24.04.2023	22.05.2023	22.05.2023	Allowed	27.02.2024		04.07.2023	
22/01162/FUL	23/00006/PP2	101 Ryeworth Road	written	08.03.2023	15.03.2023	12.04.2023	12.04.2023	Dismissed	08.06.2023	n/a		
22/01373/FUL	23/00007/PP1	129-133 The Promenade	Written	08.03.2023	15.03.2023	12.04.2023	12.04.2023	Dismissed	17.08.2023			
22/02064/FUL	23/00008/PP1	St Edmunds, Sandy Lane F	written	28.03.2023	04.04.2023	02.05.2023	16.05.2023	Dismissed	19.06.2023	Refused		
22/00334/COU	23/00009/PP3	8 Imperial Square	written	29.03.2023	05.04.2023	03.05.2023	17.05.2023	Allowed	21.11.2023			
21/02750/FUL	23/00010/PP1	Land Adjoining Leckhampt	Hearing	30.03.2023	06.04.2023	04.05.2023	18.05.2023	Allowed	12.09.2023		12.07.2023	
22/01430/FUL	23/00011/PP1	10 Suffolk Road	HAS	31.03.2023	07.04.2023	n/a		Dismissed	19.05.2023			
22/01679/FUL	23/00012/PP1	28 West Down Gardens	HAS	03.04.2023	10.04.2023	N/a		Dismissed	17.08.2023			
22/00328/FUL	23/00013/PP1	os 195 High Street	Written	18.04.2023	25.04.2023	23.05.2023	06.06.2023	Dismissed	16.06.2023			
22/00328/ADV	23/00014/ADV1	os 195 High Street	Written	18.04.2023	25.04.2023	23.05.2023	06.06.2023	Dismissed	16.06.2023			
22/00326/FUL	23/00015/PP1	23 Pittville Street	Written	18.04.2023	25.04.2023	23.05.2023	06.06.2023	Dismissed	16.06.2023			
22/00326/ADV	23/00016/ADV1	23 Pittville Street	Written	18.04.2023	25.04.2023	23.05.2023	06.06.2023	Dismissed	16.06.2023			
22/02201/FUL	23/00017/PP1	Phylnor, 53 Alstone Lane	Written	17.05.2023	24.05.2023	21.06.2023	05.07.2023	Dismissed	14.09.2023			
22/02190/PRIOR	23/00018/PP1	5G Mast, Glenfall Way	written	18.05.2023	25.05.2023	22.06.2023	06.07.2023	Dismissed	08.08.2023			
22/02075/FUL	23/00019/PP1	4 Dymock Walk, Cheltenham	HAS	26.06.2023	03.07.2023	n/a	n/a	Dismissed	09.08.2023			
22/00112/OUT	23/00020/PP1	Land adj to Oakhurst Rise	Written	24.07.2023	31.07.2023	28.08.2023	11.09.2023	Dismissed	21.11.2023	n/a		
23/00361/FUL	23/00021/PP1	4 Red Rower Close, Cheltenham	HAS	31.07.2023	07.08.2023	n/a	n/a	Dismissed	12.09.2023	n/a		
22/01964/FUL	23/00022/PP1	201 Gloucester Road, Cheltenham	HAS	04.08.2023	11.08.2023	n/a	n/a	Allowed	06.11.2023	n/a		
23/01236/CLEUD	23/00023/PP1	1 Michaelmas Lodge	Written	06.09.2023	20.09.2023	18.10.2023	08.11.2023	Allowed	16.02.2023	n/a		
	23/00024	System Error	System Error									
23/00001/DCUA	23/00025/ENFAPP	12 Pilford Road	Written	05.09.2023	19.09.2023	17.10.2023	07.11.2023	Dismissed	04.04.2024			
22/01937/PRIOR	23/00026/PP1	5G Princess Elizabeth Way	Written	12.09.2023	19.09.2023	17.10.2023	31.10.2023	Dismissed	01.12.2023			
22/01864/COU	23/00027/PP1	6 Marsh Lane, Cheltenham	written	13.09.2023	20.09.2023	18.10.2023	01.11.2023	Allowed	01.12.2023	Allowed		
23/00452/COU	23/00028/PP1	218 High Street, Cheltenham	written	06.10.2023	13.10.2023	10.11.2023	24.11.2023	Allowed	13.02.2024			
23/00431/PRIOR	23/00029/PP1	Area grass verge Barley Row	written	01.11.2023	08.11.2023	06.12.2023	20.12.2023	Dismissed	12.01.2024			
22/01441/FUL	23/00030/PP1	10 Selkirk Street	written	09.11.2023	16.11.2023	14.12.2023	28.12.2023	Dismissed	13.03.2024			
23/01347/CLPUD	23/00031/PP1	Eagle Star Tower, Montpel	written	20.12.2023	10.01.2024	07.02.2024	28.02.2024	Dismissed	04.04.2024			

