

Cheltenham Borough Council Planning Committee

Meeting date: 18 December 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 5 - 22)

To approve the minutes of the meeting held on 20th November 2025.

5 Public Questions

6 Planning Applications

**6a 25/00780/FUL - Pittville School, Albert Road, Cheltenham, GL52 3JD
(Pages 23 - 130)**

[Planning Application Documents](#)

**6b 25/01296/FUL - Prinbox Works, Saddlers Lane, Tivoli Walk, Cheltenham,
GL50 2UX (Pages 131 - 204)**

[Planning Application Documents](#)

**6c 25/00828/TREEPO - Rear of Mitford Lodge, Tivoli Road, Cheltenham, GL50
2TF (Pages 205 - 212)**

7 Appeal Update (Pages 213 - 252)

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



Cheltenham Borough Council Planning Committee Minutes

Meeting date: 20 November 2025

Meeting time: 6.00 pm - 8.08 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:

Tracey Birkinshaw (Director of Planning and Building Control), Chris Gomm (Head of Planning), Ben Warren (Senior Planning Officer), Lucy White (Principal Planning Officer) and Surinder Atkar (Solicitor)

1 Apologies

There were none.

2 Declarations of Interest

There were none.

3 Declarations of independent site visits

The following Councillors attended all sites during Planning View:

- Councillor Garth Barnes
- Councillor Barbara Clark
- Councillor Jan Foster
- Councillor Tony Oliver
- Councillor Dr Steve Steinhardt

Councillor Adrian Bamford had visited site 6a and was familiar with site 6b.

4 Minutes of the last meetings

The minutes of the meeting held on 16 October 2025 were approved and signed as a correct record.

The minutes of the Extraordinary meeting held on 21 October 2025 were approved and signed as a correct record.

5 Public Questions

There were none.

6 Planning Applications

7 25/01031/CONDIT - Land Adjoining Leckhampton Farm Court, Farm Lane, Leckhampton

The Senior Planning Officer introduced the report as published.

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

The objector addressed the committee and made the following points:

- Live to the north of the site and on two sides of their property are proposed dwellings, garages and car parks.
- Want to raise the issue of surface water drainage. Concerned that levels on the boundary with their property may be changed without consultation, not allowing them the opportunity to address related issues this may cause around vehicular right of way across the site as well as potential flooding issues. Want to be consulted about the impacts of levels and drainage issues.
- It is imperative that the boundary treatment around their house follows that approved by the planning inspector in September 2023, which specifies a 3-meter buffer and a 1.8-meter close board fence. The design and access statement from June 2022 also confirms a 3-meter wide green buffer has been introduced to provide screening for the existing properties off Leckhampton Court Farm. Despite this boundary treatment being included in comments in April 2025 and July 2025, the New Dawn Homes plans do not appear to confirm either the buffer or the fence. In the current application the latest site plan does not show the fence, and approval would make this site plan an official document, leaving the status of the fence in question. Residents of existing properties are relying on this buffer and fence to limit the impact and intrusion of the development, as well as providing privacy and amenity. Were reassured that the planning inspector clearly included the buffer and the fence but are concerned that there is no guarantee that they will appear later in the landscape scheme as they are not shown on the current site plan.
- Ask the committee to include a condition in the approved plans which ensures that a 3-meter buffer and a 1.8-meter close board fence are included as approved by the planning inspector in documents PL-05-D and PL-03-H. Such

a condition would also ensure compliance with Joint Core Strategy (JCS) Policy SD4.

The applicant's representative addressed the committee and made the following points:

- Chartered surveyor specialising in residential development, speaking in favour of New Dawn Homes' Section 73 planning application to amend the house-types and make minor changes to the scheme by Redrow which was approved at appeal. As consented, it is a low-density scheme for 30 homes, including 12 affordable homes, located between Leckhampton Farm Court and Church Road.
- The original application to revise the Redrow permission was withdrawn following a meeting with the parish council and discussions with the planning officers. This new application has been progressed to resolve all of the concerns that were raised and make minor amendments requested by officers.
- The road access point on Church Road and the number of proposed homes is unchanged from the consented scheme. The internal road layout and house positions are virtually unchanged. The retained trees, drainage arrangements, and footpath link to Farm Lane are as previously approved and the similarity of both schemes is clearly demonstrated on the overlay plan.
- Believe the bespoke house designs are far more appropriate to the special location in Leckhampton, than Redrow's nationally standardised arts and craft style house designs. As requested, the proposed brick and stone materials have been revised and during the application process the proposed ridge and eave heights have been reduced to broadly match that of the consented scheme. The officer's report states that they: "consider the amended house types to achieve a high standard of design and appropriate use of materials for its location and context."
- The environmental impact of development in this location has been contested for many years. However, this issue has already been decided by the appeal inspector when granting the Redrow permission and this has not been changed in the New Dawn Homes application. The council's officer advises that the overall scale and bulk of the current proposal is not dissimilar to the Redrow approval and advise that they "do not consider that the proposed development would have any greater environmental or ecological impacts than that of the consented scheme."
- The officer's comment on sustainability is slightly incorrect, as it is the intention to fully comply with the CBC Climate Change and Sustainability SPD and the proposed all-electric heating system will utilise the latest energy efficient air-source heat pumps. Homes will be A rated and have a low carbon footprint.
- Understand that there have been queries about the foul drainage capacity in the area. Severn Trent confirms that there is capacity for this site and that they do not have performance issues indicated in their network. They are investigating the concerns raised by the parish council about drainage smells but do not believe it is a capacity issue.
- Minor changes have been made to the affordable housing mix from the consented Redrow scheme. The two-bedroom rented first floor maisonettes with living rooms adjacent to the luxury properties at Leckhampton Farm

Court have been replaced with two-bedroom houses for rent, with ground floor living rooms. Believe this is a positive design revision to reduce the neighbours' overlooking concerns. The council's enabling officer has confirmed that the proposed house designs are acceptable and meets with the council's housing needs in this location. The additional build costs will be subsidised by New Dawn Homes and the rents to the housing association for both properties will be very similar.

- As a small, Cheltenham based, family company the committee's support for this application in accordance with the council's senior planning officer's report, would be appreciated.

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

- The new application does represent an improvement on the original Redrow consented schemes in some respects. Welcome that New Dawn Homes in general has engaged with the local community, has complied with the Climate SPD and has made some amendments to the scheme.
- However, there are a number of things relating to the conditions and how these are enforced that should be emphasised.
- Recommend that a condition should be added that the buffer is restored between the residents of Leckhampton Farm Court and the development.
- The parish council has raised issues about the foul drainage. This is being dismissed by Severn Trent but there have been really serious problems in the immediate local area resulting from the very large Redrow 277 house development across the road. This has caused constant complaints of foul scents in the lanes and from Brizen Lane further downhill, and there are real concerns that this development will add to the problem. Believe there should be a technical check on Severn Trent's response.
- Primarily concerned about the environment and have some sympathy with the objectors who have talked about the destruction of the local environment. The officer's report is very good and makes the important point that it should be read in conjunction with the appeal inspector's report. However, there are some important elements of the inspector's report that have not been included. One is a local policy, the Leckhampton and Warden Hill Neighbourhood Plan. Planning law says that once this reaches an advanced stage it has to be given considerable weight in planning decision-making. It is now at the examination stage, practically the end of the path, and yet the committee hasn't been told about the policy. This policy specifically refers to green infrastructure and specifically lists this site as a site of extreme ecological importance. It is mapped in the local nature recovery network as of importance for ecosystem services including biodiversity, food provision, carbon storage, orchards, woodland and stream habitat, soil health, water connectivity, and most importantly nature connectivity. This is a connecting site between the Cotswold National Landscape and the local green space in Leckhampton so it is an important wildlife corridor and the stream and the woodland on the site are really important.
- Unfortunately, the application comes in the context of an initial alleged illegal demolition of trees which the council's enforcement team is currently investigating.

- The appeal inspector's report says that the "framework does not state that such valued landscapes should be immune from development but rather they should be protected and enhanced." The planning officer's report mixes up the valued landscape with the Cotswold National Landscape, but this is not what the inspector was referring to. This site is in Leckhampton's valued landscape and the inspector is explicit in his report: "Overall, I share the views of the characteristics of this land identified by the previous inspector, considering its mosaic of uses, its history, and its network of footpaths, field and mature vegetation as positive attributes. I therefore have no business to depart from the findings of the Secretary of State in a previous appeal. Consequently, it would be within the constrained area, and I am of the view that the appeal site is within a valued landscape." The Neighbourhood Plan has repeatedly and strongly made the point that valued landscape under the National Planning Policy Framework (NPPF) is an important consideration and there is a duty to protect and enhance it.
- Not saying that this site should not be developed but a condition should be included that the local and environmental management plan should be brought back to the committee to ensure it is rigorous, enforced and really does protect the enormously valuable vegetation and habitats.

In response to Members' questions, officers confirmed that:

- The scope of the recommended conditions at the moment are those of the appeals inspector, with two additional that had been captured agreed with the applicant. As this is a new permission, new conditions could be introduced if the committee can demonstrate that there is a material planning reason for their introduction.
- The 3-meter green buffer was not a specific condition in the inspector's decision but was captured in the plans that were approved. It will be further captured by the landscaping plan at condition 8 which requires full details of hard and soft landscaping to be submitted and approved. The plan submitted with the current application does show a buffer and a hedgerow at the south of the boundary with Leckhampton Farm Court. This buffer is not to the same extent as the approved site layout scheme if you take the measurement up to the closest built form, which in this case is detached garages.
- It is not possible to add a new condition relating to doubts around Severn Trent's consultation statement. They have acknowledged that issues have been raised but that there are no flags of issues in their system. As this is a section 73 application, permission already exists for the same number of dwellings on this site, and this application cannot be considered to be increasing pressure on the foul water system beyond that already approved.
- The Leckhampton and Warden Hill Neighbourhood Plan (LWHNP) has progressed since the original application was submitted. As this is a section 73 application, not a new application, the committee are charged with considering whether any changes between the extant and proposed scheme result in harm and whether that harm provides a clear reason for refusal or would outweigh the benefits as required by paragraph 11. Therefore, the harm to the valued landscape as determined in the LWHNP would need to be shown to be in addition to the existing permission to allow additional conditions to be introduced. Cannot speak for the inspector, but it is reasonable for the committee to assume that the inspector had reviewed this

as a valued landscape. In allowing the appeal, he felt that whilst harm had been identified, it was outweighed by the benefits in the planning balance. The appeal has been included as an appendix.

- The affordable housing breakdown is five dwellings for social rent, three for affordable rent, and four for first homes. It has been extensively reviewed by the council's housing officers and amendments have been made in line with their comments. They have confirmed that it is fully compliant with Cheltenham's current needs.
- The timetable for the planting of new trees and shrubs is captured within the inspector's existing conditions. This requires that prior to the commencement of development, details shall be submitted and approved in writing to the local planning authority (LPA). All hard and soft landscaping work shall be carried out in accordance with the approved details within the approved timetable.

The matter then went to the vote on the officer recommendation to permit subject to a S106 agreement.

For: 10

Against: 0

Abstain: 1

Voted to permit subject to a S106 agreement.

8 25/00650/OUT - Land On The South Side Of Glenfall Way, Charlton Kings

The Chair addressed the meeting and highlighted that he appreciated the concern that this application is having on the community and his gratitude that the Cheltenham Civic Society have asked people to be respectful and not cause any disturbance by heckling during the meeting. Protests are an unalienable right enshrined in our democracy and the Chair defends that totally. However, he is equally of the opinion threatening people to a certain view is unacceptable and there has been some indication that such threats have been put out on social media to put pressure on planning members. As a committee they have a responsibility to listen to all parties including the council's respected planning officers. They will without doubt take account of all views and deal with the application based on the information and with due regard to the planning process.

The Senior Planning Officer introduced the report and the update officer report as published. She explained that the recommendation is to grant outline planning permission subject to the conditions set out in the update officer report and the applicant entering into a S106 agreement and specified obligations. She noted that there was one correction in 7.3 of the officer report which should read "strong reasons for refusal" rather than "clear reasons for refusal."

There were four public speakers on the item: an objector, the applicant's representative, and two ward members.

The objector addressed the committee and made the following points:

- Object to the planning application in any form because the site lies in a designated National Landscape. This carries statutory protection and the proposal conflicts with national policy, case law, and previous appeals for this very site and the same previous arguments.
- There are also serious and material omissions that make this application invalid and raise significant concerns about due diligence.
- The biodiversity net gain calculations (BNG) are flawed. The applicant proposes to enhance and replace the south-western boundary hedgerow with a native one instead of the non-native laurel to give a 16% increase. This south-western boundary, however, is not within the red line and belongs to the objector and their neighbours. BNG calculations cannot include habitats outside the red line without agreement or legal control, so the BNG 16% increase calculation is invalid. No approach or discussion has been made by the applicant. To replace this hedgerow without permission would not be lawful.
- The plans are flawed as the development is situated right over private water supply pipes. There is no acknowledgement of this, no lawful diversion strategy, and no right of access and there has been no approach or discussion.
- The revised street perspective views rely on a disingenuously planted tree in front of the houses to obscure the loss of the key view down from Ryeworth Road onto the escarpment. The plans reduce this open view by approximately 50% from the top of Ryeworth Road and the landscape architect reported the visual impact could cause a major/moderate material change in places. A pre-planning requirement was to maintain this view.
- The obstruction, whether tree or house, also conflicts with the Highways Agency's visibility requirements of a 2.4m by 43 splay and no obstructions above 60cm in either direction from the access point. Furthermore, the hedgerow to the right of the access road is largely owned by the objector and their neighbours, meaning this condition cannot lawfully be met without their permission.
- There is no contaminated land assessment. The southern part of the field was the septic soakaway for local properties. The system failed repeatedly, requiring new soakaways to be dug repeatedly in that area. When sewage overflowed into neighbouring gardens, this was abandoned and a connection to the mains was made. This is both a contamination risk for the proposed public open space and a drainage risk for the infiltration-based drainage system. A Phase 1 assessment must be conducted. This otherwise contravenes NPPF 196, which requires that "a site is suitable for its proposed use taking account of ground conditions and any risks arising from... contamination."
- The council's ecologist confirmed badger setts will be impacted by the development and require closure or partial closure. Excluding badgers from a sett requires a licence and landowner agreement. The sett extends into neighbours' land. Yet again, there has been no approach by either the council or the applicant for their approval and they would not agree to these terms.

The updated report gives an alternative to bury a fence along the boundary line instead. This requires deep excavation along the boundary. Under common-law trespass, the Party Wall Act, and Natural England's licensing conditions, no such works may lawfully be carried out without the adjoining landowner's written consent.

- There are no exceptional circumstances that justify harm to this National Landscape. The previous appeal inspector made clear that this very same fringe location is vulnerable to incremental erosion and that development here would cause demonstrable harm to natural beauty. That assessment still applies. NPPF 189 states that great weight must be given to conserving and enhancing landscape and scenic beauty in National Landscapes, which have the highest level of protection. Nothing in this proposal meets that test, nor has anything changed since the last appeal. The inspector concluded that residential development here would cause, "demonstrable harm to the quality of the natural beauty of the landscape."
- Even the application itself provides direct evidence of harm and justified grounds for refusal. The updated BNG calculations suggest a loss of nearly 10% of habitat. Buying offsite units absolutely does not compensate for the landscape loss in a nationally protected area and does nothing to "conserve and enhance the landscape."
- For these reasons, the application is incomplete, technically unsound, and contrary to national policy. In both law and in planning policy, it should be refused.

The applicant's representative addressed the committee and made the following points:

- This is a planning application for four self-build dwellings. From the outset in preparing the proposals, there have been a number of core considerations largely reflected in the officer's report. Notably, the landscape context of the site and its location within the Cotswold National Landscape, changes to planning policy over recent years, recognising the planning history, and what has changed since that time, and the delivery of self-build accommodation as a specific statutory requirement for the council. And the opportunity to deliver finality for this site.
- Recognise that there have been previous planning applications in this location but these have been for very different proposals. This proposal offers opportunities to enhance nature conservation and public access within the site. This is not salami slicing as has been claimed, it is the opposite. Most of the site will be managed for ecology with community access sterilising potential future development in this area.
- These considerations sit alongside detailed and early pre-application engagement with officers, including the council's landscape architect. The officer report is comprehensive recommending the proposals be granted planning permission. Reflecting the high quality of the proposals that minimise impact and maximise benefit.
- To highlight some of the key issues for determination in the context of landscape. Officers, including the council's landscape architect, recognise that

the design layout minimise impacts on the area and also recognises the proposal would bring some enhancement to it through the wider natural meadow proposals. Existing views are maintained and new views created from within the site by providing the opportunity of public access. These measures are to be secured by legal agreement. It is noted that the area of outstanding natural beauty (AONB) board were consulted on this application, and they declined to comment.

- Public access will be provided through a new permissive path, also secured by legal agreement, which will enable access to the meadow which occupies 74% of the entire site. It is an alternative to using the existing track which is currently shared with a skip lorry serving the recycling business adjacent and will be safer and much more attractive.
- Design. A high-quality design which has been subject to early pre-application engagement and received support from the architect's panel.
- A sustainable location providing the opportunity to access local services and facilities.
- A materially different planning policy environment to the planning history. Not only addressing technical constraints previously raised, but considering the proposal in the context of revised national policy, a presumption in favour of development and applying a tilted balance. Given the significant shortfall in housing generally, but also self-build accommodation specifically, which comes with statutory force.
- Highly sustainable dwellings utilising renewable energy and high-quality fabric and energy efficiency.
- An acceptable relationship with surrounding development, which also establishes a permanent gap on the settlement edge, preventing future development and delivering finality, removing the ability to salami slice.
- No concerns have been raised from any of the technical officers which would direct that this is even a fine balance in decision-making terms. These matters have led your officers to the conclusion that any impact of development is at the lower end of the scale. They do not significantly and demonstrably outweigh the benefits which have been identified and the substantial weight identified in favour of the proposals.
- The offer proposed by the application, the planning obligations to be secured and the accompanying planning conditions set out the applicant's commitment to deliver a high-quality development which can be integrated locally and benefit the wider community.

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

- "This land is not suitable for development" the words of Councillor Baker, a highly experienced and respected former member of this committee, recorded in the minutes of the meeting which refused against officers' recommendation a previous application on this field, also for four houses with landscaping and public open space.

- The inspector who dismissed the 2008 appeal to build on this site said: "I do not consider that the site can be considered suitable for housing" despite the council having a housing land supply shortfall at the time.
- Since then, planning rules over the AONB have been further tightened by section 245 of the Levelling Up and Regeneration Act 2023 (the LURA) which requires the council to seek to further the purpose of conserving and enhancing the natural beauty of the AONB. The inspector who dismissed the recent appeal on the neighbouring field determined that the LURA imposes a more rigorous requirement than SD7.
- This application in no way conserves or enhances the AONB. Views from Glenfall Way will be materially affected by the housing which will be clearly visible, not least because Highways require that vegetation is kept at a low height to give vehicles clear visibility when leaving the site.
- The house designs are as hideous as they are huge, incorporating what look like clad portacabins, and in no way enhance the AONB. The porsche sportscars in the drawings indicate the pricing.
- There are issues with the landscape architect report. Under areas of concern the architect says "I was under the impression that the development would be built out by a single developer. The self-build brings in an element of risk in terms of changed arrangements where they are critical in terms of the appearance of the scheme." The developer was clear in their neighbourhood consultation that they intend to sell the plots with outline planning permission attached, and it will be the responsibility of the buyers to bring forward detailed designs under a reserved matters application.
- The architect says in relation to composite wood cladding: "I am unfamiliar with the aging process of composite wood and question whether it would mature and 'silver-down' to better assimilate into the local landscape."
- The application is well understood by local residents. More than one hundred objections have been received to date and no expressions of support despite the applicant's neighbourhood consultation.
- Among the many valid reasons for objecting are that it conflicts with: paragraph 187a of the NPPF as it does not protect or enhance the landscape character of the site, paragraph 189 of the NPPF which says great weight should be given to conserving and enhancing landscape and scenic beauty, and that the conservation and enhancement of wildlife is an important consideration. It conflicts with section 245 of the LURA and SD7. It also conflicts with the Cotswold Management Plan.
- The updated officer's report shows, after repeated challenge from the CBC ecologist, there will be a 9.12% habitat loss. This is a clear admission that the AONB will be neither conserved nor enhanced. Members should note that the 'small' offsite BNG requirement described in the previous version of the officers' report was based on a 2.53% loss – a figure that had been superseded. An over 9% loss is not small. The UK is one of the most nature depleted countries in the world and we cannot afford to lose more of our precious protected habitats.
- It has been confirmed that the badger sett will be affected, at a minimum by excavation and use of a buried chain link fence. In what way does that

conserve and enhance wildlife? The badgers are living happily in a highly protected landscape. This application is about a rapacious developer who is happy to build over their home to maximise their profits, and this application must be refused.

Councillor Dr. Pemberton, as Ward Member, addressed the committee and made the following points:

- There have been over a hundred objections to this application. Many of them expressing concern about the loss of this important wildlife habitat that is part of the Cotswold National Landscape. As at least one resident has pointed out, granting permission for a development in this location represents the thin edge of the wedge. Setting a precedent. If we grant permission to build on one part of the Cotswold National Landscape, then how can we justify refusing the next application, and the next?
- We already leave so little room for nature in this country, surely we have a responsibility to protect what little remains. There are many barriers in place that provide justification to refuse this application. For some reason these are all being ignored. Once our areas of natural habitat are gone, we – as a species – have an extremely poor record of replacing it.
- Like to remind the committee of the council's own Draft Nature Recovery Supplementary Planning Document (SPD) which is out for consultation. The following points seem particularly pertinent:
 - o 1.5 Cheltenham Borough Council believes it is vital that we protect, enhance and grow biodiversity throughout our urban and rural environments.
 - o 1.6 This [AONB] is a UK Biodiversity Action Plan priority habitat which is important for biodiversity and maintaining the ecological character of Cheltenham.
 - o 1.14 [CBC] declared a climate emergency in 2019.
 - o It goes on to say that: "Research shows that a minimum 10% biodiversity net gain is required to prevent biodiversity degradation". This is not the case here.
- As an example of wildlife that would be adversely affected by this development – there is a badger sett close to the area the developer has applied to build over. The badgers have a right to a home, every bit as much as we do. Yes, if it suits, we will move them – like the rest of our wildlife, plants, animals and fungi – over a bit, squeeze them into ever smaller areas, until the area they have is no longer adequate to sustain them. Then we wonder what happened. Why we have no local wildlife? Why there are no bees? Why certain species get out of control? I would like to remind Members that badgers are the UK's last remaining, native, large carnivores. Badgers and their setts are protected by The Protection of Badgers Act 1992. This law strictly prohibits any malicious or negligent act which disturbs badgers or their homes. Development projects can result in the loss of badger foraging areas. Badgers are ecosystem engineers and the loss of viable habitat for badgers has wide reaching consequences for other native plants and animals.

- The Campaign for the Protection of Rural England has also lodged a strong objection to the application, due to the site of the proposed development being within the Cotswold National Landscape which has the greatest degree of protection afforded by national guidance and local policy. I would like to draw the committee's attention to that objection. They reference specifically NPPF section 15, in particular paragraphs 187 and 189, JCS policy SD7, and the recently adopted Cotswold National Landscape Management Plan which emphasises the importance of higher tier guidance and policy. The Campaign for the Protection of Rural England's view is that the adverse effects of the proposed development outweigh any benefits, that the application is contrary to policy and is not supported by relevant material considerations.

In response to Members' questions, officers confirmed that:

- A footpath diversion is not part of the planning application proposal so cannot be considered at this meeting. The footpath link is an alternative route through and would provide a safer and more accessible route so people can avoid using the track used by commercial vehicles. It would be a mown path through the site, rather than a hard surface track. A footpath diversion application would be a lengthy process. The county council's right of way officer was consulted and they did not suggest a footpath diversion, as they felt the proposal didn't affect the existing right of way.
- Before a footpath (including the proposed alternative footpath) can be included on the definitive maps it has to be an established footpath.
- No direct consultation response was received from the Cotswold Conservation Board, instead they referred us to the national and local planning policy guidance relevant to development within the Cotswold National Landscape.
- The biodiversity gain plan includes some replacement of a non-native laurel hedge along the western boundary of the site and some replacement hedging throughout on all boundaries. The issue of ownership of the hedging was brought to officer's attention a couple of weeks ago and they have been trying to seek clarification from the applicant. Believe the conclusion is that there is potentially some laurel hedge inside the application boundary and some outside. Where the bases are within the application site it will be replaced. The reserved matters application will also be required to include an updated biodiversity net gain plan, so any anomalies will be picked up at this stage.
- The previous proposal on adjacent land that was refused at appeal has also been considered by the landscape architect. The primary difference between the two applications is that the appeal site is very different in character. It is far smaller, five houses were proposed on that site and the layout of the scheme was frontage development. The scheme would have had a far more significant impact in blocking the important view of the escarpment than the current application proposal. The current application is a far larger site that retains the important views and limits development to one side. It is also on the edge of the settlement boundary and is not separated from it. The refused scheme was far more isolated, and it would have urbanised that space and

closed the gap between Ham and Charlton Kings, whereas the current application does not do that to the same extent.

- The Legal Officer noted that the appeal decision may have predated the 11d tiled balance analysis, so it may well be that when the decision was made the merits as assessed were against the development plan and other material considerations. Now, following government guidance within the NPPF we have to give a greater presumption in favour of development unless the harm demonstrably and significantly outweighs the benefits of the scheme.
- The application being for self-build dwellings is a reason in favour of the development. It remains the case that there is a planning balance to be done and the pros and cons of the development have to be weighed up in that planning balance exercise. The council has a duty to maintain a self-build register and when considering to grant planning permission, should have regard to proposals which contribute to meeting the demands of the register. This does not mean that the committee is obliged to grant permission, but it is something that carries an elevated level of weight in the balance. There is a statutory requirement for the Council to have a certain level of self-build plots on its register, which the council is falling short of which makes this a weighty material consideration, and this would be considered by the inspector at an appeal. It would be up to the inspector how much weight that would be given but it is likely to be significant.
- The drainage officer has reviewed the drainage strategy provided at this outline stage. The reserved matters details would need to include a detailed surface water drainage strategy (SuDS) and a foul water drainage strategy. Any issues with the soakaway which weren't raised by the drainage officer should be picked up at that stage when there is a detailed scheme.

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

- The application has been described by the planning officer as "an extension of the urban fringe." That is an extension of Cheltenham into the Cotswold National Landscape. Two key points, building beyond Cheltenham's urban boundary is in conflict with the local Joint Core Strategy (JCS) and also with the NPPF. Secondly, the impact on the Cotswold National Landscape would be similarly contrary to the JCS and NPPF. The application is against strategy, both local and national.
- Many strong reasons why the application could or should be refused. However, appreciate the need for self-build and the principal of self-build. There is not enough self-build in the UK. There are other countries where self-build is the norm, with large estates built by developers as the exception. Self-build offers much more diversity and more interesting buildings.
- Whilst this site is within the Cotswold National Landscape, which provides a good reason for refusal, it is on the very edge of the area. Whilst there will be some effect on the views into the AONB, in line with officers, believe this to be minimal. Of the opinion that the effects of the development are minimal and need to be weighed against the need for houses, including larger houses. Good reason to support the development.

- Feel as if the plan is to sneak in houses where it will not quite be noticed that they are outside the urban area. What is to stop another line being sneaked in and another and them creeping across the landscape? Would prefer to see houses dotted with lots of space between them in valleys where you would not be seen.
- Minded that we have to build and are under pressure to do so but do not feel we should give in on this due to the risk of creep and further building in the future. Also concerned that each house could come back and change the design, so the committee cannot know how the development will end up.
- There are only six areas of biodiversity left in Cheltenham and the town is incredibly short of land, which does not allow for building in the valleys. Deeply resent those who have planning permission for large schemes and are sitting on them and not doing anything. Worried about what we are signing up for if approved.
- Understand the strong planning case that has been made for this development but believe it is possible as a councillor to have a slightly different perspective than the planning officers. For instance, mindful of the massive local objection and complete lack of local support and will take that into account.
- The strongest argument against the development is that the Cotswold National Landscape has always been sacrosanct. It is unthinkable to sacrifice that for a tiny contribution towards Cheltenham's housing need. Have been under huge pressure as a committee to build due to a bonkers local and national target. Not confident that in the medium or long-term view these houses will be needed given the current low birth rates. Conscious that as planners we have to heed these targets. Do not feel that the contribution of four houses towards an impossible target is going to be materially helpful.
- When is harm not harm? Agree that a lot of this development is contrary to policies. Have discussed the NPPF, JCS policy, Cheltenham Plan and Cotswold National Landscape Management Plan. Appreciate the strong arguments that officers have provided. However, it is contrary to what we stand for in protecting the environment. The proposal does not conserve or enhance the natural beauty of the Cotswold National Landscape.
- The field in question is currently not publicly accessible. So, there is an argument that has been made that this enhances the environment for those wandering onto the field.
- Find it somewhat ironic that we quote these four dwellings as adding to our housing stock, when only just a few hundred yards away we were arguing against holiday lets transferring to residential properties. In that case the committee took the opposite view to the planning officers. Obviously, the housing really needed is social generally and considerably lower value than the ones proposed, which are likely to be multi-million pound properties.
- Concerned that with the lack of major objections from the likes of Natural England or Highways that should this go to the planning inspector at appeal it will be overturned. Suspect that if granted it may end up under judicial review, so either way suspect this will not be the end of the saga. On balance not

particularly happy with the choice but would accept the planning officer's recommendation.

- In terms of biodiversity do not like offsetting. Do not know exactly where they are planning to offset the loss but if it is just protecting a section of forest that does not represent a biodiversity gain. It is also important that if approved, the offsetting occurs in Gloucestershire and ideally adds to the western forest project.

The Legal Officer responded to the following points made during the debate:

- The consideration of encroachment in terms of granting this application and fear this will lead to copycat applications is not a material consideration. The application has to be considered on its own merits and not be forecasted into the future to see what ramifications may or may not happen.
- On the matter of the strong local objection, that is also not a material consideration and cannot be weighed in the balance. Whilst it is clear that the objection is there, it is vital it should not be allowed to interfere with the decision-making process.
- Judicial review will only come into effect if the committee's decision is considered totally unreasonable. If refused, then the application would be open to appeal. If granted, it could be subject to a judicial review but the criteria for that is very strict.

The Member debate continued where the following points were made:

- Very conflicted. Lived in Cheltenham entire life, came on to the planning committee to try and enhance Cheltenham and preserve all the local green spaces. But committee members have to work by planning rules. The tilted planning balance is like having one hand tied behind your back, and to a certain extent it affects every decision made. Honestly believe that if refused this will be taken to appeal and overturned, which would cost the people of Cheltenham money. It is a councillor's job to try and look after the interests of the people of Cheltenham and for that reason will have to support the officer's recommendation.
- The Vice Chair offered his thanks to the committee for their honesty, bravery and opinions. Clearly a very controversial matter that a lot of people find to be egregious, and a lot of people find to be in accordance with legislation. An unfortunate case where planning law does not seem to abide by common sense and a clear example where the committee are pressured into accepting a tilted balance. As a result, are strangled into something that is contrary to the JCS and contrary to what we believe to be right for Cheltenham and for our land. It is a shame as we are likely to be punished at appeal if refused. Whilst the risk of appeal is not necessarily a material planning consideration, it does factor into the decisions taken. Do not know where to stand on this application. On the one hand it is clear that there is a legal belief that approval is correct. On the other hand this is immoral. However, cannot weigh the decision on the basis of morality. Want to go on record to say that this is a clear example of where the government is out of step with the people.

- The Chair noted that the committee is not being forced into a decision. They are to consider the planning laws and planning rules, and the definitive response from officers. In an ideal world we would not build anywhere as it is always going to affect somebody. Objections are received for almost every planning application, but that is not a reason for opposing or rejecting a planning application. The committee has received good advice from the legal officer and a thorough report from the planning officer on the tilted balance. In an ideal world would love to see Cheltenham greened and beautified by trees, but this planning application lies on the basis that it is a responsible way of dealing with the land within our control. The committee has to take a planning view on these issues, not a moral view, a practical one. Government's make all kinds of decisions over the years which some of us disagree with totally but we have to live with them. Would have preferred not to have seen this scheme, but it is a proper planning scheme put forward to the committee and will support the officer's recommendation.

The Legal Officer clarified that the risk of going to appeal is in itself not a material consideration. However, if you are entertaining the possibility, it must be inferred from that that you feel the grounds for refusing the application would bring that into action. Need to be very careful as this is a two-edged sword. The risk is there but that does not mean it is a material consideration. Entertaining the possibility suggests that in your mind the decision should legally be in a particular direction.

The Member debate continued where the following points were made:

- The Vice Chair agreed that this is a thorough report and is in accordance with planning law. He highlighted that he feels it is a shame that it is in accordance but that he understands the committee cannot vote on moral considerations. Wanted to make sure the point is clearly understood that the committee have to vote on the basis of planning law.
- One councillor noted that his ward is on the west of Cheltenham where in excess of 4000 homes plus offices are being built. He lives in a house that was once in the middle of an orchard. Whilst these proposed houses are in a beautiful area, it is not comparable. Would love for the fields on the west of Cheltenham to remain green but there is a need for houses and for employment land and he is prepared to sacrifice that for the homes and the workspaces. Here we are talking about 4 houses, not 4000. Will support the officer's recommendations.
- There is a balancing act here. We are in an insect crisis, we need this land and four houses is a drop in the ocean against Cheltenham's housing need. Cannot see that it outweighs the harm that is going to be done by the development of this site.

The senior planning officer clarified the following points as part of their final right of reply:

- In regards to the house types and design changing substantially at reserved matters stage. The applicant has provided plot passports/design codes that are quite rigid. These will inform the reserved matters proposals and provide

adequate control over future design, including the materials pallet and the roof forms. There is coherence and consistency between all four but some flexibility would still be allowed in terms of internal layout and perhaps some minor tweaks to building footprints and other aspects. However, the height and floor areas are fixed so in this case there would be minimal changes to the indicative proposals.

- On the matter of creep. As previously set out, the applicant has agreed to enter into a section 106 obligation to retain two thirds of the site as open space, including the new footpath. That would effectively sterilise the land against future development. Therefore, any creep within the application site is extremely unlikely.
- If the resolution is to grant outline planning permission one further condition would need to be added in relation to a waste minimisation statement. This is due to a late representation from the county council. It is recommended that the wording of this condition be agreed through the Chair and Vice Chair.

The matter then went to the vote on the officer recommendation to permit subject to stated conditions and a S106 agreement, and one additional condition, wording to be agreed with the Chair and Vice Chair.

For: 5

Against: 6

Abstain: 0

Voted against the officer recommendation to permit the application.

The committee discussed reasons for refusal and cited the following:

- Primary concern that the boundaries of Cheltenham are being extended into the Cotswold National Landscape and this is such precious land.
- Conflicts with paragraphs 187a and 189 of the NPPF, and SD7 and SD10 of the JCS.

The Head of Planning noted that as we do not have a 5-year housing land supply, development needs to be approved and in particular where the policies that are most important for determining the application are out of date. In this particular case members need to be clear that there is a strong reason for refusing the application or whether there is any adverse impact of granting that would significantly and demonstrably outweigh the benefits. Need to understand what the strong reason is and what the policies are that support that reason.

The Legal Officer advised that the policies are outlined in the report and that the committee needs to identify by chapter and verse which policies were used to come to the conclusion that effectively the tilted balance has not swayed the committee and that the presumption in favour of development has been displaced.

The Vice Chair suggested consideration of SD7 and SD10 of the JCS in response to paragraph 11d(i) of the NPPF. He noted that paragraph 11dii might overrule these policies and asked for officers' advice. The Legal Officer confirmed that if the committee identified those policies as effectively overcoming the tilted balance and paragraph 11dii of the NPPF, then they can be given as reasons for refusal.

One Member noted that the Campaign for the Protection of Rural England objection stated that they "consider the proposed development is contrary to policy and guidance at all levels. NPPF section 15 and, in particular, paragraphs 187 and 189". It also goes on to discuss JCS policy. He noted that it also doesn't conform with the Cheltenham Plan. He proposed that this be used as a basis for refusal. The Head of Planning confirmed that the objection refers to JCS SD6 (landscape) and SD7 (AONB), which seek to preserve and enhance the landscape within those areas. If the committee is of the view that the application is contrary to those policies, then that is a legitimate reason for refusal.

The committee then voted to delegate authority to the Head of Planning in consultation with the Chair and Vice Chair of the Committee to agree the exact wording of the refusal to refuse the application, which was carried.

9 Appeal Update

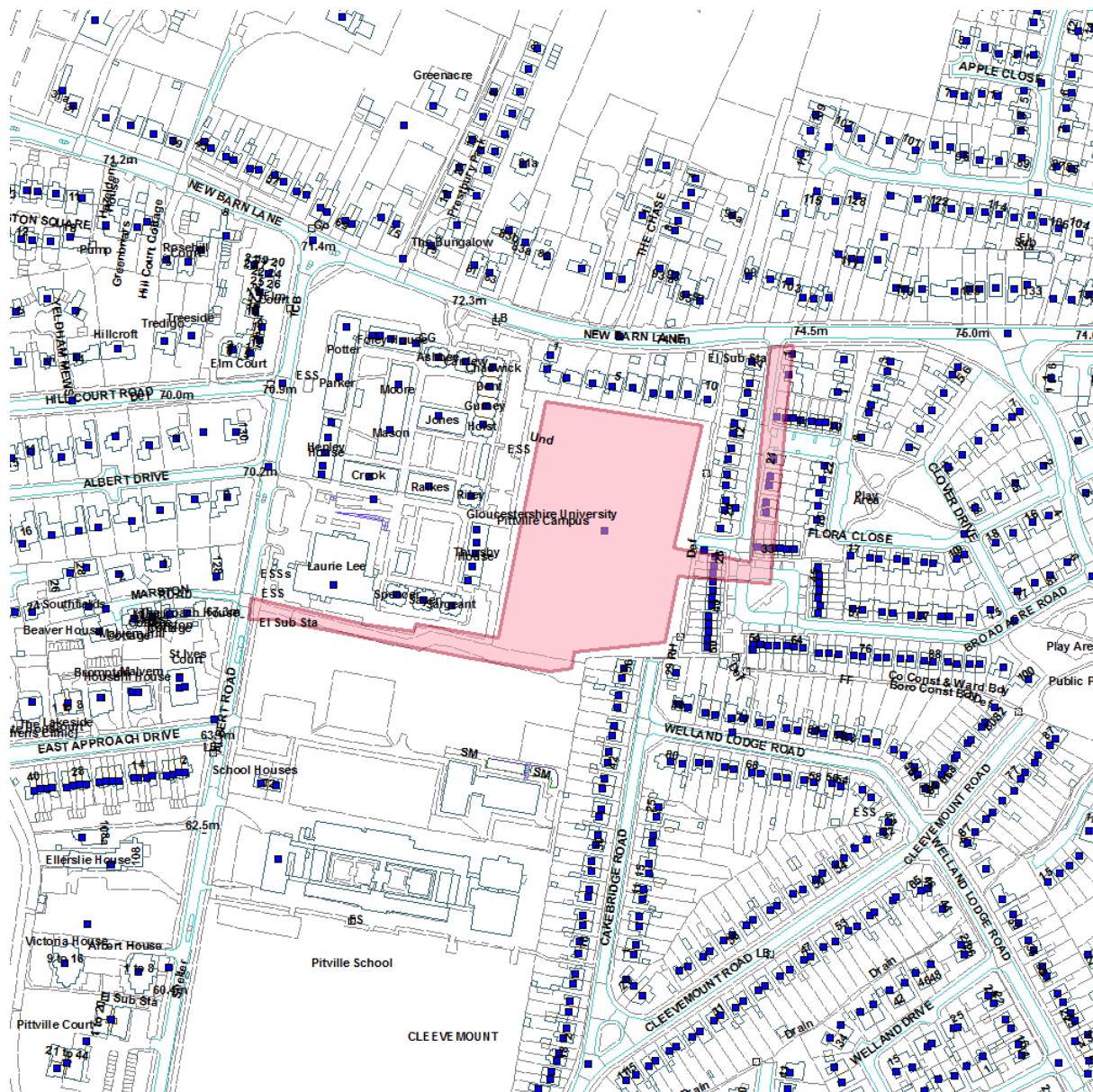
The appeal updates were noted.

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

There were none.

APPLICATION NO: 25/00780/FUL	OFFICER: Mrs Lucy White
DATE REGISTERED: 16th May 2025	DATE OF EXPIRY: 15th August 2025/Agreed Extension of Time Until 5th January 2026
DATE VALIDATED: 16th May 2025	DATE OF SITE VISIT:
WARD: Pittville	PARISH:
APPLICANT:	Newland Homes Ltd
AGENT:	
LOCATION:	Pittville School Albert Road Cheltenham
PROPOSAL:	Full application for the erection of 58 residential dwellings including access, parking, landscaping and associated works.

RECOMMENDATION: Permit subject to a 106 Obligation



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site comprises a former school playing field, a strip of land following the boundary with the University of Gloucestershire and land associated with the adjoining Starvehall Farm development.
- 1.2 The site is enclosed by gardens of properties in Greenfields/New Barn Lane to the north, the University of Gloucestershire Pittville Campus (student village) to the west, properties in Broad Acre Road to the east boundary, and the remaining Pittville school grounds and buildings to the south. The boundaries include trees, shrubs and mature hedging; however, the rear gardens of properties in Greenfields that back onto the site are largely open, with some dwellings having minimal vegetation along boundary fences. The land is relatively flat and currently landlocked with no public access.
- 1.3 Although the housing element and built form of the proposed development lie outside of the conservation area, the southernmost parts of the application site, adjacent to the University's Student Village, fall within the Pittville Character Area of Cheltenham's Central Conservation Area. In addition, the main school building at Pittville School is included in the Council's Index of Buildings of Special Interest. A portion of the site falls within Prestbury Parish.
- 1.4 The playing field has not been used by the school for sports activities since 2009. Pittville School has secured Government (DfE) Section 77 approval to dispose of this land to raise a capital receipt to build a new replacement indoor sports hall.
- 1.5 The application seeks full planning permission for the erection of 58 residential dwellings including access, parking, landscaping and associated works. Two new footpath connections to Albert Road and Cakebridge Road are also proposed, alongside various biodiversity enhancements.
- 1.6 There is relevant planning history associated with the proposed development. Outline planning permission was granted in 2016 for the erection of up to 58 dwellings (ref. 15/01163/OUT). This outline application was submitted in parallel with an application proposing the erection of an indoor sports centre, artificial turf pitch, tennis courts, floodlighting, associated parking and landscaping and including demolition of two dwellings (ref. 15/01162/FUL subsequently amended in 2019 by 18/02493/FUL). These applications were determined concurrently; the proposed housing development intended to fund the new sports facilities for the school with no cost to the Local Education Authority. Reserved matters approval was granted in 2021 (ref. 18/00053/REM).
- 1.7 The above planning consents were not implemented and both are now time expired. In April this year, the County Council (as the determining authority) granted full planning permission for the erection of a new sports hall and floodlit artificial pitch on land/playing fields to the front of the main school buildings. Construction works associated with this development have started.
- 1.8 In response to concerns raised by officers and consultees, there have been a number of scheme revisions during the course of the application, and these are discussed in the relevant sections of this report.
- 1.9 This application is being determined by the Planning Committee following the Parish Council's objection to the proposed development. Their concerns can be read in full in the Consultee section at the end of the report, but in summary are focused on the following suggestions for improvements to layout, access, infrastructure provision and mitigation measures:
 - Provision of a linked and ecologically functional wildlife corridor

- Inclusion of on-site community and play facilities to reduce demand on nearby facilities
- Comprehensive review and redesign of traffic access and pedestrian safety, particularly in relation to Broad Acre Road
- High-density housing and scale of development inappropriate for this site with resultant harm to amenities of neighbouring properties. Layout adjusted to relocate the larger properties away from existing large detached houses on adjoining land.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Conservation Area
Principal Urban Area

Relevant Planning History:

14/00804/PREAPP 23rd July 2015 CLO

Residential development on school playing field (to facilitate a new sports centre for the school)

15/01162/FUL 23rd March 2016 PER

Erection of indoor sports centre, artificial turf pitch, tennis courts, floodlighting, associated parking and landscaping and including demolition of two dwellings.

15/01163/OUT 11th April 2016 PER

Outline application for the erection of up to 58 dwellings (approval sought for means of access with other matters reserved)

18/02493/FUL 28th August 2019 PER

Erection of new sports hall, all-weather floodlit (3G) football pitch, tennis courts and associated parking and landscaping, including demolition of 2 no. dwellings (revision to planning permission 15/01162/FUL).

19/00053/REM 18th March 2021 APREM

Application for approval of reserved matters (appearance, landscaping, layout and scale) pursuant to outline planning permission 15/01163/OUT for the erection of up to 58 dwellings with associated infrastructure and landscaping.

24/01848/DEEM3 12th February 2025 OBJECT

Erection of a new 2 storey block to provide a 4-court sports hall, dance studio and fitness suite with changing facilities and ancillary spaces, external works to include provision of a floodlit sports pitch, with associated landscaping.

3. POLICIES AND GUIDANCE

National Planning Policy Framework

Section 2 Achieving sustainable development

Section 4 Decision-making

Section 5 Delivering a sufficient supply of homes

Section 8 Promoting healthy and safe communities

Section 9 Promoting sustainable transport

Section 11 Making effective use of land

Section 12 Achieving well-designed places

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

Section 15 Conserving and enhancing the natural environment

Section 16 Conserving and enhancing the historic environment

Adopted Cheltenham Plan Policies

D1 Design

D3 Private Green Space
BG1 Cotswold Beechwoods Special Area Of Conservation Recreation Pressure
SL1 Safe and Sustainable Living
GI2 Protection and replacement of trees
GI3 Trees and Development

Adopted Joint Core Strategy Policies

SP2 Distribution of New Development
SD3 Sustainable Design and Construction
SD4 Design Requirements
SD8 Historic Environment
SD9 Biodiversity and Geodiversity
SD10 Residential Development
SD11 Housing Mix and Standards
SD12 Affordable Housing
SD14 Health and Environmental Quality
INF1 Transport Network
INF2 Flood Risk Management
INF3 Green Infrastructure
INF6 Infrastructure Delivery
INF7 Developer Contributions

Supplementary Planning Guidance/Documents

Central conservation area: Pittville Character Area and Management Plan (July 2008)
Index of buildings of Local Interest SPD (2007)
Cheltenham Climate Change (2022)

4. CONSULTATIONS

See appendix at end of report

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	290
Total comments received	32
Number of objections	30
Number of supporting	0
General comment	2

5.1 Letters were sent to 290 neighbouring properties. In addition, site notices were displayed in Broad Acre Road, Albert Road, Cakebridge Road and New Barn Lane and an advertisement was published in the Gloucestershire Echo.

5.2 At the time of writing, total of 32 representations have been received, all either objecting or providing general comments on the proposed development. The main issues raised include, but are not limited to, the following:

- Loss of playing field and green space
- Increase in traffic on local road network, notably Broad Acre Road and parking congestion. Insufficient parking proposed.
- Pedestrian safety in Broad Acre Road
- Alternative access to the site via Albert Road not considered

- Suitability of access and capacity at Broad Acre/New Barn Lane junction
- Noise and disturbance during construction phase
- Overlooking into neighbouring properties and loss of privacy, light and overshadowing
- Loss of ecological habitats, impact on Starvehall Farm wildlife corridor and no extension of wildlife corridor
- Size, scale and number of houses proposed inappropriate for this site
- 10% on site biodiversity net gain not achieved
- Impact on local, community services and school capacity
- Footpath link to Cakebridge Road is unnecessary.
- No children's play area proposed
- The sale of the playing field should not be used to fund the new sports hall
- Proposed pedestrian link to Albert Road is a positive addition, but should be upgraded to a cycleway

6. OFFICER COMMENTS

6.1 Determining Issues

6.2 The principle of the loss of the school playing field and the redevelopment of the site to provide up to 58 new dwellings is established through the previous grant of outline planning permission and reserved matters approval. The relevant planning history associated with this site is therefore a material consideration of this application.

6.3 Although the current application proposals are similar in housing numbers and layout, a different housebuilder has come forward to deliver the previously approved 58 dwellings. The key issues for consideration (in no particular order of importance) are therefore:-

- Updated Planning Policy Framework and Principle of Development
- Affordable Housing and Housing Mix generally
- Access, Parking, Traffic, Highway Safety
- Architectural Design and Layout
- Potential Impact on the Amenities of Neighbouring Land Users
- Impact on Significance of Designated and Non Designated Heritage Assets
- Sustainability and Climate Change
- Drainage and Flood Risk
- Ecology, Green Infrastructure and Biodiversity Net Gain
- Trees and Landscaping
- Habitat Regulations Assessment and Recreational Pressure on the Beechwoods SAC
- Community Infrastructure Provision – Education, Libraries and Play Facilities
- Other considerations – Waste Minimisation, Archaeology and Utilities

6.4 Principle of Development/Planning Policy Context

- 6.5** Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that applications for development must be determined in accordance with the development plan, unless material considerations indicate otherwise.
- 6.6** The relevant policy documents are the adopted Cheltenham Plan (2020) (CP), the adopted Joint Core Strategy (2017) (JCS) and the NPPF (2023). Policies D1, SL1, BG1, G12 and G13 of the CP and policies SD4, SD8, SD9, SD10, SD11, SD12, SD14, INF1, INF2, INF3 and INF6 of the JCS are most relevant.
- 6.7** The application site is located within the Principal Urban Area (PUA) of Cheltenham and partly within the Central Conservation Area. The Environment Agency's (EA) Flood Map indicates that the site is at low risk of flooding (Flood Zone 1). The site was formally used as a school playing field.
- 6.8** The site is within reasonable walking distance of the nearest local services in Prestbury and the town centre. There are also regular bus services serving the town centre and beyond. The site can therefore be considered a highly sustainable location for new residential development, in the context of the NPPF.
- 6.9** Within the PUA the principle of new residential development on previously developed land is supported by Policy SD10 of the Joint Core Strategy (JCS).
- 6.10** Paragraph 11 of the NPPF sets out a '*presumption in favour of sustainable development*' and makes it clear that development proposals that accord with an up to date development plan, should be approved without delay.
- 6.11** Paragraph 11 of the NPPF states '*Plans and decisions should apply a presumption in favour of sustainable development....and for decision making this means approving development proposals that accord with an up-to-date development plan*'. Where policies which are most important for determining the application are out-of-date, the NPPF at paragraph 11(d) advises that planning permission should be granted '*(i) unless the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination*'. This is referred to as the 'tilted balance' in favour of sustainable development.
- 6.12** The protected areas or assets referred to at (i) above are, in this case, the Central Conservation Area.
- 6.13** Footnote 7 of paragraph 11 of the NPPF explains further that for applications involving the provision of housing, relevant policies must be considered out of date in situations where the local planning authority cannot demonstrate a five year supply of deliverable housing.
- 6.14** Cheltenham Borough Council is currently unable to demonstrate a five-year supply of housing land and at the time of writing the latest published figure is 2.69 years. The contribution of 58 open market and affordable dwellings towards alleviating the current shortfall and meeting the Council's housing needs are material considerations in the determination of this planning application and carry significant weight in the overall planning balance.

6.15 Design and layout

- 6.16** Section 12 of the NPPF sets out that good design is a key aspect to achieving sustainable development and creating better places to in which to live. Similarly, Policy SD4 of the JCS requires development to respond positively to and respect the character of the site and its surroundings. These objectives are reiterated in Policy D1 of the Cheltenham Plan which requires development to achieve a high standard of architectural design that complements neighbouring development.
- 6.17** Cheltenham's Supplementary Planning Document, '*Development on Garden Land and Infill Sites*', sets out the general principles of good design and the various elements that are considered to create the character of an area, which include grain, type of building, location of buildings, plot widths and building lines.
- 6.18** The proposed development comprises 58 dwellings (a mix of market and affordable units), distributed evenly across the site, with the majority fronting a single circular estate road. Vehicular access to the site will be provided via Broad Acre Road (within the Starvehall Farm development), where a turning head currently exists. The primary access to Broad Acre Road is from New Barn Lane.
- 6.19** The layout incorporates an area of public open space, a SuDS attenuation/pond feature and new tree and shrub planting. Consistent with the previously approved 2021 reserved matters scheme for this site, two new footpath links are proposed to the south, providing pedestrian connections to Albert Road and Cakebridge Road.
- 6.20** The (revised) scheme comprises a mix of two and three storey terraced, semi-detached and detached dwellings, maisonettes and an apartment block. Building heights vary and the 2.5 and three storey dwellings and apartment block are positioned along the west boundary, closest to the four storey student accommodation on the university campus, or centrally within the site. No three or 2.5 storey dwellings are located next to the rear gardens of properties in Greenfields or Broad Acre Road. The majority of market dwellings include single garages to the side, with any off road parking provided to the side or in front of each property. All dwellings are allocated one or two car parking spaces, depending on their size.
- 6.21** The general layout, landscaping and distribution of the market and affordable housing are now considered acceptable. The scale and design of the various house types, along with the materials palette (buff, red and black brick and slate-effect roof tiles) are also acceptable, subject to approval of material samples and brick sample panel boards. A consistent materials palette is proposed across both the open market and affordable units, and the amended lighter/softer and varied materials palette reflects the recently constructed Student Village accommodation blocks to the west, which predominately use buff brick with stone detailing. However, the detailed design and finish of porch canopies requires further consideration. A condition has been added requiring subsequent approval of this element, along with details for windows, external doors and balustrade details to Juliette-style windows.
- 6.22** The submitted details for boundary treatments and hard surfacing materials are acceptable. All public facing boundaries would consist of a screen wall or hedging. Plots that share a rear or side boundary with properties on neighbouring land or the Starvehall Farm wildlife corridor will include timber fencing installed alongside any existing boundary treatment.

6.23 Urban Design

6.24 The Council's Urban Designer (UDO) has played a key role in negotiations aimed at improving the design, layout and architectural detailing of the proposed development.

6.25 The following concerns (in summary) were raised during the course of the application:-

- Poor accessibility and connectivity between the site and surrounding context
- Weak internal permeability and legibility with no clear permitter block layout and the internal estate road cut off within the site
- The SuDS/attenuation basin lacked landscaping and placemaking/enhancement of the public open space. Dwellings should front onto this feature views south should be opened up where possible.
- Poor car parking arrangements for some plots
- More careful treatment of front boundaries required to ensure successful and meaningful shrub/landscaping in these areas
- Relationship between plots 6&7 and adjacent trees
- Apartment block lacked amenity/external space with potential overlooking issues and minimal space for refuse storage facilities
- Layout includes areas of surplus/left over land which would be hard to manage
- More variety in materials palette required, plus a softer tone and avoiding overly contrasting facing brick and mortar colours .
- Adjustments required to gable-fronted built forms, eaves and ceiling heights, and window proportions and surrounds on some front elevations
- Opportunity to increase density of development along western site boundary adjacent to university accommodation block
- No formal access across public open space/attenuation basin to the south east. Pedestrian link to Cakebridge Road should be re-introduced as per previous scheme.
- No children's play facilities proposed. SuDS pond/public open space area may a suitable area to accommodate natural play/LAP
- Additional street tree planting required
- Solar panels should be installed on all buildings
- Details of security/boundary treatment along the Pittville School boundary required

6.26 Officers also raised concerns regarding garden sizes, the distance from rear elevations to rear boundaries, and separation distances between opposing clear glazed first floor windows.

6.27 The applicant has engaged with officers, and the revised scheme addresses most of the previously identified concerns, including suggested improvements to layout and architectural design. Although a natural play area or other recreation enhancements have not been incorporated within the open space or SuDS feature, nearby facilities at the Starvehall Farm development and Pittville Park are expected to meet the needs of future

occupiers. Given the lack of on-site provision, a s106 financial contribution will be sought to enhance existing local facilities at Pittville Park and allotment provision.

- 6.28** The applicant has also commissioned an independent Building for a Healthy Life Pre-Assessment (BHL). BHL is a widely known Design Code used *to create places that are better for people and nature*. The proposed development scores highly and meets the requirements of nearly all categories of assessment. It only falls below required BHL standards in respect of junction radii (aimed at reducing vehicle speed) reduce. In this case, greater junction radii are required to accommodate vehicle turning movements and this cannot be adjusted for highway safety reasons.

6.29 Architects Panel/Civic Society

- 6.30** Although more variety in the design of individual house types would be preferable, the Panel are generally supportive of the proposals, particularly the footpath link to Albert Road. The use of the SuDS basin as useable public open space is questioned and whether there are sufficient south facing roof slopes to accommodate solar PV panels.

- 6.31** The various comments made by the Civic Society are noted and the majority have been discussed within the report. A secondary vehicular access from Albert Road or Cakebridge Road is not feasible, nor considered necessary by the Highway Authority to facilitate the proposed development. The lighting and safety of the footpath link to Albert Road will form part of the site-wide lighting strategy to be submitted and approved through the discharge of conditions.

6.32 Conclusion

- 6.33** Despite minor reservations regarding certain house type architectural details, the revised scheme would deliver an improved layout, a coherent materials palette and enhanced soft landscaping and biodiversity.

- 6.34** Overall, the proposed development is considered to achieve a good standard of architectural design that should sit comfortably within its surroundings while respecting the character of neighbouring development. The proposed development accords with Policy D1 of the Cheltenham Plan, Policies SD4 and SD8 of the JCS, and the relevant guidance set out within the Supplementary Planning Document.

6.35 Impact on neighbouring property

- 6.36** Section 12 of the NPPF requires development to create places with a high standard of amenity for existing and future users. Policy SL1 of the Cheltenham Plan advises that development will only be permitted where it will not cause unacceptable harm to the amenity of adjoining land users or the locality. In assessing impact on amenity, the Council will take account of matters including, but not limited to, loss of privacy, light and outlook. The policy is consistent with adopted JCS policy SD14.

- 6.37** The nearest residential properties are located to the east, west and north in Greenfields (off New Barn Lane), Broad Acre Road and Cakebridge Road. Several four storey student accommodation blocks on the University Campus are located adjacent to the west site boundary. Although sharing a boundary, Pittville School users to the south would be less impacted by the proposed development.

- 6.38** A number of local residents have raised concerns about the size, scale and density of development, its proximity to neighbouring dwellings and the resultant overlooking into neighbouring properties with loss of privacy and light. Noise disturbances during the

construction period are also highlighted. Officers have considered these concerns very carefully.

- 6.39** Neighbouring residential properties share boundaries with proposed dwellings to the north in Greenfields and along the east boundary on Broad Acre Road. The four storey student accommodation block to the west on the University campus would also experience some impact; however these buildings are physically separated from the application site by an intervening access road.
- 6.40** The revised site layout confirms that proposed dwellings adjoining Greenfields achieve the minimum rear garden depth of 10.5 metres to their rear boundaries. A similar 10.5 metre distance is achieved along the east site boundary, taking account of the intervening wildlife corridor between the application site and properties in Broad Acre Road. Furthermore, separation distances between directly facing windows, both within the site and in relation to neighbouring properties, meet the minimum 21metre recommended standard.
- 6.41** There are two proposed dwellings and two maisonettes with side elevations and first floor windows facing neighbouring properties in Broad Acre Road. All first floor openings in these buildings serve bathrooms and it is expected that these windows would be obscurely glazed. However, to maintain privacy and prevent direct overlooking, a condition has been added to ensure that these windows are installed and retained as obscure glazed openings and with high level opening mechanisms only.
- 6.42** The rear elevation of the apartment building (Plots 36-41) includes two second floor dormer windows and one first floor opening serving bedrooms, while 2no. Velux windows in the rear roof slope serve bathrooms. There is no residential accommodation on adjoining land that would directly overlook the proposed apartment building. The separation distance between its rear elevation and the nearest elevations of the University's student accommodation blocks is approximately 31 metres, measured at an oblique angle. Consequently, any potential for overlooking into the University campus accommodation is considered minimal.
- 6.43** The side elevations of Plots 36-41 also include first and second floor openings serving bedrooms and kitchen/living rooms. Except for the bedroom windows, these openings have been kept as small as possible and would function as secondary light sources. Due to the proximity of these side openings to Plot 35, a condition has been added to ensure that these windows are fitted and retained with obscure glazing and high level opening mechanisms only.
- 6.44** The separation distance between the side (north) elevation of the apartment building and the nearest dwellings at Plots 42 and 43 is slightly below the minimum 21m standard. However, the intervening driveway and parking area mitigates this shortfall. Although not ideal, this relationship is considered acceptable and is consistent with similar arrangements elsewhere within the development, where dwellings face each other across the estate road.
- 6.45** A condition preventing any further openings being installed without the prior written consent of the planning authority has also been added. Given the proposed garden sized and the proximity of neighbouring properties, officers also consider it necessary to remove permitted development rights for future extensions, garages and outbuildings (excluding for garden sheds).
- 6.46** Any noise disturbance during the construction phase is largely unavoidable and would be temporary. The construction management plan will need to specify construction working hours to minimise disruption to neighbouring and users. Measures to prevent dust and

pollution nuisances will also be included. The Council's Environmental Health team (EHO) will review and approve the details submitted, provided they are satisfactory.

- 6.47** The EHO and Land Contamination officer have no overriding concerns with the proposed development, subject to conditions being added. These will secure details of any piling operations and construction management (inc. working hours, noise and dust management).
- 6.48** With all of the above in mind, the proposed development is considered to be compliant with adopted CP policy SL1 and adopted JCS policy SD14 which require development to protect the existing amenity of neighbouring land users and the locality and those of future occupiers.

6.49 Access and highway issues

- 6.50** Paragraph 116 of the NPPF states that development should only be refused on highways grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe.
- 6.51** Policy INF1 of the JCS reiterates the stance of the NPPF and advises that all development proposals should provide for safe and efficient access to the highway network for all transport needs.
- 6.52** The application is accompanied by a comprehensive Transport Assessment. Gloucestershire County Council, acting as Local Highway Authority (HA), has reviewed the proposals alongside the submitted transport related documents, the relevant planning history and revised scheme proposals. In summary, the HA raise no objection to the proposed development and their comments are set out in full in the Consultations section of the report.
- 6.53** The HA considers the predicted traffic numbers and distribution to be reasonable and unlikely to result in severe impact on the local highway network. Similarly, the site access is compliant with design guidance for this scale of development. The suitability and condition of existing pedestrian routes to local facilities have also been considered with no off-site footpath improvement works deemed necessary to facilitate the proposed development.
- 6.54** In reviewing the revised site layout, the HA considered whether the additional footpath link though the open space in the south-west corner to be upgraded to a cycle route. However, as the estate roads are not currently proposed for adoption, the provision of a cycle route cannot be required.
- 6.55** The HA's recommended conditions and informatives have been added to the schedule of suggested conditions at the end of the report.

6.56 Sustainability

- 6.57** The Cheltenham Climate Change SPD (2022), sets out a detailed strategy for decarbonising homes over the next decade. For residential alterations and extensions there is an opportunity to improve the environmental performance of a home through the inclusion of technologies and features such as photovoltaics, replacement windows, heat recovery, permeable (or minimal) hard surfaces, works to chimneys, insulation, replacement heating systems (heat pump) and thoughtful kitchen design. This is reflected in Policy SD3 of the JCS.
- 6.58** The applicant has provided a comprehensive Energy Strategy Statement assessing the feasibility of suitable low to zero carbon (LZC) technologies, high-efficiency alternative

systems, and other energy saving measures. A Waste Minimisation Statement (WMS) has also been provided which outlines the principles of managing and reducing waste during the construction and operational phases of the development.

6.59 The following low to zero carbon measures are proposed:-

- Implementation of a fabric first approach – SAP estimated fabric efficiency 3.20%
- High grade thermal insulation to achieve good air tightness
- Double glazing systems and low levels of air permeability throughout
- Installation of air source heat pumps to all properties
- EV charging points
- Installation of solar PV collectors – to run appliances and lighting
- Low energy lighting systems

6.60 The proposed Strategy ensures a Building Regulation compliant carbon reduction across all dwellings through fabric measures, before assessing LZC technologies where appropriate. The implementation of the proposed demand reduction measures would achieve an improvement on Part L1 (2021) Building Regulations standards. The proposed development and energy strategy would achieve a carbon reduction of 102.06% over Part L1 and a 108.68% energy demand reduction.

6.61 The energy efficient technologies proposed are considered a robust response to climate change and sustainability and align with the guidance set out in the SPD.

6.62 The County Council (Minerals and Waste) has reviewed the submitted Waste Minimisation Strategy and the additional information provided on waste minimisation and recycled aggregate use. The revised strategies address GCC's initial queries and no further information is required at this stage. GCC's recommended compliance conditions have been included, requiring the submission and approval of detailed site waste management plans for both the construction and operational phases of the development.

6.63 Other considerations

6.64 Affordable Housing

6.65 Policy SD12 of the JCS requires a minimum of 40% affordable housing for developments of 10 or more dwellings. Policy SD11 further requires housing proposals to deliver an appropriate mix of dwelling sizes, types and tenures to support mixed and balanced communities, having regard to local housing needs, as identified in the latest evidence base.

6.66 The applicant proposes a policy compliant scheme in that 23 dwellings would be delivered as affordable 1-4 bed units, with a tenure mix of (16) social rented housing and (7) shared ownership houses. This equates to a housing mix of 70% social rented and 30% affordable home ownership.

6.67 The Council's Housing Enabling Officer (HEO) supports the applicant's commitment to delivering 40% affordable housing on this site and is satisfied with the proposed tenure mix, as well as the revised dwelling categories, sizes and space standards of the dwellings. The revised distribution and clustering of affordable units across the site are also acceptable and their appearance, build quality and materials would be indistinguishable from market dwellings.

- 6.68** Following discussions with the HEO, the applicant has amended the affordable housing scheme to ensure that one bedroom apartments comply with National Described Space Standards(NDDS). Adjustments have also been made to the number of M4(2), ground floor units. The clustering and distribution of affordable units have been revised to achieve an even and seamless spread throughout the development. As a result, shared ownership and rented properties would be integrated across the site, and the design and appearance of the dwellings would deliver a tenure blind scheme.
- 6.69** The HEO's full comments are set out in full in the Consultations section of the report.
- 6.70** The applicant has agreed to enter into a s106 agreement to secure the provision of 40% affordable housing on this site and in accordance with the submitted and agreed Affordable Housing Layout. The s106 will include triggers for a phased delivery of affordable units; for example, a requirement that the developer/owner shall not permit or cause the occupation of more than 50% of the open market homes before 50% of the affordable housing units have been made available for occupation, and no more than 90% of the open market homes shall be occupied until all (100%) of the affordable housing units are completed and transferred to a registered affordable housing provider.
- 6.71 Community Infrastructure/s106 Obligations**
- 6.72** JCS policy INF6 states that where site proposals generate infrastructure requirements, new development will be served and supported by adequate on and/or off-site infrastructure and services which are fairly and reasonably related to the scale and type of development proposed. Regard to the cumulative impacts on existing infrastructure and services must also be considered. Planning permission should only be granted where sufficient provision has been made to meet the needs of new development and/or which are required to mitigate the impact of the development upon existing communities.
- 6.73** JCS policy INF7 advises that financial contributions will be sought through the s106 and CIL mechanisms as appropriate; in this case, the s106 mechanism being used to secure site-specific obligations.
- 6.74** Having regard to the objectives of JCS policies INF6 and INF7 and Cheltenham Plan policies D1 and C11, contributions towards the provision of education and library facilities are required as a consequence of the proposed development. In this case, financial contributions will be sought through a s106 Agreement.
- 6.75** The County Council (GCC) has assessed the impact of the proposed development on various community infrastructure, in accordance with the Local Development Guide (LDG) and with regard to CIL regulations. GCC in its capacity as education and libraries authority, requests financial contributions towards (7.850) secondary school places provision in the Cheltenham school catchment area for pupils aged 11-18. GCC's updated response concludes that there is sufficient capacity within the local primary schools (Primary Planning Areas) to accommodate the expected increase in population arising from the proposed development.
- 6.76** The development would generate a need for additional library resources (through refurbishment of the building, stock and IT improvements) at Prestbury Library. GCC therefore requests a libraries contribution; costed on the basis of the 58 proposed dwellings.
- 6.77** The draft s.106 Heads of Terms confirms the applicant's agreement to enter into a legal agreement to secure the above contributions.
- 6.78** Additional obligations to be secured via the S106 Agreement include financial contributions towards enhancements to play facilities at Pittville Park and local allotment

provision. The Agreement will also secure arrangements for the future management and maintenance of public open spaces and footpaths within the development.

6.79 Loss of School Playing Field/Sport England

6.80 The proposals involve the loss of approximately 750sqm of a former school playing field, which has not been used since 2009. Sport England (SE) has therefore confirmed that consultation in this instance is non-statutory.

6.81 Notwithstanding the above, SE has assessed the proposed development having regard to paragraph 104 of the NPPF, Sport England's Playing Fields Policy and the potential for this site to provide playing pitches to meet current or future needs.

6.82 SE's policy is to oppose the granting the planning permission for any development which would lead to the loss of, or prejudice the use of, all or any part of a playing field. This includes land which has been previously used as a playing field and remains undeveloped, or land allocated for use as a playing field, unless the proposal satisfies one or more of Sport England's five specific exceptions.

6.83 JCS Policy INF4 is also relevant with regards the potential loss of playing field. INF4 seeks to prevent the loss of community facilities unless suitable replacement facilities will be provided. Its loss without suitable replacement or alternative provision, in principle and/or in isolation, would not normally be supported by officers.

6.84 SE raise no objection to the proposed development and the resultant part loss of the school playing field because it would accord with exception criteria 1 of Sport England's Playing Fields Policy and bullet point (a) of NPPF paragraph 104. The updated NPPF does not prohibit enabling works on playing fields and the application site is not included in the Council's current Playing Pitch Strategy (2024). The recent (GCC) planning permission for a new sports hall and 3G artificial playing pitch to the south of the main school buildings is also acknowledged. Exception criterion 1 refers to *an excess of playing field provision in the catchment, which will remain the case should the development be permitted, and the site has no special significance to the interests of sport.*

6.85 Notwithstanding the above SE comments that future occupiers of the proposed development will generate demand for sporting provision, which existing local facilities may not be able to accommodate. SE therefore suggest that a developer contribution towards meeting that demand off-site should be sought.

6.86 Officers have considered whether a financial contribution towards improving local sports provision would be justified or reasonable in this case. Construction of Pittville School's new sports hall and artificial pitch is currently underway, and these facilities will be available for community use though an approved Community Use Agreement. In addition, the neighbouring Starvehall Farm development provides informal recreation facilities and nearby Prestbury playing fields offer playing fields and other play facilities. Collectively, these existing and emerging facilities are expected to accommodate the increased demand arising from the proposed development. A financial contribution towards enhancing existing play facilities at Pittville Park is also being sought.

6.87 Drainage and Flooding

6.88 The application has been assessed in accordance with JCS Policies INF2 and section 14 of the NPPF; paragraph 181 setting out that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere and where appropriate, applications should be supported by a site-specific flood-risk assessment.

- 6.89** The application site is located in Flood Zone 1 (lowest flood risk) and is shown to be at low risk of surface water flooding. The application is accompanied by a Flood Risk Assessment (FRA) and Sustainable Drainage Strategy.
- 6.90** The Local Lead Flood Authority (LLFA) has reviewed the FRA, proposed drainage strategy and all subsequent revisions. Their comments are set out in full in the Consultations section.
- 6.91** In response to the initial drainage strategy the LLFA did not consider that the drainage hierarchy had been followed and that a discharge to the ditch adjacent to Albert Road was a possibility and potentially the preferred option. The updated Sustainable Drainage Strategy and Flood Risk Assessment responds to both the above concerns and the revised site layout. The point of discharge is now shown as the watercourse adjacent to Albert Road which is higher in the discharge hierarchy than the original proposal to discharge into the public surface water sewer. Despite a slight increase in impermeable area, the revised strategy demonstrates that there should be no flooding in the 1% Annual Exceedance Probability (AEP) event plus 40% for climate change. The detailed design of the Drainage Strategy can be appropriately secured through a planning condition.
- 6.92** The Council's Drainage officer concurs with the above assessment.
- 6.93** Ecology, BNG, Environmental Impact and Protected Species
- 6.94** Policy SD9 of the JCS seeks the protection and enhancement of ecological networks and across the JCS area, improved community access and for new development to contribute positively to biodiversity and geodiversity whilst linking with wider networks of green infrastructure. Similarly, NPPF paragraph 193 seeks through development, the protection and enhancement of valued landscapes and sites of biodiversity value and the need to minimise and provide net gains for biodiversity and coherent and resilient ecological networks. Opportunities to improve biodiversity in and around developments should be integrated into design, especially where this can secure measurable net gains for biodiversity.
- 6.95** The application site is within the Zone of Influence of Cotswold Beechwoods Special Area of Conservation (SAC) and the Impact Risk Zone (IRZ) of Cleeve Common Site of Special Scientific Interest (SSSI). There are no other statutory or non-statutory designated sites within 1 km of the site.
- 6.96** The applicant has submitted a Preliminary Ecological Impact Statement and Revised Ecological Impact Assessment (EclA), which includes a bat, badger and Great Crested Newt survey. A Design Stage Biodiversity Net Gain report and the Statutory Biodiversity Metric calculations (BNG) are also provided. These documents and their subsequent updated versions, that correspond with the revised site layout and address previous concerns, have been reviewed by the Council's Ecologist (EO).
- 6.97** The conclusions of the EclA and proposed mitigation are considered suitable and the recommendations for ecological mitigation and enhancement and sensitive strategies for external lighting are supported and will need to be set out in a Construction Environmental Management Plan (CEMP), Ecological Mitigation & Enhancement Strategy (EMES) and external lighting strategy. Their implementation would be secured through planning conditions.
- 6.98** In summary, the site currently comprises modified grassland managed for amenity, with small amounts of shrub along the eastern boundary and mature trees in the southern part. The site supports habitats of limited ecological value.

- 6.99** There is bat activity on site and sensitive lighting during both the construction and operational phases of the development will be necessary to minimise the impact on foraging and commuting bats. Key trees along the southern and western site boundaries would be retained and are suitable for bat roosting. Although the site provides foraging opportunities for badgers, there is limited potential for sett building and consequently, there is no evidence of badgers on this site.
- 6.100** The site is located within an area of Red and Amber Risk Zones for GCN (NatureSpace Partnership, 2023) and precautionary mitigation is therefore recommended to ensure the protection of amphibians during the construction phase, including sensitive vegetation clearance. A single newt was observed on site but this species is not afforded legal protection.
- 6.101** Proposed enhancement measures include native tree and shrub planting, bird and bat boxes and hedgehog tunnels and homes. The proposed SUDS pond would also increase the value of the site for invertebrates and amphibians.
- 6.102** As first submitted, the Biodiversity Net Gain Metric calculated a 2.27% gain in habitat units and a 0.37% gain in hedgerow habitat units. Given the size of the site, which currently contains habitats of mainly low distinctiveness, it was disappointing that a 10% on-site net gain was not achievable. Consequently, the EO suggested a number of ways to potentially increase the provision of on-site biodiversity units.
- 6.103** The updated BNG Metric demonstrates notable improvements, calculating a 4.05% net gain in habitat units and 30.7% net gain in hedgerow units. The Metric revisions include an increase in developed land, additional mixed shrubs and individual trees and a reduction in modified grassland and artificial unsealed surfaces. The southern boundary hedgerow has also been enhanced from 'moderate' to 'good' condition. To achieve the mandatory 10% net gain in habitat units, the applicant proposes off-site through a recognised BNG provider. This will be detailed in the Biodiversity Net Gain Plan and secured via a pre-commencement condition. The proposed on-site habitat enhancements are considered to be significant, and their long-term monitoring will need to be secured through a s106 obligation.
- 6.104** GCER records also show that important species or habitats have been sighted on or near the application site in the past, including bats. The submitted PEA is an appropriate assessment of the impact on these protected species.
- 6.105** Habitats Regulations Assessment/ Cotswolds Commons and Beechwoods Site of Special Scientific Interest (SSSI) and Special Area of Conservation (SAC)
- 6.106** As set out in the Cotswold Beechwoods SAC Recreation Mitigation Strategy (May 2022), the application site is within a zone of influence for recreational pressure for the Cotswold Beechwoods SAC, which is afforded protection under the Conservation of Habitats and Species Regulations 2017 (as amended).
- 6.107** Policy BG1 of the Cheltenham Plan relates to the Cotswold Beechwoods Special Area of Conservation (SAC) – recreation pressure. It states that development will not be permitted where it would be likely to lead directly or indirectly to an adverse effect upon the integrity of the European Site network (alone or in combination), and the effects cannot be mitigated.
- 6.108** Therefore, in order to retain the integrity of the Cotswold Beechwoods Special Area of Conservation (SAC) all development within the borough that leads to a net increase in dwellings will be required to mitigate any adverse effects.

- 6.109** The applicant has provided a shadow Habitats Regulations Assessment (sHRA). Following a review of the sHRA, the Council, as the responsible authority, has undertaken an Appropriate Assessment (under the Habitats Regulations 2017 and formally adopts the sHRA as part of that assessment.
- 6.110** The SHRA concludes that without appropriate mitigation, the proposed development is likely to have a significant effect on the Cotswold Beechwoods SAC (either alone or in combination with other development) through increased recreational pressure. The measures outlined in the SAC Mitigation Strategy are considered necessary to provide adequate mitigation for the impacts of the proposal.
- 6.111** The applicant can therefore either enter into a s106 contribution of £673 per new dwelling to contribute to the measures in the Strategy, or propose on or off-site mitigation. Although public open space is included within the scheme, it does not deliver sufficient on-site mitigation. The applicant has therefore opted to make the £673 per dwelling contribution through a section 106 agreement. Subject to completion to the agreement, the proposal would not adversely affect the integrity of the Cotswold Beechwoods SAC.
- 6.112** The applicant has agreed to enter into a legal agreement to secure the appropriate SAC mitigation (financial contributions) although a Unilateral Undertaking has not yet been signed and completed by the applicant or the relevant monies and fees paid. As such, any resolution to grant outline planning permission would be subject to the completion of the s106/UU.
- 6.113** Heritage and Conservation
- 6.114** The southern parts of the application site fall both within and adjacent to the Central Conservation Area (Pittville Character Area). There are no listed buildings adjacent to the site but the Grade I Pittville Pump Rooms is within 200m of the application site to the south west. The applicant has therefore provided a Heritage Statement which assesses the impact of the proposals on designated and non-designated heritage assets within the vicinity of the site.
- 6.115** When determining planning applications, the local planning authority must also take account of the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess. The surrounding historic environment contains a number of listed buildings, including many Grade II* listed properties. Similarly, section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of conservation areas.
- 6.116** Section 16 of the NPPF (2024) sets out the importance of conserving and enhancing heritage assets. This is reflected in Policy SD8 of the Joint Core Strategy which requires development to make a positive contribution to local character and distinctiveness, having regard to the valued elements of the historic environment.
- 6.117** NPPF paragraph 212 advises that when considering the impact of proposed development on the significance of designated heritage assets, great weight should be given to the assets' conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 6.118** Paragraph 213 advises that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

6.119 The Council's Conservation officer (CO) has considered the impact of the proposals on the significance of the designated and non-designated heritage assets and their comments can be read in full at the end of the report.

6.120 In summary, there would be a minor visual change to the grade I listed Pittville Pump Rooms but this would not alter the overall understanding or experience of the building. Similarly, the application site is not considered to contribute to the understanding and experience of the Locally Listed Pittville School buildings. There would be no change to key views to and from the conservation area.

6.121 The parts of the site proposed for housing do not form part of the setting for designated and non-designated built heritage assets and the site itself is not considered to be of significant townscape and environmental value from a heritage perspective. The CO concludes that the proposed development would cause no harm to heritage assets and would have a neutral impact. The significant public benefits of the proposals in providing 58 dwellings has also been considered.

6.122 Archaeology

6.123 The County Archaeologist (CA) has reviewed the proposed development and confirms that no known heritage assets are located within the proposed development site. The nearest archaeological investigation to the east recorded two undated linear ditches, Roman settlement has been recorded approx. 600m to the southwest, a medieval deer park is located 350m to the north and Pittville Park is a Grade II registered Park and Garden.

6.124 On the basis of the available evidence there is low potential for significant archaeological remains to be impacted by the proposals and no requirement for further archaeological investigation of the site.

6.125 Trees and Landscaping

6.126 There are a number of mature trees within the southern area of the site and within the conservation area, plus established hedgerow along site boundaries. The application proposes no significant tree removal, although some boundary hedging (approx. 5 metres) would be removed to facilitate access to the site.

6.127 The Council's Trees Officer (TO) has undertaken a review of the proposed tree and soft landscaping proposals and considered the Arboricultural Impact Assessment (AIA) submitted. His comments on the submitted and revised schemes are set out in full in the consultations section of this report.

6.128 The TO raises no overriding concerns. The AIA is well considered and proposes mitigation methods to protect retained trees (i.e. no-dig driveways and ground protection). Plot 6 is identified as being within the sphere of influence of several sycamore and horse chestnut trees. These trees would likely cast considerable shade on this plot. This concern was discussed with the applicant but the overall site/layout constraints would not allow the repositioning of Plot 6 (plot 27 on revised layout).

6.129 The initially proposed fruiting pears and mulberries adjacent to parking areas have been replaced by more suitable species. Although concerns remain regarding some light demanding tree species to be planted amongst existing trees along the southern boundary, the overall palette of new trees is a rich and varied mix of native and exotic.

6.130 Utilities

6.131 A utilities report has been submitted with the application which concludes that there is water, electricity and foul sewerage within or immediately adjacent to the site which

means that connections should be possible without major infrastructure works. Severn Trent has confirmed that the foul sewer has capacity for the development.

6.132 Section 106 Obligations

6.133 During the course of the application and consideration in respect of the policy framework and material planning considerations, regard has been given to the consultation responses received and the likely impacts that would arise as a result of the development. The Community Infrastructure Levy Regulations (2010) came into effect in 2010 and Regulation 122 sets out limitations on the use of planning obligations. It sets out three tests that planning obligations need to meet. It states that planning obligations may only constitute a reason for granting planning permission if the obligation is:

- a) Necessary to make the development acceptable in planning terms;
- b) Directly related to the development; and
- c) Fairly and reasonably related in scale and kind to the development.

6.134 Regard has been given to the CIL Regulations in making a recommendation and the following matters, which are considered in the above paragraphs, are considered to represent obligations that are necessary to make the development acceptable in planning terms, are directly related to the development and are fairly and reasonably related in scale and kind to the development.

Affordable Housing

To be policy compliant the scheme needs to deliver a minimum of 40% Affordable Housing for local needs. It is therefore necessary to ensure the delivery of 23 affordable units dwellings with a tenure mix of (16) social rented housing, (7) shared ownership houses. This equates to a housing mix of 70% social rented and 30% affordable home ownership. Affordable housing will be delivered in an agreed phased programme of works. Delivery sought at various trigger points.

Education provision

The proposed development would generate demand for additional school places within the relevant school catchment area. Financial contributions are therefore sought towards secondary school education provisions for pupils aged 11-18. Payment sought at various trigger points.

Libraries provision

The proposed development would generate demand for additional library resource. Financial contributions towards improvements in library provision at Prestbury library are therefore necessary. Payment sought upon first occupation of development.

Biodiversity Net Gain

The proposal is required to deliver a minimum of 10% biodiversity net gain. The submission and approval of a Biodiversity Net Gain plan will be required through the discharge of conditions process. Obligations will also be sought to secure the future delivery and management of the BNG and a Biodiversity Gain Land Monitoring contribution will be required.

Residential Travel Plan Monitoring

Appointment of Travel Plan Coordinator. Financial contribution towards monitoring of the Travel Plan.

Public Open Space

Agreement of Green Infrastructure Management and Maintenance Plan for Public Open Space including public footpath links to Albert Road and Cakebridge Road. No more than 95% of the dwellings shall be occupied until all green infrastructure and footpaths have been laid out in accordance with the Green Infrastructure Phasing Plan and Management and Maintenance Plan.

Contribution to off-site recreational provision

Financial contributions towards allotment provision and improvements to local play and recreational facilities at Pittville Park

6.135 Public Sector Equality Duty (PSED)

6.136 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.

6.137 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.

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

7. CONCLUSION AND RECOMMENDATION

7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for development must be determined in accordance with the development plan, unless material considerations indicate otherwise.

7.2 The proposed development meets the objectives of the housing policies of the development plan. Policy SD10 of the JCS supports the principle of new residential development on previously developed land in the PUA.

7.3 However, in circumstances where policies which are most important for determining an application are out-of-date, the NPPF at paragraph 11(d) advises that planning permission should be granted ‘(i) *unless the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing*

development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination’.

- 7.4** In light of the Council's shortfall in a 5 year supply of deliverable housing land, officers have therefore assessed the proposals, in accordance with paragraph 11(d). This has involved weighing any potential adverse impacts resulting from the development, against the benefits the scheme may deliver.
- 7.5** In this case, the benefits include the provision of 58 dwellings in a sustainable location, including 23 affordable dwellings, which would contribute positively towards the Council's current housing supply shortfall and local housing needs.
- 7.6** The proposals bring other clear benefits. These include the provision of new footpath links, areas of public open space, habitat and biodiversity enhancements, plus the wider economic or social benefits that the scheme might bring in terms of employment opportunities during the construction phase.
- 7.7** There are no overriding highway safety, neighbour amenity, heritage, arboricultural or flood risk concerns. A minimum 10% biodiversity gain is achievable for this site with a small off-site purchase of habitat units. Ecological surveys and the biodiversity net gain plan and habitat management would be updated, as necessary, through the discharge of conditions process and/or via a s106 obligation.
- 7.8** The (revised) layout of the scheme and architectural design approach is considered appropriate for this context. The Council's Urban Designer has played a key role in seeking enhancement of the architectural design and materials palette of house types and positive alterations to the layout and permeability of the scheme.
- 7.9** The implementation of the proposed energy demand reduction measures would achieve significant improvements on Part L1 (2021) of Building Regulations standards.
- 7.10** In accordance with paragraph 11(d) (i) and (ii) of the NPPF, and having assessed the policies that protect assets of particular importance, strong reasons have not been identified to refuse the application. In this case, there are not considered to be any adverse impacts that would significantly and demonstrably outweigh the benefits of the proposals. Notably, the provision of 58 new dwellings carries substantial weight in the overall planning balance.
- 7.11** The recommendation is therefore to grant planning permission subject to the conditions set out below.
- 7.12** At the time of writing, the applicant's agreement to the terms of the pre-commencement condition is being sought.
- 7.13** Any resolution to grant planning permission would be subject to the applicant entering into a legal agreement (s106) to secure the following obligations:
- appropriate mitigation for recreational pressure on the Cotswold Beechwoods SAC
 - green infrastructure delivery and retention of the public open space and footpath link in perpetuity
 - management and maintenance plan for public open space, with triggers for its implementation
 - Biodiversity Gain Plan – delivery and long term management and maintenance. Note, the overall Biodiversity Gain Plan, alongside an updated BNG metric must be

submitted at REM stage and should set out how the development will achieve a minimum 10% Biodiversity Net Gain.

- financial contribution towards improvements in local play/recreation facilities and allotment provision

7.14 Both parties are in agreement with the above s106 Heads of Terms.

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 Prior to the commencement of development a Construction Traffic Environmental Management Plan (CTEMP), Site Waste Management Plan (SWMP) and operational Waste Minimisation Statement (WMS) shall be submitted to and approved in writing by the Local Planning Authority. The approved CTEMP and SWMP shall be adhered to throughout the site preparation, demolition and construction periods unless the Local Planning Authority gives prior written permission for any variation. The plans/statements shall include but shall not be restricted to:

CTEMP

- Parking of vehicles of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
- Advisory routes for construction traffic;
- Types, size and numbers of construction related vehicles anticipated daily including arrangements to receive abnormal loads or unusually large vehicles;
- Any temporary access into the site;
- Locations for loading/unloading and storage of plant, waste and construction materials;
- Method of preventing mud and dust being carried onto the highway;
- Measures for the control of noise, dust and other air borne pollutants during works of demolition and construction;
- Wheel washing facilities;
- Arrangements for turning vehicles;
- Measures for the control of site lighting (required for safe working or for security purposes);
- Methods to control the risk of flooding during construction
- Arrangements to receive abnormal loads or unusually large vehicles; and
- Methods of communicating the CTEMP to staff, visitors and neighbouring residents and businesses.

SWMP

- Information on the type and amount of waste likely to be generated prior to and during the demolition and construction phases;
- Details of the practical arrangements for managing waste generated during construction in accordance with the principles of waste minimisation;
- Details of the proposed proportions of recycled content that will be used in construction materials; and
- Details of the measures for ensuring the delivery of waste minimisation during the construction phase.

WMS

- Provision of on-site storage receptacles for recycling a range of materials as specified by the Waste Collection Authority, at identified locations and appropriate to the number of residential units proposed; and suitable accessing arrangements for recycling/waste collection vehicles. The management of waste during occupation must be aligned with the principles of the waste hierarchy and not prejudice the local collection authority's ability to meet its waste management targets

No building shall be occupied until the provisions set out in the approved WMS that are relevant to that dwelling have been implemented in full.

No construction works and/or ancillary operations which are audible at the site boundary shall be carried out on site outside the following hours:

Monday to Friday - 8am to 6pm

Saturday - 8am to 1pm

There shall be no working on Sundays or Public or Bank Holidays. Deliveries to, and removal of plant, equipment, machinery and waste from, the site shall only take place within the permitted hours detailed above.

Reason: In the interests of highway safety, flood risk and to safeguard the amenity of occupiers of neighbouring properties, having regard to adopted policies INF1, INF3 and SD14 of the Joint Core Strategy (2017) and adopted policy SL1 of the Cheltenham Plan (2020), and to ensure the effective implementation of waste minimisation in accordance with the Gloucestershire Waste Core Strategy. Approval is required upfront because without proper mitigation the works could have an unacceptable highway impact during construction.

- 4 Prior to the commencement of development, the following information shall be submitted to and approved in writing by the Local Planning Authority:

(a) a full site survey showing:

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

(b) full details showing:

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

The development shall thereafter be implemented strictly in accordance with the agreed details.

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

- 5 Prior to the commencement of development (excluding site clearance works), a detailed Sustainable Drainage System (SuDS) Strategy shall be submitted to and approved in writing by the local planning authority. The information submitted shall be in accordance with the proposals set out in drawing numbers Drainage Layout 1 of 2 -248-142-1 A and Drainage Layout 2 of 2 - 248-142-2 A. The SuDS Strategy must include a detailed design, and must also demonstrate the technical feasibility/viability of the drainage system through the use of SuDS to manage flood risk to the site and elsewhere, and the measures taken to manage the water quality for the lifetime of the development. The surface water drainage scheme shall be implemented strictly in accordance with the approved details and prior to first occupation of the development.

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

- 6 The development shall not be brought in to use/occupied until a SuDS management and maintenance plan for the lifetime of the development has been submitted to and approved in writing by the local planning authority. The maintenance plan shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime. The approved SUDS maintenance plan shall be implemented in full in accordance with the agreed terms and conditions.

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

- 7 Prior to the commencement of development, full details for the treatment, routing and disposal of foul water (including pollution control and monitoring measures) for the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out strictly in accordance with the approved details.

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

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

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

- 9 No piling activities shall be carried out at this site until a full pile method statement has been submitted to and approved in writing by the Local Planning Authority. The method statement must assess and include full details of the noise and vibration impact from the piling operations on the nearest residential property, dates and times of piling and details of monitoring measures. All piling activities shall be carried out in accordance with the approved details.

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

- 10 No dwelling shall be occupied until:
(i) the carriageway(s) providing access from the public highway to that dwelling has been completed to at least binder course level and the footway(s) to surface course level and in accordance with the approved plans; and
(ii) the car/vehicle parking area, visitor parking and turning space associated with that dwelling (including garages and car ports where proposed) have been completed in accordance with the approved plans.

The access, parking (including garages) and turning areas shall thereafter be kept free of obstruction and available for the access, parking and turning of vehicles associated with the development.

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

- 11 No dwelling hereby approved shall be occupied until secure covered cycle storage for that dwelling has been provided and in accordance with details which shall have first been submitted to and approved in writing by the Local Planning Authority. The cycle storage shall thereafter be retained available at all times for such use in accordance with the approved details.

Reason: To ensure the adequate provision and availability of cycle parking, so as to ensure that opportunities for sustainable transport modes have been taken up, having regard adopted policy INF1 of the Joint Core Strategy (2017).

- 12 Prior to first occupation of the development, details of the proposed arrangements for the future management and maintenance of the proposed roads/streets within the development shall be submitted to and approved in writing by the Local Planning Authority. The roads/streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as either a dedication agreement has been entered into or a private management and maintenance company has been established.

Reason: To ensure that safe and suitable access is provided and maintained in the interests of highway safety, having regard adopted policy INF1 of the Joint Core Strategy (2017) and Section 9 of the NPPF.

- 13 Prior to their installation, a scheme for the provision of fire hydrants (served by mains water supply) shall be submitted to and agreed in writing by the Local Planning Authority. No dwelling shall be occupied until the fire hydrant serving that property has been provided in accordance with the agreed scheme.

Reason: To ensure adequate water infrastructure provision is made on site for the local fire service to tackle any property fire, having regard to adopted policy INF6 of the Joint Core Strategy (2017).

- 15 The development shall be carried out in accordance with the recommendations contained within the adopted Habitats Regulations Assessment (Shadow Habitats Regulations Assessment, FPCR June, 2022) and the Ecological Impact Assessment (Ethos Environmental Planning, V2, October 2025 REF. ETH24-238).

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

- 16 Prior to the commencement of development (including ground works and vegetation clearance), a Construction Environmental Management Plan - Biodiversity (CEMP-B) shall be submitted to and approved in writing by the local authority. The CEMP-B should be kept in the site office for reference for site worker. The CEMP-B shall include, but not necessarily be limited to, the following:

- i. Risk assessment of potentially damaging construction activities;
- ii. Identification of 'biodiversity protection zones';
- iii. Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements);
- iv. A precautionary working method statement for the following species: bats, amphibians, badger, reptiles, nesting birds, and hedgehog;
- v. The location and timing of sensitive works to avoid harm to biodiversity features (e.g. daylight working hours only starting one hour after sunrise and ceasing one hour before sunset);
- vi. Details of any external lighting required during construction phase;
- vii. The times during construction when specialist ecologists need to be present on site to oversee works;
- viii. Responsible persons and lines of communication;
- ix. The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person(s);
- x. Use of protective fences, exclusion barriers and warning signs, including advanced installation and maintenance during the construction period; and
- xi. Ongoing monitoring, including compliance checks by a competent person(s) during construction and immediately post-completion of construction works.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

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

Reason: To safeguard important ecological species and to ensure the development contributes to the conservation and enhancement of biodiversity within the site and the

wider area during the construction and operational phases of the development, in accordance with policy SD6 and SD9 of the Joint Core Strategy (2017). Approval is required upfront to ensure appropriate mitigation for the protection and enhancement of ecological species during all stages of the development.

- 17 Prior to the commencement of above ground works, an Ecological Mitigation & Enhancement Strategy (EMES) shall be submitted to and approved in writing by the local planning authority. The EMES shall include details of the provision of permanent bat roosting feature(s), hedgehog homes and nesting opportunities for birds. The approved details shall be implemented prior to the occupation of any of the dwelling houses hereby permitted, and thereafter retained and maintained for the lifetime of the development.

The approved scheme shall include, but not limited to, the following details:-

- i. Description, design or specification of the type of feature(s) or measure(s) to be undertaken;
- ii. Materials and construction to ensure long lifespan of the feature/measure;
- iii. A drawing(s) showing the location and where appropriate the elevation of the features or measures to be installed or undertaken; and
- iv. When the features or measures will be installed within the construction, occupation, or phase of the development.

Any modifications to the approved EMES, for example as a result of requirements of a protected species license, must be submitted to and agreed in writing by the Local Planning Authority and prior to the implementation of any modifications.

Reason: To safeguard important ecological species and to ensure the development contributes to the conservation and enhancement of biodiversity within the site and the wider area during the construction and operational phases of the development, having regard to adopted policy SD9 of the Joint Core Strategy (2017).

- 18 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, G12 and G13 of the Cheltenham Plan (2020), and adopted policies SD4 and INF3 of the Joint Core Strategy (2017).

- 19 The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the approved Biodiversity Gain Plan, has been submitted to, and approved in writing by, the local planning authority. The HMMP shall include:
- (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,

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 part of the development shall be occupied 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.

- 20 Prior to the installation of external lighting, a lighting design strategy shall be submitted to and approved in writing by the local planning authority. The details shall clearly demonstrate that lighting will not cause excessive light pollution or disturb or prevent bat species using key corridors, forage habitat features or accessing roost sites. The strategy shall include the following information:

- a. The areas/features on site that are particularly sensitive for nocturnal species;
- b. The position, height and type/specification of all external lighting (including any security lighting and other lighting fixed externally to buildings);
- c. The intensity of lighting and spread of light as a lux contour plan (including horizontal and vertical components) and how this responds to the landscape setting and neighbouring development;
- d. Lighting calculations and assessment;
- e. Measures to minimise light spill/pollution;
- f. Measures to minimise the effects of lighting on protected wildlife species, notably nocturnal species and their habitats or wildlife corridors;
- g. Methods to control lighting operation (e.g. timer operation, passive infrared sensor (PIR) and the periods of day and night (throughout the year) when such lighting will be used and controlled for construction and operational needs.

The scheme shall be implemented and maintained in accordance with the approved details for the lifetime of the development.

Reason: To safeguard the amenities of neighbouring land users and the character of the area; having regard to adopted policies D1 and sSL1 of the Cheltenham Plan (2020) and adopted policies SD4 and SD14 of the Joint Core Strategy (2017). To safeguard important ecological species and to ensure the development contributes to the conservation and enhancement of biodiversity within the site and the wider area during the construction and operational phases of the development; having regard to adopted policy SD9 of the Joint Core Strategy (2017) and the requirements of the 1981 Wildlife & Countryside Act (as amended).

- 21 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, including (1sqm) sample boards of facing brickwork.

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).

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

- 1. External doors and windows (including design elevation drawings, materials, finish, sills, heads and reveals, glazing specification and opening mechanism)
- 2. Garage doors
- 3. Refuse/recycling stores (inc. location and elevation/floor plan details)
- 4. Cycle storage facilities (inc. location, elevation/floor plan details)
- 5. Porch canopy details
- 6. Balustrade details
- 7. Street and public open space furniture

Reason: To preserve or enhance the character or appearance of the area, having regard to adopted policy D1 of the Cheltenham Plan (2020), adopted policies SD4 and SD8 of the Joint Core Strategy (2017).

- 23 All new hard surfacing areas shall be permeable or drain to a permeable area and shall be carried out in accordance with the approved details prior to first occupation of any part of the development.

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).

- 24 Prior to the implementation of any new boundary treatments, including boundary walls, fences or other means of enclosure, details shall be submitted to and approved in writing by the Local Planning Authority. The details shall include materials and elevation drawings of fences and walls. The boundary treatments shall be carried out in accordance with the approved details.

Reason: In the interests of the character and appearance of the area and residential amenity, having regard to adopted policies D1 and SL1 of the Cheltenham Plan (2020) and adopted policies SD4 and SD14 of the Joint Core Strategy (2017).

- 25 The development shall be carried out in accordance with the proposed measures set out in the 'Briary Energy - Energy Strategy Statement dated April 2025'.

Reason: In the interests of reducing carbon emissions, having regard to adopted policies adopted policy SD3 of the Joint Core Strategy (2017) and guidance set out in Cheltenham Climate Change SPD (2022).

- 26 No dwelling or apartment building hereby approved shall be occupied until the proposed solar PV panels serving that dwelling or apartment building have been fully installed and in accordance with details (to include their operation, design, appearance and positioning on the roof) which shall have been submitted to and approved in writing by

the Local Planning Authority. The solar PV panels shall be retained as such thereafter unless otherwise first agreed in writing by the local planning authority.

Reason: In the interests of the character, appearance and amenities of the area and reducing carbon emissions, having regard to adopted policies D1 and SL1 of the Cheltenham Plan (2020), adopted policies SD3, SD4 and SD14 of the Joint Core Strategy (2017) and guidance set out in Cheltenham Climate Change SPD (2022).

- 27 Details of the type/model, location and predicted noise levels of the proposed air source heat pumps (ASHPs) shall be submitted to and approved in writing by the local Planning authority. An ASHP(s) shall be installed prior to first occupation of each dwelling or apartment building hereby approved and in accordance with the details approved. The ASHPs shall be retained as such thereafter unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To safeguard the amenities of future occupiers and neighbouring properties and to reduce carbon emissions, having regard to adopted policies D1 and SL1 of the Cheltenham Plan (2020), adopted policies SD3, SD4 and SD14 of the Joint Core Strategy (2017) and guidance set out in Cheltenham Climate Change SPD.

- 28 No dwelling or apartment hereby permitted shall be connected to mains gas supplies for the purposes of domestic hot water or space heating.

Reason: To ensure that the development contributes towards the mitigation of Climate Change, having regard to Strategic Objective 6, policies SD3 and INF5 of the Joint Core Strategy (2017) and the guidance set out in Cheltenham Climate SPD (adopted 2022).

- 29 The development shall be carried out in accordance with the Arboricultural Method Statement set out in 'Tree Maintenance Ltd - Arboricultural Implications Assessment and Arboricultural Method Statement ref. 13346/74750, dated March 2024. Tree protective measures shall be installed in accordance with the approved Tree Protection Plan and Signage (Pittville School Tree Protection Plan 13346/74750) and shall remain in place until the completion of the construction process.

All paths, parking areas and other forms of hard landscaping that fall within the tree Root Protection Area(s) of retained trees and shrubs shall be constructed using a no-dig method.

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). Approval is required upfront to ensure that important trees are not permanently damaged or lost.

- 30 Notwithstanding the submitted details, prior to the commencement of above ground works full design of the following works shall be submitted and approved in writing by the local planning authority. The details shall include the method of construction and a timetable for their implementation.

Footpath connections to Albert Road and Cakebridge Road

Reason: To promote pedestrian links to the surrounding footpath network and to ensure a safe and suitable access to the development is provided for all users, having regard to adopted policy INF1 of the Joint Core Strategy (2017) and section 9 of the NPPF (2024).

- 31 All trees and planting within the site shall be retained unless shown on the approved drawings as being removed. Any trees or planting indicated on the approved drawings

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 (October to March inclusive) with other trees or plants of a location, species and size to be first approved in writing by the Local Planning Authority. Any pruning works within the five year period shall be carried out in accordance with BS 3998:2010 (or any standard that reproduces or replaces this standard).

Reason: In the interests of visual amenity, having regard to Policies GI1 and GI2 of the Cheltenham Plan (2020).

- 32 Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and/or re-enacting that order with or without modification), no extensions, garages and outbuildings (excluding garden sheds) shall be erected without express planning permission, unless forming part of the development hereby permitted.

Reason: Any further extension or alteration requires further consideration to safeguard the amenities of the area, having regard to adopted policies D1 and SL1 of the Cheltenham Plan (2020) and adopted policies SD4 and SD14 of the Joint Core Strategy (2017).

- 33 The development shall be carried out in accordance with the recommendations of the approved Travel Plan ('rappor Travel Plan dated April 2025 ref. 250195 Issue 1) and in accordance with a timetable for implementation which shall be agreed in writing by the Local Planning Authority.

Reason: To ensure the provision and enhancement of all modes of transport, in the interests of sustainable development and having regard to Section 9 of the NPPF (Dec 2024).

- 34 Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and/or re-enacting that order), the first floor windows in the side (south) elevation of Plots 36-41 shall at all times be glazed with obscure glass to at least Pilkington Level 3 (or equivalent) and shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above floor level of the room that the window serves.

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

- 35 Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and/or re-enacting that order), the first floor windows in the side (east) elevation of Plots 53-54 and the side (east) elevations of Plots 1 and 58 shall at all times be glazed with obscure glass to at least Pilkington Level 3 (or equivalent) and shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above floor level of the room that the window serves.

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

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

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

INFORMATIVES

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

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

In this instance, the authority sought revisions to the design and layout of the scheme in the interests of good urban design and affordable housing needs, the character and appearance of the conservation area and locality in general, access and highway safety, retained trees, ecology and biodiversity and the amenities of neighbouring land users.

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

- 2 This estate road and drainage layout will require approval under Section 38 of the Highways Act 1980 if it is to be adopted as 'highway maintainable at public expense'. There are detailed issues that need to be approved in order to achieve technical approval under that process and the applicant/developer should be advised to contact Gloucestershire County Council to ensure that approvals and agreements are secured before commencement of works.

The obtaining of planning permission for any design/layout will not be considered as a reason to relax the required technical standards for the adoption of the road and drainage and any changes may necessitate the submission of further planning applications. If the road is to be private then the residents should be advised that they may be taking on the responsibilities and liabilities of the highway authority with regards to maintenance, snow clearance etc. and advised to take advice on public liability insurance against claims associated with those responsibilities.

- 3 The applicant/developer is requested to erect a sign at the boundary of the new estate street with the nearest public highway providing the developer's contact details and informing the public that the County Council is not responsible for the maintenance of the street.
- 4 Before undertaking any work on site, the applicant/developer must determine if Severn Trent has any assets in the vicinity of the proposed works. Severn Trent records can be accessed at www.digdat.co.uk

Severn Trent Water advise that even if statutory records do not show any public sewers within the area specified, there may be sewers that have been recently adopted under The Transfer of Sewer Regulations 2011.

Severn Trent records indicate that there are assets that may be affected by this proposal and as such the applicant must contact Severn Trent before any on-site works takes place.

Public sewers and Water mains have statutory protection and may not be built close to, or diverted without consent, consequently the applicant/developer must contact Severn Trent Water to discuss the proposals. Severn Trent will seek to assist the applicant/developer obtaining a solution which protects both the public sewer and the proposed dwellings.

- 5 All birch trees to be planted should be of container grown stock (not root-balled). Trees should be regularly watered with min 20 litres of water weekly for at least the first year (April/May-Sept, depending on rainfall). Composted mulch should be placed to a depth of 3" depth to a diameter of 1 metre around the base of trees at the time of the first watering (to reduce evaporation and competition by weed growth). Therefore it is strongly recommended that a local Bali Registered contractor is engaged to supply and plant (and guarantee) all trees.

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

- 6 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.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Cheltenham Borough Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed below.

Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements listed below are considered to apply.

In summary: Biodiversity gain plans are required to be submitted to, and approved by, the planning authority before development may be begun (the overall plan).

Statutory exemptions and transitional arrangements in respect of the biodiversity gain condition.

1. The application for planning permission was made before 12 February 2024.
2. The planning permission relates to development to which section 73A of the Town and Country Planning Act 1990 (planning permission for development already carried out) applies.

3. The planning permission was granted on an application made under section 73 of the Town and Country Planning Act 1990 and

(i) the original planning permission to which the section 73 planning permission relates* was granted before 12 February 2024; or

(ii) the application for the original planning permission* to which the section 73 planning permission relates was made before 12 February 2024.

4. The permission which has been granted is for development which is exempt being:

4.1 Development which is not 'major development' (within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015) where:

i) the application for planning permission was made before 2 April 2024;

ii) planning permission is granted which has effect before 2 April 2024; or

iii) planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 where the original permission to which the section 73 permission relates* was exempt by virtue of (i) or (ii).

4.2 Development below the de minimis threshold, meaning development which:

i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and

ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

4.3 Development which is subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. A "householder application" means an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse which is not an application for change of use or an application to change the number of dwellings in a building.

4.4 Development of a biodiversity gain site, meaning development which is undertaken solely or mainly for the purpose of fulfilling, in whole or in part, the Biodiversity Gain Planning condition which applies in relation to another development, (no account is to be taken of any facility for the public to access or to use the site for educational or recreational purposes, if that access or use is permitted without the payment of a fee).

4.5 Self and Custom Build Development, meaning development which:

i) consists of no more than 9 dwellings;

ii) is carried out on a site which has an area no larger than 0.5 hectares; and

iii) consists exclusively of dwellings which are self-build or custom housebuilding (as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015).

4.5 Development forming part of, or ancillary to, the high speed railway transport network (High Speed 2) comprising connections between all or any of the places or parts of the transport network specified in section 1(2) of the High Speed Rail (Preparation) Act 2013.

* "original planning permission means the permission to which the section 73 planning permission relates" means a planning permission which is the first in a sequence of two or more planning permissions, where the second and any subsequent planning permissions are section 73 planning permissions.

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.

The planning authority 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.

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:

- i) do not affect the post-development value of the onsite habitat as specified in the earlier Biodiversity Gain Plan, and
 - ii) 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.
- 7 Sustainable drainage arrangements shall be provided to ensure that surface water from the driveway and/or vehicular turning area(s) does not discharge onto the public highway. No drainage or effluent from the proposed development shall be allowed to discharge into any highway drain or over any part of the public highway.
- 8 This planning permission is subject to a Section 106 legal agreements which provide (in summary) for the following:
- Affordable housing
 - Green Infrastructure/public open space provision and future management and maintenance
 - Financial contributions to improvements in off-site local play/recreation facilities and allotment provision
 - Education and Library provision/contributions
 - Travel Plan implementation/monitoring
 - Beechwoods SAC Mitigation
 - Statutory minimum 10% Biodiversity Net Gain

The planning permission should be read in conjunction with the s106 legal agreements.

Consultations Appendix

Architects Panel

30th June 2025 –

Design Concept

The panel had no objection to the principle of this development and its provision of new housing in this sustainable location.

Design Detail

The proposed designs appear to reflect the context of the site and although we would like to see something with more design variety we believe this is acceptable for this type of volume housing. The suggestion that the SuDS basin could also be public open space raises some concerns on the practicality of this and we would like clarification on this but the provision / retention of the link to Albert Road was welcomed on sustainability grounds. There are questions on the sustainability as there are limited numbers of south facing roofs for PV panels meaning we question whether the design requirement for this came before the layout? It would be useful to understand where the 701-522 PV panels would be located (between 12 and 9 per property).

Recommendation

Supported, with a request that the council agrees some further detail on SuDS and energy compliance

GCC Local Flood Authority (LLFA) 1

16th June 2025 –

I refer to the notice received by the Lead Local Flood Authority (LLFA) requesting comments on the above proposal. The LLFA is a statutory consultee for surface water flood risk and management and has made the following observations and recommendation.

Flood Risk

The Flood Risk Assessment and Drainage Strategy document (248-ER-01; 5 March 2025) shows the site is in flood zone 1 and is shown to be at low risk according to the Risk of Flooding from Surface Water.

Surface Water Management

Discharge strategy

The geology is Charmouth Mudstone, which isn't conducive to infiltration and, although there is presence of Cheltenham Sand and Gravels, it is believed to be unlikely that soakaways will not be viable.

In section "6.4. Suitable Watercourse" it is stated that there are no accessible watercourses within a reasonable distance from the development site. It isn't mapped but there is a well established watercourse alongside Albert Road, which appears accessible via the footpath link.

This is higher in the drainage hierarchy and will keep the surface water draining in the same direction it currently is so won't be adding to the Severn Trent Water network. This should be explored and the drainage strategy adapted if deemed viable.

Discharge rates

Surface water will be discharged from the site at 2.4 l/s, which is approximately equal to the greenfield runoff rate for QBar. This will form the development's method for managing runoff volume.

Drainage strategy and indicative plan

Sustainable Drainage Systems (SuDS) will be incorporated into the drainage design through the use of an attenuation pond to store excess surface water. It has been shown that the drainage will function without flooding in a 1 in 100 year event plus 45% for climate change. As well as managing water quantity, the pond will manage water quality (although there is no treatment train used for this) and provide amenity and biodiversity benefits to the development.

Details of how surface water will be managed to ensure the surrounding area is not put at increased risk of flooding during the construction phase of the development has not been provided but can be through a condition.

A detailed maintenance strategy for the SuDS, outline who will be responsible for each feature can be provided through a condition.

Climate change

Climate change appears to be incorporated into the design of the drainage with a value of 45%, which greater than the current estimates from the Environment Agency.

Exceedance flow plan

A plan showing the route that water will take during rainfall events that exceed the design of the drainage has not been provided but can be provided through a condition.

LLFA Recommendation

The LLFA does not believe the drainage hierarchy has been followed and that a discharge to the ditch adjacent to Albert Road could be possible and may be the preferred option. This should be explored and the strategy adapted if necessary or evidence that it can't be done provided.

NOTE 1 :The Lead Local Flood Authority (LLFA) will give consideration to how the proposed sustainable drainage system can incorporate measures to help protect water quality, however pollution control is the responsibility of the Environment Agency

NOTE 2 : Future management of Sustainable Drainage Systems is a matter that will be dealt with by the Local Planning Authority and has not, therefore, been considered by the LLFA.

NOTE 3: Any revised documentation will only be considered by the LLFA when resubmitted through suds@gloucestershire.gov.uk e-mail address. Please quote the planning application number in the subject field.

GCC Local Flood Authority (LLFA) 2

1st October 2025 -

I refer to the notice received by the Lead Local Flood Authority (LLFA) requesting comments on the above proposal. The LLFA is a statutory consultee for surface water flood risk and management and has made the following observations and recommendation.

Following the LLFAs comments from 13 June 2025 and a change in the layout of the site, the Sustainable Drainage System (SuDS) strategy has been updated and is described in the Flood Risk Assessment and Drainage Strategy document (248-ER-01 A; 12 September 2025).

The major change is the point of discharge is now the watercourse adjacent to Albert Road, the outfall being adjacent to the footpath access on the western side of the site. This is higher in the discharge hierarchy than the previous option for discharging to a public surface water sewer.

There is also a change in layout, which has seemingly resulted in an increase in the impermeable area and a slight change to the pipe network. New simulations have been provided to reflect this change and they show there should be no flooding in the 1% Annual Exceedance Probability (AEP) event plus 40% for climate change (a reduction from the first iteration but still inline with the Environment Agency's current estimates), however, they don't include the details of the pipe network. The change in the layout isn't too significant and the previous simulations show that the site can be developed but these details and simulations should be provided with a detailed design. Finally, the SuDS strategy now includes several swales/bioretention areas across the site that will drain water from the dwellings. Little information has been provided on the design of these and should be provided with a detailed design.

I refer to the notice received by the Lead Local Flood Authority (LLFA) requesting comments on the above proposal. The LLFA is a statutory consultee for surface water flood risk and management and has made the following observations and recommendation.

Following the LLFAs comments from 13 June 2025 and a change in the layout of the site, the Sustainable Drainage System (SuDS) strategy has been updated and is described in the Flood Risk Assessment and Drainage Strategy document (248-ER-01 A; 12 September 2025).

The major change is the point of discharge is now the watercourse adjacent to Albert Road, the outfall being adjacent to the footpath access on the western side of the site. This is higher in the discharge hierarchy than the previous option for discharging to a public surface water sewer.

There is also a change in layout, which has seemingly resulted in an increase in the impermeable area and a slight change to the pipe network. New simulations have been provided to reflect this change and they show there should be no flooding in the 1% Annual Exceedance Probability (AEP) event plus 40% for climate change (a reduction from the first iteration but still inline with the Environment Agency's current estimates), however, they don't include the details of the pipe network. The change in the layout isn't too significant and the previous simulations show that the site can be developed but these details and simulations should be provided with a detailed design. Finally, the SuDS strategy now includes several swales/bioretention areas across the site that will drain water from the dwellings. Little information has been provided on the design of these and should be provided with a detailed design.

LLFA Recommendation

The LLFA has no further objections to the proposal subject to the following conditions:

Condition: No development shall commence on site until a detailed Sustainable Drainage System (SuDS) Strategy document has been submitted to and approved in writing by the Local Planning Authority, this should be in accordance with the proposal set out in the approved submission (Drainage Layout 1 of 2 – 248-142-1 A; Drainage Layout 2 of 2 – 248-142-2 A). The SuDS Strategy must include a detailed design and must also demonstrate the technical feasibility/viability of the drainage system through the use of SuDS to manage the flood risk to the site and elsewhere and the measures taken to manage the water quality for the lifetime of the development. The approved scheme for the surface water drainage shall be implemented in accordance with the approved details before the development is first put in to use/occupied.

Reason: To ensure the development is provided with a satisfactory means of drainage and thereby preventing the risk of flooding. It is important that these details are agreed prior to the commencement of development as any works on site could have implications for drainage, flood risk and water quality in the locality.

Condition: No development shall be brought in to use/occupied until a SuDS management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime, has been submitted to and approved in writing by the Local Planning Authority. The approved SUDS maintenance plan shall be implemented in full in accordance with the agreed terms and conditions.

Reason: To ensure the continued operation and maintenance of drainage features serving the site and avoid flooding.

Condition: No development shall take place within each phase of development, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall detail the measures to control the risk of flooding during construction

Reason: To reduce the risk of flooding to surrounding property during the construction of the permitted development.

NOTE 1 :The Lead Local Flood Authority (LLFA) will give consideration to how the proposed sustainable drainage system can incorporate measures to help protect water quality, however pollution control is the responsibility of the Environment Agency

NOTE 2 : Future management of Sustainable Drainage Systems is a matter that will be dealt with by the Local Planning Authority and has not, therefore, been considered by the LLFA.

NOTE 3: Any revised documentation will only be considered by the LLFA when resubmitted through suds@gloucestershire.gov.uk e-mail address. Please quote the planning application number in the subject field.

CBC Drainage and Flooding 1

30th May 2025 -

An objection is raised to the drainage strategy for this application primarily due to the proposed surface water connection to the south-east of the site. There is a more sustainable option available and the proposed connection does not follow existing runoff/topography and therefore unnecessarily increases flood risk to the sewer network and properties south-east of the site.

There is a drainage ditch ordinary watercourse on Albert Road. LiDAR topography shows approximately a 6m fall from the proposed SUDS pond to this drainage ditch along the proposed footpath within the application boundary. Discharging to this ditch should therefore be feasible and this would mimic the existing site runoff rather than diverting flow elsewhere.

The flood risk assessment (FRA) discusses the importance of a SUDS management train in paragraph 7.2.1 and even mentions that swales have been included in the design, but drainage design drawings only show a piped network to an attenuation pond. This is disappointing for a development of this scale and not fitting with paragraph 182 of the NPPF.

The FRA also acknowledges the importance of interception to prevent runoff of the first 5mm of rainfall but it is not clear how this will be achieved when the proposed systems are compared with guidance in Table 24.6 of the SUDS manual.

An exceedance flow route plan that shows risk to people and property is mitigated is currently not included, but this can be provided at a later stage through a condition when design levels are better understood.

CBC Drainage and Flooding 2

23rd October 2025 –

Comments received 23/10/2025

The drainage strategy has now been updated to discharge controlled runoff to the Albert Road drainage ditch which is higher in the SUDS hierarchy than the previous proposal.

Swales/Bioretenation areas and filter drains have also been added to the drainage layout and the landscaping plan which is pleasing to see and more fitting with paragraph 182 of the NPPF than the previous proposal. There is limited detail on these additional features but this can be provided at a later stage of design.

It should be noted that the urban creep uplift is now specified at 10% domestic for all developments, not 6%, in the latest SUDS standards. But additional storage volumes provided by the swales/bioretenation do not appear to have been included yet in the calculations and the previous calculations demonstrated that runoff control was achievable at a higher climate change uplift. So this technical matter can also be addressed at a later design stage.

I concur with the conditions requested by the LLFA and have no objections provided these conditions are attached if planning permission is granted.

Natural England 1

27th May 2025-

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

Insufficient information provided

There is insufficient information to enable Natural England to provide a substantive response to this consultation as required under the Town and Country Planning (Development Management Procedure) (England) Order 2015. Please provide the information listed below and re-consult Natural England. Please note that you are required to provide a further 21 day consultation period, once this information is received by Natural England, for us to respond.

Cotswold Beechwoods SAC

Despite the proximity of the application to European Sites, the consultation documents provided do not include information to demonstrate that the requirements of regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended) have been considered by your authority, i.e. the consultation does not include a Habitats Regulations Assessment.

It is Natural England's advice that the proposal is not directly connected with or necessary for the management of the European site. Your authority should therefore determine whether the proposal is likely to have a significant effect on any European site, proceeding to the Appropriate Assessment stage where significant effects cannot be ruled out. Natural England must be consulted on any appropriate assessment your authority may decide to make.

Natural England advises that there is currently not enough information provided in the application to determine whether the likelihood of significant effects can be ruled out. Please note that we are not seeking further information on other aspects of the natural environment, although we may make comments on other issues in our final response.

On receipt of the information requested, we will aim to provide a full response within 21 days of receipt. Please be aware that if the information requested is not supplied, Natural England

may need to consider objecting to the proposal on the basis of potential harm to the above designated site.

Should the developer wish to explore options for avoiding or mitigating effects on the natural environment with Natural England, we recommend that they use our Discretionary Advice Service.

Please send further correspondence, marked for my attention, to consultations@naturalengland.org.uk quoting our reference 512975.

Natural England 2

26th June 2025 –

Insufficient information provided

There is insufficient information to enable Natural England to provide a substantive response to this consultation as required under the Town and Country Planning (Development Management Procedure) (England) Order 2015. Please provide the information listed below and re-consult Natural England. Please note that you are required to provide a further 21 day consultation period, once this information is received by Natural England, for us to respond.

European/International Sites

Natural England notes that the Habitats Regulations Assessment (HRA) has not been produced by your authority, but by the applicant. As the competent authority, it is your responsibility to produce the HRA and be accountable for its conclusions. This also applies to a HRA which is adopted by the competent authority but produced by someone else. Once your council has reviewed the Applicant's HRA, they should either confirm to Natural England that they are satisfied with it and that the Council will adopt it or they should provide their own HRA and consult Natural England if appropriate (See guidance on when to consult the Statutory Nature Conservation Body- Habitats regulations assessments: protecting a European site - GOV.UK (www.gov.uk)).

Please note that we are not seeking further information on other aspects of the natural environment, although we may make comments on other issues in our final response.

On receipt of the information requested, we will aim to provide a full response within 21 days of receipt. Please be aware that if the information requested is not supplied, Natural England may need to consider objecting to the proposal on the basis of potential harm to the above designated site.

Natural England 3

8th July 2025- Annex A available to view in online documents tab.

SUMMARY OF NATURAL ENGLAND'S ADVICE

NO OBJECTION - SUBJECT TO APPROPRIATE MITIGATION BEING SECURED

Natural England considers that without appropriate mitigation the application would:

- have an adverse effect on the integrity of Cotswold Beechwoods Special Area of Conservation <https://designatedsites.naturalengland.org.uk/>

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

- Mitigation to avoid impacts on the SAC via a financial contribution towards SAAM and SANG projects, to be secured through a s106 agreement, in line with the Cotswold Beechwoods SAC Recreation Mitigation Strategy.

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

A lack of objection does not mean that there are no significant environmental impacts. Natural England advises that all environmental impacts and opportunities are fully considered and relevant local bodies are consulted.

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

Cotswold Beechwoods SAC

Natural England notes that the Habitats Regulations Assessment (HRA) has not been produced by your authority, but by the applicant. As competent authority, it is your responsibility to produce the HRA and be accountable for its conclusions. We provide the advice enclosed following the confirmation that your authority has adopted this HRA to fulfil your duty as competent authority.

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

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

Other advice

In addition, Natural England would advise on the following issues.

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

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

If you have any queries relating to the advice in this letter, please contact me via consultations@naturalengland.org.uk

CBC Ecologist 1

20th May 2025 - 25/00780/FUL Pittville School Full application for the erection of 58 residential dwellings including access, parking, landscaping and associated works

Ecology comments 20th May 2025

The Ecological Impact Assessment (EclA) (Ethos Environmental Planning, April 2025) appropriately describes the ecological features of the site and mitigation required.

The Biodiversity Net Gain (BNG) Assessment (Ethos Environmental Planning, April 2025) calculates a 2.27% gain in area habitat units and a 0.37% gain in hedgerow habitat units.

For a site this size, containing mainly low distinctiveness habitats, a 10% net gain on-site would be expected considering the room available for habitat creation. The residential units are tightly planned with very little space for street-greening - though it is accepted that the private garden space afforded to each dwelling will be accountable for this. The following are suggestions to increase the provision of biodiversity units on-site:

- change the hedgerow provision from non-native to native and increase this where possible, including along street scenes and around parking spaces
- Consider the provision of more mixed scrub around the proposed SUD, allowing access to both the scrub and SUD
- Consider the provision of green roofs on the apartment buildings and bin stores where possible
- Increase tree planting on the street scene and around the green space area

Ecologist 2

14th November 2025 –

Further to previous comments from the ecology consultee dated 20th May 2025, we have now reviewed the Biodiversity Net Gain Report (Ethos Environmental Planning, October 2025), Biodiversity Metric and Ecological Impact Assessment (Ethos Environmental Planning, October 2025), and our response with regards to ecology is provided below.

The EcIA has been updated in line with the revised layout, which sees the retention and protection of mature trees in the south of the site, and the protection of the off-site hedgerows along the western boundary. The development footprint will primarily impact the modified grassland.

As per the previous comments, the conclusions of the EcIA and the proposed mitigation and compensation is considered suitable.

The site is within the Zone of Influence of the Cotswold Beechwoods SAC and as the proposals will lead to a net increase in residential units, a financial contribution will be required in accordance with the Cotswold Beechwoods Recreation Mitigation Strategy. This will need to be secured through a suitable legal agreement.

The Biodiversity Metric shows that the proposals can deliver a 4.05% net gain in habitat units and a 30.7% net gain in hedgerow units. The revisions to the Biodiversity Metric include an increase in developed land, introduced shrubs, mixed scrub and individual trees and a reduction in modified grassland and artificial unsealed surface. The southern boundary hedgerow with trees will be enhanced from 'moderate' to 'good' condition.

Offsite offsetting is proposed to deliver a 10% net gain in habitat units.

If planning permission is granted, the general Biodiversity Net Gain condition will be applied under paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990. This will be listed separately on the decision notice. The proposed on-site habitats are considered to be significant enhancements and a S106 will be required to secure monitoring by the LPA.

The applicant will be required to purchase offsite habitat units from an offsite provider. This will be detailed within the Biodiversity Gain Plan and will form part of the pre-commencement condition

Requirements prior to commencement/conditions to be attached to planning consent:

1. All works shall be carried out in full accordance with the recommendations contained in the Ecological Impact Assessment (Ethos Environmental Planning, October 2025).
2. No development shall take place (including ground works and vegetation clearance) until a Construction Environmental Management Plan - Biodiversity (CEMP-B) has been submitted to and approved in writing by the local planning authority. The CEMP should be kept in the site office for reference for site workers. The CEMP-B shall include, but not necessarily be limited to, the following:
 - i. Risk assessment of potentially damaging construction activities;
 - ii. Identification of 'biodiversity protection zones';

- iii. Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements);
 - iv. A precautionary working method statement for the following species: bats, amphibians, badger, reptiles, nesting birds, and hedgehog;
 - v. The location and timing of sensitive works to avoid harm to biodiversity features (e.g. daylight working hours only starting one hour after sunrise and ceasing one hour before sunset);
 - vi. Details of any external lighting required during construction phase;
 - vii. The times during construction when specialist ecologists need to be present on site to oversee works;
 - viii. Responsible persons and lines of communication;
 - ix. The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person(s);
 - x. Use of protective fences, exclusion barriers and warning signs, including advanced installation and maintenance during the construction period; and
 - xi. Ongoing monitoring, including compliance checks by a competent person(s) during construction and immediately post-completion of construction works.
- The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

3. Notwithstanding the submitted details, before above ground works commence a scheme for biodiversity enhancement, such as the incorporation of permanent bat roosting feature(s), hedgehog homes and nesting opportunities for birds, shall be submitted to and agreed in writing with the Local Planning Authority. The approved details shall be implemented prior to the occupation of any of the dwelling houses hereby permitted, and thereafter retained and maintained for the lifetime of the development;

The scheme shall include, but not be limited to, the following details:-

- i. Description, design or specification of the type of feature(s) or measure(s) to be undertaken;
- ii. Materials and construction to ensure long lifespan of the feature/measure;
- iii. A drawing(s) showing the location and where appropriate the elevation of the features or measures to be installed or undertaken; and
- iv. When the features or measures will be installed within the construction, occupation, or phase of the development.

4. Prior to the installation of external lighting for the development hereby approved, a lighting design strategy shall be submitted to and approved by the Local Planning Authority. The details shall clearly demonstrate that lighting will not cause excessive light pollution or disturb or prevent bat species using key corridors, forage habitat features or accessing roost sites. The strategy will:

- a. Identify the areas/features on site that are particularly sensitive for nocturnal species;
- b. Show how and where external lighting will be installed (including the type of lighting), so that it can be clearly demonstrated that areas to be lit will not disturb or prevent nocturnal species using their habitats or wildlife corridors.
- c. show the position and luminance levels of proposed external lighting and how this responds to the landscape setting of the area.
- d. Methods to control lighting control (e.g. timer operation, passive infrared sensor (PIR)).

The scheme should be implemented and maintained in accordance with the approved details for the lifetime of the development.

5. A 30-year Habitat Management and Monitoring Plan (HMMP) shall be submitted to, and approved in writing by, the Local Planning Authority prior to any above ground works of the development hereby approved being undertaken. The plan shall be prepared in accordance with the Biodiversity Gain Plan and must include, but not necessarily be

limited to, the following information:

- I. Description and evaluation of features to be managed, including locations shown on a site map;
- II. Establishment details, including preparation of the land;
- III. Landscape and ecological trends and constraints on site that might influence management; Aims and objectives of management, including ensuring the delivery of at least a 10% net gain in habitat, hedgerow and watercourse (if applicable) units;
- IV. Appropriate management options for achieving the aims and objectives;
- V. Prescriptions for all management actions;
- VI. A work schedule matrix (i.e. an annual work plan) capable of being rolled forward over 5- or 10-year periods;
- VII. Details of the body or organisation responsible for the implementation of the plan;
- VIII. Ongoing monitoring of delivery of the habitat enhancement and creation details to achieve net gain as well as details of possible remedial measures and adaptive measures might need to be put in place; and
- IX. Timeframe for reviewing and reporting on the plan. Reporting on year 1, 2, 5, 10, 15, 20, 25 and 30, with biodiversity reconciliation calculations at each stage.

The HMMP shall also include details of the legal and funding mechanism(s) by which the long term implementation of the plan will be secured by the developer with the management body (ies) responsible for its delivery. The HMMP shall be implemented in accordance with the approved details and all habitats shall be retained in that manner thereafter. Notice in writing shall be given to the Council when the habitat creation and enhancement works as set out in the Biodiversity Gain Plan have commenced and once all habitat creation and enhancements have been completed.

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

- NPPF Para 180 - 194 (Conserving and Enhancing the Natural Environment), National

Planning Policy Framework

- SD9 Biodiversity and Geobiodiversity
- INF3 Green Infrastructure

In England, biodiversity net gain (BNG) is mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). Developers must deliver a biodiversity net gain of 10%. For significant on-site gains, and all off-site gains, the BNG must be maintained for at least 30 years. Responsibilities should be set out in a legal agreement. Further guidance can be found at <https://www.gov.uk/guidance/understanding-biodiversity-net-gain>

Cheltenham Plan, Adopted 2020.

- Policy BG1: Cotswold Beechwoods Special Area of Conservation Recreation Pressure
- Policy BG2: Cotswold Beechwoods Special Area of Conservation Air Quality

Wildlife legislation context:

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

Gloucestershire Centre For Environmental Records

20th May 2025 - Report in documents tab.

Urban Design

24th July 2025 – Images within response are available to view in documents.

I have the following concerns with the proposal:

- Poor accessibility & connectivity between the site and adjacent context – in particular the lack of connection between Cake Bridge Rd and the site.
- Weak permeability & legibility within the site, blocked by plots 9&10.
- Attenuation basin - lack of landscaping & placemaking of the public space.
- Ambiguous area/strip of land - left-over space, (adjacent to plot 42).
- Boundary treatments to terraced dwellings.
- Car parking arrangements at plots 1,2,33,35,57,58.
- Siting of plots 6&7 in relation to the attractive mature tree line.
- Apartments – lack of outdoor shared or private amenity space.

Relevant policies:

- NPPF & National Design Guide,
- Joint Core Strategy,
 - o Policy SD4: Design Requirements: i),ii), iii), iv), v), vii)
 - o Principles of Urban Design (Table SD4b)

Urban Design Comments

Accessibility & Connectivity - the site should be highly connected to its neighbours to enable a sustainable, walkable environment for future (and existing) residents. Pedestrian and cycle accessibility is directly associated with the provision of connectivity to and across the site. The proposal offers east-west connectivity via Broad Acre Rd that meanders through the site to connect to a public footpath link to Albert Rd. North-south connectivity is provided via a very circuitous connection from Welland Rd through an unattractive, poorly surveyed alleyway to the recently completed development at Broad Acre Rd. This route then connects into this site at the proposed main access. This connection is very poor and provides little in the way of achieving an attractive, safe and comfortable route between adjacent developments/neighbourhoods.

This proposal should take the opportunity to establish improvements to wider connectivity. A much more direct, safe and attractive route would be to provide a connection from Cake Bridge Rd into the site, this would enhance north-south connectivity in the area. This connection was originally provided in the previously consented reserved matters scheme under application: 19/00053/REM, from the consented outline application: 15/01163/OUT.

This proposal should take the opportunity to establish improvements to wider connectivity. A much more direct, safe and attractive route would be to provide a connection from Cake Bridge Rd into the site, this would enhance north-south connectivity in the area. This connection was originally provided in the previously consented reserved matters scheme under application: 19/ 00053/REM, from the consented outline application: 15/01163/OUT.

Permeability – the proposal blocks internal permeability by the siting of plots 9 & 10, thereby removing the ability for future residents to properly connect across the development. This approach also generates the need for a large turning head outside plot 25 and another outside plot 7 to allow refuse/emergency vehicle manoeuvrability. This could easily be resolved by opening up this blockage to create a 'loop' route instead.

Block structure & legibility – as a result of the blocked permeability resulting from the siting of plots 9&10, the layout's block structure is weakened as there is no longer a clear perimeter block layout and as a result the scheme suffers from poor legibility. (The means by which people naturally navigate and understand a place). This also causes some confusion and lack of a consistent approach to how dwellings face the street relative to each block, how development turns the corner and cumulatively these issues weaken a sense of character and identity. With a few minor amendments to the layout, this could be vastly improved to achieve a scheme that is highly navigable with a more coherent block structure too.

Long-distant views & terminating vista – without wanting to labour the same point again, the

internal view down this blocked street is poor, ending in the rear private garden walls of plots 9&10. Consider the vantage point these internal north-south routes have to long-distant views towards the AONB in the south. The site slopes north-south and opening up these potential long distant views from the high points of the site may be very beneficial to the value and character of this internal street. Consider a similar long-distant view from slightly lower vantage point facing south from Cake Bridge Road for nearby context:

This proposal should take the opportunity to establish improvements to wider connectivity. A much more direct, safe and attractive route would be to provide a connection from Cake Bridge Rd into the site, this would enhance north-south connectivity in the area. This connection was originally provided in the previously consented reserved matters scheme under application: 19/ 00053/REM, from the consented outline application: 15/01163/OUT.

Public open space and attenuation basin – this area of the proposal should provide a dual-use function, allowing for the space to be used as public open amenity space and allowance for potential flood mitigation/attenuation. As such the space should be designed as a landscape-led exercise to achieve this dual-function. There is negligible information from a landscape perspective that seeks to deliver a quality piece of attractive amenity for the scheme.

Linear open space adjacent to plot 42 – this area of grass, while providing rear access to plot 43, is a relatively large area of ambiguous land. This area should be redistributed into the layout and added to be meaningful, public open space instead. If this space is unbuildable due to a physical constraint such as an underground utility, then an alternative approach should be sought that allows this area to be more meaningful and useful to the development. Boundary treatments - a key aspect of place quality in any layout are the boundary treatments. These should be designed and illustrated in detail for all dwellings in the layout.

- Terraces at plots 26-31: the provision of bin, recycling and cycle spaces needs more consideration. While rear access to dwellings is proposed, the front boundaries are very tight and any planting/shrubbery provided may not survive very long. Front treatments to such dwellings should be carefully considered in how they function and they contribute to the street character. In this case I would suggest these frontages can at least accommodate a low wall with a hedge, at a minimum of 1m.

Car parking - excessive garage setbacks (plots 1,2,33,35,57,58)– this is an over-provision of car parking space, driven by the need to provide a gate to the rear of the property and included on properties with generous front garden space. The depth of the parking area is way in excess of what is required and generates large, deep gaps in the streetscene that will negatively impact its character. Consider a different approach to car parking provision for these dwellings that achieves a better relationship to the street.

Massing & scale

The site lies between existing built form from relatively low-density suburban development to 4 storey university accommodation. There is scope within this scheme to be more responsive along the western edge of the site adjacent to the university residence accommodation. This poses an opportunity to densify the development along this edge.

Siting of plots 6&7:

- Plots 6&7 are at odds with the attractive mature tree line. The dwelling at plot 6 is in close proximity to the existing canopy line and faces sideways, including a rear private wall set up against the tree line. This is at odds with the intrinsic character these trees offer the site. Refer to Arboricultural officer for further comment.
- Amenity (overshadowing) - the proximity of plot 6 to the mature trees creates the potential for overshadowing of the dwelling's future private amenity especially as the plots are proposed directly north of the large trees.
- Streetscene A-A (Dwg 942-12): not convinced by the scale of the existing trees

represented by the drawing, in reality there are some trees in very close proximity to these proposed plots that are significantly taller than the proposed detached dwellings currently illustrated by this drawing.

Apartments – (plots 36-41)

- The apartments are well elevated, but the layout fails to achieve good amenity for the residents of the apartment block. There is some green open space to the rear of the block, but this is not designed as a usable space having no relationship to the circulation/use of the building.
- Where is the space for refuse, recycling and cycle storage held?
- A detailed drawing of the ground floor of the apartment block sited over the layout plan would be helpful to show how the block functions and how it responds to the street and the adjacent relationships.
- The car parking arrangement while efficient, is weak in streetscene terms. Decanting car parking spaces from plots 43 & 44 into this run of spaces removes the opportunity for some usable outdoor space, or street tree planting.
- The rear elevation has a dormer window on its left side that might impede plot 35's outdoor privacy.

Materials – I would suggest that the proposed materials are dealt with via condition and assessed on-site by officers.

Parish Council 1

9th June 2025 –

Prestbury Parish Council - Formal Consultee Response

Planning Application 25/00780

Proposed Development: Former Pittville School North Playing Field (58 dwellings)

Date: 28 May 2025

Prestbury Parish Council objects to this application in its current form, while accepting in principle the development of new housing on previously designated playing fields. The Parish Council believes that with appropriate revisions to layout, access, infrastructure provision, and mitigation measures, the scheme could be made compliant with relevant planning policies.

Importantly, Prestbury Parish Council is a statutory consultee for this application, as approximately 10 of the proposed dwellings fall within the parish boundary. This statutory role should be acknowledged in the determination of the application, particularly given that the majority of the development's impact will fall upon Prestbury residents-both those living adjacent to the site and those affected by traffic, access and infrastructure implications.

1. Environmental and Biodiversity Impact

The current application fails to preserve or extend the ecological function of the well-established wildlife corridor that runs from Prestbury Playing Fields across the proposed site to Pittville School and surrounding green infrastructure. There is no evidence of mitigation or compensation for the loss of this corridor.

This contravenes JCS Policy SD9 (Biodiversity and Geodiversity), which requires development to protect, restore and enhance existing biodiversity assets and ecological networks, and also fails to meet the objectives of Cheltenham Plan Policy G11, which emphasises the importance of maintaining green infrastructure links. We urge that the layout be revised to incorporate a continuous, functional wildlife corridor-particularly along the northern and eastern boundaries of the site-supported by appropriate planting, screening, and management measures.

2. Lack of On-Site Community and Recreational Facilities

The proposed scheme includes no community facilities or play provision, despite being primarily composed of family housing. This is inconsistent with JCS Policy INF4 (Social and Community Infrastructure) and Cheltenham Plan Policy CI1, which require developments to provide or contribute to community infrastructure proportionate to need.

In the absence of on-site open space or children's play areas, the development risks exacerbating demand on surrounding amenities, which are already under pressure. This also undermines NPPF Paragraphs 92 and 98, which stress the importance of planning for healthy, inclusive communities and ensuring access to high-quality open space.

3. Highways and Pedestrian Safety Concerns

Access to the development is proposed via Broad Acre Road, a narrow residential street, which raises multiple safety and capacity concerns. The expected traffic volumes-estimated from 58 new dwellings-will significantly increase congestion on Broad Acre Road itself, and at its junction with New Barn Lane, where no mitigation measures are currently proposed. This junction is already problematic at peak times, and the Council supports calls for a mini-roundabout to be considered as part of the highways solution.

Additionally, Broad Acre Road is a designated Public Right of Way (PROW) used by schoolchildren and local residents on foot. The development's proposed access crosses this PROW, creating a potentially dangerous conflict point. Appropriate pedestrian safety measures must be designed into the site access in advance of construction, rather than being reactively imposed following incidents. The Parish Council's concerns here are underscored by Gloucestershire County Council's previous refusal to consider a pedestrian crossing near Park Stores due to "lack of recorded incidents"-a justification that should not apply where preventable safety risks have been clearly identified in advance.

Further downstream, significant congestion already exists at the double mini-roundabouts at Tatchley Lane / Prestbury Road, and increased traffic from this development will exacerbate these problems.

The westbound traffic flow (vehicles turning left out of Broad Acre Road onto New Barn Lane) will also have a notable impact on Albert Road and Evesham Road, both of which are used heavily for school access and by pedestrians, including those attending Pittville School and the student halls located directly adjacent to these routes. These wider network impacts have not been adequately addressed in the Transport Assessment and must be reassessed before permission is granted.

4. Consideration of Alternative Mitigation Options

One possible means of mitigating the increased traffic flows along New Barn Lane-in both eastbound and westbound directions-would be to permit residents of the Starvehall Farm estate to access Prestbury Road via the existing Barley Road bus gate, particularly at peak times. This would offer a direct route to key arterial roads and relieve pressure on already congested junctions such as the double mini-roundabouts at Tatchley Lane, which present well-known safety concerns.

However, while such a measure may offer strategic relief, it also has implications. Opening the bus gate to general traffic at peak times could increase vehicle movements through residential areas, including those with high pedestrian footfall. This includes routes used regularly by schoolchildren, particularly near the main children's play area and sensory garden, and through the cobbled square and eastern sections of Broad Acre Road.

It is worth noting that this mitigation option was originally proposed prior to the construction of the Starvehall Farm estate, and although not pursued at the time due to safety concerns, its

re-exploration may now be warranted given the wider cumulative pressures on surrounding roads-many of which are equally hazardous and situated near schools or student accommodation.

As such, Prestbury Parish Council does not advocate this as a primary or standalone solution, but considers that revisiting its potential use as part of a broader package of traffic mitigation measures may be appropriate. This package should include:

- A re-evaluation of all possible access points to the development (e.g., via Albert Road or improved access on New Barn Lane);
- Physical improvements at key junctions (such as a mini-roundabout at Broad Acre / New Barn Lane);
- Site-specific pedestrian safety upgrades;
- And a comprehensive review of estate-wide and strategic traffic movement patterns.

These options should be considered collectively and subject to public consultation and full road safety assessment.

5. Conclusion

Prestbury Parish Council respectfully urges Cheltenham Borough Council to withhold approval of this application in its current form. Key planning policy issues remain unresolved and require further work, including:

- Provision of a linked and ecologically functional wildlife corridor in accordance with Policy SD9 (JCS) and Policy GI1 (Cheltenham Plan);
- Inclusion of on-site community and play facilities under Policies INF4 and CI1;
- Comprehensive review and redesign of traffic access and pedestrian safety, in line with Policy INF1 and NPPF Paragraphs 110 and 112, including reassessment of wider network impact and mitigation measures.

We reiterate our willingness to engage constructively with Cheltenham Borough Council and the applicant to explore viable solutions and help deliver a scheme that is appropriate, safe, and sustainable for both new and existing residents.

Parish Council 2

22nd October 2025 –

Prestbury Parish Council objects to this application in its current form, while accepting in principle the development of new housing on previously designated playing fields. The Parish Council believes that with appropriate revisions to layout, access, infrastructure provision, and mitigation measures, the scheme could be made compliant with relevant planning policies.

Importantly, Prestbury Parish Council should be a statutory consultee for this application, as approximately 11 of the proposed dwellings fall within the parish boundary. This statutory role should be acknowledged in the determination of the application, particularly given that the majority of the development's impact will fall upon Prestbury residents—both those living adjacent to the site and those affected by traffic, access and infrastructure implications.

1. Lack of On-Site Community and Recreational Facilities

The proposed scheme includes no community facilities or play provision, despite being primarily composed of family housing. This is inconsistent with JCS Policy INF4 (Social and Community Infrastructure) and Cheltenham Plan Policy CI1, which require developments to provide community infrastructure proportionate to need.

In the absence of on-site open space or children's play areas, the development risks exacerbating demand on surrounding amenities, which are already under pressure. This also

undermines NPPF Paragraphs 92 and 98, which stress the importance of planning for healthy, inclusive communities and ensuring access to high-quality open space.

2. Density of houses and privacy

We object to the proposed high-density housing development that directly backs onto existing large detached homes on the grounds of loss of amenity. Such a development is incompatible with the character of the surrounding area and is likely to have a significant impact on the privacy and overall quality of life of current residents, particularly those living in Prestbury. The scale and density of the proposed housing are inappropriate for this location and do not adequately take into consideration the established residential context or the reasonable expectations of neighbouring homeowners.

Furthermore, we believe that the layout of the proposed development could be revised to address these concerns. Specifically, the site plan could be reoriented by 180 degrees, so that the higher-density properties do not directly back onto the larger detached homes. This adjustment would help to preserve the privacy and amenity of existing residents while still allowing for residential development on the site in a more sympathetic and contextually appropriate manner.

3. Environmental and Biodiversity Impact

The current application fails to preserve or extend the ecological function of the well-established wildlife corridor that runs from Prestbury Playing Fields across the proposed site to Pittville School and surrounding green infrastructure. There is no evidence of mitigation or compensation for the loss of this corridor.

This contravenes JCS Policy SD9 (Biodiversity and Geodiversity), which requires development to protect, restore and enhance existing biodiversity assets and ecological networks, and also fails to meet the objectives of Cheltenham Plan Policy G11, which emphasises the importance of maintaining green infrastructure links. We urge that the layout be revised to incorporate a continuous, functional wildlife corridor—particularly along the northern and eastern boundaries of the site—supported by appropriate planting, screening, and management measures.

The April 2025 Biodiversity Net Gain (BNG) report concludes that: "The proposed development fails to achieve a 10% gain in biodiversity units for area and hedgerow habitats, and therefore also fails to satisfy habitat trading rules.

4. Highways and Pedestrian Safety Concerns

Access to the development is proposed via Broad Acre Road, a narrow residential street, which raises multiple safety and capacity concerns. The expected traffic volumes—estimated from 58 new dwellings—will significantly increase congestion on Broad Acre Road itself, and at its junction with New Barn Lane, where no mitigation measures are currently proposed. The Council supports calls for a mini-roundabout to be considered as part of the highways solution.

Additionally, Broad Acre Road is a designated Public Right of Way (PROW) used by schoolchildren and local residents on foot. The development's proposed access crosses this PROW, creating a potentially dangerous conflict point. Appropriate pedestrian safety measures must be designed into the site access in advance of construction, rather than being reactively imposed following incidents. The Parish Council's concerns here are underscored by Gloucestershire County Council's previous refusal to consider a pedestrian crossing near Park Stores due to "lack of recorded incidents"—a justification that should not apply where preventable safety risks have been clearly identified in advance.

Further downstream, significant congestion already exists at the double mini-roundabouts at Tatchley Lane / Prestbury Road, and increased traffic from this development will exacerbate these problems.

The westbound traffic flow (vehicles turning left out of Broad Acre Road onto New Barn Lane) will also have a notable impact on Albert Road and Evesham Road, both of which are used heavily for school access and by pedestrians, including those attending Pittville School and the student halls located directly adjacent to these routes. These wider network impacts have not been adequately addressed in the Transport Assessment and must be reassessed before permission is granted.

5. Consideration of Alternative Mitigation Options

One possible means of mitigating the increased traffic flows along New Barn Lane—in both eastbound and westbound directions—would be to permit residents of the Starvehall Farm estate to access Prestbury Road via the existing Barley Road bus gate, particularly at peak times. This would offer a direct route to key arterial roads and relieve pressure on already congested junctions such as the double mini-roundabouts at Tatchley Lane, which present well-known safety concerns.

However, while such a measure may offer strategic relief, it also has implications. Opening the bus gate to general traffic at peak times could increase vehicle movements through residential areas, including those with high pedestrian footfall. This includes routes used regularly by schoolchildren, particularly near the main children's play area and sensory garden, and through the cobbled square and eastern sections of Broad Acre Road.

6. Conclusion

Prestbury Parish Council respectfully urges Cheltenham Borough Council to withhold approval of this application in its current form. Key planning policy issues remain unresolved and require further work, including:

- o Provision of a linked and ecologically functional wildlife corridor in accordance with Policy SD9 (JCS) and Policy GI1 (Cheltenham Plan);
- o Inclusion of on-site community and play facilities under Policies INF4 and C11;
- o Comprehensive review and redesign of traffic access and pedestrian safety, in line with Policy INF1 and NPPF Paragraphs 110 and 112, including reassessment of wider network impact and mitigation measures.

We reiterate our willingness to engage constructively with Cheltenham Borough Council and the applicant to explore viable solutions and help deliver a scheme that is appropriate, safe, and sustainable for both new and existing residents.

It is worth noting that this mitigation option was originally proposed prior to the construction of the Starvehall Farm estate, and although not pursued at the time due to safety concerns, its re-exploration may now be warranted given the wider cumulative pressures on surrounding roads—many of which are equally hazardous and situated near schools or student accommodation.

As such, Prestbury Parish Council does not advocate this as a primary or standalone solution, but considers that revisiting its potential use as part of a broader package of traffic mitigation measures may be appropriate. This package should include:

- o A re-evaluation of all possible access points to the development (e.g., via Albert Road or improved access on New Barn Lane);

- o Physical improvements at key junctions (such as a mini-roundabout at Broad Acre / New Barn Lane);
- o Site-specific pedestrian safety upgrades;
- o And a comprehensive review of estate-wide and strategic traffic movement patterns.

These options should be considered collectively and subject to public consultation and full road safety assessment.

GCC Education/Libraries - Section 106 Officer 1

9th June 2025 – Due to table format, full response and supporting information are available to view online documents tab.

Summary: Financial contributions will be required to make the development acceptable in planning terms. The County Council would have concerns if provision of and funding for the necessary infrastructure requirements could not adequately be addressed by planning obligation.

The proposal is for 58 dwellings, of which 50 dwellings are qualifying for education. This number of qualifying dwellings for education would be expected to generate an additional demand for 15.000 primary places. There is inadequate spare capacity forecast to be available at the closest schools, therefore Gloucestershire County Council is seeking a contribution of £302,819.10 towards the provision of these places

The proposal is for 58 dwellings, 50 of which are qualifying dwellings for education. This number of qualifying dwellings for education would be expected to generate an additional demand for 7.350 secondary (age 11-16) places. There is inadequate spare capacity forecast to be available, therefore Gloucestershire County Council is seeking a contribution of £204,083.33 towards the provision of these places.

The proposal is for 58 dwellings, 50 of which are qualifying dwellings for education. This number of qualifying dwellings for education would be expected to generate an additional demand for 2.500 secondary (age 16-18) places. There is inadequate spare capacity forecast to be available, therefore Gloucestershire County Council is seeking a contribution of £69,416.10 towards the provision of these places

A library contribution to GCC of £11,368 is required (based on the total proposed 58 dwellings), and which would be used at Prestbury Library to improve customer access to services through refurbishment and upgrades to the library building, improvements to stock, IT and digital technology, and increased services.

GCC Education/Libraries - Section 106 Officer 2

22nd July 2025 - Due to table format, full response and supporting information are available to view in online documents tab.

Summary

Education colleagues have removed the pupils arising from the Oakley Farm development from this assessment for 25/00780/FUL Pittville School.

Therefore the latest education data sheet for 25/00780/FUL Pittville School, as in the first attachment above (entitled UPDATE-Jul 25), shows the reviewed cumulative data (leaving out the pupils arising from the Oakley Farm development) but as you will see, this education data sheet shows that there is no change to the contribution request for 25/00780/FUL with this reviewed data.

GCC Education/Libraries - Section 106 Officer 3

1st December 2025 – Due to table format, full response and supporting information are available to view in online documents tab.

Primary Places Impact:

The proposal is for 58 dwellings, 50 of which are qualifying dwellings. This number of qualifying dwellings would be expected to generate an additional demand for 15.000 primary places. Utilising an operating Margin of 2%, there is currently sufficient capacity to accommodate the proposed number of pupils.

Secondary (11-16) Places Impact:

The proposal is for 58 dwellings, 50 of which are qualifying dwellings. This number of qualifying dwellings would be expected to generate an additional demand for 7.350 secondary (11-16) places. There is inadequate spare capacity forecast to be available; therefore, the County Council is seeking a contribution of £204,083.33 towards the provision of these places.

Secondary (16-18 -Post 16) Places Impact:

The proposal is for 58 dwellings, 50 of which are qualifying dwellings. This number of qualifying dwellings would be expected to generate an additional demand for 2.500 secondary (16-18) places. There is inadequate spare capacity forecast to be available; therefore, the County Council is seeking a contribution of £69,416.10 towards the provision of these places.

Library Considerations:

The nearest library facilities to the development site, based on the approximate distance from the grid coordinates provided, is Prestbury library.

A contribution of £11,368 is required (based on 58 dwellings), and which would be used at Prestbury Library to improve customer access to services through refurbishment and upgrades to the library building, improvements to stock, IT and digital technology, and increased services.

Environmental Health

2nd October 2025 - I have no objections to this application in principal, however there is some potential for noise and dust from construction works to affect nearby noise-sensitive premises during the construction of this development. I would therefore request that a condition is attached to require prior approval of a construction management plan relating to the site which identifies suitable methods for the control of noise dust and other nuisances during the construction of the site. This should include limits on the hours of operation of the site, which should conform to this department's recommended hours of Mon-Fri 7:30AM - 6:00PM, Sat 8:00 - 1:00PM, and no work audible beyond the site boundary on Sundays or Bank Holidays.

Land Contamination Officer

8th December 2025-

On the Public Access system, there is a document called "Ground Investigation logs", no assessment of contaminated land. The logs suggest that the site has not been used for previous development, and there is no sign of made ground or tipping on the site. Our historical maps show the site as being previously used as "allotments".

Therefore I don't feel that further investigation is required, however it would be prudent to attach a condition requiring any signs of contamination uncovered during site development to be suitably investigated before proceeding.

Heritage And Conservation

16th June 2025 -

Description of site and proposal

Outline consent has previously been granted for this site in 2016 with associated Reserved Matters application being approved in 2021. Planning permission is being sought for the construction of 58 dwellings adjacent to Pittville School, Cheltenham.

Relevant Legislation, Policies and Guidance

Of particular importance is the Planning (Listed Buildings and Conservation Areas) Act 1990. Para 16 (2), which requires local authorities to have special regard to the desirability of preserving the special architectural or historic interest of listed buildings and their setting. Para 72(1) requires local planning authorities to pay special attention to the desirability of preserving or enhancing the character and appearance of a conservation area.

The Joint Core Strategy 2017 (JCS) policy SD8 also requires both designated and undesignated heritage assets and their settings to be conserved and enhanced as appropriate to their significance.

A core principle of the National Planning Policy Framework 2024 (NPPF) is for heritage assets to be conserved in a manner appropriate to their significance. Chapter 16, paragraphs 202 - 221 sets out how potential impacts on heritage assets shall be considered. This assessment takes account of the relevant considerations of these paragraphs, including para 203 of the NPPF which requires the significance of heritage assets to be sustained and enhanced and para 212 of the NPPF requiring great weight to be given to the asset's conservation. Also relevant in this instance is para 213 of the NPPF, which requires clear and convincing justification for any harm to, or loss of, the significance of a designated heritage asset and para 215 of the NPPF, which address harm, specifically where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefit of the proposal including, where appropriate, securing its optimum viable use.

Comments on proposed alterations

Following the previous approval for development of the site, it is accepted that the character of this part of the Conservation Area's northern boundary will change from its current openness and semi-rural green space (former play field) associated with the adjacent school to one of 2/3 storey residential development with limited views from the Conservation Area particularly during the winter months.

The proposed scheme is similar in form to the previously approved application on the site. The application information includes a well detailed and considered 'Built Heritage Note' (Heritage Statement)

Regarding the impact on the heritage assets:

A detailed appraisal of the impact on heritage assets within the vicinity has been undertaken by the applicant.

No listed buildings are within 100m of the site. A east-west band of the southern area of the site is covered with mature trees which falls within the Cheltenham Central Conservation Area. Pittville School (locally listed) is located approximately 100 metres from the site's boundary. Its setting and significance is not compromised by the proposed development

The Grade I listed Pittville Pump House sits approximately 200 metres south-west of the site. Glimpses are possible of the development site from the upper floor of the heritage asset, but this will be viewed in the context of many other existing roofscape views. In this context the setting and significance of the Grade I listed building will not be altered.

On a non-conservation issue, it is unfortunate the vast majority of houses are proposed to be built in buff brickwork. In my view it is important to consider more variation of colours and

textures in elevation materials than the two brick colours indicated and this is also applicable to the colour/s and material/s of roof finishes.

I note half the three storey dwellings are close to the southern boundary of the site and will be viewed from the northern boundary of the Conservation Area. However, there is an existing mature tree cluster and landscaping in between. I think it is unfortunate more three-storey development was not considered nearer the middle of the site, thereby reducing the visual impact but this observation and possible design reconsideration may have a marginal impact.

The housing mix and types are well designed and accord with the surrounding development along three of its boundaries regarding scale, height, form and massing.

I recommend all external materials are conditioned and samples inspected.

Conclusion and Recommendation

The proposed development will have a neutral impact on the designated and non-designated heritage assets in my view. It will not cause harm and have no recognised benefit regarding betterment/enhancement.

The previously determined loss of another green open space is unfortunate, but the public benefit of the proposal is significant.

The application accords with heritage related CBC's policies and relevant conservation legislation. I therefore support this application and recommend approval.

Heritage and Conservation 2

24th October 2025 -

Proposal

The application involves the development of 58 dwellings, new access, landscaping and other associated works. The Site forms an open area of open space, located in the far north of the Pittville School complex.

A small area of the development site is located within the boundary of the Cheltenham Conservation Area with this area limited to the provision of an open space and footpath. All proposed development is located beyond the Conservation boundary.

The below comments should be read in conjunction with my previous notes related to this application.

Relevant Legislation, Policies and Guidance

Of particular importance is the Planning (Listed Buildings and Conservation Areas) Act 1990 para 16 (2), which requires local authorities to have special regard to the desirability of preserving the special architectural or historic interest of listed buildings and their setting. Para 72(1) requires local planning authorities to pay special attention to the desirability of preserving or enhancing the character and appearance of a conservation area.

The Joint Core Strategy 2017 (JCS) policy SD8 also requires both designated and undesignated heritage assets and their settings to be conserved and enhanced as appropriate to their significance.

A core principle of the National Planning Policy Framework 2024 (NPPF) is for heritage assets to be conserved in a manner appropriate to their significance. Chapter 16, paragraphs

202 - 221 sets out how potential impacts on heritage assets shall be considered. This assessment takes account of the relevant considerations of these paragraphs, including para 203 of the NPPF which requires the significance of heritage assets to be sustained and enhanced and para 212 of the NPPF requiring great weight to be given to the asset's conservation. Also relevant in this instance is para 213 of the NPPF, which requires clear and convincing justification for any harm to, or loss of, the significance of a designated heritage asset and para 215 of the NPPF, which address harm, specifically where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefit of the proposal including, where appropriate, securing its optimum viable use.

Comments on proposed alterations

The development has limited variety of house types and design, particularly at roof ridge level with little variation in heights. However, this is not a conservation of heritage related matter.

The Applicant has undertaken a detailed appraisal of heritage assets within the vicinity of the development site and provided an analysis of the impact of designated and non-designated buildings. The methodology follows Historic England's guidance GPA:3 The identified assets include:

Grade 1 Listed Pittville Pump Room

Long range glimpsed views of the roofscape of the heritage asset will be available from the wider surroundings. However, this minor visual change would not alter the overall understanding or experience of the asset.

Locally listed Pittville School

The main body of the Site is not considered to contribute to the overall understanding and experience of the Locally Listed Building.

Cheltenham Conservation Area

The character area of relevance to this assessment is the Pittville Character Area.

There will be no change of any key views and any contribution which it would make to the overall experience and appreciation of the Conservation Area would remain unaltered.

The main area of the site (the area which is subject of the proposed residential development) does not form part of the setting of designated and non-designated built heritage assets within the vicinity of the Site. From a heritage perspective, the site is not considered to be of significant townscape and environmental value.

The applicant's detailed and well considered assessment concludes that no harm would arise to the special interest of the Conservation Area either by changes within its area or by changes to the setting of the identified designated and non-designated heritage assets. I concur with the applicant's appraisal.

In my view, the proposed development will have a neutral impact on surrounding identified heritage assets. In addition, there will be significant public benefits generated by the proposed development.

Conclusion and Recommendation

The application accords with the legislation and policies highlighted above. Due to the above reasons, I recommend approval of this application.

Sport England

28th May 2025 -

It is considered that the proposal would affect playing field as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2015 (Statutory Instrument 2015 No. 595).

As the playing field appears not to have been used for at least five years, the consultation with Sport England has been considered as non-statutory.

Notwithstanding the non-statutory status of the consultation, we have assessed the proposal in light of the National Planning Policy Framework (NPPF), in particular paragraph 104, and Sport England's Playing Fields Policy, which is presented within our 'Playing Fields Policy and Guidance Document': www.sportengland.org/playingfieldspolicy

A lack of use of a playing field, or part of, should not be taken as necessarily indicating an absence of need in an area. Such land can retain the potential to provide playing pitches to meet current or future needs.

Sport England's policy is to oppose the granting of planning permission for any development which would lead to the loss of, or prejudice the use of:

- all or any part of a playing field, or
- land which has been used as a playing field land remains undeveloped, or
- land allocated for use as a playing field

unless, in the judgement of Sport England the development as a whole meets with one or more of five specific exceptions. The exceptions are provided in the Annex to this response.

The Proposal and its Impact on playing field

The proposal is for the conversion of a disused playing field for a housing development.

Assessment against Sport England's Playing Fields Policy and NPPF

It is disappointing that the applicants have not addressed paragraph 104 of the National Planning Policy Framework, (NPPF), in their planning statement. However, the applicants do refer to the original application which was granted planning permission in 2016 which we objected to because the then NPPF, did not condone enabling works on playing fields, as current NPPF. December 2024 does not condone enabling works.

The current Playing Pitch Strategy, (PPS) which was adopted in 2024 does not include this area of playing field. However, the adopted Built Leisure and Facilities Strategy, 2024, (BLFS) states the following on page 45.:

School has secured DFE section 77 approval to dispose of some land at the school site to raise a capital receipt to build and replace new sports hall.

We note the PPS does reference a proposed 3G AGP which is currently awaiting determination along with the sports hall, 24/0051/CHREG3.

Therefore, given the site was not identified in the PPS, Sport England considers the proposal to meet our E1 planning policy exception and bullet point a) of paragraph 104 of the NPPF.

We would also like to raise that the occupiers of new development, especially residential, will generate demand for sporting provision. The existing provision within an area may not be able to accommodate this increased demand without exacerbating existing and/or predicted future deficiencies. Therefore, Sport England considers that the new development should contribute towards meeting the demand that they generate through the providing additional capacity off-site.

The level and nature of any provision can be informed by a robust evidence base such as the PPS and BLFS. We would urge CBC to seek some level of contributions towards indoor and outdoor formal sport.

Sport England's Position

Given the above, Sport England raises no objection to the application because it is considered to accord with exception 1 of our Playing Fields Policy and paragraph 104 of the NPPF.

If this application is to be presented to a Planning Committee, we would like to be notified in advance of the publication of any committee agenda(s), report(s) and committee date(s). Please notify Sport England of the outcome of the planning application.

Minerals and Waste Policy Gloucestershire 1

11th June 2025 – Due to table format, response in online documents tab.

Minerals and Waste Policy Gloucestershire 2

9th July 2025- Due to table format, response in online documents tab.

Minerals and Waste Policy Gloucestershire 3

21st October 2025- Due to table format, response in online documents tab.

County Archaeology

4th June 2025 -

Full application for the erection of 58 residential dwellings including access, parking, landscaping and associated works. | Pittville School Albert Road Cheltenham Gloucestershire GL52 3JD

Thank you for consulting the archaeology department on this application. The county Historic Environment Record shows that no known heritage assets are located within the proposed development site. The nearest archaeological investigation to the east recorded two undated linear ditches, Roman settlement has been recorded approx. 600m to the southwest, a medieval deer park is located 350m to the north and Pittville Park is a Grade II registered Park and Garden (NHLE no. 1000196) which lies approx. 300m to the southwest.

On the basis of the available evidence I consider there to a low potential for significant archaeological remains to be impacted by the proposals. I therefore advise that no archaeological investigation is necessary in relation to this application.

GCC Highways Planning Liaison Officer 1

17th June 2025 –

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

The justification for this decision is provided below.

The site has had a permission for a similar development some years ago and it is considered that the principle of the development has therefore been established by that permission.

The application is supported by a Transport Assessment and the projected traffic numbers and distribution are considered reasonable and unlikely to result in a severe impact on the local highway network as required by NPPF.

The site access is compliant with design guidance for this scale of development in this location although further Technical Approval will be required in order for the necessary legal agreements to be completed,

The TA also includes an assessment of a number of pedestrian routes to local facilities and services and whilst one route was found to require some improvement it was argued that there was an alternative route that was considered to provide a good level of provision when measured against the requirements it is accepted that there is no need for further off site works particularly as the routes had previously been determined to be acceptable.

The available bus services are considered to offer a reasonable alternative to the private car.

The Highway Authority has undertaken a robust assessment of the planning application. Based on the analysis of the information submitted the Highway Authority concludes that there would not be an unacceptable impact on Highway Safety or a severe impact on congestion. There are no justifiable grounds on which an objection could be maintained.

Conditions

Before any dwelling on the site is occupied it shall be provided with a number of car and cycle parking spaces in accordance with relevant parking standards and those spaces shall be hard surfaced and positively drained to a suitable outfall to ensure no surface water runs onto the highway and once occupied shall be maintained as such thereafter.

Before occupation each dwelling shall be provided with a properly constructed access to the adopted highway to at least base course level. Construction traffic will be managed to ensure there is no parking on the public highway of either staff or delivery vehicles at any time.

The site will be provided with a suitable wheel washing facility that ensures no mud or any loose material is carried from the site onto the public highway at any time. Any such facility shall be positively drained to a suitable outfall to ensure no surface water runs away from the facility.

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

I would also be grateful if you could add the following notes to the decision notice:

This estate road and drainage layout will require approval under Section 38 of the Highways Act 1980 if it is to be adopted as 'highway maintainable at public expense'.

There are detailed issues that need to be approved in order to achieve technical approval under that process and the developer should be advised to contact Gloucestershire County Council to ensure that approvals and agreements are secured before commencement of works. The obtaining of planning permission for any design/layout will not be considered as a reason to relax the required technical standards for the adoption of the road and drainage and any changes may necessitate the submission of further planning applications. If the road is to be private then the residents should be advised that they may be taking on the responsibilities and liabilities of the highway authority with regards to maintenance, snow

clearance etc and advised to take advice on public liability insurance against claims associated with those responsibilities.

There will also need to be a S106 Agreement to secure the monitoring fee for the Travel Plan and the offsite works.

GCC Highways Planning Liaison Officer 2

1st December 2025-

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

The justification for this decision is provided below.

The site has had a permission for a similar development some years ago and it is considered that the principle of the development has therefore been established by that permission.

The application is supported by a Transport Assessment and the projected traffic numbers and distribution are considered reasonable and unlikely to result in a severe impact on the local highway network as required by NPPF.

The site access is compliant with design guidance for this scale of development in this location although further Technical Approval will be required in order for the necessary legal agreements to be completed.

The TA also includes an assessment of a number of pedestrian routes to local facilities and services and whilst one route was found to require some improvement it was argued that there was an alternative route that was considered to provide a good level of provision when measured against the requirements it is accepted that there is no need for further off site works particularly as the routes had previously been determined to be acceptable.

Consideration should be given to the route through the open space to the south west as a cycle route but as the estate appears not to be being offered for adoption this could not be enforced.

The available bus services are considered to offer a reasonable alternative to the private car.

The Highway Authority has undertaken a robust assessment of the planning application. Based on the analysis of the information submitted the Highway Authority concludes that there would not be an unacceptable impact on Highway Safety or a severe impact on congestion. There are no justifiable grounds on which an objection could be maintained.

Conditions

Before any dwelling on the site is occupied it shall be provided with a number of car and cycle parking spaces in accordance with relevant parking standards and those spaces shall be hard surfaced and positively drained to a suitable outfall to ensure no surface water runs onto the highway and once occupied shall be maintained as such thereafter.

Before occupation each dwelling shall be provided with a properly constructed access to the adopted highway to at least base course level.

Construction traffic will be managed to ensure there is no parking on the public highway of either staff or delivery vehicles at any time.

The site will be provided with a suitable wheel washing facility that ensures no mud or any loose material is carried from the site onto the public highway at any time. Any such facility shall be positively drained to a suitable outfall to ensure no surface water runs away from the facility.

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

I would also be grateful if you could add the following notes to the decision notice:

This estate road and drainage layout will require approval under Section 38 of the Highways Act 1980 if it is to be adopted as 'highway maintainable at public expense'. There are detailed issues that need to be approved in order to achieve technical approval under that process and the developer should be advised to contact Gloucestershire County Council to ensure that approvals and agreements are secured before commencement of works. The obtaining of planning permission for any design/layout will not be considered as a reason to relax the required technical standards for the adoption of the road and drainage and any changes may necessitate the submission of further planning applications. If the road is to be private then the residents should be advised that they may be taking on the responsibilities and liabilities of the highway authority with regards to maintenance, snow clearance etc and advised to take advice on public liability insurance against claims associated with those responsibilities.

There will also need to be a S106 Agreement to secure the monitoring fee for the Travel Plan.

Social Housing 1

13th June 2025 – Full response in online documents tab.

Summary

Cheltenham has a substantial affordable housing need and this scheme would make a significant contribution towards meeting the high level of need and demand for more affordable accommodation.

In reflection of our large 3 and 4 bedroom rented need (519 households registered on Homeseeckerplus for this type of accommodation), this officer would request greater weight towards the provision of 3 and 4 bedroom social rented homes.

As such, this officer would welcome the following issues to be addressed:

- The plans highlight a lack of 3 bedroom affordable homes for affordable housing; 3 x 3 bedroom for shared ownership and 1 x 3 bedroom for social rent
- The plans highlight a lack of 4 bedroom rented affordable homes - the proposed development does not make any provision for social rented 4 bedroom houses.

This is not acceptable.

- Clarification required on accessible housing delivery M4(2) and M4(3) – limited details contained in the planning application regarding the breakdown of the proposed affordable scheme to meet M4(2) and M4(3) requirements.
- Clarify tenure (Social Rent or Affordable Rent) - the planning application mentions 'rented'. The planning application will need to be more specific by confirming that the rented tenure is 'Social Rent'.

Social Housing 2

14th November 2025-

Following this officer's submitted comments dated 12/06/2025 and the various amendments undertaken by the applicant in response, this officer has prepared a short addendum to the previous Housing Enabling comments to address outstanding matters relating to the affordable housing provision.

Apartment Sizes:

The applicant's latest revised scheme has amended the size of the 6 x 1 bedroom apartments to ensure that they reflect NDSS requirements. Whilst this translates to a minor reduction in the overall space of the affordable homes, this remains in compliance with (and in excess of) the Council's position as per JCS Policy SD11: Housing Mix and Standards, which requires new development to meet or exceed appropriate minimum standards. This officer is therefore satisfied with the overall sizes of the apartments.

M4(2) delivery

This Officer's latest formal comments, dated 12/06/2025, outline the requirement for applicants to provide 65% M4(2) provision, equating to 15 units. The applicant's latest 'Affordable Housing Key Plan' (drawing number 942-08, revision C) indicates that only 11 of the 23 total affordable homes (equating to 48% of total affordable provision) will meet M4(2) standards. This loss of M4(2) provision can largely be attributed to the classification of the 6 no. 1 bedroom flats as being M4(1), rather than having 3 no. M4(2) ground floor flats and 3 no. M4(1) upper floor flats, as requested in this officer's previous comments.

Revisiting the policy position in this regard, JCS Policy SD11: Housing Mix and Standards requires that- "...Development should address the needs of the local area, including the needs of older people, as set out in the local housing evidence base including the most up to date strategic housing market assessment". Moreover, SD11 continues to state that- "housing should be designed to be accessible and adaptable as far as is compatible with the local context and other policies, including Policy SD8". Turning to the evidence in question, the 2020 Local Housing Needs Assessment identifies a need for 67% M4(2) provision to meet the needs of our increasingly complex and ageing population.

In terms of housing register data, 403 households on our Housing Register require a ground floor home and/or a lift, of which 305 are in 1 bedroom need, and 128 of these are in a reasonable preference bands (Gold or Silver band need). 390 households on the Council's housing register are recorded as having a physical disability, of which 262 are in 1 bedroom need, and 84 are in reasonable preference bands. Looking at a higher barometer of need, 183 households on the Councils' housing register require a level access shower, of which 148 are in 1 bedroom need and 64 are in reasonable preference bands.

This data clearly shows that the Council has an acute need to deliver level access

accommodation to meet our greatest housing needs in line with our policy position outlined within JCS Policy SD11: Housing Mix and Standards. Accordingly, the Council will seek 3 of the 6 one bedroom homes to be provided as M4(2) accommodation, rather than M4(1) in line with this officer's previous comments.

Tree Officer

5th June 2025 –

Overall the scheme appears to be achievable without immediate harm to trees on site. Plot 6 is proposed within the sphere of influence of several sycamores and horse chestnuts which are large and far from fully grown. These will likely cast considerable shade on the plot and future conflict is very likely. It would be preferable to move this plot away from those trees (e.g. by swapping plots 6 and 7 for the SUDS pond) but it is accepted that other considerations influence overall design choices.

Foundation depths and designs should account for the proximity of trees as per NHBC guidelines. Building Control should be consulted for further information.

The arb impact assessment is suitably thorough and considered.

The landscape design is fairly generous and well considered. However, the Trees Section would suggest the following points may be worthy of revisions. Fruiting pears and black mulberries are unsuitable for planting adjacent to parking spaces where they are likely to cause (albeit seasonal) mess on, if not damage to, parked cars. Planting cherry and birch to the north of large established trees may not prove successful. Plots 7 to 12 lack street or front garden trees and this will leave that part of the estate not feeling tree lined (as recommended in paragraph 136 of the NPPF).

Reasoning: to protect the amenity of trees as per Policies GI2 and GI3 of the Cheltenham Plan, and to ensure the planting of suitable species as per Para 136 of the NPPF.

Tree Officer 2

14th November 2025 –

The CBC Tree Section appreciates the moving of the mulberry and the fruiting pears away from parking areas.

There remain some concerns regarding some light demanding tree species (Prunus + Sorbus) to be planted amongst existing trees along the southern boundary. However, overall, the palette of trees to be planted, is overall, a rich and varied collection of native and exotic as well as large and small trees.

All birch to be planted should be of container grown stock (not root-balled).

The planting spec is otherwise acceptable, however, trees should be regularly watered with min 20 litres of water weekly for at least the first year (April/May-Sept, depending on rainfall).

Composted mulch should be placed to a depth of 3" depth to a diameter of 1 metre around the base of trees at the time of the first watering (to reduce evaporation and competition by weed growth).

Therefore it is strongly recommended that a local Bali Registered contractor is engaged to supply and plant (and guarantee) all trees.

Crime Prevention Design Advisor 1

22nd July 2025 -

In my capacity as Designing out Crime Officer (DOCO) for Gloucestershire Constabulary I would like to raise some points for further consideration regarding the

future design and layout proposed in this application which relates to crime prevention.

Design and Access Statement

The design proposals for Pittville School Playing Field are based on an understanding of best practice guidance and reference has been made to the relevant documents including “Safer Places: The Planning System” and “Manual for Streets as well as ACPO “New Homes” guidance.

Within the Design and Access Statement several documents have been listed within the Creating a Safe Place to Live, it's worth pointing out that the following document are no longer valid

- Safer Places was archived and replaced by the Planning Practice Guidance in 2014
- As an organisation, ACPO was replaced in 2015
- Secured by Design (SBD) last used the New Homes title in 2014, the latest version of this document is entitled SBD Homes 2024 and the link will provide access to a copy.

Planning Layout

In regards to the layout, there is an area of ground next to Plot 42 which has no purpose or ownership. It would be useful to understand who will be responsible for the area of ground next to Plot 42?

The apartment block at Plots 36-41 lacks any defined boundary treatment or usable outside space, why hasn't the design allowed for a communal garden of some description?

Where rear garden access is provided and uses a fenced corridor, the entrance gate should be in line with the front façade.

The parking spaces outside of Plot 6 need to create a sense of ownership over the parking area, moving the hedge detail would enclose the parking within the garden.

An area of defensible planting should be added outside of the boundaries to Plots 5 and 6, this natural boundary will reduce the opportunities to access the fence line from a public space and enable someone to climb over.

The rear garden gates for Plots 5 and 6 are uncomfortably close to the public open space and could be a risk. Ideally the building should be moved within the plot so the gate is located on the other side of the building, somewhere near the neighbouring plot.

Public footpath south of the University campus needs to offer clear lines of sight so trees need to have a clear trunk to a height of 2 metres and any shrubs kept under 1 metre in height.

There are no details for a boundary treatment along the footpath leading to Albert Road. A fence should be installed to create a clear divide between public area and the school, this will help safe guard staff and pupils, prevent trespass on school grounds, and stop the playing field being used by dog walkers.

Each of the following local documents detail how crime prevention should be included.

- Section 5: Design Requirements of the Cheltenham Borough Council's Local Plan

- Security and Crime Prevention Supplementary Planning Guidance, Cheltenham Borough Council
- Policy SD4: Design Requirements of the Joint Core Strategy for Cheltenham, Gloucester and Tewkesbury, specifically sub paragraph v. Safety and Security
This message is further explained in these National documents
- CIHT Residential Parking Design guidance note
- Security Overlay to the RIBA Plan of Work
- Chief Planning Officer's letter in July 2017 reminding Authorities of the importance to include crime prevention and counter terrorism security measures
- Section 4.6 detailing Layout and connectivity in Manual for Street, Department of Transport
- Paragraph 135 (f) of the National Planning Policy Framework (NPPF), Department for Levelling Up, Housing and Communities
- Paragraph P2 of the Public Spaces section in the Ministry of Housing, Communities and Local Government's National Design Guide
- Paragraph 12 of the Healthy and Safe Communities section of the Practical Planning Guidance (PPG)
- Section 17 of the Crime and Disorder Act 1998

It is important to stress each of these documents place a requirement for the Planning Authority and the architect/ developer to create designs which prevent crime, the perceived fear of crime and ASB.

Crime Prevention Design Advisor 2

25th November 2025 –

Apologies for the delayed reply, having reviewed the changes to the planning application it was good to see some changes which addressed my initial concerns. However, the following comments have updated the remainder of my concerns dated 21st July 2025.

The rear garden gates for Plot 27 (formally Plot 6) is uncomfortably close to the public open space and could be a risk. Ideally the building should be moved within the plot, so the gate would be located on the northern side of the building.

Public footpath south of the University campus needs to offer clear lines of sight so trees need to have a clear trunk to a height of 2 metres and any shrubs kept under 1 metre in height. Are there any plans to include lighting along this path?

There is very little detail for the footpath leading to Albert Road. It would be useful to know what boundary treatment would be used to create a clear divide between public area and the school, this will help safeguard staff and pupils, prevent trespass on school grounds, and the stop the playing field being used by dog walkers.

Cheltenham Civic Society

17th June 2025 -

We support the development of this site for residential use. But (as we have said before) a site in this location should support denser and more urban development, with squares and terraces. This would also echo Cheltenham and Pittville's vernacular forms.

Access: Ideally there should be a secondary access road either via Albert Road or Cakebridge Road.

The pedestrian access to Albert Road (a long, enclosed footpath without escape routes and unoverlooked) there is likely to feel unsafe especially after dark. How can this be mitigated? To improve pedestrian and cycle permeability within the development, there should be a

pedestrian access route between numbers 9 and 10 and pedestrian/ cycle access to Cakebridge Road.

There is a lack of community space. An attenuation pond, while it can provide space for wildlife, is not a community recreation space.

We ask that the above comments be taken into account should permission be granted.

Severn Trent Water Ltd
21st October 2025 -

With reference to the above planning application the Company's observations regarding sewerage are as follows.

Severn Trent requests that any approval be conditioned as follows:

- o The development hereby permitted should not commence until drainage plans for the disposal of foul and surface water flows have been submitted to and approved by the Local Planning Authority, and
- o The scheme shall be implemented in accordance with the approved details before the development is first brought into use.
- o Planning Practice Guidance and section H of the Building Regulations 2010 detail surface water disposal hierarchy. The disposal of surface water by means of soakaways should be considered as the primary method. If this is not practical and there is no watercourse available as an alternative, other sustainable methods should also be explored. If these are found unsuitable satisfactory evidence will need to be submitted before a discharge to the public sewerage system is considered. No surface water to enter the foul or combined water systems by any means.

Reason

To ensure that the development is provided with a satisfactory means of drainage as well as reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.

IMPORTANT NOTE: With regard to network capacity, this response only relates to the public waste water network and does not include representation from other areas of Severn Trent Water, such as the provision of water supply or the protection of drinking water quality.

Please note for the use or reuse of sewer connections either direct or indirect to the public sewerage system the applicant will be required to make a formal application to the Company under Section 106 of the Water Industry Act 1991. They may obtain copies of our current guidance notes and application form from either our website (www.stwater.co.uk) or by contacting our Developer Services Team (Tel: 0800 707 6600).

Suggested Informative - affected sewers and water mains

Before undertaking any work on site, all applicants must determine if Severn Trent has any assets in the vicinity of the proposed works. This can be done by accessing our records at www.digdat.co.uk

Severn Trent Water advise that even if our statutory records do not show any public sewers within the area you have specified, there may be sewers that have been recently adopted under The Transfer of Sewer Regulations 2011.

Our records indicate that there are assets that may be affected by this proposal and as such the applicant must contact Severn Trent before any work takes place.

Public sewers and Water mains have statutory protection and may not be built close to, or diverted without consent, consequently you must contact Severn Trent Water to discuss your proposals. Severn Trent will seek to assist you obtaining a solution which protects both the public sewer and the proposed building.

Should you require any further information please contact us on email below.

APPLICATION NO: 25/00780/FUL		OFFICER: Mrs Lucy White
DATE REGISTERED: 16th May 2025		DATE OF EXPIRY : 15th August 2025
WARD: Pittville		PARISH:
APPLICANT:	Newland Homes Ltd	
LOCATION:	Pittville School Albert Road Cheltenham	
PROPOSAL:	Full application for the erection of 58 residential dwellings including access, parking, landscaping and associated works.	

REPRESENTATIONS

Number of contributors	32
Number of objections	30
Number of representations	2
Number of supporting	0

17 Flora Close
Cheltenham
Gloucestershire
GL52 3HY

Comments: 24th October 2025

I write previously to object to this proposal and object to the revised proposal. Of the many objections I raised last time, only one issue has been partially addressed. The proposal as amended does not address multiple safety issues regarding access and egress of construction vehicles, parking spaces and safe vehicular movement around the estate, safe pedestrian and cyclist movement to Albert Road and Green spaces for wildlife and recreation.

* Traffic congestion - safe egress and access via broad Acre Road will be difficult, particularly in light of the on street parking causing issues at the junction with new barn lane already. - NOT ADDRESSED IN REVISED PROPOSAL

* Highway safety - broad acre road is a residential street with many children playing in the road and a main thoroughfare for children travelling to and from Pittville School. NOT ADDRESSED IN REVISED PROPOSAL

* Parking and loading - the majority of spaces are 2 cars to a single lane drive. The result will be most residents parking on the road, which is of an insufficient width to allow this safely, or spilling out to the existing development which is already at capacity for cars. PARTIALLY ADDRRESSED IN REVISED PROPOSAL (many of the claimed parking spaces are in garages behind the parking spot- realistically these won't be used and the roads are not wide enough for cars to safely park there. In addition, there are now half the number of visitors spaces)

* Overbearing nature of the proposal - the development consists of many three storey houses which back on to existing two storey properties on broad acre road. This will

result in overlooking and loss of light for those properties. NOT ADDRESSED IN REVISED PROPOSAL

* Loss of ecological habitats - starvehall dram was developed with wildlife corridors and open green spaces to enable the movement and settling of wildlife across the estate. We have deer, badgers and foxes on the estate, as well as several species of birds. There is no such provision in the new proposals. NOT ADDRESSED IN REVISED PROPOSAL

* Impact on local amenities and services - the closest primary schools are already oversubscribed and estate residents are unable to access the village primary school unless a regular member of the church. Further pressure on the next closest school may result in families needing to travel further for primary education. NOT ADDRESSED IN REVISED PROPOSAL

* Noise and Disturbance - the proposal for 58 dwellings on the plot (which is enclosed by residential buildings and a school) will cause significant noise disruption to the residents and school over a period of years. Further distance between the existing buildings and the building works (for example by introduction of green spaces, trees and / or wildlife corridors), as well as reducing the number of buildings permitted on the plot, will reduce this significantly. NOT ADDRESSED IN REVISED PROPOSAL

Positives to note:

* The walking access to Albert Road from the estate will help walking commuters with access to Pittville school and Pittville Park. It would be beneficial if this were to be changed to a joint cycling and walking path, in line with appropriate design standards.

Comments: 4th June 2025

I *Object* to this proposal.

My concerns regarding this proposal centre around the following points:

* Traffic congestion - safe egress and access via broad Acre Road will not be possible, particularly in light of the on street parking causing issues at the junction with new barn lane already. There have been a number of near misses at that junction in recent months and it is often not possible for an emergency vehicle to navigate the double parking, never mind large and long construction vehicles.

* Highway safety - broad acre road is a residential street with many children playing in the road at weekends and after school. It is main thoroughfare for children travelling to and from Pittville School and for children going from their homes on broad acre road to the paying areas on flora close and barley road.

* Parking and loading - the majority of parking spaces on the proposed development are 2 cars to a single drive (one parked behind the other). The reality will be that most residents park a second car on the road (which is of an insufficient width to allow this safely) or spill out to the existing development which is already at capacity for cars. The swept path analysis for the proposed development show several points where a 5 or more point turn will be required to turn around and exit the estate in a normal car - without the consideration of cars parked in the road.

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* Overbearing nature of the proposal - the development consists of many three storey houses which back on to existing two storey properties on broad acre road. This will result in overlooking and loss of light for those existing properties.

* Loss of ecological habitats - starvehall farm was developed with wildlife corridors and open green spaces to enable the movement and settling of wildlife across the estate. We have deer, badgers and foxes on the estate, as well as several species of birds. There is no such provision in the new proposals. In addition, the set point of the proposed site on the ecological is incorrect. When corrected, there is indeed a badger sett within 500m of the proposed development. They have been captured in doorbell cameras as close to the development as flora close (emptying food recycling bins over night!). We also have regular airings of deer and foxes in the vicinity of the proposed development.

* Impact on local amenities and services - the closest primary schools are already oversubscribed and estate residents are unable to access the village primary school unless a regular member of the church. Further pressure on the next closest school may result in families needing to travel further for primary education.

* Noise and Disturbance - the proposal for 58 dwellings on the plot (which is enclosed by residential buildings and a school) will cause significant noise disruption to the green fields and broad acre road residents, as well as Pittville school, over a period of years. Further distance between the existing buildings and the building works (for example by introduction of green spaces, trees and / or wildlife corridors), as well as reducing the number of buildings permitted on the plot, will reduce this significantly.

Positives to note:

* The walking and cycle access to Albert Road from the estate will help walking and cycling commuters with access to Pittville school and Pittville Park.

90 Broad Acre Road
Cheltenham
Gloucestershire
GL52 3HX

Comments: 6th June 2025

I would like to formally object to 25/00780/FUL (58 residential dwellings at Pittville School, Cheltenham).

I live on the adjacent housing estate, and have serious safety concerns for my family and other residents, should this development go ahead as is.

The junction onto Broad Acre Road from New Barn Lane is already dangerously congested, due to resident vehicles parked on the road, as well as vehicles from the student accommodation at the end of the road. Not only does this mean drivers have to weave around parked cars, it also creates a hazard when vehicles are trying to enter and exit Broad Acre Road at the same time.

Crossing the road near this junction often involves having to step out into the road to see whether the road is clear, which is not ideal, particularly with a small child in tow.

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More cars using this road for egress/ingress will exacerbate this problem massively, especially when you consider that the average for cars per household in the South West is 1.38 (meaning there would be ~80 more cars using the road). The surrounding houses are family homes, and there are often small children/pets on the road. This is without even considering the further safety risks posed by the construction traffic required to develop the estate.

Furthermore, there is no provisioning for a children's play area on the new development. As the children's play area at Pittville park is continuously busy (particularly on weekends and school holidays), it would be likely that residents of the new development would use the parks built on the Starvehall Farm development. Whilst, this is not itself an issue, it seems to have been overlooked that Starvehall Farm residents pay for the upkeep of said parks, and that they will be paying for others to use the facilities.

I am also concerned about the impact this new development will have to nature and wildlife. We have already lost many trees on the nature corridor further down Broad Acre Road, and it seems the environment is taking a back seat in these development plans. When deciding to purchase a property within the Starvehall Farm estate, the deliberate wildlife preservation was one of the main considerations for us as a family. Whilst it is not unexpected that land around us would be developed on, it is a shame that such little consideration has gone into the quality of life of residents of the Starvehall Farm development or future residents of the new development.

33 Barley Road
Cheltenham
Gloucestershire
GL52 3ND

Comments: 10th November 2025

This proposed development has too high a building density and does not provide green space as originally planned. The land to be used is locally significant for wildlife, containing a 'green corridor' past the Starvehall Farm Estate, and the proposed development would damage this habitat. There would probably also be a large amount of road traffic throughout the lifetime of the buildings, with increased noise and pollution also.

3 Wheat Grove
Cheltenham
Gloucestershire
GL52 3LA

Comments: 10th June 2025

I am writing to object to the proposal as it is currently presented for the following reasons:

All vehicle access *including all construction site traffic* is proposed to come through the estate, via broad acre road.

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In addition, most of the proposed parking spaces are one behind the other on drives. The roads are not wide enough for people to safely park on them and there is no green space - not in keeping with the style of the rest of the estate.

* Traffic congestion - safe egress and access via broad Acre Road will be difficult, particularly in light of the on street parking causing issues at the junction with new barn lane already.

* Highway safety - broad acre road is a residential street with many children playing in the road and a main thoroughfare for children travelling to and from Pittville School.

* Parking and loading - the majority of spaces are 2 cars to a single lane drive. The result will be most residents parking on the road, which is of an insufficient width to allow this safely, or spilling out to the existing development which is already at capacity for cars.

* Overbearing nature of the proposal - the development consists of many three storey houses which back on to existing two storey properties on broad acre road. This will result in overlooking and loss of light for those properties.

* Loss of ecological habitats - starvehall farm was developed with wildlife corridors and open green spaces to enable the movement and settling of wildlife across the estate. We have deer, badgers and foxes on the estate, as well as several species of birds. There is no such provision in the new proposals.

* Impact on local amenities and services - the closest primary schools are already oversubscribed and estate residents are unable to access the village primary school unless a regular member of the church. Further pressure on the next closest school may result in families needing to travel further for primary education.

* Noise and Disturbance - the proposal for 58 dwellings on the plot (which is enclosed by residential buildings and a school) will cause significant noise disruption to the residents and school over a period of years. Further distance between the existing buildings and the building works (for example by introduction of green spaces, trees and / or wildlife corridors), as well as reducing the number of buildings permitted on the plot, will reduce this significantly.

Positives to note:

* The walking and cycle access to Albert Road from the estate will help walking and cycling commuters with access to Pittville school and Pittville Park.

21 Harvest Street
Cheltenham
Gloucestershire
GL52 3PG

Comments: 24th October 2025

The revised plans/proposals have not adequately addressed the concerns raised by local residents, including ourselves. My comments below are therefore still valid.

Comments: 13th June 2025

Dear Sir, Madam,

I would like to object to the proposal (ref: 25/00780/FUL) in its current format. My overarching concern is that the layout, density of housing and approach to the proposed development is not in keeping with the wider Starvehall Farm estate. My main points are:

- Green space, play areas and communal areas are absent from the proposal drawings. This should be re-considered by the developer and consideration given to reducing the number of houses in the proposal to accommodate more green, communal space.
- Parking. As noted by other respondents, the width of the proposed roads needs to be reconsidered and learning taken on board from the Starvehall Farm development regarding single lane drives and it's effect on on road parking (and therefore access, safety for residents etc.).
- I fully support a walking and cycling route from the estate to Albert Drive. This would be of great benefit to the local area, allowing residents safer access to Pittville Park and the new segregated cycle route alongside the A435. I disagree with some of the statements made within the 'Transport Statement' document, however (e.g. 4.33). Whilst it is possible to cycle along New Barn Lane, it is not a nice experience for cyclists due to the volume of traffic and lack of segregated infrastructure. This could be vastly improved by allowing pedestrians and cyclists more direct, safer access to Albert Drive. Crucially, the proposed walking and cycling route from the estate to Albert Drive would need to be properly designed (i.e. LTN 1/20), to cater for shared use by both cyclists and pedestrians. It would be a missed opportunity if not.

I would be happy to discuss further as necessary.

Kind regards,

79 Broad Acre Road
Cheltenham
Gloucestershire
GL52 3HU

Comments: 9th October 2025

I am writing to object to the proposal as it is currently presented for the following reasons:

All vehicle access *including all construction site traffic* is proposed to come through the estate, via broad acre road.

In addition, most of the proposed parking spaces are one behind the other on drives. The roads are not wide enough for people to safely park on them and there is no green space
- not in keeping with the style of the rest of the estate.

- * Traffic congestion - safe egress and access via broad Acre Road will be difficult, particularly in light of the on street parking causing issues at the junction with new barn lane already.
- * Highway safety - broad acre road is a residential street with many children playing in the road and a main thoroughfare for children travelling to and from Pittville School.
- * Parking and loading - the majority of spaces are 2 cars to a single lane drive. The result will be most residents parking on the road, which is of an insufficient width to allow this safely, or spilling out to the existing development which is already at capacity for cars.
- * Overbearing nature of the proposal - the development consists of many three storey houses which back on to existing two storey properties on broad acre road. This will result in overlooking and loss of light for those properties.
- * Loss of ecological habitats - starvehall farm was developed with wildlife corridors and open green spaces to enable the movement and settling of wildlife across the estate. We have deer, badgers and foxes on the estate, as well as several species of birds. There is no such provision in the new proposals.
- * Impact on local amenities and services - the closest primary schools are already oversubscribed and estate residents are unable to access the village primary school unless a regular member of the church. Further pressure on the next closest school may result in families needing to travel further for primary education.
- * Noise and Disturbance - the proposal for 58 dwellings on the plot (which is enclosed by residential buildings and a school) will cause significant noise disruption to the residents and school over a period of years. Further distance between the existing buildings and the building works (for example by introduction of green spaces, trees and / or wildlife corridors), as well as reducing the number of buildings permitted on the plot, will reduce this significantly.

22 Harvest Street
Cheltenham
Gloucestershire
GL52 3PQ

Comments: 23rd October 2025

Dear Sir/Madam,

I wish to formally object to the above planning application on the grounds that the proposal is unsuitable for the site and fails to address key local infrastructure, environmental, and safety concerns. My specific objections are outlined below.

Pressure on Local Amenities and Primary School Capacity

There is a critical shortage of primary school places in the local area. The nearest schools are already oversubscribed, and many families within the Starvehall and Broad Acre estates are unable to access places at the village primary school unless they meet specific church attendance criteria.

The proposed development of 58 additional dwellings will place further strain on an already overstretched education system, with no provision or contribution towards expanding local school capacity. This will likely result in children having to travel considerable distances for primary education, increasing road congestion and carbon emissions in direct conflict with NPPF Paragraph 8 and Policy INF6 (Infrastructure Delivery), which require developments to be supported by adequate local infrastructure and services.

This failure to assess or plan for the educational needs of future residents is a fundamental flaw in the proposal and renders it unsustainable in planning terms.

Traffic Congestion and Access

The proposed development would exacerbate existing traffic congestion on Broad Acre Road, particularly at the junction with New Barn Lane, where on-street parking already causes significant access issues. The safe egress of vehicles, delivery vans, and emergency services would be severely compromised.

The revised proposal does not include any measures to mitigate the additional traffic flows that would result from 58 new dwellings. This is contrary to Policy INF1 of the Cheltenham Plan and Paragraph 111 of the National Planning Policy Framework (NPPF), both of which require developments to ensure safe and suitable access for all users.

Although the plans indicate parking spaces for residents, the majority are designed as tandem spaces or are situated in garages behind driveways. These layouts are impractical and will lead to increased on-street parking, further restricting road width and endangering pedestrians.

This fails to comply with Cheltenham's adopted parking standards and Policy INF1, which require sufficient, convenient, and safe parking arrangements that do not harm highway safety.

In summary, this proposal is unsustainable, overintensive, and poorly integrated with the existing community. It fails to address pressing concerns about road safety, infrastructure capacity, biodiversity loss, and local school shortages.

Until these issues are properly resolved - particularly the severe lack of primary school places - this application should be refused in accordance with the Cheltenham Plan, Joint Core Strategy, and National Planning Policy Framework.

75 Broad Acre Road
Cheltenham
Gloucestershire
GL52 3HU

Comments: 8th June 2025

Subject: Formal Objection to Planning Application 25/00780/FUL - Broad Acre Road Development

Dear Planning Officer,

I am writing to formally object to the proposed development of 58 dwellings on the former Pittville School playing field, accessed via Broad Acre Road. While I acknowledge the need for housing, this proposal presents significant negative impacts on traffic, safety, parking, local ecology, and residential amenity. Below are my key concerns, supported by planning policy considerations.

1. Traffic Congestion & Highway Safety

All construction and residential traffic will use Broad Acre Road, a residential street already congested due to on-street parking near New Barn Lane junction.

The road is a key route for children walking to Pittville School, and increased construction vehicles pose a serious safety risk.

The narrow road width cannot accommodate additional parked cars, delivery vehicles, or construction lorries without causing gridlock and dangerous maneuvering.

Mitigation Request: If approval is unavoidable, reduce the number of homes to lower traffic volume and require an alternative access route for construction vehicles.

2. Inadequate Parking & Overdevelopment

The proposed 102 parking spaces (mostly tandem drives) will force residents to park on the road, worsening congestion.

Broad Acre Road is not wide enough for safe on-street parking, risking emergency vehicle access.

The three-storey houses will overlook and overshadow existing two-storey homes, harming privacy and daylight.

Mitigation Request:

Reduce housing density to allow wider drives and more off-street parking.

Increase visitor parking to prevent spillover into existing estate roads.

3. Loss of Green Space & Ecological Harm

The plan includes only an attenuation pond, removing wildlife corridors used by deer, badgers, foxes, and birds.

The Pittville School playing field currently provides green amenity space; its loss contradicts local biodiversity policies.

Mitigation Request:

Mandate larger green buffers between new and existing homes.

Include wildlife-friendly landscaping (hedgerows, bat boxes, etc.).

4. Strain on Local Services

Primary schools are already oversubscribed; 58 new homes will worsen shortages.

No additional GP or dental surgeries are planned, increasing pressure on local healthcare.

Mitigation Request: If approved, the developer must contribute to school expansions or healthcare improvements.

5. Noise & Construction Disruption

Years of construction noise will disturb residents and Pittville School.

Mitigation Request:

Strict construction hours (e.g., no early mornings/weekends).

Noise barriers and phased building to minimise disruption.

Conclusion & Suggested Alternatives

While I oppose this development, if it proceeds, I urge the council to:

Reduce the number of homes (e.g., 25 instead of 58).

Provide an alternative access route for construction traffic.

Increase green space (e.g., communal gardens, wildlife zones).

Improve parking design (wider drives, more visitor spaces).

This proposal, as it stands, fails to meet planning policy on sustainability, safety, and community impact. I request refusal or major modifications to address these concerns.

Flat 2
1 Barley Road
Cheltenham
Gloucestershire
GL52 3ND

Comments: 18th October 2025

My main objection is the single access point . I cannot find out why there is not an additional access entrance in Albert Road . I consider the proposed single access is too confined . The entrance road is narrow and residents parked cars already make the situation worse . I have experienced ' Near Misses ' when turning into N. Barn Lane . With volume and speed of traffic it is dangerous ..

3 Barley Road
Cheltenham
Gloucestershire
GL52 3ND

Comments: 28th May 2025

I object to current design 1)as it does not show any amenity areas for the residents and one assumes children will be living in some if not all the homes . Streets are not a safe environment for children to play 2) the use of Broad Acre Road , which is a narrow road

on the existing housing estate with cars parked in the road day and night, as the only entry and exit route is an accident waiting to happen. 3) the junction with New Barn Lane is busy during the two school runs and this development will only make matters worse. 4) the additional traffic movements will add to noise and pollution and increase safety of residents and pedestrians. 5) with the additional traffic crossing New Barn Lane on foot will become challenging as there are no pedestrian crossings 6) a new entrance and exit road is clearly required and needs to be part of any planning approval. 7) the design and access statement on page 15 is flawed. The development will have an impact on the local highway network and will have a negative impact on the transport network. You only have to look at the number of likely car movements each day to show there will be an impact.

There must be a rethink on the use of Albert Road as the point of entry and exit.

13 Clover Drive
Cheltenham
Gloucestershire
GL52 3JR

Comments: 5th June 2025

Whilst overall I am supportive of a development on this site, I am objecting to the specific nature of the plans that have been shared on the following grounds:

1. Provision of parking for the volume of properties is insufficient - the roads are narrow and parking planned to be 2 per drive. The additional houses would use the same estate entrance from new barn lane which already can be very congested with cars parking close to the main road. There is insufficient parking in the plan and it is likely to be increasingly dangerous.
2. Access: further to the above, the plans could be improved by adding additional access
3. Amenities: we currently pay to maintain our starvehall farm amenities as residents. There is no provision of amenities in these plans which will likely increase the use of existing amenities and cost the residents money.
4. Imposing 3 storey properties - these seem to be cramped and imposing.
5. Nature/ecological impact - this does not seem to have been considered and effectively built into the plan.

I would welcome an updated proposal including amenity space, additional access, improved parking provisions and less overbearing properties. I welcome the proposal of footpath/cycle to Albert rd.

25 Harvest Street
Cheltenham
Gloucestershire
GL52 3PG

Comments: 5th June 2025

I am writing to formally object to the above planning application on behalf of myself and many local residents due to the significant and unacceptable impacts this development would have on our community. My objections are based on the following grounds, supported by national and local planning policies and legislation:

1. Traffic Congestion and Unsafe Access/Egress. Broad Acre Road is already heavily congested due to on-street parking, particularly near the New Barn Lane junction. The proposed development will worsen traffic conditions and pose serious risks to highway safety, particularly for pedestrians and vulnerable users such as children. This contravenes the National Planning Policy Framework (NPPF, Paragraph 111) which requires safe and suitable access to be provided for all users. The current proposal does not adequately address these concerns and is therefore unacceptable.
2. Highway Safety and Child Safety Risks. Broad Acre Road is a residential street extensively used by children walking to Pittville School. Increasing traffic and insufficient parking will create unsafe conditions. The development disregards the duty under the Highways Act 1980 to maintain highway safety and is inconsistent with the Cheltenham Borough Council Local Plan policies aimed at protecting child safety and community well-being.
3. Inadequate Parking Provision. The parking arrangements proposed, largely tandem or single-lane drives, will lead to overspill parking on Broad Acre Road and surrounding streets, which lack the width to safely accommodate additional vehicles. This contradicts NPPF Paragraph 105 requiring developments to provide adequate parking to avoid adverse impacts on highway safety and amenity.
4. Overbearing Development Causing Loss of Privacy and Light. The three-storey houses backing onto existing two-storey homes will cause unacceptable overlooking and overshadowing. This breaches Cheltenham Borough Council's Residential Development and Design Guide and NPPF Paragraph 130, which requires developments to respect the amenity of neighbouring properties.
5. Destruction of Ecological Habitats. The estate currently supports protected wildlife and was designed with ecological corridors that this development fails to maintain or replace. This is contrary to Section 15 of the NPPF on biodiversity and the Wildlife and Countryside Act 1981. The proposal would result in unacceptable habitat loss.
6. Overburdening Local Schools and Amenities. Nearby primary schools are already oversubscribed. This development will increase pressure on local education infrastructure without evidence of sufficient mitigation or contributions, in conflict with NPPF Paragraph 95.
7. Noise and Disturbance to Residents and School. The proximity of 58 new dwellings to existing homes and Pittville School will result in prolonged noise and disruption during construction and occupation. This conflicts with NPPF Paragraph 174 which requires mitigation of noise impacts.
8. Unfair Use of Communal Green Spaces and Play Areas. The proposed residents will use existing communal spaces maintained by current residents, yet there is no provision for their fair contribution to upkeep. This fails to comply with obligations under the Town and Country Planning Act 1990 and risks unfairly burdening existing residents.

For the reasons above, I urge the Council to refuse this application in its current form. The proposal is unsustainable, unsafe, and detrimental to local residents and wildlife, contrary to both national and local planning policy. Thank you for your attention to these serious concerns.

89 Welland Lodge Road
Cheltenham
Gloucestershire
GL52 3HH

Comments: 20th October 2025

We are broadly supportive of this application. The site has long been designated for housing and is an obvious location for development for the town.

We particularly welcome the inclusion of a footpath, as featured in earlier applications. This will bring clear benefits for existing residents - especially families - by improving access to Pittville Park and encouraging walking and cycling.

However, with greater access, measures should be included to discourage anti-social behaviour, particularly the use of illegally modified electric bikes that are increasingly prevalent around town. The design should incorporate suitable barriers that allow access for pushchairs, wheelchairs and cyclists, while preventing people from riding through at speed. Low-level, possibly sensor-activated lighting could also help improve safety and visibility, without becoming a source of light pollution or nuisance for nearby residents.

Screening for residents at the top of Cakebridge Road also needs to be maintained. The current mix of hedging, fencing and brambles provides visual protection. While the development offers the opportunity to improve the current scruffy appearance, any replacement should provide immediate and mature screening - through a visually appropriate boundary fence/wall and established planting - rather than waiting years for new vegetation to become effective. It would have been / would be helpful to see visualisations from the top of Cakebridge Road to assess the visual impact on nearby properties.

If Cakebridge Road and Welland Lodge Road are to become more commonly used routes to Pittville Park and/or the racecourse, the pavements - currently in very poor condition and a health and safety hazard - should also be scheduled for upgrade as part of the works. In their current state, they are unsuitable for pushchairs, wheelchair users, etc.

During race meetings, there also needs to be consideration of how to prevent Cakebridge Road, Welland Lodge Road and Cleevemount Road from becoming free parking for racegoers seeking access to the course. Whether this can be addressed through this application or at a later stage, it should form part of broader planning discussions.

We also share the view of other commenters that there is limited direct benefit for existing residents. It would be helpful to clarify whether any of the improved facilities, that the development of this land will fund, will be made accessible to the local community.

In summary, we support the principle of development but ask that these practical points are addressed to ensure the scheme integrates safely and sensitively with the surrounding area.

56 Cakebridge Road
Cheltenham
Gloucestershire
GL52 3HJ

Comments: 13th October 2025

Previous communication on this development did not show a footpath connecting the development to Cakebridge Road, this planning application however does. There is no benefit to the future occupants of this estate to be able to access Cakebridge Road, they have ample access to Cheltenham town centre via Albert Road and this increased foot traffic on Albert Road will inconvenience no one. The proposed increase in foot and bicycle traffic on Cakebridge Road will however significantly inconvenience Cakebridge residents, the road is very narrow with footpaths overlooking many front rooms plus the opportunity for unacceptable noise in the late evening will be significant. The proposed additional access for Race Course foot traffic has also to be considered and the associated increase in parking issues at these times

50 Cakebridge Road
Cheltenham
Gloucestershire
GL52 3HJ

Comments: 29th October 2025

I would like to object to the current plans for the housing development on the playing field at the top of Pittville School. Aside from my view that it is ridiculous to aim to improve the sports facilities of a growing school by selling off the prize asset of a good, flat playing field, the development is unsuitable in several ways:

- The density of housing is excessive. Many of these buildings are 3 storey with small gardens and insufficient parking provision. Such dwellings are poor family homes due to the internal layout and families tend not to remain very long once they realise how unsuitable they are. Less dense, better considered housing would be much more beneficial to the area and potential residents. It should be an aim to provide adequate off-road parking and minimise on-road parking. The current scheme does not achieve this.
- The development is one of several incremental developments in the area. Each is not significant on its own, but the cumulative effect puts strain on the roads and local service provision which have not been augmented or improved. This is not a sustainable situation and has not been considered in any of the planning so far. This has to be a consideration now.
- The erosion of green space has already had a noticeable effect on the local wildlife, specifically the development of Starvehall Farm and the resulting loss of fields and habitat. This development removes one of the last remaining green spaces and will surely affect the wildlife further. I have no doubt, for instance, that the foxes that live in

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the treeline between Albert Road and Cakebridge Road will be displaced given that a path will pass directly past their set. We currently regularly see badgers, hedgehogs and numerous species of bird too, and I am concerned that the wildlife corridors are totally inadequate to maintain this level of fauna.

- The footpath access to Cakebridge Road is unnecessary and will cause disturbance to the residents of that street. As a minimum, speed restrictions for cyclists must be put in place as they exit onto the footpath otherwise this will be a safety hazard.

- Given that the proposed housing is mostly aimed at families, the lack of recreational space provision is surprising. The plans should be updated to rectify this.

- Although we are not directly affected, I feel that the development will have a large negative effect on the residents adjacent to the new properties around the periphery of the development. I am aware that a large number of these neighbours are very unhappy with the proposed development and I support them in this objection.

103 New Barn Lane
Cheltenham
Gloucestershire
GL52 3LQ

Comments: 27th May 2025

Letter attached.

6 Greenfields
New Barn Lane
Cheltenham
Gloucestershire
GL52 3LG

Comments: 27th October 2025

Letter attached.

Comments: 4th June 2025

Letter attached.

5 Greenfields
New Barn Lane
Cheltenham
Gloucestershire
GL52 3LG

Comments: 5th June 2025

5th June 2025

Dear Mr Gomm,

Your Reference: 25/00780/FUL

Comments on Proposal: full application for the erection of 58 residential dwellings including access, parking, landscaping and associated works at Pittville School Albert Road Cheltenham

As residents of Greenfields, we **STRONGLY OBJECT** to the proposal to erect 58 new homes on the Pittville School North Playing Field.

As stated in our previous objection for the last planning application, we think it is very short-sighted that Pittville School are looking to sell the north playing field to fund the building of new sports hall facilities. Other avenues for funding the new sports hall should be fully explored.

The north playing field has to be one of the finest in the country and the envy of many other schools being flat and surrounded by lovely views. The playing field hasn't suddenly become remote and redundant. It is only unused as the pupils have been instructed not to use the playing field for recreational and sports activities so that the school can claim it is surplus to requirements. Having lived in Greenfields for 25 years, we have experienced continual use of the field on a daily basis prior to the school's embargo, with pupils enjoying the fresh air and exercise opportunities during break times, PE lessons and extra-curricular sports activities. There were also regular weekend sports events such as football matches, archery and other sporting events. A lovely addition for any school with a positive impact on local community and a useful form income.

With the school looking to expand numbers, we consider this to be a very bad and short-sighted move restricting the children's provision for open space, fresh air, exercise, relaxation, wellbeing and potentially with a negative effect on pupil's mental health. Once it's gone, it's gone and can't be used for future expansion at any point in the future.

With regards to the recent planning application, if it is going to be approved, and the land subsequently built on, we have the following concerns and objections:

1. In particular, the houses in Greenfields, New Barn Lane are going to be massively affected by the proposed plans. These houses were built with very small gardens, comparatively small for the size of property. As they back onto the open space of the playing field, it has never been a problem. The properties currently enjoy a great deal of privacy, quietness and can enjoy the sunshine and daylight throughout the day. The proposed plans would mean us having houses in very close proximity, directly

overlooking our properties and gardens, resulting in a complete lack of privacy, a significant increase in noise from people and cars in addition to fumes. The same will apply to the newly built houses who will, no doubt, also consider the close proximity of our property and garden in relation to theirs.

The sunshine and daylight that we currently enjoy, particularly in the winter months when the sun is lower will also be significantly reduced. If the plan was rotated by 180 degrees so that the green area (currently in the southeast corner of the plan) was at the rear of our gardens that would definitely be more favourable and would help to reduce the impact of the points raised above.

2. A number of residents of Greenfields have trees and shrubbery which overhang into the school playing field. Access to maintain these is easy by gaining permission from Pittville School to enter the field and carry out maintenance as and when required. Having somebody else's garden directly at the end of ours will make this far more difficult and could create conflict with the new occupants of the houses built directly opposite. It would be beneficial to both the residents of Greenfields and the new estate if there was some kind of corridor that we could access to carry out such maintenance.

3. From an ecological point of view, we are very concerned that the proposed development will have a huge detrimental effect on the wildlife that occupy the school playing field on a daily basis. It has to be remembered that a huge amount of natural habitat has already been taken away from wildlife with the Starvehall Farm Development. On a daily basis, we see many species of birds, foxes, hedgehogs, badgers, squirrels, deer, muntjac and bats in the playing field and it is the home to many insects and wildlife. Since the Starvehall Farm development we have noticed changes such as foxes coming into our garden at night to sleep. Their habitat is being increasingly reduced. What provision has/will be made to ensure that their natural environment isn't completely decimated? There needs to be an inclusion in the application proposal for new wildlife corridors adjacent to the North, East and West boundaries of the site to at least help reduce the negative impact of the new development.

4. We are very concerned that the proposed access route for the new development will be via Broadacre Way. This is a narrow road and cars are often parked either side making it even narrower. This really isn't a suitable road to have large vehicles and lorries driving up and down to access the school playing field. In addition, children often play on the pathways and it would be an accident waiting to happen to allow construction vehicles to use this road for access. The proposed access route leads directly onto the already very busy New Barn Lane. With the provision for up to a further 153 to use New Barn Lane as their only point of access only exacerbates the problem and increases the risk of serious accidents happening as too many cars will be trying to exit via a narrow road onto an already very busy road. Access to the development should definitely be routed directly from Albert Road which would be much safer, help prevent bottlenecks and make far more sense.

5. In the current planning proposal, there is no provision for any green recreation space for the occupants of the new homes. The proposed plans compare very poorly with adjacent Starvehall Farm site, which has an excellent recreation area with activities and space for children to play. Although there are such facilities nearby on the neighbouring Starvehall Farm site and Pittville Park, these should not be assumed or relied upon as being available. The lack of such recreation space could be the fuel for future anti-social behaviour. We feel the planning application needs to be revised, to include recreational

space appropriate for the size of the development rather than trying to cram in as many homes as possible to maximise the return.

6. The existing boundary wood/wire fence is in very poor condition and needs replacing with a fence as high as planning will allow to help protect the privacy of the residents of Greenfields. It would be beneficial if this new fence could be constructed as strong and maintenance free as possible, please.

7. We are very concerned that all the points raised above regarding the proposed development will have a detrimental effect on both the value and the saleability of our home and the homes of all the other residents in Greenfields in particular. We know this to be the case, having recently spoken with estate agents who confirmed this to be the case. We also know from a recent house sale in Greenfields that there were challenges associated with the proposed planning and a significant number of potential buyers were deterred by the close proximity of the proposed new houses. There appears to be no regard for any financial loss and difficulty in selling that we will undoubtedly subsequently experience.

May we respectfully ask that Cheltenham Borough Council and Newland Homes give due consideration to the above points when considering the current planning application.

Yours sincerely.

27 Broad Acre Road
Cheltenham
Gloucestershire
GL52 3HU

Comments: 14th June 2025

Dear Sir/Madam,

I am writing to formally object to the proposed development of 58 homes on Pitville Field by New Land Homes, which I understand would be accessed via Broad Acre Road. As a resident of Broad Acre Road, I have serious concerns about the impact this development would have on the local area - particularly in terms of traffic congestion, road safety, and the lack of any meaningful contribution to the community.

1. Traffic and Safety on Broad Acre Road

Broad Acre Road is already a busy residential street, and traffic levels are high at peak times. If access to 58 new homes is solely via this road, the additional traffic will create significant congestion and pose a real safety risk to residents - especially children who frequently play in this road. In addition there have already been a number of reports of near misses at the entrance to broad acre road. The road infrastructure simply isn't designed to handle such an increase in use, and this will lead to more accidents, noise, and disruption.

2. No Contribution to Local Facilities

The proposed development by New Land Homes includes no new amenities - no shops, green spaces, or recreational areas. At present, the area has only one small convenience store, which already struggles to meet local demand. Adding 58 more households without any additional services will stretch limited resources even further and reduce quality of life for both existing and new residents.

3. Pressure on Existing Infrastructure

This development offers no evidence of investment in infrastructure to support the additional population it would bring. There are no additional parks/convenience stores in the proposal and so this will put strain on the existing parks and the one local convenience store.

4. Lack of Community Consideration

The proposal for Pitville Field offers no real benefits to the existing community and seems entirely profit-driven, with little thought given to long-term sustainability or neighbourhood wellbeing.

For the reasons outlined above, I strongly oppose the current plan to build 58 homes on Pitville Field by New Land Homes with access via Broad Acre Road. I urge the planning committee to reject this application or require significant changes that prioritise road safety, community resources, and proper infrastructure planning.

Yours faithfully,

9 Clover Drive
Cheltenham
Gloucestershire
GL52 3JR

Comments: 6th June 2025

Safe access for construction traffic to and from Broad Acre Road would be compromised. It would be a nightmare for the current Starvehall Farm residents and for the construction workers themselves. Broad Acre Road is residential with children playing therefore it would create a very dangerous situation, especially while the site was being built.

The proposed driveways for the dwellings on the new estate are of the 2 car (one behind the other) design which is impractical and will result in people parking on the road causing congestion, overcrowding and general parking problems on the site, possibly spilling out onto the Starvehall Farm estate (which is already over capacity) causing serious safety issues.

There would be a loss of ecological habitats. There is no provision for wildlife corridors or green areas (apart from a pond). The Starvehall Farm estate has deer, badgers, foxes, and many species of birds due to provision of many wildlife areas and corridors.

There would be a serious impact on local amenities and services, especially schools which are already seriously over subscribed.

There would be noise and disturbance to existing Starvehall Farm and New Barn Lane residents especially due to access down Broad Acre Road. Pittville school would also be affected.

Many of the proposed dwellings backing onto Broad Acre Road are 3 storey and will restrict light to these existing houses.

CONCLUSION:

There are far too many dwellings being proposed for this small area of land. The site would be a very cramped and unhealthy. All the dwellings should be 2 storey buildings and spaced out more to create better parking and green areas for wildlife and of course the well being of the new residents, similar to the Starvehall Farm estate.

I think 30 or 35 maximum dwellings would be a more sensible proposal (or even less)

Please let common sense prevail !!!

22 Flora Close
Cheltenham
Gloucestershire
GL52 3HY

Comments: 24th October 2025

We have serious concerns over the impact on the adjoining Starvehall Farm development. Firstly, due to the level of construction traffic which under the current plans will have to access the development via Broadacre Road. Secondly, due to increasing pressure on the limited green spaces in Starvehall farm which will doubtless engender greater noise and disturbance for local residents. We do not object to the development per se, but believe alternative vehicle access and more green space must be included in the plans.

41 Broad Acre Road
Cheltenham
Gloucestershire
GL52 3HU

Comments: 23rd October 2025

My initial objections to the proposed development still stand and I object to the revised plans as they have been presented.

There has been no revision to the planned access to the development, the additional weight of traffic from the development onto Broad Acre Road would create unsafe conditions on this road. The road regularly has cars parked on both sides of the road, making it narrow and difficult to navigate. The turn from New Barn Lane is already dangerous due to the narrow entrance as cars are often parked near this junction, with additional traffic this will make it more likely that an accident will occur.

Also Broad Acre Road is entirely unsuitable to accommodate the construction traffic, as construction vehicles will find it difficult to navigate due to the aforementioned parked cars and will create unsafe conditions for pedestrians and children along this road. There will also be significant noise and disruption to residents along Broad Acre Road due to the construction traffic

Additional access should be provided to Albert Road to alleviate pressure on Broad Acre Road which already struggles under the current weight of traffic from the pre-existing development. Part of the traffic from this development will inevitably end up on Albert Road anyway albeit via a more circuitous route placing unnecessary weight of traffic and strain on busy junctions between Broad Acre Road & New Barn Lane and also at the mini roundabout located between New Barn Lane & Albert Road.

There is also no revision to provide additional children's play areas or recreational spaces. Without these the development will put extra strain on the already crowded play areas at Pittville Park and those present in the pre-existing development.

Comments: 5th June 2025

Dear Sir/Madam,

I am writing to formally object to planning application 25/00780/FUL concerning the proposed erection of 58 residential dwellings at Pittville School, Albert Road, Cheltenham. As a resident of the adjacent development, I have significant concerns regarding the implications of this proposal on local infrastructure, safety, and community well-being.

1. Inadequate Access and Traffic Safety Concerns

The proposed development plans to utilize the existing access road off New Barn Lane, which currently serves our residential area. This road is frequently congested due to vehicles parked on both sides, necessitating a weaving pattern for drivers and creating hazardous conditions, especially near the junction where visibility is compromised.

Introducing approximately 70-80 additional residential vehicles, along with visitor traffic, without any modifications to the current road infrastructure, will exacerbate these issues. The National Planning Policy Framework (NPPF) Paragraph 110 emphasizes the need for developments to ensure safe and suitable access for all users. Furthermore, Paragraph 111 advises against developments that would result in an unacceptable impact on highway safety.

The absence of proposed improvements to the access road contravenes these guidelines and raises serious safety concerns for both existing and future residents, particularly children who frequently play in the area.

2. Construction Traffic and Associated Risks

The development's construction phase will inevitably involve heavy machinery and increased traffic through the same constrained access route. This poses additional risks to residents, including noise pollution, air quality degradation, and heightened danger to pedestrians and children. The lack of a dedicated construction access route fails to

mitigate these risks and does not align with Policy INF1 of the Joint Core Strategy, which requires developments to provide safe and suitable access.

3. Lack of Provision for Children's Amenities

The proposed development does not include plans for children's play areas or recreational spaces. Our existing small parks are already under strain, with equipment such as swings frequently damaged due to overuse. The influx of new families without additional amenities will further burden these facilities, negatively impacting the quality of life for all residents.

Policy RC6 of the Cheltenham Borough Local Plan (2006) stipulates that residential developments should provide adequate play space for children. The current proposal's omission of such provisions fails to meet this requirement.

4. Pressure on Educational Infrastructure

Our area is situated at the intersection of three primary school catchment zones, making it challenging to secure placements for children. The addition of 58 dwellings will increase demand on already oversubscribed schools, potentially disadvantaging both current and new residents.

Policy INF6 of the Joint Core Strategy mandates that developments must ensure the provision of necessary infrastructure, including education. The application lacks a clear strategy to address this increased demand, thereby not complying with this policy.

Conclusion

In light of the above concerns, the proposed development at Pittville School fails to meet several key planning policies and poses significant risks to the safety, infrastructure, and well-being of the community. I urge the Council to consider these objections seriously and recommend that the application be refused or revised to address these critical issues adequately.

Yours faithfully,

6 Broad Acre Road
Cheltenham
Gloucestershire
GL52 3HX

Comments: 6th June 2025

There seems to be an accepted premise that the sale of this land by the school is required to fund a new sports hall. How could anyone object to the construction of a state of the art sports facility for a school? But as others have raised, what other funding options have been explored? Schools up and down the country carry out long term infrastructure projects every year without the requirement to sell vital green space to fund them. The removal of green space from a school cannot be undone. In the many many

years between the original application and now, what have the school and the council been doing to explore alternative options to fund the facility?

The development is going to have a detrimental impact on wildlife, particularly the wildlife which relies on the wildlife corridor and open green space to be developed on. We have significant numbers of small birds species and bats in the summer months along the wildlife corridor.

Additional traffic volumes along Broad Acre Road are a recipe for disaster. It is already a slalom course with significant on-road parking by residents and students from the Pitville Campus who park there, often anti-socially. The transport assessment highlights Broad Acre Road is 5.5m wide, with parked cars this is obviously reduced considerably. 5.5m appears already on the narrower side considering it highlights Albert Road and New Barn Lane are 7m and 7.3m respectively. It is not uncommon for the section of Broad Acre Road from New Barn Lane to Flora Close to have parked cars along the whole stretch of road, already causing a major traffic hazard with existing traffic levels. Lots of young children play on the intersection of Broad Acre Road and Flora Close with risk to their safety to increase with any increase in traffic.

New Barn Lane is a busy road with traffic coming over the crest of a hill on your right as you exit Broad Acre Road, this additional risk should be considered. Section 3.24 of the Transport assessment highlights a serious traffic incident of this nature has already occurred. Highways issues overlooked during the planing of Broad Acre Road (1 car driveways for houses at the entrance to a large estate) are a significant issue for this additional development. It also poses a significant issue to access for building traffic, cars are often parked on both sides of the road parallel with each other and larger vehicles (i.e. HGV) have not been able to pass previously.

Houses in excess two storeys and houses placed closer than necessary to existing residential boundaries seems like an odd choice for what was always going to be a contentious development. Privacy, noise and light pollution are all significant factors that require additional consideration and mitigation in the planning application.

I would like to see considered:

- More densely grouped houses placed away from existing residential boundaries.
- Whether any houses in excess of two storeys are necessary, especially if they are closer to existing residential boundaries.
- A wildlife corridor around the boundary of the development.
- Alternative means of traffic access to the site e.g. via the Pitville Campus parking/service road or out onto Albert Road via the school, they are the ones benefiting from this development not local residents.
- The planting of trees / hedgerow along the border of the development to provide privacy to new and existing residents as well as protection from noise and light pollution from the dwellings to existing local residents. This will also encourage the retention of wildlife.

4 Broad Acre Road
Cheltenham
Gloucestershire
GL52 3HX

Comments: 23rd June 2025

I am writing to formally object to the proposed development of 58 homes by Newland Homes, on Pittville field adjacent to the school. I understand that the proposed access point to the development will be via Broad Acre Rd which will produce a number of health & safety issues for existing residents.

It has been noted that Broad Acre Rd is quite narrow & I believe that when the starvehall farm development was designed it was not done so with the intention of another 58 homes (102 car spaces) using it to enter/exit New Barn Lane.

The increase in traffic (as well as the construction traffic whilst it is being developed) on what is already a busy residential street poses a health & safety risk to existing residents & pedestrians (many children use the road to play & also walk to Pittville school).

In addition there is the noise pollution that will be created by heavy machinery/lorries using the road for an extended period of time.

I would also point out that the junction of Broad Acre Rd with New Barn Lane is also narrow & tight for turning into/out of the existing development, as a result there have been a number of near misses with cars looking to enter/exit at the same time.

The danger of this becoming an accident 'hot spot' & a danger for residents/pedestrians will only increase with more traffic from the new development. I would point out that if a car is waiting to exit Broad Acre Rd, it would be nearly impossible for a Lorry to enter Broad Acre Rd from New Barn Lane at the same time, the width of the road & the vehicles length & turning circle would prevent it, thus raising the possibility of more accidents & also increased traffic congestion on New Barn Lane which is already a very busy road.

In addition to the above there are other notable reasons highlighted by other respondents regarding lack of green space, wildlife corridors in the design, pressure on local infrastructure etc all of which make me believe that this planning application in its current form should be turned down.

9 Greenfields
New Barn Lane
Cheltenham
Gloucestershire
GL52 3LG

Comments: 3rd June 2025

Letter attached.

10 Greenfields
New Barn Lane
Cheltenham
Gloucestershire
GL52 3LG

Comments: 10th October 2025

Additional letter attached.

Comments: 20th May 2025

Letter attached

8 Greenfields
New Barn Lane
Cheltenham
Gloucestershire
GL52 3LG

Comments: 29th May 2025

As a resident on New Barn Lane I strongly object to the proposals as they stand. There would be a significant loss of amenity for residents in Greenfields with multiple houses situated against the rear fences, particularly for 8 to 10 Greenfields. There is no consideration for privacy of residents of either Greenfields or indeed the new homes, with rear windows looking straight into each others properties at very close proximity. During the site construction, access and egress traffic will impact on residents of Broad Acre Road and New Barn Lane, and there will be a nuisance aspect from the dirt and noise as well as the danger posed to children of heavy vehicles in a small residential area.

Once complete the additional traffic must be a consideration with the only access via Broad Acre Road. This will also affect New Barn Lane which already carries considerable traffic.

I am also concerned that there will be a lot of additional children and young people with insufficient facilities provided for the increase, where will they play? and more pupils at the school which will have less sporting facilities to accommodate them, as noted by Sport England. In 2005 when I purchased the property the school made regular use of the field for sports, and it is disappointing that the students have had this opportunity removed so that the school could claim the field was not in use and sell it. Department of Health policy is prevention rather than treatment and a focus on the wider determinants of health, and as such the school should be encouraging students in outdoor activities. I am also concerned for the impact on the health and wellbeing of the residents who will be affected by the impact of the works. The stress and concern that this is causing to the local community is already very real.

7 Greenfields
New Barn Lane
Cheltenham
Gloucestershire
GL52 3LG

Comments: 1st June 2025

7 Greenfields, New Barn Lane, Prestbury, GL52 3LG

Ref: Cheltenham Borough Council Planning Application 25/00780 dated 16 May 2025

We strongly object for the following reasons:

Loss of amenity for Greenfield Properties.
Multiple houses against rear fences.
No privacy for residents/new homes
Access should be to and from Albert Road not Broadacre Rd/New Barn Lane.
No facilities for children to play.
Loss of wildlife due to developer not taking this seriously.
Difficulty for residents getting out onto New Barn Lane with the extra heavy traffic particularly school runs and race days.
Worried about heat pumps if they are placed next to our boundaries.
No solar panels being used in development.
No provision to collect rain water
Is the latest double glazing systems being used.
Planning department need to check these points.

8 Greenfields
New Barn Lane
Cheltenham
Gloucestershire
GL52 3LG

Comments: 31st May 2025

I wish to object to the new development proposed on the Pittville school playing field. The area has already been subject to significant housing development on the Starvehall Farm estate which recently saw c. 300 new residences built.

New Barn Lane is becoming a major road and the proposed development would exacerbate that. The only route out of the proposed houses would be onto New Barn Lane meaning the roundabouts at either end will have even more traffic. The small roundabout at the Prestbury end is already dangerous, and Albert Road has a school and traffic calming so does not need any more residential traffic pressure.

When combined with the increased traffic from all the developments at Bishop's Cleeve and Stoke Orchard the roads are ever more congested.

Whilst I recognise that all councils have a responsibility to build more housing, I cannot see how the developments already in progress are insufficient. There are constant

expansions to the area just North of us in Bishops Cleeve, and I read yesterday that there are to be 4,000 new homes to the West of us near the M5 J10.

With more and more people living in and around Cheltenham we need to protect green spaces for people to enjoy. I would be more supportive of the build if it was less dense and there were more facilities and amenities provided for the expanded population.

Pittville Park is now overcrowded on sunny days as there isn't anywhere else for an increasing number of people to go. It would be lovely to see a trim trail or outdoor gym facilities in the area.

Finally, I agree with all the points in the other objections and letters that I have read. The build phase will see heavy vehicles using Broad Acre Road and New Barn Lane, and the increased traffic from future residents will put further pressure on busy roads. The proposed layout unnecessarily blights the experience of existing residents, with a huge loss of privacy, when alternative layouts could provide the same number of houses with far less impact.

29 Harvest Street
Cheltenham
Gloucestershire
GL52 3PG

Comments: 24th October 2025

The path that runs from the new development to Albert Rd, I'd like that to be for both cyclists and pedestrians please. Now I cycle from Harvest Street to Albert Rd along New Barn Lane and it's very busy. Being able to instead go along the new path would be so much safer and more pleasant. Thank you.

92 Broad Acre Road
Cheltenham
Gloucestershire
GL52 3HX

Comments: 5th June 2025

Object

58 dwellings are proposed to be built on the Pittville School playing field behind broad acre Road.

All vehicle access *including all construction site traffic* is proposed to come through the estate, via broad acre road.

In addition, most of the proposed parking spaces are one behind the other on drives. The roads are not wide enough for people to safely park on them and there is no green space - not in keeping with the style of the rest of the estate.

It is suggested that residents *Object* to this proposal, citing concerns regarding:

- * Traffic congestion - safe egress and access via broad Acre Road will be difficult, particularly in light of the on street parking causing issues at the junction with new barn lane already.
- * Highway safety - broad acre road is a residential street with many children playing in the road and a main thoroughfare for children travelling to and from Pittville School.
- * Parking and loading - the majority of spaces are 2 cars to a single lane drive. The result will be most residents parking on the road, which is of an insufficient width to allow this safely, or spilling out to the existing development which is already at capacity for cars.
- * Overbearing nature of the proposal - the development consists of many three storey houses which back on to existing two storey properties on broad acre road. This will result in overlooking and loss of light for those properties.
- * Loss of ecological habitats - starvehall dram was developed with wildlife corridors and open green spaces to enable the movement and settling of wildlife across the estate. We have deer, badgers and foxes on the estate, as well as several species of birds. There is no such provision in the new proposals.
- * Impact on local amenities and services - the closest primary schools are already oversubscribed and estate residents are unable to access the village primary school unless a regular member of the church. Further pressure on the next closest school may result in families needing to travel further for primary education.
- * Noise and Disturbance - the proposal for 58 dwellings on the plot (which is enclosed by residential buildings and a school) will cause significant noise disruption to the residents and school over a period of years.
- * As no facility to include green space or plat areas for family has been considered, this will inevitably mean that park spaces within local area (broad acre road/ Barley road/ Clover Drive) will be utilised by new residents of proposed estate. Currently residents on these roads have to pay for maintenance and repair of play spaces. These charges should be shared with new housing development as per payment schedule.

80 Broad Acre Road
Cheltenham
Gloucestershire
GL52 3HX

Comments: 24th October 2025

I have originally objected and continue to object to the revised plans presented to the proposed development.

I cannot see any evidence or revision to the planned access to the development, the additional traffic from the development onto Broad Acre Road would create unsafe conditions on this road. The road has many cars parked on both sides and will not be

wide enlightened to have more traffic. I don't believe construction traffic will fit down this road due to parking.

We have many families on this road and animals and feel that with construction traffic this will be an unsafe place. Also the noise and disruption.

There is also no revision to provide additional children's play areas or recreational spaces. Residents pay for our play parks and with many new houses these parks will be over used.

Wildlife- we have wildlife corridors in place, we have many wildlife on the estate and I cannot see anything revised on plans

The new houses some of which will be 3 storey will overlook many houses and cut out daylight. Schools in the area are already full where will more children go without travelling large distances?

The revised plans have not looked in to many of the objections already placed

Comments: 5th June 2025

We object to this proposal on the following basis:

As residents of Broad Acre Road we feel the traffic will be a huge issue to our road. It is already narrow. We have many children and pets that this will impact. Traffic congestion on our road will be very disruptive and causes safety concerns

Green space in our estate, who will pay for the new children to use the equipment we are charged to maintain, with the proposed houses being up to 5 bedrooms foot fall on our parks will see a decline on the grounds which are currently used

Nature corridors will be effected, we have many animals on the estate which will be effected

What has been considered for schools for this area

10 Greenfields
New Barn Lane
Cheltenham
Glos
GL52 3LG

Mr C Gomm MRTPI
Head of Planning
Cheltenham Borough Council
Promenade
Cheltenham
GL50 9SA

Dear Mr Gomm,

THE PROPOSED DEVELOPMENT OF PITTVILLE SCHOOL NORTH PLAYING FIELD

References: A. Cheltenham Borough Council Planning Application 25/00780 dated 16 May 2025.
B. My letter of 12 November 2015 to CBC Planning.

Introduction.

1. I am writing as a householder on New Barn Lane, Cheltenham to **Object** to the current stated proposals for the development of the Pittville School North Playing field as outlined in Reference A. This is now the third layout scheme that I and my fellow householders in the 10 properties in "Greenfields" have viewed and sadly it is by far the worst in terms of loss of amenity, the impact on wildlife and traffic. It also seems to place the amenity needs of the future occupants of the site as a low priority.

2. I recognise that Cheltenham has to meet Nationally dictated housing targets which is challenging given the limited building land within the Borough boundary.. Thus this letter is not objecting to the principle of building on "unused sports facilities" (which has already been agreed by CBC) rather with the design and assumptions made in the voluminous supporting 70 documents. This letter should be read in conjunction with my letter of 12 November 2015 since many of the issues this new application raises were highlighted then, except that in some respects Reference A, the latest plans, will result in a worse outcome for residents of both Greenfields, Broad Acre Road and some residents of New Barn Lane.

3. In this letter I cannot comment on all the many issues that arise from the 70 Documents attached to the Planning Application. I will, however, cover the following:

- a. Inaccurate statements made by the applicant in the planning application document.
- b. Loss of existing Amenity for Greenfields residents, especially my property with three 2 storeyed terraced houses situated close to my rear fence and boundary.
- c. Impact on wildlife. The plans ignore existing wildlife and fail to make any provision for it. This is unacceptable given the pressure on our wildlife from developments such as this.

d. Site construction, access and egress and impact on residents of Broad Acre Road and New Barn Lane.

e. Infrastructure sustainability including the use of renewables and potential impact of noise pollution from the proposed Air Source Heat Pumps (ASHPs)..

Planning Application Errors

2. Since only a "Paper Assessment" was made of the Ecology impacts of this development the statements made by the Applicant on Page 6 of the application cannot be justified.

(1). In terms of Biodiversity and Geological Conservation the applicant should have answered at question a) "Yes on Land adjacent to or near the proposed development NOT "No" – Reason an active, dedicated Wildlife corridor exists adjacent to the site and the site itself is part of the corridor, As noted during the Starvehall Farm development Wildlife moves to and from the area North of New Barn Lane towards Pitville School land and beyond.

(2) At question b) The applicant should have answered "Yes on land adjacent or near the proposed development" NOT "No"

(3) Under the Biodiversity net Gain there has already been a loss of onsite habitat due to contractors for the Developer removing the area of scrub in the NE corner of the field in February this year. Since its removal the variety and number of small birds (Tits (blue and great), Sparrows, Dunocks and Woodpeckers visiting my feeding stations in the wildlife corridor and my garden) has significantly decreased. The metric for making this statement is that I now only replenish my feeders once a week rather than once a day. So the answers at page 8 of the application relating to loss (or degradation) of onsite habitats should be "yes" and not "no" as stated in the application. This comment should be read in association with the April 2025 Biodiversity Net Gain Report attached to the planning application that at para 10.2 notes "The proposed development fails to achieve a 10% gain in bio diversity units for both area and hedgerow habitats and therefore fails to satisfy habitat trading rules"

SUGGESTED ACTION FOR CBC : The inclusion in the Application proposal for new wildlife corridors adjacent to the North, East and West boundaries of the site. The proposed pathway from the site onto Albert Road addresses the Wildlife movement in the South

Loss of Amenity

3. As I had previously noted in Reference B this development has to be viewed in the context of the impact resulting from properties already built on the Starvehall Farm northern estate, especially those on Broad Acre Road. My main living space on the rear of 10 Greenfields, my garden and my conservatory are already overlooked by 3 properties on Broad Acre Road albeit the impact of these - and consideration by my "new" neighbours on my amenity - is significantly reduced by the wildlife corridor and by the Hawthorn hedgerow I planted many years ago on my property boundary. There is no such protection from the five 2 storeyed terraced houses proposed close to my South facing boundary fence and NONE is proposed by the developer. The supplied documentation suggests a "Close Board Fence" (of likely limited durability) adjacent to my boundary with no gap for boundary maintenance, or privacy. This design is not long lived and is also poor from a sustainability perspective as these houses will have gardens facing North thus at least partially shielded from the direction of the winter sun by the houses themselves. The close proximity of these 2 storey terraced houses to my garden will likely also impact sunlight into my garden during the less sunny months.

For application had houses in this area side on to my property and car parking adjacent boundary fence with additional fencing and walls on the development, a proposal that I had and would have enabled the loss of amenity and overlooking to be significantly reduced. Alternative **GREEN** solution would be to bring the "green area" proposed for the SE corner of site up to the NE corner and replant habitat as part of the wildlife "Net Gain" that is currently lacking. Such a solution would restore the lost habitat destroyed by the Developer's contractors in February, thus enhancing both the site wildlife sustainability and our Amenity.

5. A more radical and acceptable solution would be to rotate the proposed development by 180degrees thus having the terraced houses to the south of the site (rather than in the North as now) adjacent to what will become a new school boundary fence. This solution would bring the green areas up to the Greenfields rear boundaries creating a privacy gap, providing an adjunct to the existing wildlife habitat (that is currently used by wildlife) - AND place the gardens and main living areas of houses 42 to 53 to now face South, thus enabling them to take better advantage of free solar energy.

SUGGESTED ACTION FOR CBC: Request the Developer to re-examine the orientation of the current plans to provide better use of the limited green space to enhance privacy for existing residents of Greenfields, improve the wildlife habitat in the North of the site and by relocating houses 42 to 53 to the south of the site adjacent to Pittville school improve their solar "gain" and outlook.

6. A notable omission from this Application is the inclusion of **any** green recreation space for the occupants. In this respect the Application design compares very badly with that of its neighbour on the Ex Starvehall Farm Site. There are no activities for families, nor space to play for children. There are local sites, but new developments should enhance the local offering of facilities, NOT assume the availability and access to existing ones.. This is a poor predatory development, short on everything except cramming the maximum number of houses together in the space available. This is an invitation for future anti-social behaviour.

Impact on Wildlife

7. As already noted in the above paragraphs, the impact on wildlife was based on a "Paper Assessment", as was a previous application. Neither reflect the situation on the ground where there is (and was previously) an active wildlife population using and traversing the wildlife corridor and onto the sports field which forms a vital part of the "corridor". The impact on the bird population as noted at Para 2(3) above has already been dramatic due to habitat loss, but many species of birds, foxes, badgers, hedgehogs and even a small deer (Munchjac) have been observed on the field and in the wildlife corridor. I maintain the first 50ms of the corridor with agreement from the Starvehall Farm Residents Association (SFRA) and maintain a feeding station and small water trough there. I have "camera trapped" some animals as evidence for the previous application, which as noted above, also used an inaccurate, unfit for purpose "Paper Assessment". During the Summer months we also see bats flying over the corridor trees, our gardens and the sports field copse that has now been removed. Thus for an urban environment the area is "rich" in wild life diversity which has already been adversely impacted by the removal of the copse behind my boundary.. Some remedial measures are required from the developer such as those suggested at Paras 4 and 5 above.

8. It is also noted that Severn Trent intend to supply the water to the 58 domestic properties from their existing 125mm PE Main in Broad Acre Road. This will require the excavation of the "stub" entrance to the site from Broad Acre Road to enable the supply to be connected. Under this stub road is an underground tunnel which allows continuity for the wildlife corridor that was interrupted by the proposal to build on this field, thus putting small wildlife at risk from future site traffic. Excavation of the stub road and resulting interruption of the underground tunnel must not negate the long terms safety of exiting wildlife. These were planning agreements made with Bovis and CBC to protect our wildlife from the impact of previous works. Newlands and Severn Trent should be made to honour and uphold them during and after construction.

SUGGESTED ACTION FOR CBC. The operation of the wild life tunnel and the safety of wildlife using the existing wildlife corridor **MUST** be maintained during the construction and operational periods of this site.

Traffic and Sustainability

9. The provision of 153 parking spaces indicated in the documentation suggests that an average of approximately 2 cars per dwelling will be the norm with almost 1 visitor space per house being planned. This seems realistic and given the situation on many new developments (including the Starvehall Farm site where occupants usually have at least 2 cars, some 3.) It is thus possible (even likely) that this new development will place some 100, or so, new daily journeys onto Broad Acre Road and onto its junction with New Barn Lane. Given that assurances were made during the construction of the Starvehall Farm estate that the size of the development was limited by the number of vehicles exiting onto the existing road network it is surprising that this extra level of traffic is not considered important by the Highways Authorities. During busy periods it is already challenging for the elderly and mothers with children to cross New Barn Lane. This extra level of traffic from the new development is thus unwelcome. It will also challenge students living in the Pittville Campus, who use Park Stores, to cross the road and for dog walkers using the Public Right Of Way (PROW) down to the Race Course perimeter. GCC have been approached to provide a crossing at this point, but have declined due to the lack of a reported incident. The vehicle ingress and exit arrangements proposed for this new site exacerbate this situation on a road that suffers from speeding and ever increasing traffic levels..

10. The impact of this new residential traffic on the residents of Broad Acre Road, and that resulting from the construction phase will be dramatic and antisocial as those of us on New Barn Lane found when the Starvehall Farm site was under development. The application fails to note that Broad Acre Road is a replacement PROW between New Barn Lane and Cleevemount Road much used by school children and adults. The introduction of a new, potentially busy, access road crossing this much used ancient pathway raises the potential for accidents which needs to be addressed by the developer.

SUGGESTED ACTION FOR CBC/GCC. Ensure measures are put in place at the junction of Broad Acre Road and the site entrance that protect the rights/safety of users of the PROW.

11. Construction traffic travelling up and down this narrow residential street (Broad Acre Road) should not be allowed. An alternative route for this traffic found, for instance through the Student Campus car park should be identified. It appears little thought has been given to the potential impact on the health and safety of existing residents of the Starvehall Farm Estate, while the beneficiary of the funds from this development, Pittville School, objected to the original plan to route traffic onto Albert Road on student safety grounds!

SUGGESTED ACTION FOR CBC: Revisit access and egress arrangements for the development, construction and occupation phases to reduce the risk to the lives and health of the occupants of Broad Acre Road.

12. The proposal suggests that the site location will result in the ability of the new occupants to walk, or cycle, for their needs. Not a view backed by reality. Weekly shopping, children's school runs, appointments etc are not met this way as evidenced by actual observation, except perhaps on a sunny day for short journeys. The "norm" is that cars are used and even the relatively frequent bus services adjacent to the site is not appropriate for family shopping and many appointments. They help, but do not change the reality of the convenience and necessity of the use of the family car in most circumstances, especially during inclement weather, thus suggesting a considerable new traffic movement to and from the site into Broad Acre Road and onto the junction with New Barn lane.

13, The plans are to be commended for their "nod" to energy efficiency, carbon reduction and user expectations. The non-availability of gas on the site will limit the new carbon released that the use of this fossil fuel would have caused, but there are "however"s resulting from the renewable energy summary:

- a,. Given the number of houses not situated in a position to have a south facing roof the solar PV energy saved and thus carbon saved will be considerably less than predicted in the Newlands documentation. For those with a suitable orientation "free" solar energy will be a major win – as I know having both solar PV and water heating installed on my home.
- b. The use of Air Source Heat Pumps (ASHP) is commendable, but although the technology is now quieter, there is still some unwanted noise from the heat exchange compressors and units have to be placed a reasonable distance away from occupied areas of the house and garden. In the case of the units for the terraced houses proposed to be located behind my house and neighbours on Greenfields, that position is likely to be my rear boundary fence. The resulting noise in my garden will be an unacceptable nuisance from so many ASHP units.

SUGGESTED ACTION FOR CBC: Ensure that ASHP units are not to be deployed along the boundaries of existing neighbouring properties unless they are located at a distance preventing nuisance to neighbours. .

Summary

14. While supporting the provision of these new homes I look for positive action to redress the negative impacts to amenity, safety and wellbeing to existing residents and wildlife neighbours of the proposed development. .

15. Finally, both as a resident and as a Prestbury Parish Councillor I offer you and your staff the opportunity to visit my house and garden for yourselves to better appreciate the negative impact that the current proposed plans will have on our wildlife and to the amenity of my neighbours and I.



CC: Mrs Lucy White
Planning Officer
Cheltenham Borough Council
Promenade
Cheltenham
GL50 9SA

103 New Barn Lane

Prestbury

Cheltenham

Glos. GL52 3LQ

May 22nd 2025.

The Head of Planning
Cheltenham Borough Council
Cheltenham
GL50 9SA

Dear Sir,

Planning Application 25/00870/Full - Proposed Building of 58 Homes on Pittville School Playing Field

I live opposite the entrance/exit of Broad Acre Road onto New Barn Lane. I am very concerned about the proposal to build 58 houses on land behind Pittville School and the impact that it will have on the amenity and safety of the site's neighbours. I strongly object to the current plans that show that the new occupants of these houses will have parking spaces for the 153 cars and that number, even allowing for the assumption that some are for visitors, will inevitably cause further congestion at the junction with New Barn Lane where I have lived for many years. This level of new traffic combined with the existing Starvehall Farm Estate traffic will make it difficult, possibly dangerous for neighbours and I to leave our homes.

May I respectfully ask you to consider the following before you make your final decision to agree the Newlands Homes plans:


1/ Over the last few years, a large estate has been built and occupied on the land of the old Starvehall Farm. With these homes, a lot more students are attending Pittville School. I have friends who struggle finding a 6th Form for their child who attended this School. Surely a 6th Form should be built on this valuable land and not so many houses. Once this land is gone this option will be barred for ever.

2/ Residents living in Broad Acre Road understandably park their vehicles outside their homes. These cars are parked on one side of the road, leaving room for only single file traffic entering or exiting this proposed new estate entry/exit road. The level of existing traffic often causes a bottle neck of traffic waiting on New Barn Lane before they can turn into Broad Acre Road. With this new traffic, including service vehicles, this small road will not be able to cope. During Race meetings when traffic on New Barn Lane is already bumper to bumper and slow moving the new resident's traffic will further exacerbate the problems that we (existing residents of New Barn Lane and Broad Acre Road) all have trying to leave or get back to our homes.

3/ Would you please consider allowing fewer homes to be built allowing the developer to provide better amenity facilities for the new residents, reducing the new traffic and consider making an alternative entrance/exit to the estate either through Albert Road, or through part of the Pittville Campus car park onto a less congested part of new Barn Lane, I am very aware that the Headmaster does not want the Albert Road option to be used, citing safety of his students as the reason. However, for at least 3 months of the year the school is closed for holidays, but residents of Broad Acre Road and New Barn Lane will now have this new and unwelcome traffic going to and from the new buildings every day of the year.

I ask that the current plans be re-examined and ask that a solution bringing less unwelcome impacts on existing neighbours be found, thus preserving our existing amenity and safety.

Yours faithfully,



Your Reference: 25/00780/FUL

Comments on

Proposal: full application for the erection of 58 residential dwellings including access, parking, landscaping and associated works at Pittville School Albert Road Cheltenham

The proposed Plan will completely obliterate the existing view to the south from my house and it will therefore reduce enjoyment of my property and its monetary value. The same can be said by the occupants of the nine other houses making up the Greenfields development. The decision to develop the Pittville School site, along the the adjacent Starvehall Farm land, was conceived long ago, but was nevertheless made invisible to searches conducted by solicitors.

Despite the many years that it has taken to bring the overall development to fruition it has been badly carried out. The completed Starvehall Farm development has left the site now under consideration with a single, narrow access road. The new development proposed here therefore consists of a dense area of housing located in a cul-de-sac with one narrow vehicular connection to another narrow road that is part of the completed development. The main question facing the planners is whether this arrangement can meet the prevailing criteria of safety, particularly as regards emergency situations, where ready access/exit, manoeuvrability and effectiveness of emergency vehicles matter above all.

In general, safety considerations imply that there have to be some criteria limiting the number of houses (and therefore the expected number of vehicles) in a cul-de-sac, for given access conditions. There may well be an existing understanding of such criteria, which avoids guesswork or an inappropriate comparison with a similar situation elsewhere.

My instinct is that 58 houses must lead to too high a risk in this case, given the limited access, but only a dedicated Risk Assessment can decide the issue. It will remain a mystery why two road access points into the Pittville School site were not part of the Starvehall Farm plan.

[REDACTED]
9 Greenfields, New Barn Lane, Cheltenham GL52 3LG

Supported by

[REDACTED]
9 Greenfields, New Barn Lane, Cheltenham GL52 3LG

June 2, 2025

[REDACTED]
6 Greenfields
New Barn Lane
Cheltenham Glos
GL52 3LG
[REDACTED]

3rd June 2025

Mrs Lucy White
Planning Officer
Cheltenham Borough Council
Promenade
Cheltenham GL50 9SA

Dear Mr Gomm,

Your Reference: 25/00780/FUL Proposal: for the erection of 58 residential dwellings including access, parking, landscaping and associated works at Pittville School Albert Road Cheltenham

We are commenting as householders at Greenfields, New Barn Lane to **object** to this proposal. In general this proposal is detrimental to the area it involves and to us personally.

1. **Privacy** – Our property, has a small south facing garden of approximately 11 metres in depth. The new development has houses directly behind ours, which will block light into our garden and house and will increase noise pollution.. It will greatly affect our privacy because of the proximity of the houses.
2. **Access and Traffic** = The construction of 58 dwellings on the site with 153 parking spaces,, which has limited access will mean all vehicles leaving and entering through a single narrow access road. This will increase the risk of congestion, pollution and accidents especially in Broad Oak Way and New Barn Lane. In addition residents in Broad Oak Way already park their cars in the road outside their homes. That reduces access and the increased number of vehicles will undoubtedly increase the congestion and danger. Then there is emergency vehicle access. In short those risks should be properly assessed and CBC should ensure this is mandatory. The Council should look as a matter of urgency at another access/exit from the development onto Albert Rd. The concept of access through the existing road is totally unacceptable.
3. **Amenities**- The new proposal does not include sufficient amenities for the residents, The Starvehall Farm Development included various play areas and

green spaces where children can play and residents can enjoy green spaces without leaving the development. This new proposal means that children may not remain within the development but could use existing facilities in the area, namely Starvehall's. The developers should include green space and recreation facilities within the development itself. Sport England in their comments did suggest that the developers should also contribute to meeting the demand generated by the new development by providing funds for off-site facilities, For example Bovis (Starvehall Farm) provided a walking /running track and children's play area on Prestbury Playing Field.

4. **Wildlife** – As there is an existing wildlife corridor at the North East end of this area, still used by wildlife we suggest moving the green area on the development to the rear of the Greenfields houses rather than at the other end of the development by the school.. That would provide more space and privacy to the Greenfields houses as well as enhancing the wildlife area. Our houses are more affected by the new proposal than anywhere else because of the number of houses squeezed into the space directly behind them.

Basically there are too many houses on this plot of land, access is not feasible and we feel the plans need to be seriously re-examined. We ask that you take these comments into consideration in your review of the latest proposal.

Yours faithfully



CC C Gomm

Head of Planning

[REDACTED]
6 Greenfields

New Barn Lane

Cheltenham

Glos GL52 3 LG

Lucy White
Planning Officer
Cheltenham Borough Council
PO BOX 12
Promenade
Cheltenham
GL50 1PP

Date 23rd October 2025

FULL APPLICATION for the erection of 58 residential dwellings including access, parking, landscaping and essential works at Pittville School, Albert Rd, Cheltenham

Ref 25/00780/FUL

With reference to the above and the latest changes in the letter of 3rd October.

It has already been pointed out there are limited changes to the proposal. However it is essential that the limited access and egress along the narrow Rd into Broad Acre Way is addressed. This road was not intended for the additional traffic of an additional over 100 vehicles. The 2 roads leading onto New Barn Lane are not sufficient to cope with that additional traffic. Are there any provisions to control traffic entering and leaving New Barn Lane to enter the Starvehall development and into this proposed development ?

Thank you

Yours sincerely [REDACTED]
[REDACTED]

APPLICATION NO: 25/01296/FUL	OFFICER: Mr Ben Warren
DATE REGISTERED: 19th August 2025	DATE OF EXPIRY: EoT 22 nd December 2025
DATE VALIDATED: 19th August 2025	DATE OF SITE VISIT:
WARD: Park	PARISH:
APPLICANT:	The Applicant
AGENT:	SF Planning Limited
LOCATION:	1 Prinbox Works Saddlers Lane Tivoli Walk
PROPOSAL:	Redevelopment of the site to provide 6 no. dwellings following the demolition of the existing building.

RECOMMENDATION: Permit subject to a 106 Obligation



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site relates to a commercial building/s known as 'Prinbox Works', which currently accommodates 10 commercial units. The existing vehicular access and parking to the site is via Lypiatt Street, but the site is bound by the highways of Saddlers Lane and Tivoli Walk on two other sides. The site is located within Cheltenham's Principal Urban Area (PUA) and is Previously Developed Land (PDL). The site is also located in Cheltenham's Central Conservation Area and within the Tivoli Character area. Whilst some smaller commercial uses exist in the immediate locality, the predominant use in the area is residential.
- 1.2 The existing building/s on the site are largely two storeys with pitched roofs, although one central section is two storeys with a flat roof, and a single storey pitched roof element is located closest to Lypiatt Street. The facing materials are render, with metal roof coverings and white uPVC windows.
- 1.3 The applicant is seeking planning permission for the redevelopment of the site to provide 6 new dwellings following the demolition of the existing building/s.
- 1.4 During the course of the application process revised plans have been submitted in response to officer's comments; this is discussed in more detail below. An extension of time has also been agreed to allow for the consideration of these plans and determination of the application at planning committee.
- 1.5 The application is at planning committee at the request of Councillor Chelin due to the level of local interest and concerns regarding parking and design.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Airport Safeguarding over 45m
Conservation Area
Principal Urban Area

Relevant Planning History:

01/01103/FUL 28th September 2001 PER

Two windows to be replaced with two doors. enlarge four ground floor windows.

95/00068/PF 23rd March 1995 PER

Replace Existing Window With Fire Exit/Entry Door

82/00863/PF 25th November 1982 PER

Raising of roof levels to sections of works area

83/00929/PF 30th June 1983 PER

Replacement building to accommodate storage facilities and workshop

25/00054/PRIOR 21st February 2025 PARG

Change of use of ground and first floors from Use Class E (commercial, business and services) to Use Class C3 (residential) (6no units).

3. POLICIES AND GUIDANCE

Section 2 Achieving sustainable development

Section 4 Decision-making

Section 9 Promoting sustainable transport

Section 11 Making effective use of land

Section 12 Achieving well-designed places

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

Section 15 Conserving and enhancing the natural environment
Section 16 Conserving and enhancing the historic environment

Adopted Cheltenham Plan Policies

D1 Design
SL1 Safe and Sustainable Living
GI2 Protection and replacement of trees
GI3 Trees and Development
BG1 Cotswold Beechwoods Special Area of Conservation Recreation Pressure

Adopted Joint Core Strategy Policies

SD3 Sustainable Design and Construction
SD4 Design Requirements
SD8 Historic Environment
SD9 Biodiversity and Geodiversity
SD10 Residential Development
SD14 Health and Environmental Quality
INF1 Transport Network
INF2 Flood Risk Management

Supplementary Planning Guidance/Documents

Development on garden land and infill sites in Cheltenham (2009)
Climate Change (2022)
Central conservation area: Tivoli Character Area and Management Plan (July 2008)

Saved Local Plan

EM2 Employment Land

4. CONSULTATIONS

See appendix at end of report

5. PUBLICITY AND REPRESENTATIONS

- 5.1 24 letters were sent to neighbouring land users, 3 site notices were displayed, and an advert was published in the Gloucestershire Echo. Letters were again sent to neighbours and new site notices were displayed upon receipt of revised plans. A total of 22 letters of objection have been received in response to this neighbour notification process.
- 5.2 The concerns in response to the initial consultation process have been summarised but are not limited to the following issues:
- Parking congestion and pressures on existing limited on street parking
 - Access and highway safety concerns
 - Inappropriate design and impact on conservation area
 - Inappropriate scale and form of development/overdevelopment of the site
 - Construction impact
 - Environmental and ecological impacts
 - Impact on trees
 - Loss of privacy
 - Sewage capacity issues
 - Drainage
- 5.3 The comments in response to the revised consultation consultation process have been summarised but are not limited to the following:

- Previous concerns regarding design not addressed

5.4 It should be noted that in a couple of the representations received, there is general support for the redevelopment of the site for residential use.

6. OFFICER COMMENTS

6.1 Determining Issues

6.2 The main considerations in relation to this application are the loss of employment land, the principle of development, design and layout, impact on heritage assets, the impact of the proposal on neighbouring amenity, parking and highway safety, sustainability, flooding and drainage, contaminated land, Biodiversity Net Gain (BNG) and impact on the Beechwoods SAC.

6.3 Loss of employment land

6.4 The existing use of the site is commercial/offices, with this being the case, Cheltenham Plan policy EM2 is relevant to the considerations of the application. Policy EM2 seeks to protect existing employment land from a change of use, except in certain circumstances. Policy EM2 seeks to safeguard existing employment land and restricts a change of use outside of B1, B2, or B8.

6.5 Due to recent changes in the use classes order, with the use now being Class E, the building could be changed to a number of different uses within this use class without consent; some of which now fall outside of the former B1, B2, and B8 use classes. Therefore, there is no longer a policy that specifically protects the existing use of the site.

6.6 It is also important to note the recent planning history for the site, whereby prior approval for a change of use of the existing buildings to a residential use, creating 6 residential units, has already been granted, planning reference 25/00054/PRIOR. This permission is extant and is therefore relevant to the considerations of this application.

6.7 Given the above, the proposal is considered to be acceptable in terms of Cheltenham Plan Policy EM2.

6.8 Principle

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

6.10 Where housing policies are out-of-date (including situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites), the NPPF is quite clear that development proposals should be approved without delay unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the NPPF policies as a whole, or specific NPPF policies provide strong reason for refusal. At the time of considering this application Cheltenham cannot currently demonstrate a 5 year housing land supply, and therefore this presumption in favour of sustainable development is triggered.

6.11 As the council cannot currently demonstrate a 5 year housing land supply, paragraph 11 d) is applicable to this application. Paragraph 11 d) states that permission should be granted unless:

- i) The application of policies in the Framework that protect areas or assets of particular importance provides a strong reason for refusing the development; or
- ii) Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework.

6.12 In this instance the protected asset referred to in paragraph 11 d) i) is the conservation area.

6.13 JCS policy SD10 relates to residential development and advises how housing development and conversions to dwellings will be permitted on previously developed land in the Principal Urban Area (PUA). The application site is previously developed land, is located within a built-up area of Cheltenham, adjacent to existing residential development, with access to local amenities and public transport links. The site is in a highly sustainable location, is considered to be appropriate for residential development and is compliant with adopted JCS policy SD10.

6.14 Given the above, there is no fundamental reason to suggest that the principle of dwellings on this site would be unacceptable, subject to all other material considerations, which are discussed below.

6.15 Design, layout, landscaping and impact on the conservation area

6.16 Section 12 of the NPPF refers to achieving well designed spaces and states that planning decisions should ensure that developments are visually attractive as a result of good architecture, layout and appropriate and effective landscaping.

6.17 Adopted Cheltenham Plan Policy D1 requires new development to adequately reflect principles of urban and architectural design; and to complement and respect neighbouring development and the character of the locality. Furthermore, JCS policy SD4 relates to design, and identifies considerations to include context and character, legibility and identity, amenity and space.

6.18 Further detail can also be found in Cheltenham's Supplementary Planning Document – Development on Garden Land and Infill Sites. This document sets out various elements that are considered to create the character of an area and includes grain, type of building, location of buildings, plot widths and building lines.

6.19 Policy SD8 of the JCS relates to the historic environment and states how 'Designated and undesignated heritage assets and their settings will be conserved and enhanced as appropriate to their significance'. Section 16 of the NPPF also echoes the importance of conserving and enhancing heritage assets.

6.20 The application site has a prominent position in the street scene and is bound by three roads; Lypiatt Street, Tivoli Walk and Saddlers Lane. The site currently consists of two storey buildings with an L shaped footprint running along the southern and eastern boundaries of the site. An area in the northwest corner of the site is fully hard surfaced, provides car parking and is enclosed by a red brick boundary wall. A large tree is also located in this corner of the site. Existing access to the site is via Lypiatt Street. The existing buildings are finished in render with metal corrugated roof coverings which vary in height and roof profile. The building/site is noted as being a significant negative building/space in the Tivoli Character Area Management Plan. Overall, the existing buildings are generally considered to be an inappropriate, poor form of development in this location, and currently has a negative impact on the design and character of the area, including the conservation area.

- 6.21 The application proposes the demolition of the existing buildings and boundary walls and the erection of a part two storey and part three storey flat roof development to create six dwellings; 2no. 2 bed, 2no. 3 bed and 2no. 4 bed properties. The planning statement confirms the proposed dwellings all meet and exceed national space standards.
- 6.22 Both Cheltenham Architects Panel and Cheltenham's Civic Society have commented on the proposed development, full details are in the appendix at the end of this report. Neither object to the principle of the development and are generally in favour of redevelopment for residential. However, the Civic Society raise concerns regarding design; they consider the approach to be unsympathetic to local character and the proposed materials to be inappropriate. In contrast, the Architects Panel are supportive of the design approach, but instead question whether too many units are proposed and suggest that it may be overdevelopment. Concerns over scale, form and design are also raised in comments received from residents.
- 6.23 In terms of site layout, the building footprint would occupy a large portion of the site, but would introduce some small, open landscaped areas along the western boundary of the site (Lypiatt Street). The existing tree located on the corner of Lypiatt Street and Tivoli Walk is also to be retained. Three of the proposed dwellings would have their vehicular access point and off road parking provision from Lypiatt Street, the other three dwellings would be accessed from Saddlers Lane. Plots 1 and 2 would have their main frontage and front doors facing on to Lypiatt Street, whilst plots 5 and 6, would have their main frontages facing on to Saddlers Lane. Plots 3 and 4 address their corner plot positions and have a frontage and the front door facing Tivoli Walk.
- 6.24 With regards to building lines, the elevation fronting Lypiatt Street would respect the building line of existing development to the south, whilst development on all other sides would reflect that of the existing built form and is consistent with the general pattern of development in the area.
- 6.25 Each dwelling would have 2 off road parking spaces, with dedicated bin and bike storage. Plots 1, 2, 5 and 6 all have some form of external courtyard area and external terraces, whilst plots 3 and 4 only have external terrace areas as their private amenity space. External roof terraces at second floor were originally proposed and would have served plots 3 and 4, however these were removed following concerns raised by officers. Given the site's urban context, officers consider the extent of external amenity space proposed for these dwellings to be appropriate and acceptable. Railings are proposed along the Lypiatt Street and Tivoli Walk frontages, which would reflect boundary treatments in the locality and is also considered to be acceptable.
- 6.26 The proposal is for a reasonably dense form of development, with limited landscaped areas and modest provision of external amenity space for each dwelling. However, the pattern of development in the locality is dense, and officers are mindful that the NPPF, at paragraph 130, requires decisions to avoid homes being built at low densities and to ensure developments make optimal use of the potential for each site. In this instance, given the site context and the extent of existing built form already on the site, officers consider the site density to be acceptable.
- 6.27 With regards to scale, the proposed development is for a contemporary part two storey and part three storey flat roof development. The existing buildings on the site have varying roof heights; the outline of the existing buildings are shown on the proposed elevation drawings, which allows a comparison of existing and proposed. Whilst the proposed development seeks to include an additional floor of accommodation in some areas, it is demonstrated that the overall height in these areas does not exceed that of the higher existing pitched roof form of the existing buildings. The top floor accommodation (second floor) is significantly smaller in footprint than that of the lower floors, and is set in from the site boundaries, enabling this additional floor to read

recessive in scale. Whilst three storey accommodation is not characteristic in the immediate locality, when considering the height of development compared to the existing buildings on the site, overall, officers do not consider the proposed scale of development to be unacceptable or inappropriate.

- 6.28 As originally submitted, officers raised some initial concerns regarding the living conditions for future occupiers of the proposed dwellings; namely, officers queried the level of natural light to plots 5 and 6 and the extent of outlook due to a limited number of windows to the main living areas and these being somewhat compromised. In response, revised plans have been provided, and these plots now have feature rooflights providing direct, unobstructed daylight and sunlight. These rooms are also served with multiple windows on all sides. Overall, the revised plans have addressed officer's concerns in this regard.
- 6.29 In terms of design, the approach is clearly contemporary, officers acknowledge the form and design is in contrast to the existing form of residential development nearby, which typically consists of traditional two storey terraced properties with pitched roofs. However, the parapet details and shallow roof angles mean the pitched roofs are often not fully appreciated in the street scene. Officers are not of the view that the proposed contemporary and flat roof form of development is unacceptable for the redevelopment of this site, and consider that it will read as a standalone, contemporary, infill development. Officers do not consider a pastiche form of development to be appropriate for this site and would limit the potential for achieving the best site density. Officers welcome an overall contemporary design approach for the redevelopment of this site.
- 6.30 The top floor is proposed to be finished in a bronze-coloured standing seam metal cladding which contrasts with the buff coloured brick of the lower floors. The windows are proposed to be bronze coloured aluminium, providing some cohesion with the finish of the top floor. Timber cladding is proposed for ground floor feature walls and is used in the louvre details at first floor. Officers acknowledge that the proposed palette of materials would contrast with that of existing development in the immediate locality, however, the overall form and design is clearly contemporary, and, in this case, the proposed materials are considered appropriate.
- 6.31 Overall, officers are of the view that the development achieves an acceptable layout and scale of development, and the proposed design and appearance is considered to achieve a good quality contemporary development for this site.
- 6.32 With regards to impact on heritage assets, in this case, there are no listed buildings in the immediate context that would be affected by this development. However, the site is within the Central Conservation Area and falls within the Tivoli Character Area. As already discussed, officers consider the existing development on the site to have a negative and harmful impact on the design and character of the conservation area. The redevelopment of the site is therefore welcomed. Given officers comments above on the scale, form and design, officers are of the view that the proposed redevelopment of the site, as proposed, would be a significant betterment to the site and its surroundings, and is considered to enhance the conservation area.
- 6.33 Having considered all of the above, overall, officers consider the proposal to be of an acceptable scale, form and design and will not result in any unacceptable harm to the design or character of the area and is therefore considered to be compliant with Cheltenham Plan policy D1, JCS policy SD4, SD8 and Cheltenham's SPD – Development on Garden Land and infill sites.
- 6.34 Whilst the general site layout is acceptable, and a general landscape plan has been submitted, specific landscaping details have not been provided, officers consider it necessary for further details to be provided and therefore an appropriate landscaping

plan has been suggested. Further design related detail, including material samples are also considered necessary and therefore relevant conditions have been suggested.

6.35 **Impact on neighbouring amenity**

- 6.36 It is necessary to consider the impact of development on neighbouring amenity. JCS Policy SD14 and Cheltenham Plan Policy SL1 state how development should not cause unacceptable harm to the amenity of neighbouring properties. Matters such as a potential loss of light, loss of privacy, loss of outlook, noise disturbances and overbearing impact will therefore be considered.
- 6.37 Due to the sites position, there are many residential properties that are in close proximity to, and have varying relationships to the site, however there is only one physically adjoining land user, which is number 36 Lypiatt Street to the south. The front elevations of the existing terraced properties on Lypiatt Street and Tivoli Walk face towards the application site, as do the mews style buildings located on Saddlers Road. In contrast it is the rear elevation and rear gardens of properties on Tivoli Street that face towards the application site.
- 6.38 Officers are mindful of the existing built form already located on the application site, and have had particular regard to the position of the existing building/s and their relationship with neighbouring land users, as well as the position of existing windows, the existing use and the extant permission for conversion of the building to residential flats. With all of this in mind, it is necessary for officers to consider whether the proposed development results in any greater impact on neighbouring amenity than that of the existing development, or that of the extant permission.

Privacy

- 6.39 For properties to the east of the site, the existing building has a large number of windows in this elevation which directly face the existing properties on the other side of Saddlers Lane and also look towards the rear gardens of properties on Tivoli Street. The proposed development will have less first floor openings than that of the existing building and as such, officers raise no concerns with regards to a loss of privacy to the properties and gardens to the east.
- 6.40 New windows on the Tivoli Walk and Lypiatt Street elevations will directly face the front elevation windows of properties on the other side of the road; this is a common relationship for development in built up residential areas where terraced properties are positioned either side of the highway; officers consider this relationship to be acceptable in this location and do not consider it would result in any unacceptable loss of privacy. There would be no overlooking of private amenity space of properties to the north or west as a result of the proposed development.
- 6.41 To the south of the site is 36 Lypiatt Street, whose garden runs along the shared boundary with the application site. There are no openings proposed in the elevation located adjacent to number 36 Lypiatt Street's garden. Openings are however located at second floor level, however these are significantly set away from this boundary and therefore would not result in any unacceptable overlooking of this properties garden or the neighbouring gardens to the south.
- 6.42 Through revisions, the top floor external terrace areas have been removed and has therefore removed any privacy concerns in this regard.
- 6.43 It should also be noted that the design of the proposed development includes louvre details on a number of first floor openings which would provide a certain level of screening, and in some cases may improve upon the existing situation.

Light and outlook

- 6.44 When considering any potential loss of light or loss of outlook, officers must consider whether the proposed development has any greater impact on neighbours than that of the existing development. As already noted, the proposed elevation drawings include the outline of the existing commercial buildings and therefore show where any differences in scale and height arise. The relevant 25 degree light test is also shown. The plans show that the proposed development would have a lesser impact on the existing properties on Saddlers Lane than the existing building; this is also the case for properties on Tivoli Walk. The plans further show that the development comfortably passes the 25 degree light test for properties on Lypiatt Street.
- 6.45 Officers acknowledge that the larger footprint of the proposed development means there will be a greater impact on some of the properties that currently have an outlook over the north western section of the site, namely those properties at 1 – 4 Lypiatt Street, 46 Lypiatt Street and 12 Tivoli Walk, however, the relationship of this proposed development with these dwellings would be the same as that of adjoining properties, and for the reasons discussed above, any impact on these properties in terms of light and outlook is not considered to be to an unacceptable level in this context.
- 6.46 Number 36 Lypiatt Street shares a boundary with the application site and sits to the south of the existing building/s. The southern elevation of this existing buildings extend the entire length of this neighbouring plot, and are a full two storeys in height, with gable roof forms. The proposed development would also include development on this shared boundary, but not to the same extent, as there are breaks in the building line to form the 'lightwells' within the development. It is also demonstrated on the elevation drawings that the flat roof form of development on the shared boundary would have a lower overall height than that of the existing development. Where the additional storey is proposed, this is not positioned in a way that would directly impact this neighbouring site. