

Cheltenham Borough Council Planning Committee

Meeting date: 17 July 2025

Meeting time: 6.00 pm

Meeting venue: Council Chamber - Municipal Offices

Membership:

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

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Contact: democraticservices@cheltenham.gov.uk

Phone: 01242 264 246

Agenda

1 Apologies

2 Declarations of Interest

3 Declarations of independent site visits

4 Minutes of the last meeting (Pages 3 - 28)

To approve the minutes of the meeting held on 19 June 2025.

To approve the minutes of the Extraordinary meeting held on 4 July 2025.

5 Public Questions

6 Planning Applications

6a 24/02102/FUL - Foster Court, Mendip Road, Cheltenham, GL52 5DR (Pages 29 - 42)

[Planning Application Documents](#)

6b 25/00325/LBC - Spring Bridge, London Road, Charlton Kings, Cheltenham (Pages 43 - 50)

[Listed Building Consent Application Documents](#)

6c 25/00849/LBC - 53 Pittville Lawn, Cheltenham, GL52 2BH (Pages 51 - 56)

[Listed Building Consent Application Documents](#)

7 Appeal Update (Pages 57 - 92)

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



Cheltenham Borough Council Planning Committee Minutes

Meeting date: 19 June 2025

Meeting time: 6.00 pm - 7.41 pm

In attendance:

Councillors:

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

Also in attendance:

Nicole Golland (Principal Planning Officer), Chris Gomm (Head of Planning), Victoria Harris (Planning Officer), Michelle Payne (Senior Planning Officer), Michael Ronan (Lawyer) and Ben Warren (Senior Planning Officer)

1 Apologies

There were none.

2 Declarations of Interest

Councillors Wheeler and Oliver declared an interest in item 6b due to personal connections with the applicants and confirmed that they would withdraw from the meeting during this item.

3 Declarations of independent site visits

The following Councillors attended all sites during Planning View:

- Councillor Frank Allen
- Councillor Adrian Bamford
- Councillor Garth Barnes
- Councillor Jan Foster
- Councillor Tony Oliver

- Councillor Steve Steinhardt
- Councillor Simon Wheeler

Councillor Andrews declared that he had independently visited site 6b and 6c.

Councillor Clark declared that she had independently visited sites 6a, 6b, 6c and 6d.

4 Minutes of the last meetings

The minutes of the meeting held on 22 May were approved and signed as a correct record.

The following amendments were made to the minutes of the Extraordinary meeting held on 29 May, which were then approved and signed as a correct record:

- Within the Member debate section:
 - *"It proposes a huge number of services, including the provision of schools, GPs, the health centre, and dental suite. The community spaces were also praised. Often a lack of community is seen in the modern era, the play areas and sports facilities will be of huge benefit in this. It was positive that many of the services are included within the first phase of development, which will therefore be of beneficial to existing and as well as the developing communities."* Was changed to read: *"It proposes a huge number of services, including the provision of schools, GP allocation, the health centre, and dental suite. The community spaces were also praised. Often a lack of community is seen in the modern era, the play areas and sports facilities which will of huge benefit in addressing this. It was positive that many of the services are included within the first phase of development, which will therefore be beneficial to existing communities, as well as the developing communities"*.
 - *"Concern was raised over traffic ultimately being the big sticking point, with lanes not adequate for the number of vehicles that can be expected to be seen and the uncertainty around the Junction 10 improvement works Government funding."* Was changed to read: *"Concern was raised over traffic ultimately being the big sticking point, with lanes not adequate for the number of vehicles that can be expected to be seen and the uncertainty around the Junction 10 improvement works and Government funding."*

The amendments to the minutes of the Extraordinary meeting held on 29 May were approved by 9 votes in favour with 2 abstentions, and were then signed as a correct record.

5 Public Questions

One public question had been submitted. As the questioner was not present in the chamber, the Chair did not read out the question. The question and written responses were taken as read and will be recorded in the minutes of the next meeting

1. Question from Mr Richard Lawler to the Chair, Councillor Garth Barnes, and the Head of Planning, Chris Gomm

I have been reflecting on my recent experience with the planning portal, particularly in relation to the Folly application, and I've also received feedback from residents who felt let down by the system after submitting their comments. A common concern was the lack of notification when the application was scheduled for consideration by the Planning Committee.

In light of this, I'd like to suggest one simple change to improve public engagement and trust in the planning process: That anyone who submits an objection or comment on a planning application is automatically notified when that application is due to go to committee.

This seems like a modest but meaningful improvement. From what I understand, it could potentially be implemented within the existing planning portal—possibly just by enabling an existing notification setting in the back end.

I hope Cabinet will consider this as a practical and low-cost step towards improving transparency and inclusion in the planning process.

Chair and Head of Planning's response

Thank you for your feedback. By registering on our public access website the progress of applications can be tracked, including automated notifications when the status of an application changes. This automated notification does not include referral to committee however nor committee dates. It is agreed that the notification process would be improved by Mr Lawler's suggestion. We will take this away and discuss with our IT colleagues. Our public access system is provided by a third party (Idox Software) which provides a significant number of local planning authorities with the same system so any changes may be dependent on the capabilities of that system.

6 Planning Applications

7 24/01868/FUL - 151 Prestbury Road, Cheltenham, GL52 2DU

The Principal Planning Officer introduced the report as published.

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

The objector addressed the Committee and made the following points:

- Addressing the Committee on behalf of a group of objectors. They raised concerns that they had had inadequate time to respond and believe the process is unfair. As they only received the officer's report and recommendation on Friday, they had fewer than five working days to review it so had been unable to respond meaningfully to the report due to work and family commitments. As objectors they have not been provided with

comparable access to information and discussion as that granted to the applicant throughout the process, as reflected in the applicant having months of pre-application discussions and throughout the consultation period. This means there is not a level playing field for objectors.

- Policy SD9 requires a 10% biodiversity net gain, but the officer's report confirms that there will be a 39.7% net loss of habitat units. No formal confirmed mitigation has been identified, and no clear plan is included. They asked that the application does not proceed until a deliverable biodiversity gain plan is secured.
- The officer report calling this underutilised land is deceiving. It was a private garden until developers had trees removed and building contractors dug the surface garden into a central mound, covering debris from the extension at 151 Prestbury Road. If accepted this sets a precedent that anyone with a garden large enough could class it as underutilised land and build on it regardless of character, impact or infrastructure. It undermines Cheltenham's Garden Land SPD and policy D1 on overdevelopment. The dwellings footprint, closeness to neighbours, and overbearing presence were all acknowledged in the report, yet the application was still recommended for approval, directly contradicting the spirit of local policy and guidance.
- Residents have raised concerns around loss of local amenity through overshadowing, privacy loss, and glare from solar panels – all in breach of policies D1 and SL1. No daylight/sunlight assessment has been provided.
- The site plan inaccurately includes the house and front garden of 151 Prestbury Road, misleading Members about the development's scale and context.
- Concerns were raised about highway safety due to the plan's limited turning room, in breach of policy INF1 which mandates safe access and suitable parking. Recent comments from the Highway Safety consultant raised that there are conflicts with original plans submitted for 151 Prestbury Road, which have not been addressed.
- The modern character of the design and materials chosen do not align with the Edwardian context in conflict with policy D1 and SD4, which stresses the need for contextual respect. The modern proposal is incongruous with surrounding properties. Maybelle is cited as a recent development precedent, but this property does not have windows overlooking neighbouring properties on three sides.
- The public have submitted significant evidence, supporting videos and photos across the consultation periods. They have no assurance that Members or officers have been able to review all of those.
- They are also concerned that the applicant has made private offers of new fencing. Whilst the boundary between 149 and 151 Prestbury Road did benefit from a new fence in the process the boundary was altered. Photo evidence of this change was provided to officers. In the case of 153 Prestbury Road, an offer of land exchange was also made for the use of their garage as a suggested mitigation to one objection.
- Following a party at 151 Prestbury Road over the weekend, neighbours are concerned that this is being used as an unregulated house of multiple occupation (HMO). Concerns that this and the new dwelling may both become unregulated HMOs have not been addressed.

- In conclusion the application fails to meet key planning policies: D1 (poor design), SL1 (harm to residential amenity), INF1 (unsafe access), and SD9 (biodiversity net loss). From a personal perspective this process has taken its toll from the way the application has been handled. There have been multiple retrospective design changes during the process that have not been made clear or transparent. This has damaged the peace and quality of life of residents, and if this development goes ahead several longstanding residents have expressed that they will move.

The applicant addressed the Committee and made the following points:

- The proposed development is in Cheltenham's principal urban area. There are other garden developments in the area, such as Maybelle and the Coach House. The application should be supported as it aligns with the Joint Core Strategy (JCS) SD10 and the National Planning Policy Framework (NPPF) for sustainable development in a well-connected location.
- Since the first planning refusal, the applicant has worked closely with the planning team as recommended in the pre-application planning process to ensure the refusal reasons raised have been addressed. This has resulted in a reduction of height to a single storey dwelling, moved further from the neighbouring boundaries, and updated to red brick design keeping with surrounding buildings. The applicants have reviewed the design against the BRE 2009 standards for daylight, sunlight, and overshadowing and privacy standards to confirm they have been met.
- The site coverage is only 22% of the plot. This is better than a lot of other planning approvals in the areas around Prestbury Road which take up 40% of the plot. Similarly, the proposal provides 200sqm of private amenity space, significantly above the average of 70-80sqm for local developments. Some garden developments on Prestbury Road have only 20-40sqm. The building is centrally located on the plot to try to further avoid overbearing impact or loss of light. Fencing and landscaping will help assure additional privacy.
- The building will improve the current street scene as it will be replacing an overgrown site and an old garage with an asbestos roof.
- In terms of landscaping, some trees were lawfully removed in 2013 to help with sunlight, daylight and overshadowing. Whilst some people were unhappy with the change there have also been positive comments from neighbours due to improved sunlight, daylight and satellite signal. New planting will be a condition of approval, which should help soften visual impact and maintain privacy.
- To address concerns about ecology the applicants have made contributions to mitigate pressure on the Cotswold Beechwoods SAC. The council ecologist has also confirmed that the proposal meets the 10% biodiversity net gain requirement. Which contradicts the objector's statement that there would be a 39.7% net loss of habitat units. The officer confirmed in their presentation that contributions to mitigate pressures on the Cotswold Beechwoods SAC had been made.
- To improve sustainability the design includes solar panels, an air source heat pump, and a sustainability statement confirms that they want to put in an EV charging point, natural ventilation and solar gain by design. This complies with JCS policy SD3 and Cheltenham Climate Change SPD.

- The site lies on a flood zone 1, so there is no flood or surface water risk. It is also proposed that a sub-report on sustainable drainage is produced as well.
- They have worked with Highways officers to address their original concern that a car wouldn't be able to get down the drive. They have been satisfied by the tracking plans that 2 vehicles will be able to get down the proposed drive in a forward gear. This meets policy INF1.
- The development will support local jobs, using local builders' merchants, and skilled local labour.
- Single storey properties aren't normal for the area; it is offering different style housing that will support those who struggle with steps.
- To address concerns raised in objections:
 - o No HMO license has been applied for, and a change of class has not been submitted.
 - o This is a secure single-storey dwelling, so it is unlikely that criminals would enter the plot to access other dwellings.
 - o 149 Prestbury Road have confirmed that there is no boundary dispute with the applicant following the erection of a new fence.
- The applicant has worked closely with planning officers to ensure the proposal is policy compliant in terms of location, design, amenity, biodiversity, highways, drainage and sustainability. They respectfully ask the Committee to support the officer's recommendation to permit the application.

In response to Members' questions, officers confirmed that:

- The officer report was published on the planning portal on Friday morning, which is within the requirement for 5 working days. There was a full period of consultation carried out after the second design was submitted.
- Highways were originally concerned about the lack of tracking for the internal site within the application but were satisfied with this element once it was provided by the applicant. Highways were not satisfied that as part of the application no. 151 would lose a parking space, however officers feel that the remaining space is reasonable for the property. Officers felt it would not be reasonable to reject the application on the basis of the lost space, particularly as the property is well located and connected to public transport. The new proposed dwelling would have two parking spaces.
- The landscaping condition will also cover hard surfaces such as the driveway and will include what material is used. Currently believe this will be a permeable surface based on the sub-strategy.

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

- Can see how this may impact on some of the neighbours, particularly no. 153 which will be left with a very small garden. However, this is the garden that is present today and the application matches the current boundaries of the properties.
- As this is a single storey building it should not significantly change views from neighbouring properties.
- Concern was raised over the silver birch in the southwest corner as it was felt that the condition that it must be retained for 5 years was not sufficient protection. It was suggested that a tree protection order (TPO) should be issued instead. As the garden is not very big, the residents in the new property might feel that removing those trees would be advantageous.

- The application has gone through a lengthy process of discussion and amendment, which has brought us to a reasonable situation.
- Biodiversity will be addressed through conditions if the application is approved.
- They recognise why the application was referred to the Committee as the design has been squeezed into the maximum space and could be considered overdevelopment. Could not see a satisfactory reason for refusal on planning grounds.

The Principal Planning Officer clarified that a TPO could not be implemented through a planning condition, but the tree department could choose to introduce a TPO in the future. The wording of the landscaping plan condition will include these trees, paragraph 6 states: *“Any trees or plants indicated on the approved scheme which, within a period of five years from the date of planting, die... shall be replaced.”*

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

For: 8

Against: 1

Abstentions: 2

Voted to permit.

8 24/02082/FUL - The Garden House, West Drive, Cheltenham, GL50 4LB

Councillors Oliver and Wheeler left the meeting.

The Senior Planning Officer introduced the report as published.