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Application No.	Appeal Ref	Site Address	Appeal Type	Start Date	Questionnaire	Statement	Final Comments	Decision	Date of Decision	Costs Deci	Hearing Date	Costs awarded
23/01678/CLEUD	24/00001/PP1	The Forge Branch Road	Written	03.01.2024	17.01.2024	06.02.2024						
22/01681/FUL	24/00002/PP1	Rotunda Tavern 3 Montpellie	Written	05.02.2024	12.02.2024	11.03.2024	25.03.2024					
	24/00003/ENFAPP	System Error	System Error									
	24/00004/ENFAPP	System Error	System Error									
23/00230/DCUA	24/00005/ENFAPP	125 - 133 Promenade	Written	22.02.2024	07.03.2024	04.04.2024	25.04.2024					
23/00596/FUL	24/00006/PP1	Land Adj to 1 Coltham Fields	Written	05.03.2024	12.03.2024	09.04.2024	23.04.2024					
23/01137/FUL	24/00007/PP1	Hilltop Stores, Hilltop Road	Written	13.03.2024	20.03.2024	17.04.2024	01.05.2024					
23/01566/FUL	24/00008/PP1	44 Springfield Close	Written	25.03.2024	01.04.2024							

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Appeal Decision

Site visit made on 20 February 2024

by Tamsin Law BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 March 2024

Appeal Ref: APP/B1605/W/23/3327055

10 Selkirk Street, Cheltenham, Gloucestershire, GL52 2HH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 -
 - The appeal is made by Mr and Mrs Leach against the decision of Cheltenham Borough Council.
 - The application Ref is 22/01441/FUL.
 - The development proposed is described as "erection of 1no. three storey self-build dwelling on land adjacent to 10 Selkirk Street."
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the living conditions of nearby residents, in particular the residents of Larkspur House and 10A Selkirk Street.

Reasons

3. The appeal site is a vacant area of land adjacent to 10 Selkirk Street. Dwellings in the area are a mix of two and three storey terraced or semi-detached dwellings. Dwellings are located to either side of the appeal site, with a highway to the front and a pair of semi-detached dwellings to the rear (Larkspur House and Merino). 10A Selkirk Street is located to one side, and has been subdivided into a number of flats, including a basement flat. Larkspur House and Merino lie perpendicular to the rear of the appeal site, with the side elevation of Larkspur House and their side garden running along part of the rear of the appeal site.
4. Larkspur House has a side and rear garden. Its outlook through glazed doors on the rear and side are on to its garden and boundary walls. Whilst there are tall buildings in close proximity to Larkspur House a gap in built development provides relief from a feeling of enclosure.
5. The construction of a three-storey dwelling in this gap would result in the outlook from the side glazed doors and garden being on to a tall building. The proposal would be much more dominant compared to the existing fence which would significantly harm the occupiers of Larkspur House's outlook. The overall effect would result in a dominant and oppressive form of development when viewed from the glazed doors and garden of Larkspur House to the detriment of their usability.

6. I have had regard to the appellants submission that notes there are existing buildings surrounding Larkspur House, that the glazed doors are to a hallway and that there is a section of garden to the rear. Nevertheless, whilst there may be existing restrictions to the outlook from Larkspur House and its garden, I do not consider that this is adequate justification to further restrict the outlook. Whilst the glazed doors are into a hallway, the area of garden that this provides access to would be significantly enclosed by the tall building, which would also be visible from the remaining garden.
7. The basement flat of 10A Selkirk Street benefits from high level windows to the side and rear. From the evidence before me it would appear that these windows provide light and ventilation for a living room area.
8. A Daylight and Sunlight Assessment (DSA) support the appellants submission. The DSA confirms that it has been undertaken in line with BRE Guidance. Through using a Vertical Sky Component and No Sky Line analysis the submission details that the rooms within the basement flat retain more than 80% of current daylight levels, in line with BRE Guidance. I have no reason to disagree with these finding. As such, in relation to the occupiers of the basement flat at 10A Selkirk Street, sufficient daylight is retained in order to ensure the continued usability of the flat.
9. As such, whilst I have not found harm in relation to the occupiers of 10A Selkirk Street, I find that the proposal would have an adverse effect on the living conditions of the occupiers of Larkspur House by virtue of harm to outlook. The proposal would therefore conflict with Policy SL1 of the Cheltenham Plan (2020) and Gloucester Cheltenham and Tewkesbury Joint Core Strategy (2017) Policy SD14 which seek, among other things, to ensure that new development would not harm living conditions, as well as the SPD which sets out that proposals that result in unacceptable harm to the amenity of neighbouring dwellings will not be permitted.

Other Matters

10. The proposal is intended to be a self-build dwelling. There is a shortfall in the self-build dwellings required by the Council. However, there is no effective mechanism before me to ensure that the proposal would be occupied as a self-build dwelling, I am unable to attach any significant weight to the benefit of intending to provide a self-build dwelling.
11. The Council cannot demonstrate the supply of housing sites required by the Framework. The most important policies are therefore deemed to be out of date. As the erection of a single dwelling, the proposal would make a very limited contribution to any housing undersupply. The scale of the scheme would accordingly limit its associated socio-economic benefits. I have found that the proposal would harm the living conditions of nearby residents. I ascribe significant weight to this harm which would be long lasting. Therefore, and in regard to the specific circumstances of this case, the adverse impacts of granting a planning permission would significantly and demonstrably outweigh the benefits. It would not therefore be sustainable development for which the presumption in favour applies.

Conclusion

12. For the above reasons, there are no relevant material considerations, including the approach of the Framework, which would indicate a decision otherwise in accordance with the development plan. It is for this reason that the appeal should be dismissed.

Tamsin Law

INSPECTOR

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Appeal Decision

Site visit made on 26 March 2024

by H Davies MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4 April 2024

Appeal Ref: APP/B1605/C/23/3328819

12 Pilford Road, Cheltenham GL53 9AQ

- The appeal is made under section 174 of the Town and Country Planning Act 1990 as amended (the Act).
 - The appeal is made by Mr Clive Ellis against an enforcement notice issued by Cheltenham Borough Council.
 - The notice was issued on 9 August 2023.
 - The breach of planning control as alleged in the notice is, without planning permission, the erection of a two-storey garden room to the rear of 12 Pilford Road, Cheltenham, in the approximate position shown cross-hatched on the attached plan, refused under planning permission 20/00237/FUL, decision date 7 December 2021.
 - The requirement of the notice is to reduce the height of the outbuilding to a maximum overall height, from external ground level to the top of the finished roof to 2.5m, due to its proximity to the boundary so the outbuilding falls within the parameters of Permitted Development.
 - The period for compliance with the requirement is 6 months.
 - The appeal is proceeding on the ground set out in section 174(2)(f) of the Town and Country Planning Act 1990 (as amended).
-

Decision

1. It is directed that the enforcement notice be corrected as follows:
 - In section 3 (Matters which appear to constitute the breach), delete the words "garden room" and substitute with the word "outbuilding".
2. It is also directed that the enforcement notice be varied as follows:
 - In section 5 (What you are required to do), delete the text in its entirety and replace it with the following text:

"Reduce the height of the outbuilding to a maximum overall height of 2.5 metres, from external ground level to the top of the finished roof, so it complies with all relevant criteria set out under Schedule 2, Part 1 Class E of the Town and Country Planning General Permitted Development (England) Order 2015 (as amended), including the height criteria for outbuildings within 2 metres of the boundary.

OR

Demolish the outbuilding, remove all resultant materials from the Land and restore the Land to its former condition."
3. Subject to this correction and variation, the appeal is dismissed and the enforcement notice is upheld.

The Notice and Preliminary Matters

4. I have a duty to get the notice in order and s176(1) of the Act grants powers to (a) correct any defect, error or misdescription in the enforcement notice, and/or (b) vary the terms of the notice, provided it would not result in injustice to the appellant or the Council.
5. The term 'garden room' is used in the breach description but 'outbuilding' is used in the requirement. For consistency, I have corrected 'garden room' to 'outbuilding'. In the requirements, I have clarified the wording and specified the relevant Class of the Town and Country Planning General Permitted Development (England) Order 2015 (GPDO). As set out below, I have also varied the requirement by adding the option to remove the outbuilding in its entirety. I am satisfied that I can make these changes to the notice without causing injustice.
6. Planning permission for the outbuilding (part retrospective) was refused under application ref 20/00237/FUL. There is no appeal on ground (a), which is that planning permission ought to be granted. Therefore, the planning merits of the development are not considered under this appeal and it is not open to me to grant planning permission for the outbuilding.

