

Cheltenham Borough Council Planning Committee Minutes

Meeting date: 22 May 2025

Meeting time: 6.00 pm - 7.34 pm

In attendance:

Councillors:

Frank Allen (Vice-Chair), Glenn Andrews, Adrian Bamford, Garth Barnes (Chair), Barbara Clark, Jan Foster, Tony Oliver, Dr Steve Steinhardt, Simon Wheeler and Suzanne Williams

Also in attendance:

Nicole Golland (Principal Planning Officer), Claire Donnelly (Planning Officer), Chris Gomm (Head of Planning), Victoria Harris (Planning Officer), Charlotte Lockwood (Lawyer)

1 Apologies

There were none.

2 Appointment of Vice Chair

Councillor Frank Allen was appointed as Vice Chair of the Committee.

3 Declarations of Interest

There were none.

4 Declarations of independent site visits

The following Councillors attended site 7a and 7c during Planning View:

- Councillor Barnes
- Councillor Bamford
- Councillor Clark
- Councillor Foster

- Councillor Oliver
- Councillor Wheeler

Councillor Steinhardt declared that he had visited sites 7a, 7b and 7c, and was familiar with 7d.

5 Minutes of the last meeting

The minutes of the meeting held on 17 April were approved and signed as a correct record.

6 Public Questions

There were none.

7 Planning Applications

8 24/01599/FUL - St Edward's School, Cirencester Road, Charlton Kings, Cheltenham, GL53 8EY

The Planning Officer introduced the report as published.

There were two public speakers on the item: an objector, and the ward member.

The objector addressed the committee and made the following points:

- Representing the concerns of residents from Randolph Close and St Judes Walk. Whilst the report suggests that revisions have been made to address issues raised by residents, these do not go far enough or address the fundamental issues.
- The proposed block is 9.2m high and 47m long, standing at 5.2m higher than the existing single storey building. This existing building is already visible above our wall and level with our bedroom windows. As the building sits on elevated ground this will raise the property to 4m above surrounding properties. Even though the 21m rule has been adhered to due to the length and size of the property this will be of little significance.
- The report suggests the build is in keeping with the character of the development, but this is misleading as on the north side near residential homes where this building is proposed all buildings are single story or at a lower level to respect the lie of the land and residents nearby.
- Serious concerns remain about light pollution which have not been resolved in the report.
- There has been no attempt to soften the build with any form of screening. In contrast, a recent build at Leckhampton High sits comfortably in its location, surrounded by trees and with a flat eco-friendly roof. This report states that the lack of green credentials is unfortunate, but this should not be acceptable in 2025.

- The school's heritage statement fails to acknowledge that a 200+ years old wall borders our homes.
- The new building will block sunlight into our homes during the winter months.
- When the owner of Alpha Schools visited our home to view the impact of the proposal, he was open to the suggestion of lowering the build. The Planning Officer also visited our home and acknowledged that the application will have a detrimental impact.
- The school has tried to raise support through emails and coffee mornings but only one response in support was submitted.
- Students will be vulnerable in this locality from the unsafe environment on the south side of the school.
- We do not believe this application complies with policies SD14 or SL1.
- We meant for this to be our forever home, which we have worked hard for. We deserve to feel safe and relaxed in our homes, not overshadowed by a dominating structure looming above us. This building does not sit comfortably in the proposed space. We, as residents, want St. Edwards to progress, provide better working environments, and keep students safe. But we strongly believe this can and should be achieved without ruining the lives and homes of neighbouring residents.
- We ask that this application be deferred so that meaningful discussions can take place, particularly around height, massing, and proximity to our family homes.

Councillor Harvey, as Ward Member, addressed the committee and made the following points:

- This submission would have benefitted from pre-application advice from CBC, but the applicant failed to seek any.
- I would like you all to consider refusing this application for the following reasons. JCS Policy SD3– Sustainable Design and Construction, states that *“Any development must demonstrate how it will contribute to the aims of sustainability and be expected to be adaptable to climate change in respect of design, layout, siting, orientation and function”*. The Cheltenham Climate Change SPD was adopted in June 2022 and sets out a strategy for decarbonising buildings over the next decade. Key points say that the SPD will be *“at the heart of our planning process”* and furthermore states that *“How successful applicants align with the SPD will be a material consideration in the determination of planning applications by the local planning authority.”* As a council we are serious about the climate emergency and mitigation that this authority is putting in place needs to be supported across all council areas, especially planning. The report states that *“this submission has not included any details or information as to how the building would meet the aims of the Council by way of the inclusion of low carbon features and technologies. The lack of a sustainability statement is unfortunate”*. I think that is being generous. This is too large a submission to not take into account this supplementary planning advice.