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

The objector addressed the Committee and made the following points:

- Speaking on the behalf of residents of Wellington Square which is recognised as one of the finest Regency squares in Cheltenham, if not nationally. It is a heritage asset to the town and is of historical importance. It lies within a conservation area, is truly unique and has been safeguarded for almost 200 years. The residents are, rightly, subject to stringent planning restrictions in relation to even the smallest details on their own properties.
- Understand the shortage of housing stock and the pressure upon the council and accept that the plot of land in question is potentially suitable for development. From the outset we made a proposal which would permit development of a new house, following the line of the most relevant property – that of the close next-door property, Rosehill House. We believe this to be a reasonable compromise intended to minimize harmful impact, but it has been ignored.
- There has been widespread opposition:
 - o Firstly, from a very large numbers of residents.

- Then, the independent planning consultant report (David Jones, January 2025 and March 2025) concluded that the proposed development and development revised conflicted with policy and identified a compromise: re-siting of the proposed dwelling to the eastern boundary adjoining Wellington Lane was the answer. It would maintain the openness of the site, alleviate concerns regarding overlooking/amenity issues and reflect a type of development more consistent with the historic environment.
- The Planning Officers originally told the applicants to re-think because the proposal in *"this sensitive location was considered to be harmful to the character of the area"* concluding that it was too big for the plot and the design approach was inappropriate.
- The Cheltenham Architects Panel advised it to be *"an over development of the plot... and was harmful to the wider street scene."* They have not been consulted again on the revised proposal.
- There have been a number of recent developments: the applicants have sold (subject to contract) the Garden House, the new owners' intentions are not known; the owner of Rosehill House sold the property due to the stress caused by the applications and the potential harm to their property if granted; the new owner has sent a firm objection and the applicant's architect, whose house is situated directly opposite this controversial proposal, has also put his house on the market at one point.
- The Civic Society opposes the application, as do both our ward councillors.
- I refer you to two principal grounds for refusal:
 - Design, layout and siting -
 - The siting of the dwelling house in the revised proposal remains the same but has not materially lowered in height and still maintains an obtrusive and forward building line.
 - The revised design provides for a house which is marginally smaller but there is now a far larger two-storey garage/Coach House (increased in size from 28m² to 126m² with a west facing balcony at the upper floor); the overall increase in floor area is 30%.

So:

- The garage is now effectively a second building capable of being a dwelling contrary to the planning officer's advice that one single home was suitable.
- The massing has increased such that it would still constitute an overly prominent and discordant feature. Remember the Architects panel said this could be an overdevelopment in limited space.
- The proposal will neither preserve nor enhance the conservation area and will negatively impact the setting of the listed buildings: that was what the planning officer had meant by the "sensitive nature" of the location. This harmful impact to heritage assets (the conservation area, the listed buildings of Wellington Square and the character of the area) is contrary to policy.

- We fundamentally disagree with the assertion made by the planning officers that the proposed siting of the dwelling would respect the historic and established building line of the properties on Wellington Square. The historic line relates to the historic houses on Wellington Square. The reasoning is flawed. That line was interrupted when it came to build Rosehill House, which was set back from that historic line and for good reason: Rosehill is of contemporary design of a wholly different character to the historic line of houses. It sets a precedent as to how to successfully accommodate contemporary buildings into a conservation area and an historic environment. Consistency is required here.
 - Impact Upon Neighbouring Amenity - The window-to-window separation distance (proposal to Rosehill) remains well below 21m in breach of the standard required. It is not cured by frosting of windows or by screening from trees. The existing trees will be cut down and will take 20 years to regrow.
- These plans are in breach of the Framework. There is no benefit to the scheme, and they respectfully ask the Committee to refuse these plans and request that the owners resubmit plans for an appropriate property in line with Rosehill.

The applicant addressed the Committee and made the following points:

- Speaking in support of the application on behalf of the family, who lived at Garden House for over 45 years. They were respected and well loved by their community, and they loved their home and their town.
- Over the years they were regularly approached by developers looking to acquire a plot of their garden. The family has always been keen to prevent developers putting a block of flats or inappropriate buildings in the garden.
- They were pillars of the community. They loved Cheltenham and were active members of many organisations such as the Civic Society and Friends of Pittville. As regular church goers, they were instrumental in keeping and turning St Mary's parish church into a minster.
- Unfortunately, a few years ago due to changes in their personal circumstances, including the death of one of the owners, the remaining owner decided they no longer wanted to live in the house and decided to go into a care home to avoid burdening their children. As you might imagine care home fees are very expensive and unfortunately the Garden House valuation was less than anticipated, the property being the owner's major asset.
- Applying for planning permission is a way for them to maximise the value of the house to support any future care needs. The family's desire is to leave the Garden House with a significant garden and develop a new property respectful of the surroundings rather than maximising value. This application allows them to protect the Garden House as an important Pittville property and avoid its demolition and replacement by overdeveloped flats as has been proposed for this site by developers and planning consultants. Sadly, this has happened all too often in the local area – with examples at Morcote Villa, St Martins Terrace and Lawnswood Court where firms with deep pockets and patience have been able to overcome local opposition.

- The architect, a near-neighbour of the house, worked with them to deliver this vision whilst reflecting the planning desire for a contemporary rather than pastiche property. The applicants have worked closely with the planning team from a pre-planning assessment in 2024 and have developed multiple iterations in response to feedback to ensure that the house is in keeping with its surroundings and neighbours' properties. The application is now for a single storey garage, not a double storey.
- Money and time have been spent working in conjunction with the planners to ensure a high-quality design that is in harmony with the surrounding buildings which are of varied design.
- In its current format the Garden House plot has a much bigger garden than all surrounding properties and can easily support substantial development. The proposal is for one detached house with garage and a good-sized garden. The main building is in line with the others on the street. It does not reduce available street parking by having only pedestrian access from West Drive and a rear garage with parking spaces.
- Whilst subjective opinions will always vary on any design, they believe the plan is well developed and sympathetic to the area. The plan increases the housing stock locally without negatively impacting the area whilst allowing the Garden House to continue to as a large family home with generous garden for future generations.
- In summary this proposal has been continuously developed with the support of the planning team to meet planning requirements, reflect local feedback without over-developing this important plot of land in Pittville. The proposal adds to housing stock within Cheltenham and meets all the planning requirements. The development will support the owner's future needs whilst leaving a legacy of the house and area that the family loved.

Councillor Garcia Clamp, as Ward Member, addressed the Committee and made the following points:

- Attending to support the view of large numbers of residents of Wellington Square and adjoining streets as well as to present the opinion of both Pittville Ward Members.
- Considering the existing plot of Garden House and the council's pro-development stance, development of the plot should be permitted. However, they are opposed to the development as currently proposed. The Council unanimously supported Councillor Tooke's motion for the appropriate use of materials in street repairs to maintain the character and feel of these beautiful, connected, historic Regency squares. Both squares that will be affected by this development are within the conservation area.
- The objection is based on the principal of protection and retention of the Regency, and unique architectural environment of this area of Pittville. Strongly feel the development on the current design fails to do this. The design is unapologetically contemporary and is jarring in both scale and design language. It will produce a negative impact on the architectural cohesiveness of the area and the more appropriate later additions to it, such as Garden House itself or Rosehill House.
- The property will be nestled between two more modern builds, evidently much later than Regency, but their design and, more importantly, placement is much more sympathetic to Wellington Square. Both are set back from the

main road and shielded by vegetation. The trees proposed in the new development will take decades to grow.

- Rosehill House is much more pertinent to this case as it sets a clear and sympathetic precedent for development in the conservation area. It is more discrete, and less intrusive in scale and design compared to the proposed development, causing minimum impact on street view. The CGI images provided do not accurately portray the scale as the street is narrower than shown.
- Therefore, on behalf of a large number of residents and its councillors they ask that the Committee reject the application based on the detrimental impact on the conservation area, and the dangerous precedent that it may set for future developments within it. They would encourage a new proposal which provides a more sympathetic and heritage conscious development and does not break so radically with the architectural environment of the area.

In response to Members' questions, officers confirmed that:

- The scheme has gone through consideration of alternative options. Re-orientating the house was discussed with the applicant but they ultimately felt that the scheme would not achieve what they were looking for due to the difficulty of providing off-road parking access from Wellington Square.
- The first submission did include a two-storey garage, but the current application has revised this to a single-storey garage with a flat roof.
- The Architects' Panel and Civic Society are not consulted as statutory bodies. They select what they wish to comment on from the weekly planning list.
- There is no clear definition of 'visually attractive' within the NPPF as it is a subjective matter. From an officer's perspective they feel the design submitted is acceptable overall and in line with policy.

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

- Think there are many good reasons to support the scheme as there is enough space for development. However, there are concerns around screening and around the design. Do not think it fits the area and the streetscene, and the design is garish. Whilst this is a subjective matter some Members felt they could not approve the application for these reasons and due to the impact on the Regency squares.
- Having previously worked with architects it was felt that some of the issues with the design could have been overcome by building the garages in the basement and setting the house back. The impact of the design would then have been minimised. Regret that this applicant has focused on maximising profit over their love for Cheltenham.
- There was concern that the garage may become an AirBnB in the future, so it was important that it had been confirmed that the application specified a one-storey garage.
- Another Member felt that it was important to remember that attractiveness is subjective as they felt the design would have looked worse if it had tried to mimic surrounding properties which could have been more jarring to the landscape than a modern frontage. Contrast can provide interest to an area. Although this is within the conservation area, it is important to remember that Cheltenham is not a Regency theme park. It was also noted that there were other modern houses in the area.

- Concerned over the loss of vegetation given the regrowth time but it was noted that the neighbourhood does have a large number of trees and is located close to Pittville Park.
- Concern was raised that refusal on the grounds of appearance might not stand up to appeal.

The Senior Planning Officer confirmed that the applicant was advised throughout the process that trying to replicate the Regency building style would not work. They have followed that advice. They reminded Members that the NPPF requires a presumption in favour of development unless a strong reason for refusal is identified in terms of impact on heritage assets or any identified harm would outweigh the benefits. If deciding to reject the application Members should provide specifics on the harm it will cause and consider the heritage impacts separately.

The matter then went to the vote on the officer recommendation to permit subject to S106:

For: 5

Against: 2

Abstentions: 2

Voted to permit subject to S106.

Councillor Wheeler rejoined the meeting. Councillor Oliver sent his apologies for the remainder of the meeting.

9 25/00446/CONDIT - Castle Dream Stud, Mill Lane, Charlton Kings, Cheltenham, GL54 4EP

The Senior Planning Officer introduced the report as published.

In response to Members' questions, officers confirmed that:

- Concerns about sewage (which is managed through a septic tank) would be handled by the private sector housing team rather than through planning permission. Concerns were raised and then closed in 2024 following mitigating actions to address concerns. The private housing team have confirmed no further objections have been reported to date. The planning officer has been on site a number of times and has not seen any evidence of sewage issues currently.

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

For: 10

Against: 0

Abstentions: 0

Voted UNANIMOUSLY to permit subject to conditions.

10 25/00520/FUL - 18 Bournside Road, The Park, Cheltenham, GL51 3AH

The Planning Officer introduced the report as published.

There were two public speakers on the item: an objector and the applicant.

The objector addressed the Committee and made the following points:

- Talking on behalf of residents of Bournside Road who are objecting on the grounds of overdevelopment, loss of amenity, and loss of privacy.
- Twelve objections were received during the consultation, and six letter of support. Objections were on average 1000 words, showing how serious objectors' concerns are. When the location of those objecting is considered, objections from residents living on the road are overwhelmingly negative.
- Bournside Road is mainly made up of detached houses with large gardens and large spaces between the houses. As you walk down the road between the houses you can see trees, hills and Hatherley Park behind the houses, which the SPD references in its description of good design in Cheltenham's suburbs. This streetscape is being eroded through incremental planning decisions that permit overdevelopment of individual plots. They are looking for planning committee to protect the streetscape as defined in the SPD.
- The most overdeveloped property on the street was granted planning permission retrospectively in 2022. It looks like no other house on the road, but the planning officer has chosen this house as the comparator for no. 18.
- The plan shows only a 1m gap between the buildings edge and boundary. This is just enough space for scaffolding to be erected, so the design is as wide as physically possible. The roof reaches the maximum allowed height and the building's mass from the front cannot be any larger. The floor space is increasing by 300% which the planning officer considers a modest increase in footprint. However, compared to typical houses on this stretch of road it is overdevelopment.
- Objectively the plan does not meet the SPD design principles:
 - o The character of the building has not been maintained, as the building has lost symmetry and matches neither the character of the original house or the streetscape.
 - o Due to the much larger roof and side extension taking up half of the visual bulk of the house from the front, instead of supporting the original house the extension and roof dominate it. It is not subservient to the original design.
 - o Space has not been maintained between the buildings. If a single storey garage extension had been proposed the view of trees being the house would have been maintained. The planning officer's report states that there is still a 2m gap and no terracing effect, but the view will still be lost with such a small gap.
 - o Loft conversions should follow the design guidelines and extend into roof spaces. In this proposal the flat roof elevation with Juliet balcony gives the appearance of a third floor. The SPD explicitly states that a loft conversion should not appear as an extra storey on top of the house. The SPD recommends sloping roofs with flush or recessed dormer windows in conversions to prevent overlooking of neighbouring

properties. The loft conversion has not been considered in the report and does not meet the privacy requirement.

- Whilst neighbours can currently look through bedroom windows into gardens, there are minimal reasons for them to do so. By contrast a Juliet balcony is for lingering, watching sunsets, and having drinks. It is on the third floor, higher than existing bedrooms and further back. It will be much more visible once the building is taller and will be sacrificing neighbour's right to privacy, explicitly forbidden by the SPD.
- The scale of the streetscape illustration provided is misleading as the disclaimer states and should not be used in decision making.
- In summary, this application should be refused as it does not comply to SPD design principles. The neighbours understand the need to extend the property to live in and are happy to work with planning officers and developers to reach a compromise.

The applicant addressed the Committee and made the following points:

- The applicants are not commercial developers, and they bought this property with the sole aim of creating their forever home.
- Unfortunately, the property is in a state of disrepair. The roof is 'end of life', and the structure requires complete renovation. The proposed plans seek to restore and extend the property, from a relatively modest four to five-bedroom home.
- They have shown their full commitment to the council's planning process. Firstly, by completing a pre-planning application which raised no significant concerns regarding scale, form or design. Following feedback from a small number of neighbours, they took the decision to make a further series of meaningful revisions. These changes go above and beyond the recommendations of the planning officer. Following the re-submission of the amended plans they were pleased to see a decrease in the number of objections from twelve to six, and were encouraged to receive six letters of support, including from their next-door neighbours and the property opposite.
- Unable to address all of the false claims that have been raised, would like to factually address the main concerns of overdevelopment, privacy and street scene:
 - Overdevelopment - No. 18 sits on one of the largest plots on Bournside Road. Even with the proposed extension, the overall plot coverage remains under 25%, of which 6% is single storey. To reduce the perceived scale further the roof shape has been re-designed, and the conservatory and front porch have been removed. Many other homes on Bournside Road have already extended into their loft space, reflecting a precedent to support evolving family requirements.
 - Privacy concerns – as part of the revision, the size of the Juliet window has been significantly reduced. It has been designed to allow views across their own back garden and TPO trees. Due to the property location on the plot, it is set away from the border of no. 20 and does not overlook their garden. Importantly none of the rear neighbours have objected to the revised plans and one has retracted their original objection. Their next-door neighbour at no. 16 has submitted a letter of support. Full balconies and Juliet windows are already established

elsewhere on the road, demonstrating a clear precedent for this feature.

- Street scene – the street scene is already well-established with significant variations in size, form, design and gapping. Render and cladding finishes are already established in this part of the road, with no. 15 being a prime example. No. 12, three doors down, received approval in December 2024 for a sizeable extension including vertical cladding and received no objections. The street scene drawing provided clearly shows that the proposed extension sits comfortably and proportionately among its neighbours.
- The applicants have followed a thorough planning journey from the pre-application stage to their ongoing collaboration with planning officers to deliver meaningful design revisions. The process demonstrates that they've listened carefully, acted in good faith, and resubmitted plans in response to concerns. The officer's recommendation for approval gives them confidence that the application is both policy compliant and proportionate.
- They are currently renting the property whilst also paying a mortgage. Any further delay, particularly an appeal, would place a significant financial burden on the family. Respectfully ask the Committee to approve this well considered application.

In response to Members' questions, officers confirmed that:

- In terms of a hierarchy of planning documents, the SPD is of lower significance than the NPPF or local plan.
- The street scene was provided by the applicant and does state that it is for illustrative purposes only. The planning officer has not been able to confirm the measurements and can only work on the assumption that they are correct.
- The gap between the houses is as permitted.

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

- A Member noted that he had spent significant time canvassing in this area during the recent election and it is quite an eclectic road. He did not feel that the proposal represented overdevelopment and could see no legitimate reason to object to the application given the recommended conditions.
- On the site visit other houses on the road were much nearer boundaries than no. 18 currently is. The proposal would bring it more in line with other houses on the street.
- It was felt that the designs complied with policy and had been well assessed.
- Southwest Cheltenham have strongly resisted third floor balconies but as this has become a common feature on this road there is precedent in this particular context.
- The council is currently rendering a significant number of council owned properties to improve insulation. The rendering proposed wouldn't be out of character for this property and it would be hypocritical to consider this as a change of character when the council are carrying out the same actions throughout the town.
- The proposal will not overlook other properties and will not be able to see into other windows. It only overlooks gardens and as multi-storey properties are the majority in this area it is inevitable that gardens will be overlooked.

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

For: 10

Against: 0

Abstentions: 0

Voted UNANIMOUSLY to permit.

11 Appeal Update

The appeal updates were noted.

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

There were none.

Cheltenham Borough Council Planning Committee Minutes

Meeting date: 4 July 2025

Meeting time: 2.00 pm - 3.13 pm

In attendance:

Councillors:

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

Also in attendance:

Nicole Golland (Principal Planning Officer), Tracey Birkinshaw (Director of Community & Economic Development), Chris Gomm (Head of Planning), Karen Hanchett (Gloucestershire County Council Highways) and Cheryl Lester (Legal officer)

1 Apologies

Apologies were received from Councillor Wheeler.

2 Declarations of Interest

Councillors Andrews, Dobie and Williams declared that they are councillors at Gloucestershire County Council. They confirmed that they had not been involved in the preparation of the county council's response and were not predetermined on the application.

3 Declarations of independent site visits

Councillors Allen, Barnes, Clark, Oliver, and Steinhardt declared that they had visited the site independently.

4 Public Questions

There were none.

5 Planning Applications

6 23/01875/OUT Land at West Cheltenham Southern Parcel, Fiddlers Green Lane.

The Principal Planning Officer introduced the report as published. The officer noted that late representations had been received from Gloucestershire County Council (GCC), NEMA and the MP but these had not raised any matters not already addressed in the report and had not changed the officer's recommendations. She addressed the following points raised in representations:

- Land Use Parameter Plans – It had been brought to the LPA's attention that there are individuals in the locality with sensitive issues in relation to noise and environmental disturbance. This has been considered and on balance officers are content that noise matters can be dealt with the reserved matters stage. This being from the residential developments surrounding the site and that it can be seen that largely the barriers between the site and the residential dwellings would be mixed use.
- Prematurity – The application has been through an extensive pre-application process and the outline has been with the local planning authority (LPA) for nearly two years. The government requires LPAs to determine applications when they are ready. Following extensive work by officers and the applicant the LPA are able to determine the application, which is why it has been brought forward to the Planning Committee. Joint Core Strategy (JCS) policy SA1 also clearly recognises that there are different approaches to bringing strategic allocations forward.
- Odour mitigation – the site requires Severn Trent Water to undertake mitigation works to remove large parts of the site from odour pollution. The test for the Grampian planning condition attached to mitigate any harm from odour is whether there is reasonable prospect of actions being completed within the time limits imposed by the permission. Severn Trent Water has indicated that this mitigation work will likely be undertaken between 2027 and 2028, further assurance on this timeline was provided to the LPA during meetings with senior representatives of the Severn Trent Water. If works do not come forward within the timescales envisaged the application is presented with appropriate conditions in place to mitigate this.
- Lack of GP Surgery – Whilst it is possible that the St. Modwen application, which does contain a GP surgery, may not come to fruition this is considered unlikely. The current scheme for 576 homes would not justify the need for a GP surgery on its own. When the allocation is considered as a whole there is provision for a GP surgery and the developer of the current application and those at St. Modwen are in agreement. The LPA has taken a pragmatic approach and are satisfied the infrastructure requirements are met. The NHS

has been fully engaged in the process of this application and agree with the approach taken.

- Disconnect between the views of the LPA and GCC – The LPA has been consistent in its approach both in terms of providing evidence to the M5 Junction 10 (J10) development control order examination, through pre-application and this application itself. There is a shared response with Gloucester and Tewkesbury councils to the revisions of the local development guide for decisions to be evidence led and clearly demonstrate the impact arising from individual developments. The Transport model utilised by GCC is a strategic model which does not provide the granular impact assessment of the isolated junction modelling and micro-simulation modelling provided by the applicant. The officer report states that the applicant has not had access to the GC3M model, this is incorrect, the applicant has confirmed they have seen it. However, what has not been seen is the more granular implications arising from that model. The LPA has been clear with GCC on the challenges around S106 and the need to undertake prioritisation in the overall planning balance. The LPA has received KC advice on its S106 prioritisation which found the LPA's assessment to be reasonable and robust.
- Employment Benefits – the letter received from the MP highlighted the employment benefits of the scheme. This scheme includes a nationally important innovation centre noted in the government's modern industrial strategy and will provide extensive commercial space. It will provide approximately 2,426 jobs in total alongside housing provision. The proposal fully accords with the employment ambitions of the Development Plan and Golden Valley SPD. As required by the NPPF significant weight is placed on supporting economic growth in the overall planning balance.
- As regards infrastructure, echoing the JCS, sometimes hard choices have to be made.
- Separate applications from different developers and not all the developers agree.– Despite this is a less-than-ideal situation, the planning application forms a large part of the strategic allocation and includes the development components required by the JCS. The scale of the application site facilitates a comprehensive scheme across the developable area within the strategic allocation allowing infrastructure to be planned holistically in accordance with the JCS requirements and responds positively to the Golden Valley Development SPD and Climate Change SPD.
- S106 Contributions - Officers adopted a balanced and pragmatic approach to S106 obligations, striving to create an appropriate mix of S106 contributions and suitable level of affordable housing for existing and future Cheltenham residents. Although the scheme does not fulfil the entire contribution requested for J10 it will still yield a considerable sum from the West Cheltenham allocation in a manner we are confident meets the S106 tests and is evidence led. There has been representations that the Council as landowner could forgo profits and for there to be a deferral on this basis. However, it was not appropriate to require any landowner to receive less than a normal profit and the profit that has been allowed the developer is typical.

The Principal Planning Officer highlighted the following amendments to the recommended conditions:

- Condition 53 (an odour works condition) – should read “prior to occupation” instead of “prior to construction”.
- Condition 42 (Grampian condition on the J10 works) – GCC have this week requested the inclusion of the term “main works contract” to be added.
- A condition that the development shall not be connected to gas, in line with the conditions granted for Elms Park and the applicant’s energy statement, has been added.

The Principal Planning Officer highlighted that the officer report provides headline figures for the s106 which are not expected to change, but it will be the wording and triggers that will be negotiated by officers post-Committee. Also, that the 120 occupations limit regarding off-site SANG would be within the s106 rather than a Grampian condition as referred to in the officer report.

There were three public speakers on the item: an objector, the applicant’s representative, and a ward member.

The objector addressed the Committee and made the following points:

- Supports the Golden Valley scheme and the golden opportunities it will bring for the people of Cheltenham and Cheltenham Borough Council (CBC) but asks the Committee to defer the application until the s106 and J10 are clear.
- With CBC as the principal owners of the land they also questioned whether there can be a delegation to a single officer and the s106 refused by a single officer, which he believed was wrong.
- Not mentioned in the presentation that J10 is as yet to be fully funded, it is approximately £48m short (and not got the final price yet) and it is not clear what will happen if this funding does not come forward.
- There has been a recent change at GCC, the highways authority, deferring the application would allow work on the s106 and discussions to reach an agreement on how J10 will be funded. The cyber park will happen without J10, but the housing won’t.
- In respect of t St. Modwen’s site, they understood was the building arm of Severn Trent, which they believed has been sold to another company, which may lead to a change in policy on that.
- There are a lot of good intentions within the application, but they are not firm enough and it is important that the time is taken to ensure clarity and transparency to make sure mistakes are not made.

The applicant’s representative addressed the Committee and made the following points:

- Last week the government published its new National Security Strategy. It sets out how the UK will respond to the growing threats we all face in this

increasingly uncertain world. At the heart of that strategy is a clear objective *“to marshal the country’s comparative advantage in science and technology to create new opportunities for working people, as well as putting ourselves at the cutting edge of cyber defence”*. Put simply we need to strengthen our ability to defend against cyber threats and invest in skills and industries that will secure that future.

- That’s why this application really does matter - Cheltenham, Gloucestershire and this project are central to achieving this national goal. Together we can deliver on this mission whilst ensuring the investment this project generates brings jobs, housing and prosperity to our communities. This is a once in a generation, multi-million-pound investment in cyber and advanced technology industries in Cheltenham.
- It has the potential to secure GCHQ’s presence in the town for another 50 years and to create, grow and attract new high calibre businesses and create well-paid high-skilled jobs. It will strengthen not just the local economy but national resilience as well.
- At the core of the application is the innovation centre, a landmark building designed to foster cyber security innovation. This will be the nucleus of the scheme, open to everyone, hosting events, housing startups, SMEs, nearby large corporates, and allowing the public and private sector to work together in partnership in a shared space.
- Skills development and training are also critical to the vision with strong links established with institutions like Gloucestershire College and the University of Gloucester.
- Alongside the employment hub the application includes much needed housing offering a mix of types, sizes and tenures to meet local demand, all set in a high-quality, green environment, connecting seamlessly with surrounding communities and offering them new amenities and opportunities.
- The council chose HBD as their development partner due to its proven track record in delivering outstanding places. It is a long-term partnership built on the shared values of design excellence, sustainability, and ambition. The very qualities needed to deliver lasting success in today’s challenging economic climate.
- Like many towns, Cheltenham faces challenges including the loss of talented young people to larger cities, and the shortage of affordable housing. This application offers a chance to address both and is the driving force behind the employment vision for West Cheltenham and will act as a catalyst for further applications to build on.
- Acknowledge NEMA’s representation but reject their claim that the application is premature. The comprehensive master plan and infrastructure delivery plan clearly outline how shared infrastructure will be secured through S106 agreements in line with standard practice for major developments. HBD has made sustained efforts to work with NEMA, including revising its plans to add a third access point, despite no obligation to do so. This commitment to collaboration is further demonstrated in the good working relationship with Revantage (previously St. Modwens) who together with HBD fully support the

comprehensive master plan and approach taken to delivery of infrastructure. The reality is NEMA have come forward later in the process, their site is landlocked and lacks independent access, and it falls within a natural later phase of development. It doesn't deliver any of the early critical pieces of community infrastructure, so there is no need for it to come forward early. NEMA's request for a joint S106 across all developers is unrealistic and unnecessary, and risks delaying the significant amount of progress made to date.

- Members should be commended for their faith in the project and patience, some tough decisions had to be made. HBD's passion for the project remains as strong as ever. Together we can secure the future of West Cheltenham and, in many ways, the future of Cheltenham itself.

Councillor Jeffries, as Ward Member, addressed the Committee and made the following points:

- Here to represent Springbank, a community that borders the Golden Valley site. This development is not just another planning application, it represents a huge opportunity to bring lasting change to our community but also to Cheltenham as a whole.
- Springbank is a proud, tight-knit, and hardworking community but it is also a place that has been underserved for many years, living with the reality of overstretched services, limited job opportunities, and rising housing costs. In some areas we have ingrained poverty and deprivation. Golden Valley is not seen as just a new business park but as a chance to bring real investment, inclusion, and energy into the community and other communities across our town.
- Support this application and strongly encourage the Committee to approve it but do so with the belief that this approval must carry expectations that the promises made are delivered, especially for communities. Promises like jobs and skills that lift local people. Golden Valley promises thousands of jobs and that could be transformational for Springbank. There are young people eager for a break, skilled workers looking for stability, and families who want a better future. This development can open that door if the commitment is there.
- That is also why we welcome the Social Value Strategy, which identifies Springbank as a key area for employment, skills training, and outreach. Fully support this but urge the Committee to keep a close eye on delivery. Approving this application should mean unlocking those benefits not just on paper, but in the real world. Want to see local recruitment targets, apprenticeships linked to our schools and colleges, and direct engagement with Springbank groups and residents. Give Springbank the opportunity.
- This development delivers shared community facilities and public services like health and education, all of which are extremely important.
- Want to touch on housing that is genuinely affordable. It's one of those issues that comes up again and again in Springbank and other communities across our town. Families are being priced out, young adults can't find anywhere to live near their roots, and even if they can find somewhere private rents are

outrageously expensive and social housing is scarce. That's why affordable housing must remain a central part of this application. Homes for genuinely affordable rent, a mix of unit sizes and tenures, including social housing, provision for families, single people, and older residents alike. A thriving community needs key workers, carers, shop workers, and teachers, and they need somewhere to live. This development must help meet that need and it does not only for Springbank but for the town.

- For every pound that this development has to spend towards J10, it will be a pound less for affordable housing. We all know the system is broken when it comes to planning, more and more is being asked of developers, not just contributions to roads, education, all these things that are asked of developments. Affordable housing always suffers, I know committee members share my frustrations when this happens. So, in my view, J10 needs should be an infrastructure cost that the government deals with. That would be in an ideal world. Until then I trust the local planning authority, our officers to find the right solution to the current S106 deliberations.
- Let this be a turning point for Springbank and for Cheltenham, and for what an inclusive, exemplar development can look like in practice. Golden Valley can be a game-changer, not just for businesses and innovation, but for people. A real opportunity for local people now and into the future. Approving this application must mean delivering the social value, the jobs, the services, and the housing that Springbank and the wider community urgently needs and that this application promises.

In response to Members' questions, officers confirmed that:

- Social and affordable housing is being considered within viability assessments for the other applications within the allocation. A viability assessment has been received for St. Modwen and is being discussed. The HBD North development is subject to a viability assessment. Currently have not received a viability assessment for NEMA, but this development is less progressed so it may follow.
- Exact measurements or dwelling locations are not being prescribed as this is an outline application. At the reserved matters stage, the impact of overshadowing and overbearing, impacts on those residents adjacent /existing houses to the development will be considered. Within the design code they are showing typographies that are either work from home mews type dwellings, also terraces. There would be the opportunity for gardens and space to be given as prescribed in the design code.
- Due to the need to carry out prioritisation to reach the right balance between S106 contributions and affordable housing, the libraries provision originally requested by GCC (which specified the money they were seeking could be used for a new library in Cheltenham hypothetically) was reduced to a third. Officers believe overall that this is still providing significant funding which can be used to improve services in and around the area. It is also within GCC's

gift in the future to apply for CIL funding, which will be over £1m from this development, that could be to put towards a library.

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

- Members thanked officers for providing a briefing which allowed technical questions to be asked in advance of the meeting.
- Cheltenham has transformed over the decades from a centre for army retirees, to a focus for the insurance and defence industry. This development will secure the future of Cheltenham for their children and grandchildren and change the nature of Cheltenham again. Do not want Cheltenham to just be somewhere for the rich to retire but want to provide jobs for the people who live in the town and secure their future.
- Elms Park was the start of a new chapter for Cheltenham and this development will be the second page. It is important to stress the economic importance of the scheme; it is very rare to see a development of this size come forward with such strong employment opportunities. People are struggling for work and to afford the accommodation, this application will have a big impact for Cheltenham. Acknowledge that the situation with J10 and GCC's comment are not ideal but Cheltenham is also struggling with the lack of affordable homes, and this development will still provide a substantial contribution to J10. J10 will not be able to be funded all through CIL money, it is a government priority to provide money for the infrastructure.
- Whilst one Member supported the development in principle, they did not feel they could support the application due to the shortfall in affordable housing as it does not reach the 35% target. Whilst the residual requirement could be delivered off-site there is a shortage of housing land in Cheltenham to provide this. They were concerned that this would set a precedent for other developers. They also highlighted that this could lead to a disproportionate level of affordable housing on other sites and it is crucial that affordable housing should be evenly distributed throughout development sites, to avoid creating larger areas of relative poverty. Perhaps it is time for developers to accept lower levels of profits than is currently seen as acceptable.
- This application has been in gestation for a long-time and it is about time that it is delivered. It will have many positive aspects for Cheltenham, the whole of Gloucestershire and nationally. It will produce economic positivity, mixed housing, and affordable housing. Have to be pragmatic about pushing the project forwards.
- They thanked officers for circulating the advice from counsel which clarified the areas of disagreement without using legalese.
- Important to recognise the bigger picture and the threat to national security from cyber threats, AI, nanotechnology, and new threats that are emerging. Powerful leaders are warmongering and actively disrupting outcomes around the world. Vitally need research, analysis and defence against these new threats to our security. The innovation centre's importance for national government is a high point for approval.

- Strongly support the business case for Golden Valley. Worked for GCHQ including several years for national security and recognise the case from both the national security grounds and the opportunities for local communities. Report recommendation clearly sets out that officers will work to resolve the J10 issue and provisions are in place if this is not possible, so it was not felt that the application should be delayed on that matter. It is important that momentum is maintained. It was also felt that given the Secretary of State for Transport has acknowledged that J10 is vital, central government should provide the funding to Highways England.
- Whilst the application does not hit the 35% of affordable housing, there still has affordable housing going into this parcel. They did not accept having lots of affordable and social housing encouraged deprivation, would mean the opposite, means people will have more money in their pockets.

The matter then went to the vote on the officer recommendation to delegate authority to the Head of Planning to permit the application subject to:

A) the conditions as set out (as amended) or substantially similar as may be agreed under delegated authority given to the Head of Planning; and

B) completion of a S106 obligation and/or other legal document to deliver the infrastructure and other mitigation, as set out in this Report at paragraphs 7.352-7.356, and for alterations to s106 heads of terms as may be agreed under delegated authority given to the Head of Planning in consultation with the Chair and Vice Chair of the Planning Committee.

C) In the event that the S106 obligation and/or other legal document remains unsigned nine months after this resolution, that the application is reviewed by the Head of Planning in consultation with the Chair and Vice Chair of the Planning Committee, and if no progress is being made delegated authority is given to the Head of Planning to refuse the application in the absence of an agreed S106 Agreement.

For: 9

Against: 1

Abstain: 0

Voted to permit subject to conditions and s106 with the delegations set out in the officer recommendation.

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

There were none.

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APPLICATION NO: 24/02102/FUL		OFFICER: Mrs Victoria Harris
DATE REGISTERED: 18th December 2024		DATE OF EXPIRY: 12th February 2025 Extension of time: 21/07/2025
DATE VALIDATED: 18th December 2024		DATE OF SITE VISIT:
WARD: Oakley		PARISH:
APPLICANT:	Cheltenham Borough Homes	
AGENT:	MHP Design Ltd	
LOCATION:	Foster Court Mendip Road Cheltenham	
PROPOSAL:	Proposal for new secure bin store away from curtilage of building, including new access path and proposed screening planting including biodiversity mitigation planting.	

RECOMMENDATION: PERMIT



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 Foster Court is a large, two-storey, brick-faced building located on Mendip Road. The building is sub-divided into a number of self-contained flats. The site is open, with several trees located adjacent to the northern site boundary. The character of the surrounding development is predominantly two-storey and residential.
- 1.2 Planning permission is sought for the erection of a secure bin store within the curtilage of Foster Court, along with new internal access paths and screen planting.
- 1.3 This application is before the Planning Committee because the applicant is Cheltenham Borough Council.
- 1.4 An earlier application (ref: 24/01451/FUL) for a bin store was withdrawn. In that proposal, the bin store was positioned closer to the highway, beyond the building line of Foster Court. Officers considered this location to be harmful to the street scene. Officers suggested that the bin storage be located in the rear courtyard of the building. However, the Design and Access Statement confirmed: *"This was reviewed and deemed inappropriate due to its proximity to an emergency exit, ground floor windows, residents' sheds, and the neighbouring property. It would not have been considered compliant, and an alternative solution was sought."*

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Principal Urban Area

Relevant Planning History:

16/02320/CLPUD 18th January 2017 CERTPU

Replacement windows to the following properties, 1-6 Foster Court, 1-6 Hanna Boote House, 1-8 George Maisey House, 1-8 Norton House, 1-10 and 30 - 39 Lynworth Place, 1-21 Naseby House, 7-35 and 36-47 Popes Close, 110 (A to D) and 126 to 132 (even) Alstone Lane, 122 - 126 Brunswick Street

24/01451/FUL 3rd October 2024 WDN

Proposed bin store including new access path and proposed screening planting.

3. POLICIES AND GUIDANCE

National Planning Policy Framework

Section 2 Achieving sustainable development

Section 4 Decision-making

Section 8 Promoting healthy and safe communities

Section 12 Achieving well-designed places

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

Section 15 Conserving and enhancing the natural environment

Adopted Cheltenham Plan Policies

D1 Design

SL1 Safe and Sustainable Living

Adopted Joint Core Strategy Policies

SD4 Design Requirements

SD9 Biodiversity and Geodiversity

SD14 Health and Environmental Quality

Supplementary Planning Guidance/Documents
Cheltenham Climate Change (2022)

4. CONSULTATIONS

See appendix at end of report

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	13
Total comments received	1
Number of objections	1
Number of supporting	0
General comment	0

- 5.1** Thirteen letters were sent to neighbouring properties. In response to this publicity, one objection was received. The concerns raised related to the loss of open space and the potential conflict with existing trees.

6. OFFICER COMMENTS

6.1 Determining Issues

- 6.2** The key issues for consideration are the design and layout of the proposals and their impact on the character and appearance of the street scene and amenities of neighbouring land users and biodiversity net gain.

6.3 Design and amenity

- 6.4** The proposed layout includes one refuse bin enclosure, located adjacent to the eastern site boundary, along with the construction of a new footpath. The bin store would be enclosed and partially screened by soft landscaping and a hedgerow. The bin store does not extend beyond the building line of Foster Court.

- 6.5** The structure would be constructed using 2-metre-high paladin mesh panels with a swing gate for access and finished in a moss green colour. Officers acknowledge that the 2-metre height is relatively tall, and the upper sections of the bin store would remain visible above the proposed hedge screening (once established). However, the overall footprint of the structure is modest, it is set back from the road frontage, and new screen planting is proposed around it. These factors help to reduce the visual impact of the fencing on the street scene.

- 6.6** In conclusion, the proposal is not considered to result in significant harm to the character or appearance of the street scene, and any harm identified is not sufficient to warrant refusal of the application. Furthermore, similar proposals for bin store enclosures have recently been approved on other Cheltenham Borough Council sites.

- 6.7** The bin store is located close to two large trees. The Council's Tree Officer has reviewed the proposal and, following the submission of a suitable Tree Protection Plan, has raised no further concerns. The Tree Officer's comments are set out in full at the end of this report.

- 6.8** Given the separation distances from building elevations and windows, there are no concerns regarding neighbour or occupier amenity.

- 6.9** In light of the above considerations, the proposed development adheres to the objectives of Policies D1, SL1 and GI3 of the Cheltenham Plan and policies SD4 and SD14 of the Joint Core Strategy.

6.10 Sustainability

- 6.11** Section 14 The NPPF prescribes that the planning system should support the transition to a low carbon future in a changing climate. This is a key theme and objective of the Cheltenham Local Plan. This aim is recognised in Policy SD3 of the JCS, which sets out an expectation that all development should be adaptable to climate change. The Cheltenham Climate Change SPD (adopted June 2022), sets out a strategy for decarbonising homes over the next decade.

- 6.12** Unfortunately, the applicant has not provided a Sustainability Statement/Checklist but given the nature and scale of development proposed and the potential significant gains in the biodiversity of this site, the lack of any other direct response to the SPD is considered acceptable.

6.13 Ecology and biodiversity net gain

- 6.14** JCS policy SD9 seeks to ensure that new developments contribute positively to biodiversity and geodiversity. Similarly, paragraph 187 of the NPPF requires decision on planning applications to minimise impacts on and provide net gains for biodiversity.

- 6.15** In addition, a minimum biodiversity net gain (BNG) of 10% is now a statutory requirement for minor developments (albeit there are some exceptions), and the mandatory BNG condition is applicable to this development.

- 6.16** The Council's Ecologist has reviewed the application, and advised that a mandatory 10% Biodiversity Net Gain (BNG) requirement is applicable to the proposed development. As such, the applicant provided an sites biodiversity metric and BNG Assessment report. The BNG calculations demonstrate a 23.97% gain in habitat units. The EO considers that a net gain over 10% is achievable for this site.

- 6.17** As the proposals will not be 'significant' gains in biodiversity, a S106 is not required in this case.

- 6.18** The EO recommended conditions are attached and re-worded where necessary.

7. CONCLUSION AND RECOMMENDATION

- 7.1** For the reasons outlined within the report, the officer recommendation is to grant planning permission, subject to the following conditions and informatives. The mandatory BNG informative would also be added to the decision notice.

- 7.2** The applicant has agreed to the terms of the 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 development shall not commence until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the approved Biodiversity Gain Plan and including:

(a) a non-technical summary;
(b) the roles and responsibilities of the people or organisation(s) delivering the [HMMP];
(c) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
(d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and
(e) the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority,
has been submitted to, and approved in writing by, the local planning authority.

Notice in writing shall be given to the Council when the:

(f) [HMMP] has been implemented; and
(g) habitat creation and enhancement works as set out in the [HMMP] have been completed.

No operations shall take place until:

(h) the habitat creation and enhancement works set out in the approved [HMMP] have been completed; and

(i) a completion report, evidencing the completed habitat enhancements, has been submitted to, and approved in writing by the Local Planning Authority.

The created and/or enhanced habitat specified in the approved [HMMP] shall be managed and maintained in accordance with the approved [HMMP].

Monitoring reports shall be submitted to local planning authority in writing in accordance with the methodology and frequency specified in the approved [HMMP].

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 and having regard to adopted Policy SD9 of the Joint Core Strategy (2017).

- 4 The development hereby approved shall not be carried out unless in accordance with the approved Tree Protection Plan (TPP). The protective measures specified within the TPP shall remain in place until the completion of the construction process.

Reason: To safeguard the existing tree(s) in the interests of visual amenity, having regard to adopted policies GI2 and GI3 of the Cheltenham Plan (2020).

- 5 All 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.

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

INFORMATIVES

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

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

In this instance, having had regard to all material considerations, the application constitutes sustainable development and has therefore been approved in a timely manner.

- 2 THIS DEVELOPMENT IS LIABLE FOR THE DELIVERY OF BIODIVERSITY NET GAIN (BNG)

A BIODIVERSITY GAIN PLAN MUST BE SUBMITTED TO, AND APPROVED, BY THIS COUNCIL PRIOR TO DEVELOPMENT COMMENCING

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition)" that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

Biodiversity gain plans are required to be submitted to, and approved by, Cheltenham Borough Council before development can be begun (the overall plan), and before each phase of development may be begun (phase plans) should this be a phased development.

The Biodiversity Gain Plan Form/Template is available here:
<https://www.gov.uk/government/publications/biodiversity-gain-plan>

Irreplaceable habitat

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.

The Biodiversity Gain Plan must include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the habitat, information on arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat.

We can only approve a Biodiversity Gain Plan if satisfied that the adverse effect of the development on the biodiversity of the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact which do not include the use of biodiversity credits.

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The effect of section 73D of the Town and Country Planning Act 1990

If planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 (application to develop land without compliance with conditions previously attached) and a Biodiversity Gain Plan was approved in relation to the previous planning permission ("the earlier Biodiversity Gain Plan") there are circumstances when the earlier Biodiversity Gain Plan is regarded as approved for the purpose of discharging the biodiversity gain condition subject to which the section 73 planning permission is granted.

Those circumstances are that the conditions subject to which the section 73 permission is granted:

1.do not affect the post-development value of the onsite habitat as specified in the earlier Biodiversity Gain Plan, and

2.in the case of planning permission for a development where all or any part of the onsite habitat is irreplaceable habitat the conditions do not change the effect of the development on the biodiversity of that onsite habitat (including any arrangements made to compensate for any such effect) as specified in the earlier Biodiversity Gain Plan.

For guidance please visit:

https://www.cheltenham.gov.uk/info/42/planning/1817/biodiversity_net_gain_-_planning_applications

<https://www.gov.uk/guidance/biodiversity-net-gain>

Consultations Appendix

Building Control

8th January 2025 - No comment.

CBC Ecologist

14th January 2025 - 24/02102/FUL Foster Court Mendip Road Proposal for new secure bin store away from curtilage of building, including new access path and proposed screening planting including biodiversity mitigation planting

Ecology comments 14th January 2025

The mandatory biodiversity (net) gain (BNG) condition applies to this development; therefore, a Biodiversity Gain Plan must be submitted prior to commencement if this application is approved.

In principle I have no objection to this proposal, I only require a minor amendment to the biodiversity net gain (BNG) assessment and an update to the Landscape and Ecological Management Plan (LEMP).

1. The condition of the proposed neutral grassland is not likely to reach "good" condition under the BNG habitat management prescriptions due to its location, size and accessibility to local residents. The proposed condition of this habitat should be downgraded to "moderate" in the statutory small sites biodiversity metric submitted (Alex Dallyn, Landscape Architect, December 2024) unless the applicant can demonstrate how provisions will be made to prevent degradation of the habitat over time (e.g. with fencing around it to protect it from disturbance).

2. The LEMP needs to be updated to a habitat management and monitoring plan (HMMP). A HMMP will be conditioned.

Further comments and conditions will be provided following submission of an updated biodiversity metric, and HMMP should the applicant wish to submit this pre-determination. If a HMMP is submitted pre-determination, the following wording of the standard condition for this document is below (which needs to be followed):

Habitat Management and Monitoring Plan (HMMP)

The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the approved Biodiversity Gain Plan and including:

- (a) a non-technical summary;
 - (b) the roles and responsibilities of the people or organisation(s) delivering the [HMMP];
 - (c) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
 - (d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and
 - (e) the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority,
- has been submitted to, and approved in writing by, the local planning authority.

Notice in writing shall be given to the Council when the:

- (f) [HMMP] has been implemented; and
- (g) habitat creation and enhancement works as set out in the [HMMP] have been completed.

No operational use of the proposed development shall take place until:

- (h) the habitat creation and enhancement works set out in the approved [HMMP] have been completed; and
- (i) a completion report, evidencing the completed habitat enhancements, has been submitted to, and approved in writing by the Local Planning Authority.

The created and/or enhanced habitat specified in the approved [HMMP] shall be managed and maintained in accordance with the approved [HMMP].

Monitoring reports shall be submitted to local planning authority in writing in accordance with the methodology and frequency specified in the approved [HMMP].

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990.

Tree Officer

24th February 2025 - The tree protection plan is welcomed by the Trees Section. No further information is required by the Trees Section.

CBC Ecologist

17th February 2025 - Response in documents tab.

Tree Officer

2nd January 2025 - The Trees Section has no objection to this proposal. However, it would benefit the scheme to demark a construction exclusion zone (to BS5837:2012) to avoid inappropriate storage / spillage etc within RPAs of adjacent trees. Although the proposed path is outside of the RPA of retained trees, any roots that are encountered should be treated in accordance with BS5837:2012.

Reason: to protect the amenity value of trees in the borough as per Policies GI2 and GI3 of the Cheltenham Plan.

APPLICATION NO: 24/02102/FUL	OFFICER: Mrs Victoria Harris
DATE REGISTERED: 18th December 2024	DATE OF EXPIRY : 12th February 2025
WARD: Oakley	PARISH:
APPLICANT:	Cheltenham Borough Homes
LOCATION:	Foster Court Mendip Road Cheltenham
PROPOSAL:	Proposal for new secure bin store away from curtilage of building, including new access path and proposed screening planting including biodiversity mitigation planting.

REPRESENTATIONS

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

5 Foster Court
Mendip Road
Cheltenham
Gloucestershire
GL52 5DR

Comments: 20th January 2025

Letter attached.

Tel [REDACTED]

FIRST OF ALL VICTORIA.

THANK YOU FOR RINGING ME BACK
ABOUT THE BINS BEING PUT OUT ON
OUR LOVELY FRONT LAWNI HAVE WRITTEN A LETTER BEFORE
BUT NOBODY HAS EVER GOT BACK
TO ME.SO IT WAS NICE TO BE ABLE TO
TALK TO YOU. AS I FELT I WAS
BEING IGNORED. WHICH WAS GIVING
ME A LOT OF ANGSTY.IT IS NOT ONLY ME WHO IS NOT HAPPY
ABOUT THE BINS BEING MOVED TO
THE FRONT LAWN. IT IS EVERY BODY
IN OUR FLATS.THERE ARE SO MANY REASONS
FOR NOT PUTTING THEM ON THE FRON LAWN

THIS WILL BE THE LAST TIME

THAT I WILL SHOW MY CONCERNS

AS IT IS NOT GOOD FOR MY WELLBEING

THANK YOU ONCE AGAIN

FOR RINGING ME BACK IT DID MAKE
ME FEEL BETTER[REDACTED]
MENDIP ROAD

IMPROVE WELL BEING
AND PROTECT THE
ENVIREMENT
SAVE YOUR FAVOURITE
OPEN SPACES.

AVOID ANTIY SOCIAL
BEHAVIOUR. AND
"FLY TIPPING"

PRACTICES (RIPPL.)
ECCO FRIENDLY EFFECT
HARMFUL TO THE
ENVIREMENT
MENTAL HEALTH

BE THE CHANGE YOU
WISH TO SEE IN THE
WORLD

1ST - IT IS NOT
ENVIREMENTALLY
FRIENDLY

IT IS IN THE WAY OF
ACCESS TO THE
WHIPPLE

IN THE WINTER
THE LEAVES OF THE
2 LARGE TREES
WILL CAUSE A PROBLEM

IT WILL SPOIL THE
LOVELY LAWN AND
GARDEN. ENCOURAGE

FLY TIPPING

ENVIREMENTALLY
FRIENDLY

WHIPPLE.

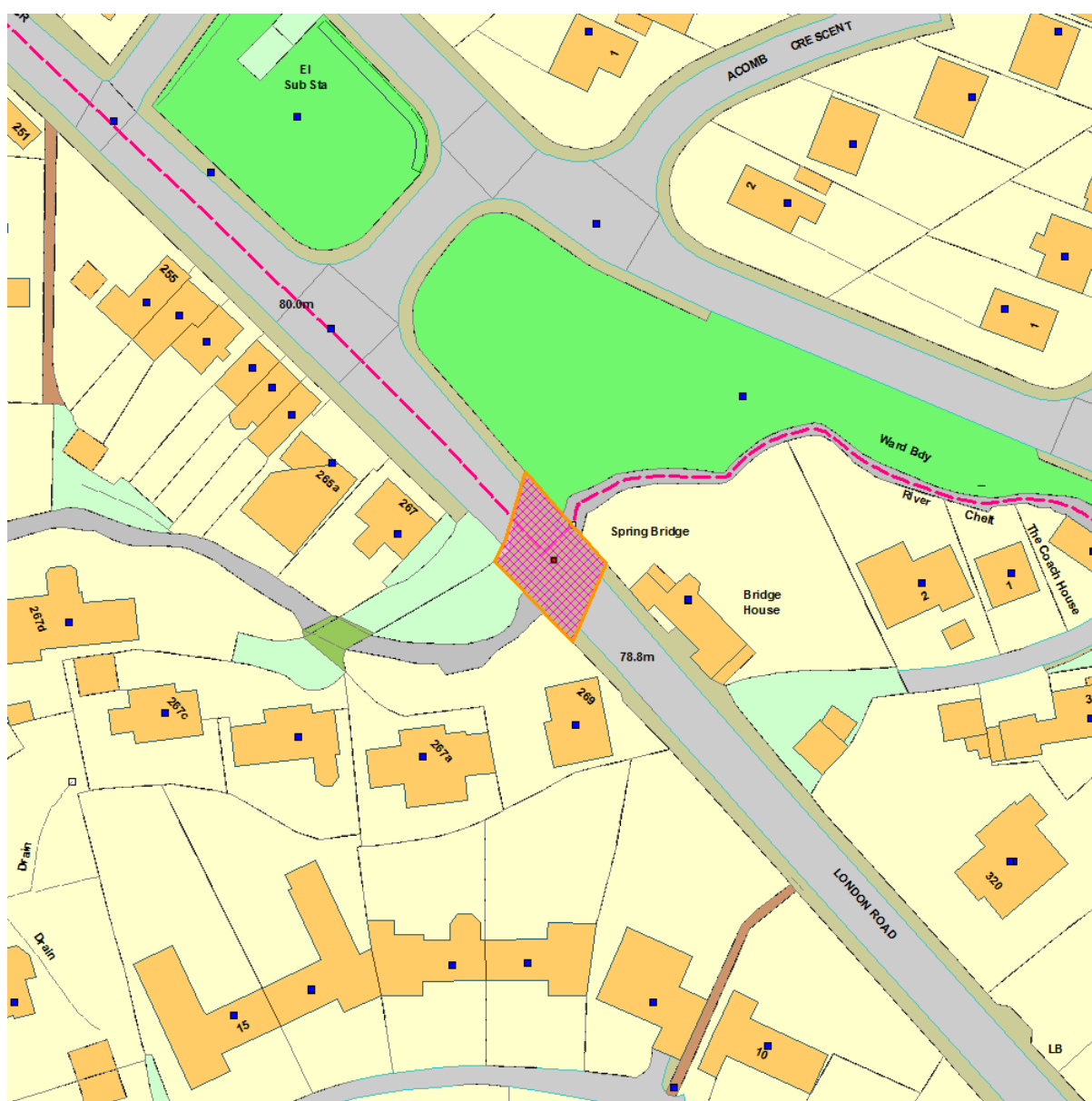
AXES
TREES LEAVES
IN WINTER

FLY TIPPING
SPOILS THE LOVELY GRASS

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APPLICATION NO: 25/00325/LBC	OFFICER: Mr Peter Ashby
DATE REGISTERED: 17th April 2025	DATE OF EXPIRY: 4 th July 2025 (EoT)
DATE VALIDATED: 17th April 2025	DATE OF SITE VISIT:
WARD: Charlton Kings	PARISH: Charlton Kings
APPLICANT:	Gloucestershire County Council
AGENT:	AtkinsRealis
LOCATION:	Spring Bridge London Road Charlton Kings
PROPOSAL:	Repair of north headwall and wing walls over a length of approximately 20m.

RECOMMENDATION: APPROVE



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 Spring Bridge is a Grade II listed structure located in Charlton Kings, Cheltenham. It forms part of the A40 at the junction over the River Chelt.
- 1.2 In May 2024 the north headwall and wings of the structure collapsed over a length of approximately 20m. However, there are areas which remain in place but are unstable, so the length may increase. Following the collapse, the east/Oxford bound lane of the carriageway has been closed and the road is now managed by 2-way temporary traffic lights.
- 1.3 The applicant proposes to remove the remaining defective/unstable masonry which has been caused (in part) by water ingress and damage within the structure; therefore improvements to the drainage across the structure (internally) are also proposed to resolve issues of localised flooding to the highway at this location which are considered by the applicant to be a contributory factor to cause the structure collapsing.
- 1.4 The scope of amelioration works will address the inherent defects and reinstate the character and appearance exterior of the listed building.
- 1.5 To complete the works, a full road closure of the A40 will need to be implemented and be in place for a prolonged period whilst the reconstruction is undertaken, with a diversion route to be determined by others.
- 1.6 Changes within the interior of the structure and proposed and detailed within the application drawings. Drainage gullies on the upstream side of the bridge are prone to blockages due to debris and leaf matter resulting from the surrounding trees.
- 1.7 The proposed repairs will take into consideration the construction prior to the collapse. It is noted from the heritage records that the north/upstream face has been rebuilt and that the face was not reflective of the downstream elevation of the structure. Previous photographic images indicate remaining sections show that the structure had been faced in a less decorative material using imperial brick. As such it is proposed to rebuild this as previous and blend to the remaining sections of the existing structure on this elevation.
- 1.8 Due to its current condition, the proposed amelioration works to the bridge are now urgent.
- 1.9 The application is before Planning Committee as the application is Gloucestershire County Council.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Airport Safeguarding over 45m
Flood Zone 3
Flood Zone 3
Listed Buildings Grade 2
Principal Urban Area

Relevant Planning History:

25/00039/LBC PCO

The north headwall and wing walls have collapsed over a length of approximately 20m. There are 2 two possible proposed options that we will be carrying forward for the design, Option 1: Maintenance Style Repair, Option 2: Enhanced Maintenance style repair.

3. POLICIES AND GUIDANCE

National Planning Policy Framework

Section 4 Decision-making

Section 16 Conserving and enhancing the historic environment

Adopted Cheltenham Plan Policies

SD8 Historic Environment

Adopted Joint Core Strategy Policies

4. CONSULTATIONS

Building Control

29th April 2025 - No comment.

Parish Council

6th May 2025 - No Objection.

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	0
Total comments received	1
Number of objections	0
Number of supporting	1
General comment	0

- 5.1** A site notice was posted 1st May 2025 and a notice published in the Gloucestershire Echo on the same day.

Comments (letter from a London Road address): 13th May 2025

I support the commencement of this work but feel a long-term maintenance plan is needed to avoid the problem happening again. Gravel washed down from Sandhurst Road (visible today onsite) and gulleys left not clear of leaf mould and debris both east and west of Spring Bridge have caused blockages and flooding for years. The south side of the bridge is overgrown with vegetation.

Spring Bridge is the correct Listed name and the mention of "Hambrook Bridge" in the supporting document should be removed for historical accuracy. Hambrook Bridge was upstream on the Chelt.

6. OFFICER COMMENTS

- 6.1** Officers concur with the applicant's technical information that the structural integrity of the listed building has been undermined by water ingress within the structure and the blockage of internal drainage. It is not unreasonable to assume regular maintenance to address such problems may not have taken place in a timely manner over a long period of time.
- 6.2** The proposed scope of detailed works are engineering driven in nature. However, the character and appearance of the bridge will not be compromised by such large-scale intervention which has been forced upon the applicant due to the partial collapse. In

addition, the betterment of drainage of surface water away from the bridge should ensure the long-term sustainability of the structure in future.

- 6.3** The local area surrounding Hambrook House Bridge includes multiple heritage assets with the closest being Bridge House. As the repair of the structure is effectively an urgent necessity, the methodology and scope of repairs will ensure the completed character and appearance of the structure will be like-for-like and resemble the external condition prior to the collapse. There is no intention of altering the downstream headwall/parapets and works and minimal works will only take place to repair the structure where it has collapsed.

Public Sector Equality Duty (PSED)

- 6.4** As set out in the Equality 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.

- 6.5** Whilst there is no absolute requirement to fully remove any disadvantage, the duty is to have “regard to” and remove OR minimise disadvantage and in considering the merits of this planning application the planning authority has taken into consideration the requirements of the PSED. In the context of the above PSED duties, this proposal is considered to be acceptable.

7. CONCLUSION AND RECOMMENDATION

- 7.1** The applicant has considered the proposals over a long period of time to ensure the most appropriate amelioration works are undertaken without adversely affecting the character and appearance structure; accordingly, the proposal complies with Policy SD8 of the Joint Core Strategy.
- 7.2** In view of the above it is recommended listed building consent be granted, subject to the following conditions.

8. CONDITIONS

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

Reason: To accord with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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

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

- 3 All disturbed surfaces shall be made good using materials to match the existing materials, composition, form, finish and colour of the existing building.

Reason: In the interests of the special architectural and historic qualities of the listed building, having regard to adopted policy SD8 of the Joint Core Strategy (2017), Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and Historic Environment Good Practice Advice Note 2.

- 4 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).

Approved plans

Drawing B170 DR C 001.2 PO2 (General arrangement) 16th June 2025

Drawing B170 DR C 002.2 PO2 (Investigation stats. location) 16th June 2025

Drawing B170 DB C 004.2 PO2 (Existing elevation and cross section) 16th June 2025

Drawing B170 DB C 005.2 PO2 (Proposed elevations and cross section) 16th June 2025

Drawing B170 DB C 006.2 PO2 (Proposed cross sections) 16th June 2025

Drawing B170 DB C 007 2 PO2 ((Existing cross sections) 16th June 2025

Drawing B170 DB C 003.2 PO2 (Stats. location cross sections) 16th June 2025

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APPLICATION NO: 25/00325/LBC		OFFICER: Mr Peter Ashby
DATE REGISTERED: 17th April 2025		DATE OF EXPIRY : 12th June 2025
WARD: Charlton Kings		PARISH: CHARLK
APPLICANT:	Gloucestershire County Council	
LOCATION:	Spring Bridge London Road Charlton Kings	
PROPOSAL:	Repair of north headwall and wing walls over a length of approximately 20m.	

REPRESENTATIONS

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

322 London Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6YJ

Comments: 13th May 2025

I support the commencement of this work but feel a long term maintenance plan is needed to avoid the problem happening again. Gravel washed down from Sandhurst Road (visible today onsite) and gulleys left not clear of leaf mould and debris both east and west of Spring Bridge have caused blockages and flooding for years. The south side of the bridge is overgrown with vegetation.

Spring Bridge is the correct Listed name and the mention of "Hambrook Bridge" in the supporting document should be removed for historical accuracy. Hambrook Bridge was upstream on the Chelt.

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Committee Officer Report

APPLICATION NO: 25/00849/LBC	OFFICER: Ms Lara Daniali
DATE REGISTERED: 29th May 2025	DATE OF EXPIRY: 24th July 2025
DATE VALIDATED: 29th May 2025	DATE OF SITE VISIT:
WARD: Pittville	PARISH:
APPLICANT:	Mr Oggy Boytchev
AGENT:	
LOCATION:	53 Pittville Lawn Cheltenham Gloucestershire
PROPOSAL:	Like-for-like replacement of damaged front steps (3 steps and a landing).

RECOMMENDATION: Grant

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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 No.53 Pittville Lawn is part of a terrace of 5 houses constructed in the early 19th century.
- 1.2 The buildings and their attached railings were listed in March 1955 (Grade II; list entry number 1387470). The application site is located within the Pittville Character Area of the Central Conservation Area.
- 1.3 Listed building consent is sought for replacement of the front steps.
- 1.4 The application is before planning committee as the applicant is the related to Cllr Julian Tooke.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Airport Safeguarding over 45m
Conservation Area
Listed Buildings Grade 2
Principal Urban Area

Relevant Planning History:

14/02144/FUL 16th February 2015 PER

Restoration of Grade II listed property from four separate flats to a single domicile with alteration to granny flat basement apartment. Installation of solar panels on South facing pitch of main roof. Internal renovation to remove non original aspects and uncover concealed original cornices, including removal of ground floor rear modern extension to create garden deck.

14/02144/LBC 16th February 2015 GRANT

Restoration of Grade II listed property from four separate flats to a single domicile with alteration to granny flat basement apartment. Installation of solar panels on South facing pitch of main roof. Internal renovation to remove non original aspects and uncover concealed original cornices, including removal of ground floor rear modern extension to create garden deck.

15/00152/FUL 15th July 2015 PER

New garage to the rear of 53 Pittville Lawn.

15/00723/DISCON 21st March 2016 NOT

Discharge of conditions 4a - new or replacement surrounds and inserts, 4b - internal doors including architraves, 4c - external doors including door surround and reveals, 4d - materials for raised terrace, 4e - balustrade design for raised terrace, 4f - boiler/fuel positions, 4g - solar panels on planning permission 14/02144/LBC

3. POLICIES AND GUIDANCE

National Planning Policy Framework (NPPF) 2024

Section 4 Decision-making

Section 16 Conserving and enhancing the historic environment

Adopted Joint Core Strategy (JCS) Policies 2017

SD8 Historic Environment

4. CONSULTATIONS

Building Control

9th June 2025 - This application may require Building Regulations approval. Please contact Cheltenham and Tewkesbury Building Control on 01242 264321 for further information.

5. PUBLICITY AND REPRESENTATIONS

- 5.1** A site notice was posted near the site, and an advertisement was placed in the Gloucestershire Echo.
- 5.2** No comments were received.

6. OFFICER COMMENTS

6.1 Determining Issues

- 6.2** The key consideration for this application is the impact on Grade II listed building.
- 6.3** In considering whether to grant listed building consent for any works, there is a duty placed on the local planning authority under Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 6.4** When considering the impact of a proposal on its significance, paragraph 212 of the NPPF requires great weight to be given to the heritage asset's conservation (and the more important the asset, the greater the weight should be).
- 6.5** Policy SD8 of the JCS highlights the desirability of proposals that sustain and enhance the significance of a heritage asset, having regards to local character, distinctiveness, and sense of place. It further encourages proposals that will secure the future conservation and maintenance of heritage assets and their settings that are at risk through neglect, decay or other threats.

6.6 Impact on heritage

- 6.7** The existing front steps in a deteriorated condition despite evidence of previous repairs.
- 6.8** The proposal is to replace the existing steps and cheek walls using Forest of Dean Pennant Sandstone, a traditional building material historically used in Cheltenham. However, the new stone is likely to differ in colour from the existing due to absence of patina of age and natural weathering.
- 6.9** The proposal will also involve temporary dismantling of the existing side rails and boot scraper, which are to be reinstalled in their original position upon completion of works.
- 6.10** While the proposal will lead to loss of historic fabric, it is considered that the works are justified by the poor state of the existing steps and will contribute to the long term conservation of the heritage asset.

6.11 Other considerations

Public Sector Equality Duty (PSED):

- 6.12** 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.

6.13 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.

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

7. CONCLUSION AND RECOMMENDATION

7.1 It is considered that the proposal will sustain the significance of heritage asset, thereby aligning with policy SD8 of the JCS and section 16 of the NPPF.

7.2 It is recommended to grant Listed Building Consent subject to the conditions set out below.

8. CONDITIONS

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

Reason: To accord with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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

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

- 3 The replacement stone shall be Forest of Dean Pennant Sandstone to match the original steps, and the jointing mortar shall be lime-based.

Reason: In the interests of the special architectural and historic qualities of the listed building, having regard to adopted policy SD8 of the Joint Core Strategy (2017), Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and Historic Environment Good Practice Advice Note 2.

- 4 The following items forming part of the listed building shall be carefully taken down, protected, and reinstated in their original position upon completion of work:

- a) Railings
- b) Boot Scraper

Reason: In the interests of the special architectural and historic qualities of the listed building, having regard to adopted policy SD8 of the Joint Core Strategy (2017), Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and Historic Environment Good Practice Advice Note 2.

- 5 All disturbed surfaces shall be made good using materials to match the existing materials, composition, form, finish and colour of the existing building.

Reason: In the interests of the special architectural and historic qualities of the listed building, having regard to adopted policy SD8 of the Joint Core Strategy (2017), Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and Historic Environment Good Practice Advice Note 2.

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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

June/July 2025

Address	Proposal	Delegated or Committee Decision	Appeal Type	Anticipated Appeal Determination Date	Reference
					25/00324/CLPUD

Appeals being processed

Address	Proposal	Delegated/Committee Decision	Appeal Type	Outcome	Reference
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
8 Imperial Square Cheltenham	Installation of moveable planters.	Delegated Decision	Written representations	Appeal now Withdrawn.	Planning ref: 23/02152/CLPUD Appeal ref: 24/00012/PP1
Holly Blue House London Road Charlton Kings Cheltenham Gloucestershire GL54 4HG	Proposed first-floor extension.	n/a	Written representations (Householder)	n/a	Planning Ref: 24/01692/FUL Appeal Ref: 25/00003/PP1
5 Merriville Gardens Cheltenham Gloucestershire GL51 8JD	Proposed alterations and extensions to existing house (part retrospective).	n/a	Written Representations	n/a	Planning Ref 24/01900/FUL Appeal Ref 25/00004/PP1

Land Opposite Ham Close And Adjacent To Ham Road Charlton Kings Cheltenham Gloucestershire	Outline application for the erection of up to 5no. self build dwellings and associated infrastructure, with all matters reserved for future consideration.	n/a	Written representations	n/a	Planning Ref: 24/01123/OUT Appeal Ref: 25/00006/PP1
44 Springfield Close The Reddings Cheltenham Gloucestershire GL51 6SF	Erection of 1 metre high fence to side boundaries of front garden (revised scheme to previously refused application ref. 23/01566/FUL) (retrospective)	n/a	Written Representations (Householder)	n/a	Planning Ref: 24/00828/FUL Appeal Ref: 25/00008/PP1
52 River Leys Cheltenham Gloucestershire GL51 9RY	Erection of a single dwelling, alongside a parking area, private amenity space and landscaping, alterations to a single dwelling driveway and private amenity space.	Delegated Decision	Written representation	n/a	Planning ref: 25/00245/FUL Appeal Ref: 25/00009/PP1

Calder Greenway Lane Charlton Kings Cheltenham Gloucestershire GL52 6LB	Roofing works for roof for Calder and Crossways flats.	Delegated Decision	Written Representation	n/a	Planning ref: 24/01798/LBC Appeal Ref: 25/00010/LISTB1
19 Beaumont Road Cheltenham Gloucestershire GL51 0LP	Vehicular access and hardstanding.	n/a	Written Representation	n/a	Planning ref: 25/00324/CLPUD Appeal ref: 25/00012/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

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	Appeal Dismissed	Planning ref:23/00929/FUL Appeal ref: 24/00010/PP1
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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 Representation	Appeal Dismissed	Planning ref: 23/01566/FUL Appeal Ref: 24/00008/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	Appeal Dismissed Costs Application Dismissed	Planning ref: 23/01137/FUL Appeal ref: 24/00007/PP1

278 Old Bath Road	Dropped kerb to provide access from Kenneth Close, and hard standing to facilitate off street parking (Resubmission of planning ref: 23/00481/FUL)	Delegated Decision	Written Representation	Appeal Dismissed	Planning ref: 23/02056/FUL Appeal ref: 24/00009/PP1
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	Appeal Dismissed	Planning ref: 23/02033/FUL Appeal ref: 24/00011/PP1
3 Rotunda Tavern Montpellier Street	Retention of temporary canopy structure for two years	Delegated Decision	Written Representation	Appeal Dismissed	Planning Ref: 22/01681/FUL Appeal Ref: 24/00002/PP1

1 Coltham Fields Cheltenham Gloucestershire GL52 6SP	Erection of 1no. two storey dwelling on land adjacent 1 Coltham Fields	Delegated Decision	Written Representation	Appeal Dismissed	Planning ref: 23/00596/FUL appeal ref: 24/00006/PP1
22 Dinas Road Cheltenham Gloucestershire GL51 3EW	Proposed installation of a static home at rear of property.	Delegated Decision	Written Representation	Appeal Dismissed	Planning ref: 24/00637/FUL Appeal Ref: 24/00015/PP1
Stansby House The Reddings Cheltenham Gloucestershire GL51 6RS	Erection of 2no. detached dwellings following demolition of existing buildings	Delegated Decision	Written Representation	Appeal Dismissed	Planning ref: 23/01538/FUL Appeal Ref: 24/00013/PP1
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	Appeal Allowed Costs Appeal Allowed	Planning ref: 23/01678/CLEUD appeal ref: 24/00001/PP1
3 Regent Street Cheltenham Gloucestershire GL50 1HE	Retain existing exterior facade paint colour. (Retrospective)	Delegated Decision	Written Representation	Appeal Dismissed	Planning ref: 24/00271/LBC appeal ref: 24/00014/PP1

78 Hewlett Road Cheltenham Gloucestershire GL52 6AR	Steps to be built from basement level to current garden level, change rear sash window for french doors.	Delegated Decision	Written representation	Appeal A and B Dismissed	Planning Ref: 24/00440FUL and LBC Appeal Ref: 24/00017/PP1 and 24/00018/LISTB1
14 Suffolk Parade Cheltenham Gloucestershire GL50 2AB	Proposed demolition of existing stores and officing at rear of 14 Suffolk Parade, and construction of detached 2 bedroom coach house dwelling (with pedestrian access off Daffodil Street)	Delegated Decision	Written representation	Appeal allowed	Planning ref: 24/00079/FUL Appeal Ref: 24/00016/PP1
60 Severn Road Cheltenham Gloucestershire GL52 5PX	Two storey side extension, loft conversion, and front porch (revised scheme following refusal of application ref. 24/00909/FUL)	Delegated Decision	Written representation	Appeal Dismissed	Planning ref: 24/01502/FUL Appeal Ref: 24/00020/PP1

Flat 3 6 Jenner Walk Cheltenham Gloucestershire GL50 3LD	Proposed replacement of existing timber windows with UPVC windows	Delegated Decision	Written representation	Appeal Dismissed	Planning ref: 24/00895/FUL Appeal Ref: 24/00021/PP1
3 Pittville Crescent Lane Cheltenham Gloucestershire GL52 2RA	Proposed wooden garden shed, and retention of new boundary fence (part retrospective)	Committee Decision	Written representation (householder)	Appeal Allowed	Planning Ref: 24/00631/FUL Appeal ref: 25/00002/PP1
9 Pumphreys Road Charlton Kings Cheltenham Gloucestershire GL53 8DD	Proposed two storey and single storey rear extension	Delegated Decision	Written representation	Appeal Allowed	Planning Ref: 24/01667/FUL Appeal Ref: 25/00001/PP1
2 Kingscote Road East Cheltenham Gloucestershire GL51 6JS	Proposed dormer roof extension to existing garage to convert into ancillary bedroom accommodation.	Delegated Decision	Written representation	Appeal Dismissed	Planning ref: 12/01703/FUL Appeal Ref:25/00007/PP1

Little Duncroft Evesham Road Cheltenham Gloucestershire GL52 3JN	Change of use of garage building as a standalone residential property. Retention of external cladding, easterly facing window, roof lights and boundary fencing (part retrospective), (Resubmission of planning application 23/01739/FUL).	Committee Decision	Written representation	Appeal Allowed	Planning ref: 24/00471/FUL Appeal Ref: 24/00019/PP1
70 Promenade Cheltenham Gloucestershire GL50 1LY	Erection of various signage (3no. logos, 1no. clock sign, 1no. door handle sign and 1no. projecting sign).	Delegated Decision	Written Representation	Appeal A Dismissed Appeal B Dismissed	23/01325/ADV and 23/01325/LBC Planning ref: 24/00022/LISTB1 24/00023/ADV1
Little Duncroft Evesham Road Cheltenham Gloucestershire GL52 3JN	Unauthorised building and use	n/a	Written representations (Enforcement)	Enforcement appeal now withdrawn.	Enforcement Ref 24/00103/DCBPC Appeal Ref: 25/00005/ENFAPP

Rotunda Tavern Montpellier Street Cheltenham Gloucestershire GL50 1SX	Air conditioning unit to rear of building and unauthorised canopy	n/a	Appeal Inquiry (date 14 th October 2025) Enforcement notice now withdrawn 02.07.25	Enforcement notice now withdrawn	Enforcement ref: 23/00139/DCUALB Appeal Ref:25/00011/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 8th July 2025

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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		Allowed	19.12.2024	Allowed		
22/01681/FUL	24/00002/PP1	Rotunda Tavern 3 Montpellie	Written	05.02.2024	12.02.2024	11.03.2024	25.03.2024	Dismissed	11.07.2024	n/a		
	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	Dismissed	19.07.2024			
23/01137/FUL	24/00007/PP1	Hilltop Stores, Hilltop Road	Written	13.03.2024	20.03.2024	17.04.2024	01.05.2024	dismissed	10.06.2024	Refused		
23/01566/FUL	24/00008/PP1	44 Springfield Close	Written	25.03.2024	01.04.2024			dismissed	13.05.2024			
23/02056/FUL	24/00009/PP1	278 Old Bath Road	Written	11.04.2024	18.04.2024			dismissed	18.06.2024			
23/00929/FUL	24/00010/PP1	Harwood House, 87 The Parl	Written	11.04.2024	18.04.2024			dismissed	08.05.2024	n/a		
23/02033/FUL	24/00011/PP1	21 Glebe Road, Cheltenham	Written	12.04.2024	19.04.2024			dismissed	19.06.2024			
23/02152/CLPUD	24/00012/PP1	8 Imperial Square, Cheltenham	Written	07.05.2024	21.05.2024	18.06.2024	09.07.2024	Withdrawn	17.02.2025			
23/01538/FUL	24/00013/PP1	Stansby House, The Redding	Written	12.06.2024	19.06.2024	17.07.2024	31.07.2024	Dismissed	26.09.2024			
24/00271/LBC	24/00014/PP1	3 Regent Street, Cheltenham	Written	19.06.2024	26.06.2024	24.07.2024	07.08.2024	Dismissed	20.12.2024			
23/00637/FUL	24/00015/PP1	22 Dinas Road, Cheltenham	Household	08/07/2024	15/07/2024			Dismissed	25.09.2024			
24/00079/FUL	24/00016/PP1	14 Suffolk Parade	Written	21.08.2024	28.08.2024	25.09.2024	09.10.2024	Allowed	14.07.2025			
24/00440/FUL	24/00017/PP1	78 Hewlett Road	Written	19.09.2024	26.09.2024	24.10.2024	07.11.2024	Dismissed	20.12.2024			
24/00440/LBC	24/00018/LISTB1	78 Hewlett Road	written	19.09.2024	26.09.2024	24.10.2024	07.11.2024	Dismissed	20.12.2024			
24/00471/FUL	24/00019/PP1	Little Duncroft, Evesham Roæ	Written	26.09.2024	03.10.2024	31.10.2024	14.11.2024	Allowed	06.06.2025			
24/01502/FUL	24/00020/PP1	60 Severn Road, Cheltenham	HAS	20.11.2024	27.11.2024			Dismissed	14.03.2025			
24/00895/FUL	24/00021/PP1	Flat 3, 6 Jenner Court	Written	26.11.2024	03.12.2024	03.01.2024	17.01.2024	Dismissed	26.03.2025			
23/01325/LBC	24/00022/LISTB1	70 Promenade Cheltenham	Written	04.12.2024	11.12.2024	08.01.2025	22.01.2025	Dismissed	11.06.2025			
23/01325/ADV	24/00023/ADV1	70 Promenade Cheltenham	Written	04.12.2024	11.12.2024	08.01.2025	22.01.2025	Dismissed	11.06.2025			

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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
24/01667/FUL	25/00001/PP1	9 Pumphreys Road	HAS	07.01.2025	14.01.2025	n/a	n/a	Allowed	31.03.2025			
24/00631/FUL	25/00002/PP1	3 Pittville Crescent Lane	HAS	16.01.2025	23.01.205	n/a	n/a	Allowed	27.03.2025			
24/01692/FUL	25/00003/PP1	Holly Blue House	HAS	21.01.2025	28.01.2025	n/a	n/a					
24/00103/DCBPC	25/00005/ENFAPP	Little Duncroft Evesham Rd	written	31.01.2025	14.02.2025	14.03.2025	04.04.2025	Withdrawn	16.06.2025			
24/01900/FUL	25/00004/PP1	5 Merrville Gardens	HAS	11.02.2025	18.02.2025	n/a	n/a					
24/01123/OUT	25/00006/PP1	Land opposite Ham Close	written	13.03.2025	20.03.2025	17.04.2025	01.05.2025					
24/01703/FUL	25/00007/PP1	2 Kingscote Rd East	HAS	26.03.2025	02.04.2025	n/a	n/a	Dismissed	03.06.2025			
24/00828/FUL	25/00008/PP1	44 Springfield Close	HAS	08.04.2025	15.04.2025	n/a	n/a					
25/00245/FUL	25/00009/PP1	52 River Leys	written	20.05.2025	27.05.2025	24.06.2025	08.07.25					
24/01798/LBC	25/00010/LISTB1	Calder, Greenway Lane	Written	03.06.2025	10.06.2025	08.07.2025	22.07.2025					
23/00140/DCUALB	25/000011/ENFAPP	3 Montpellier Street	Inquiry	23.06.2025	07.07.2025	04.08.2025	25.08.2025	Withdrawn	02.07.2025		14.10.2025	
25/00324/CLPUD	25/00012/PP1	19 Beaumont Road	written	03.07.2025	17.07.2025	14.08.2025	04.09.2025					

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Appeal Decisions

Site visit made on 19 May 2025

by **J Parsons MSc BSc(Hons) DipTP Cert(Urb) MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 11 June 2025

Appeal A Ref: APP/B1605/Y/24/3355508

Beards The Jewellers, 70 Promenade, Cheltenham GL50 1NA

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) (as amended) against a refusal to grant listed building consent.
 - The appeal is made by Waite and Son Jewellers Ltd (Beards) against the decision of Cheltenham Borough Council.
 - The application Ref is 23/01325/LBC.
 - The works are various signage (3 no. logos, 1no. clock sign, 1no. door handle sign and 1no. projecting sign).
-

Appeal B Ref: APP/B1605/H/24/3355509

Beards The Jewellers, 70 Promenade, Cheltenham GL50 1NA

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations (the Regulations) 2007 against a refusal to grant express consent.
 - The appeal is made by Waite and Son Jewellers Ltd (Beards) against the decision of Cheltenham Borough Council.
 - The application Ref is 23/01325/ADV.
 - The advertisements are various signage (3 no. logos, 1no. clock sign, 1no. door handle sign and 1no. projecting sign).
-

Decision

1. Appeal A is dismissed. Appeal B is dismissed.

Preliminary Matters

2. The signage relates to a shop with separate brand watch and jewellers sales areas. The shop is at the corner intersection of two streets, the Promenade and Ormond Place.
3. In appeal A, the Council, in refusing listed building consent, objected to a logo (transom) sign, positioned above an entrance door, and clock sign for the watch sales area of the shop. It also objected to a projecting box sign serving the jewellers sales area of the shop and the cumulative visual effect of the signage. Under its listed building consent decision, the Council has not objected to the logo fascia and entrance door handle for the watch sales area of the shop. However, as it has not consented to these signs, through a split decision, this decision will consider the merits of all the signage, and particularly the fascia signs.
4. Conversely, in Appeal B, the advertisement consent decision will only consider the merits of the clock sign, the transom sign and the projecting box sign because the Council, in issuing a split decision, consented the logo fascia signs and the handle sign for the watch sales part of the shop.

5. The decisions here address both listed building consent and advertisement consent appeals under their different development management regimes. The main issues relating to both schemes are set out below and to avoid repetition and for the avoidance of doubt, both appeals have been considered within a single decision letter. Nevertheless, my assessment recognises that the remit of each regime is different.
6. For the listed building appeal A, the decision's reasoning has regard to s16(2) of the Planning (Listed Buildings and Conservation Areas) (the Act) 1990, which requires decision makers to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest. As it applies to the exercise of functions under the planning acts, regard has also been given to s72(1) of the Act where special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area.
7. For the advertisement appeal B, regulation 3(1) indicates assessment is confined to interests of amenity and public safety, taking into account the development plan, in so far as material and other relevant factors. The respective statutory duty from s16(2) of the Act applies solely to listed building consent regime. Nevertheless, the regulations state factors relevant to amenity include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest. For the reasons given above, the test from s72(1) is also applicable in so far as it relates to the consideration of 'amenity'.
8. The signage has been erected and the scheme has been treated as retrospective in the assessment for these decisions. Main parties were consulted on the acceptability or otherwise of using red coloured perspex lettering for the watch brand transom and fascia signs, and whether the watch brand transom sign is illuminated for clarity. The descriptions for the scheme in the listed building and advertisement express consent appeals, in the banner headings for these decisions, has been agreed between the appellant and Council.

Main Issues

9. In Appeal A, the main issues are whether the works (a) preserve the Grade II listed building known as 66, 68 and 70 Promenade, its setting or any features of special architectural or historic interest it possesses and (b) preserve or enhance the character or appearance of the Cheltenham Central Conservation Area.
10. In Appeal B, the main issue is the effect of the advertisements on amenity, having regard to the listed building and Conservation Area.

Reasoning

Heritage Assets

11. The appeal building, a listed building, has a new shopfront through the implementation of a recent planning and listed building consent which provided an additional entrance (for the watch sales area), removed stall risers and enlarged shopfront windows. These alterations have resulted in a whitish section of shopfront for the watch sales area on the Promenade and a short section of Ormond Place, and a dark coloured section of shopfront for the jewellers sales area

on the remaining part of Ormond Place. The listed building lies within the Central Conservation Area.

12. The listed building's architecture follows a distinctive 'Regency' style, with stucco plaster over brick, pilaster detailing around windows, a hipped slate roof and deep roof eaves overhang. The statutory list entry (number 1387643) indicates the original building was a house but subsequently converted into two shops, with ranges to the rear, and dates to 1820-40. Alterations, including the conversion to shops, probably took place pre-1945. The listed building, including no 66 Promenade, contains a total of 6 first floor windows, with stucco detailing including Doric pilasters around windows and sash windows and the 1/1 pane configurations, have been replaced in plain reveals and tooled architraves. On the Promenade frontage, the three first floor windows to the right (No 70) are taller with lower placed cills. On return elevation along Ormond Place, there are 3 first floor windows and two 2nd floor windows, all configured as 6/6 sashes. Such architectural detailing results in a grand and imposing classical frontage on the Promenade and Ormond Place, despite the latter being less uniform in window positioning and spacing on this elevation,
13. Of historical note, the entry notes that the Promenade was laid out in 1818 as a tree-lined avenue from the Colonnade in the High Street to the Sherborne Spa and by 1826, it was a carriage drive with a spacious gravelled walk on each side. Furthermore, although originally on either side, there were rows of elegant houses, By 1845 when Rowe wrote his Cheltenham Guide (1850), nearly the whole of the lefthand side was devoted to professional or business establishments. As such, the listed building's role in the historical development of Cheltenham is of particular value and importance. It is these historical and architecture qualities, especially its 'Regency' style and its part in the development of a key street within Cheltenham, that contributes to the significance of the heritage asset.
14. The new shopfront is painted timber with pilasters at regular intervals, with glazing in between, shop fascias with cornice, banding and console/corbet features. The traditional design and detailing of the new shopfront respects and complements the 'Regency' style of the building.
15. The Central Conservation Area covers a wide area of the town, including the central shopping area and outlying residential areas, that reflect the evolution of the settlement over time. The appeal site is located within the Montpellier Character Area designated under the Draft Management Character Area Appraisal (CAA) and Management Plan¹. The CAA indicates spas played a quintessential role in the development of the town during the 19th century and that the area contains predominantly Regency buildings within many complete and uniform formal terraces and large villas set within spacious grounds. The Royal Crescent is regarded as the towns' first major piece of Regency architecture and there are many important landmark buildings, including the Queens Hotel, Municipal Offices, Everyman Theatre and Cavendish House, which influence the character and appearance of Montpellier area.
16. The appeal site lies within the Promenade, the town centre's southern spine road and, as indicated by the CAA, it is one of the town's most visually striking streets. As the listed building entry indicates, it is a distinctive early 19th century tree-lined

¹ Central Conservation Area 2, Montpellier Character Area Appraisal and Management Plan – Draft, Cheltenham Borough Council, 2017.

avenue connecting with Sherborne Spa and became a carriage drive with spacious walks on either side. Distinctive Regency buildings are present in the Promenade, at Nos. 60, 63 and 64, 52-48 (terrace), 50, 33-45 (terrace) and 47-83 (terrace). Further Regency buildings, including terraces, also lie to the south of the side beyond the junction of the Promenade and Ormond Place.

17. Within this part of the Conservation Area, key qualities are classical architecture, stuccoed terraces and buildings, and planned streets. Buildings of the Regency period illustrate the prosperous nature of the town during the early 19th century. It is these historical and architectural qualities that are of great importance and value and contribute to the significance of the heritage asset. Due to its age and high quality design qualities, the appeal building, in its lawfully consented state, would have contributed positively to the character and appearance of the Conservation Area.

Effects of proposals

18. For the watch sales section of the shopfront, there would be watch brand logos on fascias on the Promenade and Ormond Place, and the transom glazed area above the entrance. There would also be a projecting watch styled clock sign, telling the time, on the Promenade at fascia level and a logo styled door handle on the glazed front entrance door. On the jewellers section of the shopfront, there is a projecting sign on a pilaster feature of the shopfront.
19. Policy HE3 of the Cheltenham Plan (CP) 2020 indicates advertisements will be supported providing that they are appropriate in type, size, colour, illumination and siting. Advertisements must also respect the character of the building, site and surrounding area and be of an appropriate high standard of design and finish. It further states internally illuminated signage will not be permitted in Conservation Area and projecting signs will be resisted in the Promenade. Under the Council's Shopfront Design Guide: A Guide for Owners, Designers and Shopfitters (SDG) states internally illuminated signs are out of character on buildings of period design.
20. On the two fascias, the brand watch logos are externally illuminated through halo lighting and constructed of red coloured plexglass perspex. The backlit halo lighting illumination creates a subtle corona effect around each letter. The lettering of the logo signs are coloured red with an orange/gold base. Such colouring, especially the shiny external red surface of the lettering appears brash, modern, and incongruous given the traditional materials and design qualities of the listed building. The transom sign is not illuminated but it also has shiny red coloured lettering resulting in similar unsympathetic appearance to the listed building. Outside of opening hours, there would be steel shutters down over the shopfront and entrance with transom sign. Nevertheless, these signs adverse visibility is noticeable during the day.
21. Section 3.5 of the SPD refers to the use of painted softwood where appropriate for older shopfronts. It also states other materials such as chrome, marble, plaster and tile may be appropriate which does indicate a range of materials may be used. Other similar signage examples have been cited, including a luxury toiletries brand shop opposite the appeal site. However, this shop opposite has darker less brash lettering in its signage. There is a range of materials used for shopfront fascia lettering in the vicinity but less shiny and single coloured lettering, results in a more traditional finish that is sympathetic to the older character and appearance of listed

- buildings, based on what I saw on my site visit. Many of the transom signs were also more discrete because they related to deeper recessed entrance doorways.
22. The projecting clock sign is internally illuminated and constructed of plated steel, a watch face on either side, coloured off-white, with numbers debossed in gold plate and gold coloured rim. It projects out from the building approximately 0.9m, with a clock face diameter and depth of approximately 0.7m and 0.3m respectively. Given its size, it appears bulky for a hanging sign and has extensive use of gold colour and internal illumination. Such bulkiness and brashness are out of keeping with the more refined features and subdued colouring on the listed building and other historic buildings within the Conservation Area.
 23. Previously, an identical clock sign was given planning consent and the clock was similar in design and materials, and prominent, albeit it was to be sited on Ormond Place, close to the corner intersection of this street with the Promenade. However, these approvals were given prior to the adoption of CP Policy HE3 in 2020 which places an emphasis on signage being appropriate in type, size, colour, illumination and siting, and that specifically, internally illuminated signs will be resisted in the Promenade. Based on the officer's report, there is little evidence that the significance of the listed building and Conservation Area were evaluated and consequently, it has not been demonstrated that a full heritage assessment of the clock sign was undertaken. Therefore, given the value and importance of the Promenade, these are significant differences with the current scheme, and only limited weight can be given to this consideration.
 24. For the jewellers sales section of the shop, the projecting sign is sited below the fascia on a shopfront pilaster, constructed of a mirror finished (polished steel) material and its lettering are illuminated from within. Such positioning appears visually awkward below the fascia and its modern constructed material and illumination, is not discreet, contrasting markedly with a traditional painted timber shopfront.
 25. The appellant would accept a planning condition restricting illumination of both the clock sign and the projecting box sign to shop opening hours. However, the heritage concerns relate to other considerations other than just illumination and therefore, this measure would not overcome the objections detailed here.
 26. Recently, planning consents have been given for new signage, including a projecting sign, at 16 Promenade which is a listed building. However, the projecting sign is more traditional being of a hanging type, slimmer in construction and externally illuminated. Therefore, it can be differentiated from both the projecting signs. Other nearby hanging signs have been cited for an optician's and shoe shop on Ormond Place. However, these hanging signs are externally illuminated, more closely related to existing fascia signage in terms of position at the same level or close to, and traditionally designed. Similarly, projecting signs at 1-19 Promenade are located mostly at the same level as existing fascia level, of a more traditional design and externally illuminated.
 27. There is a hanging sign at a nearby furniture shop on Ormond Place and a projecting illuminated box sign for a brand of watch at 1 Promenade. However, both signs are an exception to the general rule of hanging signs being located at fascia level. Furthermore, the furniture shop hanging sign is on a building positioned away from the more valued and important part of the Conservation Area,

the Promenade. The projecting box has similarities with the jewellers box sign, in being not positioned at fascia level but it's positioned high up on the wall of a shop unit is noticeably out of kilter with other projecting signs. As a result, it reinforces my view that the jewellers box sign is harmful.

28. The permitted shopfront has resulted in two distinct parts to the shop, with a jewellers and watch sales areas, and therefore, further signage will be required for the shopfront. However, there are cumulative effects in the number of advertisements the shopfront. The jewellers box sign adds clutter adversely affecting the appearance and character of this 'Regency' designed listed building within the Conservation Area.

Heritage and Planning Balance

29. For all these reasons, in appeal A, there would be less than substantial harm to the significance of the listed building and although localised, to the Conservation Area, as a whole, as required to be identified under the National Planning Policy Framework (the Framework). There would be conflict with s16(2) and s72(2) of the Act. Similarly, in appeal B, there would be harm to amenity having regard to the listed building and Conservation Area, in so far as relevant.
30. Under paragraph 215 of the Framework, where there is less than substantial harm to the significance of designated heritage assets, as is the case here in appeal A, this harm should be weighed against the public benefits of a scheme including, where appropriate, securing its optimum viable use. In this regard, the existing jewellers shop has existed for some time and the signage serves to facilitate an attractive new retail frontage allowing two complimentary brands to trade side by side within the same unit. Brand recognition is an important part of the retail experience as it helps customers make choices on what to buy and assists the local economy, helping to sustain the vitality and viability of the shopping area. Consequently, moderate weight is attached to this economic public benefit.
31. However, in considering whether to grant planning permission, there would be conflict with the Act in respect of the listed building and Conservation Area matters. The scale of less than substantial harm to the Conservation Area would be less than that for the listed building because its adverse effect would be over a larger area. Nevertheless, considerable weight has to be attached to the harms for each heritage asset. In light of the forgoing, the public benefit would not be sufficient to outweigh the less than substantial harm identified for the works, and the considerable importance and weight this carries in the heritage balances, for each adversely affected asset.
32. For appeal A, in failing to comply with the legislative listed building and Conservation Area requirements, the works are contrary to Policies HE3, D1 and D2 of the CP and Policies SD4 and SD8 of the Joint Core Strategy 2017, which collectively and amongst other matters, require appropriate signage, avoidance of harm to the architectural integrity of the building and alterations to buildings to preserve the historic environment. As a result, there would be conflict with the development plan taken as a whole. There are no material considerations that warrant determining the appeal otherwise. For appeal B, in so far as relevant to the amenity consideration, the conflict with policy indicates the advertisement consent should not be granted for the transom and projecting box signs.

33. There are no objections to the symbol used as a door handle on the brand watch section of the shopfront. In this instance, split listed building consent has been considered but discounted due to the substantial objections to the scheme as a whole.

Conclusions

34. For the reasons given above and having regard to all other matters raised, appeals A and B should be dismissed.

Jonathon Parsons

INSPECTOR

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