The Appeal on Ground (f)

7. An appeal on ground (f) is that the steps required by the notice exceed what is necessary. Section 173 of the Act sets out that there are two purposes which the requirements of an enforcement notice can seek to achieve. The first (s173(4)(a)) is to remedy the breach of planning control which has occurred. The second (s173(4)(b)) is to remedy any injury to amenity which has been caused by the breach. In this case, the notice requires changes to the outbuilding so it complies with the relevant criteria for permitted development. It is therefore evident that the purpose of the notice is to remedy the breach.
8. Schedule 2, Part 1 Class E of the GPDO grants permitted development rights for the provision within the curtilage of a dwellinghouse of a building, for a purpose incidental to the enjoyment of the dwelling house as such, subject to criteria. The relevant criteria for this case include that the outbuilding would not have more than a single storey and would not exceed a height of 2.5 metres for a building within 2 metres of the boundary.
9. Permitted development rights cannot be claimed retrospectively by making changes which return the development to compliance with permitted development limits. Notwithstanding this, such rights could be claimed in the future, following removal of the outbuilding, and would enable the appellant to replace the outbuilding with one that met the GPDO criteria. This represents a realistic fallback position for the appellant.
10. The enforcement regime is intended to be remedial rather than punitive. Requiring the appellant to reduce the height of the building (which would inevitably remove the upper floor) so that it complies with GPDO criteria, is an obvious alternative to total removal. It was therefore reasonable for the Council to require the height to be reduced to 2.5 metres as the outbuilding is located within 2 metres of the boundary. I do not consider the requirement of the notice to be excessive.

11. The appellant has not presented an alternative scheme that would remove the breach of planning control. Even if they had, any such alternative scheme would likely require planning permission. As there is no appeal on ground (a), planning permission cannot be granted under this appeal.
12. There is no scheme before me setting out a detailed proposal for modifying the outbuilding so it meets the requirements of the notice. However, I do not consider it necessary in this instance, as specifying compliance with the relevant criteria of the GPDO is sufficient.
13. Notwithstanding the above, reducing the height of the outbuilding may not be practical, and its removal may be easier and less costly for the appellant. I do not consider removal to be a lesser measure, but it is an obvious alternative. Consequently, I have varied the requirement set out in the notice to add an option to remove the outbuilding in its entirety.
14. In summary, the purpose of the notice is to remedy the breach of planning control, and there are no lesser measures that would remedy the breach. No alternative scheme to remedy the breach has been presented and even if it had been, there is no appeal on ground (a), so the notice cannot be varied to allow for an alternative scheme. For these reasons, the appeal on ground (f) fails.

Other Matters

15. I note reference to alleged comments made by a Council planning officer to the appellant during a site visit. Any such comments do not constitute the granting of planning permission. I have been provided with an email which shows that the appellant was informed as early as October 2019 that planning permission would be needed for the building. Planning permission (part retrospective) was applied for and subsequently refused in December 2021. The appellant was informed by email in January 2023 that the development remained unauthorised and the breach needed to be rectified. Consequently, the appellant had been informed of the issues and the need to rectify the breach, prior to the issuing of the notice.
16. During my site visit it was evident that there are a range of other wooden outbuildings in surrounding gardens. However, none appear to exceed a single storey. There are trees along parts of the site boundary, but the highest part of the appeal outbuilding is visible from the access road into Pilford Court.

Conclusion

17. For the reasons given above, I conclude that the appeal does not succeed. I shall uphold the enforcement notice, with correction and variation.

H Davies

INSPECTOR

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Appeal Decision

by **H Davies MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 4 April 2024

Appeal Ref: APP/B1605/X/23/3331957

Eagle Star Tower, Montpellier Drive, Cheltenham GL50 1TA

- The appeal is made under section 195 of the Town and Country Planning Act 1990 as amended (the Act) against a refusal to grant a certificate of lawful use or development.
 - The appeal is made by Eagle Strategic Property Ltd against the decision of Cheltenham Borough Council.
 - The application ref 23/01347/CLPUD, dated 3 August 2023, was refused by notice dated 26 September 2023.
 - The application was made under section 192(1)(a) of the Act.
 - The development for which a certificate of lawful use or development is sought is confirmation that work undertaken under prior approval ref 15/001237/P3JPA enables further change of use of building from office to residential.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application subject to this appeal sought a certificate of lawful use or development (LDC) for a proposed development. The onus is on the appellant to make their case to the standard of the balance of probabilities, or whether something is more likely than not. Issues of planning merit are not relevant.
3. Application reference 15/001237/P3JPA, registered on 11th July 2015, was a prior approval application for Eagle Star Tower in relation to a change of use of the upper floors (floors 1-12) from offices (Use Class B1) to residential (Use Class C3) to provide 96 apartments. The decision of the Council, on 24th August 2015, was that prior approval was not required.
4. As of 15th April 2015, the Town and Country Planning General Permitted Development Order 1995, as amended (1995 GPDO) was revoked and replaced by the Town and Country Planning (General Permitted Development) (England) Order 2015 (2015 GPDO). Under the original 2015 GPDO, Schedule 2, Part 3, Class O, granted permitted development rights for development consisting of a change of use of a building and any land within its curtilage from a use falling within Class B1(a) (offices) of the Schedule to the Use Classes Order, to a use falling within Class C3 (dwellinghouses) of that Schedule. A condition specified that development is not permitted by Class O where the use as dwellinghouses was "begun after 30th May 2016". Class O of the original 2015 GPDO re-enacted this permitted development right from the revoked 1995 GPDO, where it was set out under Schedule 2, Part 3, Class J. Other than the change of letter (from J to O), the permitted development right, requirements and conditions were re-enacted without amendment. Under both Class J of the 1995 GPDO and its successor Class O of the original 2015 GPDO a determination was required as to whether prior approval was needed.

5. Given the dates set out above, when application 15/001237/P3JPA was submitted and decided, the relevant order was the original 2015 GPDO. However, the decision notice incorrectly references Class J of the 1995 GPDO. Despite this, the officer report correctly references Class O of the 2015 GPDO. In addition, the covering letter with the application correctly refers to Class O. I therefore assume that reference to the 1995 GPDO and Class J in the decision notice for application 15/001237/P3JPA was a simple mistake. As the requirements and conditions did not change between Class J of the 1995 GPDO and Class O of the original 2015 GPDO, this matter does not have a material impact on the decision which was made. In assessing the matters for consideration under this appeal, I have proceeded on the basis that application 15/001237/P3JPA confirmed that prior approval was not required for the proposed change of use, on the basis of Class O of the 2015 GPDO.
6. Section 56 of the Act concerns "Time when development begun". It specifies that "(1)...development of land shall be taken to be initiated, (a) if the development consists of the carrying out of operations, at the time when those operations are begun; (b) if the development consists of a change in use, at the time when the new use is instituted". From the evidence presented to me, this case relates only to a change of use, and not the carrying out of operations. Therefore, in accordance with s56(1)(b), for this case, the development is 'begun' when the change of use is 'instituted'.

Main Issue

7. The main issue is whether the Council's decision to refuse to grant an LDC for the proposed use was well founded.

Reasons

8. The parties agree that under application 15/001237/P3JPA, 1 flat (referred to as Flat 41) had been created, made available and occupied for residential purposes since May 2016, so is lawful. I note the date of the building regulations certificate for Flat 41 is 31st May 2016. However, in accordance with relevant case law¹, on the evidence available to me, I conclude that the use of Flat 41 as a dwelling should be considered to have been instituted on or before 30th May 2016. I therefore agree with the parties that Flat 41 is lawful. Notwithstanding this, it remains to be determined whether instituting Flat 41, in accordance with prior approval 15/01237/P3JPA, enables further change of use from offices to residential to lawfully continue.
9. The original 2015 GPDO was subsequently amended, with Class O being re-enacted with modification. From April 2016 the Class O requirement for the change of use to have "begun before 30th May 2016" was repealed. A new condition was added, requiring development permitted under Class O to be "completed within a period of three years" from the prior approval date.
10. Section 17(2)(b) of the Interpretation Act 1978 provides that where an Act repeals and re-enacts, with or without modification, a previous enactment then, in so far as any subordinate legislation made or other thing done under the enactment so repealed, or having effect as if so made or done, could have been made or done under the provision re-enacted, it shall have effect as if made or done under that provision.

¹ Including *Impey v SSE & Lake District SPB* [1981] JPL 363; [1984] P&CR 157, and *Welwyn Hatfield BC v SCLG & Beesley* [2011] UKSC 15; [2011] JPL 1183.

11. In this case, that means that in so far as anything done under the original Class O (i.e. confirming under application 15/001237/P3JPA that prior approval was not required for changing use of the building from offices to dwellings) could have been done under Class O as re-enacted with modifications, then that thing shall have effect as if done under Class O as re-enacted with modifications.
12. In my view therefore, prior approval granted (or confirmation provided that prior approval was not required) under Class O before 6 April 2016, should be treated as having been granted under Class O as re-enacted in the amended 2015 GPDO, and is subject to the conditions of the re-enacted Class O. In other words, such prior approval cases are no longer subject to the 30th May 2016 deadline to have "begun" but are subject to the 3-year time limit to be "completed", which replaced that deadline. In the case subject to this appeal, the time limit would have run out 3 years from the decision date of 24th August 2015 (ie 23rd August 2018).
13. The appellant has confirmed that the site subject to the appeal is currently used for offices, other than Flat 41 on the 4th floor. At the time of the LDC application, Flat 41 had been in use as a dwelling for more than 7 years, while the rest of the site covered by 15/01237/P3JPA remained in use as offices. On this basis, I consider Flat 41 to be a separate planning unit, which, as set out above, has a lawful use as a dwelling. The change of use of the rest of the site covered by 15/01237/P3JPA has not been instituted and the lawful use remains as offices.
14. In addition, instituting 1 dwelling unit out of a proposed 96, on 1 floor from a proposed 12, is a very small proportion. As a simple matter of fact and degree, I do not consider this small proportion can be considered as instituting the change of use of the whole building.

Conclusion

15. On balance, I conclude that prior approval granted under 15/01237/P3JPA does not enable further change of use from office to residential within Eagle Star Tower. Consequently, the Council's decision to refuse to grant a certificate of lawful use or development was well founded and the appeal fails. I will exercise accordingly the powers transferred to me in section 193(3) of the 1990 Act as amended.

H Davies

INSPECTOR

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REPORT OF THE HEAD OF PLANNING ON PLANNING APPEALS

OVERVIEW

The purpose of this report is to provide Members of the Planning Committee with an overview of all planning appeals that have been received by the Council since the previous meeting of the Planning Committee. It further provides information on appeals that are being processed with the Planning Inspectorate and decisions that have been received.

RECOMMENDATION

To note the contents of the report.

Appeals Received

March /April 2024

Address	Proposal	Delegated or Committee Decision	Appeal Type	Anticipated Appeal Determination Date	Reference
Harwood House 87 The Park Cheltenham Gloucestershire GL50 2RW	Proposed replacement of brick boundary wall with an overlap wooden feather-edge fence (retrospective)	Delegated Decision	Written representation (Householder)	n/a	23/00929/FUL
8 Imperial Square Cheltenham	Installation of moveable planters.	Delegated Decision	Written representation	n/a	23/02152/CLPUD

21 Glebe Road Prestbury Cheltenham Gloucestershire GL52 3DG	First floor side extension to provide additional bedroom and bathroom accommodation, and alterations to existing dormer (revised scheme following refusal of application ref: 23/01186/FUL)	Delegated Decision	Written representation (Householder)	n/a	23/02033/FUL
Stansby House The Reddings Cheltenham Gloucestershire GL51 6RS	Erection of 2no. detached dwellings following demolition of existing buildings	Delegated Decision	Written Representation	n/a	23/01538/FUL

Appeals being processed

Address	Proposal	Delegated/Committee Decision	Appeal Type	Outcome	Reference
The Forge, Branch Road, The Reddings	Use of land as a caravan site without restriction as to layout or numbers of caravans. (Revised application to 23/00936/CLEUD)	Delegated Decision	Written Representation	Not Decided	Planning ref: 23/01678/CLEUD Appeal ref: 24/00001/PP1
3 Rotunda Tavern Montpellier Street	Retention of temporary canopy structure for two years	Delegated Decision	Written Representation	Not Decided	Planning Ref: 22/01681/FUL Appeal Ref: 24/00002/PP1
129 - 133 Promenade Cheltenham Gloucestershire	Marquees at 129 - 131 Promenade.	N/A	Written representation	Not Decided	Enforcement ref: 23/00230/DCUA Appeal Ref: 24/00005/ENFAPP
1 Coltham Fields Cheltenham Gloucestershire GL52 6SP	Erection of 1no. two storey dwelling on land adjacent 1 Coltham Fields	Delegated Decision	Written representation	Not Decided	Planning ref: 23/00596/FUL Appeal ref: 24/00006/PP1

Hilltop Stores Hilltop Road Cheltenham	Demolition of existing retail unit and erection of 2no. dwellings (revised scheme following withdrawal of application ref. 22/01728/FUL)	Delegated Decision	Written representation	Not decided	Planning ref: 23/01137/FUL Appeal ref: 24/00007/PP1
44 Springfield Close The Reddings Cheltenham Gloucestershire GL51 6SF	A wooden 1 metre tall front fence with open slats around front garden with a post sheath on corner to prevent possible damage and reflectors put on posts to add awareness. (Retrospective) Resubmission of 23/01086/FUL	Delegated Decision	Written representations (Householder)	Not decided	Planning ref: 23/01566/FUL Appeal Ref: 24/00008/PP1

Appeals Decided

Address	Proposal	Delegated/Committee Decision	Appeal Type	Outcome	Reference
Adey Innovation Ltd Gloucester Road	Demolition of the existing office building and erection of a 66 bedroom care home for older people (Use Class C2) including associated access, parking and landscaping.	Delegated Decision	Appeal Hearing (25.01.23)	Appeal Allowed	Planning ref: 21/02700/FUL Appeal Ref: 22/00027/PP1
The Hayloft The Reddings	Conversion of the existing dwellinghouse into 9 self-contained apartments, and associated works	Committee Decision	Written Representation	Appeal Allowed	Planning ref: 22/00749/FUL Appeal Ref: 22/00028/PP1

159 High Street	Proposed installation of 1no. new BT Street Hub, incorporating 2no. digital 75" LCD advert screens, plus the removal of associated BT kiosk(s) on Pavement Of Winchcombe Street Side Of Hays Travel 159 High Street	Delegated Decision	Written Representation	Appeal A and Appeal B Dismissed	Planning ref: 22/00322/ADV and FUL Appeal ref:22/00021/PP1 and 22/00022/ADV1
3 Apple Close, Prestbury	Replacement of existing conservatory with single storey rear extension. Increase in ridge height to facilitate loft conversion with rear dormer.	Delegated Decision	Written Representation	Appeal Allowed	Planning ref: 22/01145/FUL Appeal Ref: 23/00003/PP1

37 Market Street	Proposed side and rear extensions (revised scheme following refusal of application ref. 21/02361/FUL	Committee Decision	Written representations	Appeal Allowed Appeal Costs (Allowed)	Planning Ref: 22/00708/FUL Appeal Ref: 23/00004/PP1
Brecon House Charlton Hill Cheltenham Gloucestershire GL53 9NE	Construction of a paragraph 80 dwelling, estate management building, and associated landscaping, ecology enhancements,	Committee Decision	Appeal Hearing (date 22/03/23)	Appeal Hearing Dismissed	Planning ref: 21/02755/FUL Appeal ref: 23/00001/PP1
30 St Georges Place	Conversion to form 7no. dwellings, together with extensions and construction of new mansard roof	Delegated Decision	Written representations	Appeal Allowed	Planning ref: 22/00839/FUL appeal ref: 23/00002/PP1

10 Suffolk Road	First floor extension at rear of 10 Suffolk Road on top of existing kitchen roof, comprising of 1 new bedroom and ensuite bathroom (revised scheme 22/00966/FUL)	Delegated Decision	Written Representations Householder Appeal	Appeal Dismissed	Planning ref: 22/01340/FUL Appeal ref: 23/00011/PP1
101 Ryeworth Road	Erection of two storey and single storey rear extensions and single storey front extension.	Non-Determination	Written Representation	Appeal Dismissed	Planning ref: 22/01162/FUL Appeal Ref: 23/00006/PP2

o/s 195 High Street Cheltenham	Proposed installation of 1no. new BT Street Hub, incorporating 2no. digital 75" LCD advert screens, plus the removal of associated BT kiosk(s)	Delegated Decision	Written Representation	Appeal A Dismissed Appeal B Dismissed	Planning Ref: 22/00328/ADV and FUL Appeal Ref: 23/00013/PP1 23/00014/ADV1
o/s 23 and 23 A Pittville Street	Proposed installation of 1no. new BT Street Hub, incorporating 2no. digital 75" LCD advert screens,	Delegated Decision	Written representation	Appeal A Dismissed Appeal B Dismissed	Planning ref: 22/00326/ADV and FUL Appeal Ref: 23/00015/PP1 23/00016/ADV1
St Edmunds, Sandy Lane Road	Conversion and extension of an existing coach house/garage to a single dwelling with new access off Sandy	Delegated Decision	Written Representation	Appeal Decision Dismissed Cost Decision Dismissed	Planning ref: 22/02064/FUL Appeal Ref: 23/00008/PP1
Telecommunications Mast And Cabinet CLM26321 Glenfall Way	Proposed 5G telecoms installation: H3G 16m street pole and additional equipment cabinets	Delegated Decision	Written Representation	Appeal Dismissed	Planning ref: 22/02190/PRIOR Appeal Ref: 23/00018/PP1

4 Dymock Walk	Application for prior approval for the construction of one additional storey atop the existing dwelling (increase in height of 2.13 metres)	Delegated Decision	Written representation (Householder)	Appeal Dismissed	Planning ref: 22/01075/FUL Appeal ref: 23/00019/PP1
28 Westdown Gardens	Erection of detached garage (revised scheme to ref: 21/01789/FUL)	Delegated Decision	Written Representations Householder Appeal	Appeal Dismissed	Planning ref: 22/01679/FUL Appeal ref: 23/00012/PP1
129 – 133 Promenade	Retention of existing temporary marquees at 125, 127, 129, 131 further two year period and 133 Promenade,	Committee Decision	Written representation	Appeal Dismissed	Planning ref: 22/01373/FUL Appeal Ref: 23/00007/PP1
4 Red Rower Close	Two storey and single storey extension to the front and loft extension and dormer	Delegated Decision	Written representation	Appeal Dismissed	Planning Ref: 23/00361/FUL Appeal Ref: 23/00021/PP1

Land Adjoining Leckhampton Farm Court Farm Lane Leckhampton Cheltenham Gloucestershire	Residential development of 30 no. dwellings (Class C3); vehicular, pedestrian and cycle access from Church Road; pedestrian and cycle access from Farm Lane; highways improvement works; public open space,	Delegated Decision	Appeal Hearing (Date of hearing 18 th July 2023 (rescheduled for 12th July 2023))	Appeal Allowed	Planning Ref: 21/02750/FUL Appeal Ref: 23/00010/PP1
53 Alstone Lane	Erection of a single storey dwelling on land to rear of the existing property	Delegated Decision	Written representation	Appeal Dismissed	Planning ref: 22/02201/FUL Appeal ref: 23/00017/PP1
201 Gloucester Road	Installation of raised, split level patio area with boundary treatments (Retrospective).	Delegated Decision	Written representation	Appeal allowed	Planning Ref: 22/00022/PP1 Appeal ref: 23/00022/PP1
8 Imperial Square	Proposed change of use from C3 (dwelling house) to mixed use of C1 (hotel) and E (bar and restaurant).	Delegated Decision	Written representation	Appeal allowed	Planning ref: 22/00334/COU Appeal ref: 23/00009/PP3

Land Adj Oakhurst Rise	Outline application for residential development of 25 dwellings - access, layout and scale not reserved for subsequent approval	Committee Decision	Written representation	Appeal Dismissed	Planning ref: 22/00112/OUT Appeal Ref 23/00020/PP1
Telecommunications Mast And Cabinet CLM24981 Princess Elizabeth Way	Proposed 5G telecoms installation: H3G 20m street pole and additional equipment cabinets	Delegated Decision	Written representation	Appeal Dismissed	Planning ref: 22/01937/PRIOR Appeal ref: 23/00026/PP1
6 Marsh Lane	Change of use from a single dwelling (Class C3) to a four bed House in Multiple Occupation (HMO) (Class C4)	Delegated Decision	Written Representation	Appeal Allowed Costs Decision Allowed	Planning Ref: 22/01864/COU Appeal Ref: 23/00027/PP1
Telecommunications Mast And Cabinet Prestbury Road Cheltenham Gloucestershire	Proposed 5G telecoms installation: H3G 15m street pole and additional equipment cabinets	Delegated Decision	Written representation	Appeal Dismissed	Planning Ref: 23/00431/PRIOR Appeal Ref: 23/00029/PP1

218 High Street	Change of use of the ground floor from a retail unit (Class E) to an Adult Gaming Centre (Sui Generis) and first floor to associated storage and staff area with external alterations and associated works	Delegated Decision	Written representation	Appeal Allowed	23/00452/COU Appeal Ref: 23/00028/PP1
1 Michaelmas Lodge Lypiatt Terrace Cheltenham	Use of area of land for vehicle parking	Delegated Decision	Written Representation	Appeal Allowed	Planning ref: 23/00262/Cleud Appeal Ref: 23/00023/PP1
Land at Shurdington Rd	Full planning application for residential development comprising 350 dwellings, open space, cycleways, footpaths, landscaping, access roads and other	Committee Decision	Written Representation (New procedure Change now a hearing date is 4th July 2023)	Appeal Allowed	Planning ref: 20/01788/FUL Appeal ref: 23/00005/PP1

10 Selkirk Street	Erection of 1no. three storey self-build dwelling on land adjacent to 10 Selkirk Street	Committee Decision	Written representation	Appeal Dismissed	Planning Ref 22/01441/FUL Appeal Ref: 23/00030/PP1
Eagle Star Tower Montpellier Drive Cheltenham Gloucestershire	Application seeks confirmation that works undertaken in accordance with a previously approved change of use under Class J, Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 ref: 15/01237/P3JPA enables the rest of the conversion to lawfully continue at any stage	Delegated Decision	Written Representation	Appeal Dismissed	Planning Ref: 23/01347/CLPUD Appeal ref: 23/00031/PP1

12 Pilford Road Cheltenham	Erection of a Garden Room	n/a	Written Representation (Enforcement)	Appeal Dismissed	Planning ref: 23/00001/DCUA Appeal ref: 23/00025/ENFAPP

REPORT OF THE HEAD OF DEVELOPMENT MANAGEMENT, ENFORCEMENT AND COMPLIANCE ON PLANNING APPEALS AND LEGAL CHALLENGES

LEGAL CHALLENGES

Address	Description	Reference	Reason
Telecommunications Mast Site CLM26627 Lansdown Road Cheltenham Gloucestershire	Installation of 15m pole inc. antennas, ground based apparatus and ancillary development	23/00551/PRIOR	Alleged lack of consideration of health grounds in granting Prior Approval

Authorised By: Chris Gomm 9th April 2024

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