- JCS Policy SD14 – Health and Environmental Quality states that *“Development must protect the amenity of existing and future users and residents, including in terms of light, privacy, outlook, noise and air quality”*. This proposal fails to protect the amenity of neighbouring residents due to its height and size, increase in noise pollution, loss of light and outlook for neighbouring properties, and a profound negative impact on mental wellbeing. This is not a minor infringement — it’s a wholesale loss of residential amenity for the families most affected and reflects negatively in a Grade II Star setting.
- Local Plan Policy SL1 – Safe and Sustainable Living states that *“Development should not cause unacceptable harm to the amenity of adjoining land users or the surrounding neighbourhood, including in terms of noise, privacy, daylight, outlook and the general character of the area”*. This building dominates a quiet residential setting and introduces school-scale infrastructure in the tightest, most sensitive part of the site. The scale and massing are completely out of character with surrounding two-storey homes. The proximity and elevation worsen the effect on daylight and sense of enclosure, especially for garden use. The sense of visual intrusion and skyline loss are highly damaging and create a perception of being boxed in — which is a clear breach of amenity protection under SL1.
- NPPF Section 12 – Achieving Well-Designed Places states that plans should:
 - Ensure developments are sympathetic to local character,
 - Create places with a high standard of amenity for existing and future users, and
 - Refuse development of poor design that fails to reflect local context or causes significant harm

This proposal fails to reflect local character — its bulk, scale, and mass are alien in a domestic, residential setting. Amenity is reduced, not enhanced — particularly in terms of visual dominance, noise, and light pollution. No genuine alternative layouts or meaningful mitigation (e.g., green roof, reduced western mass) have been explored, which amounts to a failure of thoughtful, contextual design. As per Para 134, development of *“poor design that fails to take the opportunities available for improving the character and quality of an area”* should be refused.

- I urge the committee to ask yourselves whether this scheme genuinely reflects fair, balanced, and respectful planning so close to a residential community.

In response to Members’ questions, officers confirmed that:

- The telegraph pole reviewed at planning view is approximately half the height of the proposed building, so the building will stand 1.8m higher than the top of the pole to act as a reference point.
- A sustainability statement was not submitted with the application and the inclusion of solar panels was not discussed during negotiations.
- Details of the planned window glazing has not been provided. One of the recommended conditions covers materials so this could include a window specification as well.

- The proposal will not add any additional pupils to the school but will relocate classes from unsuitable spaces within the listed building to the new block. This will also provide more flexibility to the teaching timetable.
- There were no discussions held prior to the application being submitted. Plans were revised after the planning officer responded to the application with recommendations.
- No objection was raised by the parish council.
- It is not possible to condition measures to reduce the carbon footprint as there are no proposals to add conditions to. It's not possible to add a condition for them to submit details of low carbon materials.
- A condition has been recommended for landscaping details, but this is unlikely to add additional screening due to the parking spaces along the boundary wall.
- It is not possible to control or enforce the internal lighting management to reduce light pollution, but the external lighting details will need to be submitted to and agreed by the council. This will consider both the location and the timing for external lighting.
- The lack of accessibility features such as lifts would be covered by Building Control rather than through a planning application. There will be accessible classrooms on the ground floor.

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

- The lack of accessibility or sustainability features, the lack of a sustainability report, loss of privacy, and failure to introduce mitigating factors to address neighbouring properties concerns were raised as potential reasons to reject the application. The benefits to the school from the change were also felt not to be significant.
- It is very disappointing that a sustainability statement has not been submitted so the Committee are not able to discuss these matters. Consideration should be given to how we have reached this point in the process without a statement. There was uncertainty whether the lack of sustainability measures would be sufficient to reject the application.
- It was felt that from the garden very little of the building would be visible, but it was acknowledged that it will be significantly visible from the bedroom windows. However, within planning law no one is entitled to a view, and the proposal was not felt that it met the requirements to be classed as overbearing. Concern was raised that a rejection on this basis would be overturned at appeal.
- Privacy would not be impacted due to the distance of the building from neighbouring properties and the upper floor windows being obscured. Loss of privacy was also not raised as a concern by residents.
- It was highlighted that the application was not ideal, and the Committee would have preferred significant differences to reduce the imposing nature of the proposal. Sustainability measures, a more beautiful design and sinking of the building were all suggested but it was recognised that the Committee's role is not to redesign proposals but to consider the application before them. Overall,

it was felt that no planning rules had been broken, and the loss of amenity was at an acceptable level.

- Rejection of the application on the grounds of SD14 was considered, based on the unacceptable harm to local amenity caused by the overriding effect of light pollution, and overbearing height of the building in comparison to the boundary wall.

The Head of Planning clarified that internal accessibility issues are matters entirely controlled by building regulations. These are not planning issues so cannot be used as reasons for approval or rejection of an application.

The matter then went to the vote on the officer recommendation to permit:

For: 6 (with Chair's casting vote)

Against: 5

Abstentions: 0

Voted to permit.

9 25/00315/FUL - 5 Cheviot Road, Prestbury, Cheltenham, GL52 5HG

The Head of Planning introduced the report as published.

There were no public speakers on the item.

In response to Members' questions, officers confirmed that:

- There are further buildings in the vicinity associated with CBC that have not been insulated, but the application represents the current phase of work.

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

- Insulation provided to properties within a Member's ward had seen significant improvements. Some concern was raised that the outside of the insulation is a very thin scrim of hard material which can be easily damaged, but this was not seen as a reason to object.

The matter then went to the vote on the officer recommendation to permit:

For: 10

Against: 0

Abstentions: 0

Voted UNANIMOUSLY to permit.

10 25/00457/FUL - Farleigh, Sandy Lane Road, Cheltenham, GL53 9DA

The Planning Officer introduced the report as published.

There were two public speakers on the item: the applicant, and the ward member.

The applicant addressed the committee and made the following points:

- My wife and I want to improve our house, which had been empty for a considerable time before we bought it. Our plans will modernise the property and improve living conditions.
- The property has suffered condensation and damp, opening up and increasing the roof space will improve this issue.
- It is very popular to convert roof spaces in bungalows to increase room space but in order to do this for our property we need to increase the roof height. This is a modest increase rather than a full 2 storey extension.
- We are not increasing footprint and have been mindful of our neighbours' privacy, opting not to put windows at the back of the extension. Instead, we have chosen roof lights placed at a distance as not to cause unacceptable loss of privacy.
- We will also be improving the landscape outside.
- Overall, we want to update the property and bring it in line with modern living standards to make it a suitable family-size home for now and the future. We have worked with the architect and local planning officer, who has considered our plans and recommended them for approval.

Councillor Harvey, as Ward Member, addressed the committee and made the following points:

- This is the second application tonight that has taken no regard to the Climate Supplementary Planning Document (SPD). This was introduced 3 years ago and at the heart of our planning process successful applicants should have taken the SPD into account. I'm disappointed that this has not been taken into account in officers' recommendations tonight.
- I wasn't allowed to circulate my reasons for refusal on legal advice.
- Residents have asked me to comment not because of intrusion by windows, loss of view, or loss of privacy. Their concern is that the mass being increased to the south of them will cast a shadow across neighbouring gardens. They will lose sunlight and the amenity of sitting in their garden to enjoy the sunshine.
- I understand why the property owners wish to make these changes, but I equally understand why other local residents are concerned. The proposal will overshadow their properties and be overbearing.

The Head of Planning clarified that the SPD does set out a number of approaches, including actions for reducing carbon emissions and introduction of renewable energy. However, it encourages those measures but does not demand them. It has

the full weight of a supplementary planning document, but it does not set out any categorical fixed policies that must be complied with. It is a guidance document that encourages developers to follow this approach. As a planning authority we are not in a position to insist that certain measures are put in place.

In response to Members' questions, officers confirmed that:

- There was no parish council objection.
- The roof of the property to the south of the applicant is significantly higher than the current proposal but the exact measurements are not currently available.

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

- Normally solar PV would be a desirable inclusion but for this type of development the financial benefits would be very slim, making it an unreasonable expectation.
- The additional roof height does not seem significant and as the property is set back significantly from the road it would not be visible so could not be considered out of character for the area.
- No major planning reasons were identified for rejection.

The matter then went to the vote on the officer recommendation to permit:

For: 10

Against: 0

Abstentions: 0

Voted UNANIMOUSLY to permit.

11 25/00577/FUL - Imperial Garden, Promenade, Cheltenham, GL50 1QB

The Head of Planning introduced the report as published.

There were no public speakers on the item.

In response to Members' questions, officers confirmed that:

- Unable to confirm whether the hydrotreated vegetable oil (HVO) will include palm oil. The application does state that the oil will be sustainably sourced.
- The less than substantial harm identified in the report is the harm on the settings of the listed building, and harm to the conservation area. Whilst this harm is minor it does still need to be justified and outweighed by the public benefits.
- Not aware of any issues being caused by soil compaction needing to be assessed by the case offer. A condition for the application is that land needs

to be returned to its former condition post deconstruction, included ground and flower beds.

- The ice rink uses real ice.

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

- The economic benefit the ice rink brings to the town is impressive and is one of the town's best features in the winter.
- Pleased that they are still looking at the climate implications of the power supply. Currently not sustainable. Interested to see how investigations into surplus supply are harnessed.
- Disappointed that the mains supply recommendation has not been completed as it has been discussed for many years.
- Concern was raised that as winters continue to become milder it will use more energy to freeze the ice and increase emissions. An alternative roller rink would use less energy.
- The re-turfing of Imperial Gardens has shown deterioration over the years. Soil compaction is a concern, especially as the winter is when local gardens would normally regenerate. One Member was minded to refuse on ecological grounds. They noted that council officers do a fantastic job in ensuring the surface is repaired to their satisfaction, but another 3 years of this structure will worsen issues that are emerging. Concerns were raised that the council may need to completely re-do the garden after this period.
- Another Member felt that the heritage and amenity for the community meant that the economic benefits outweighed the inadequacies.

The matter then went to the vote on the officer recommendation to permit:

For: 8

Against: 1

Abstentions: 1

Voted to permit.

12 Appeal Update

The appeal updates were noted.

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

There were none.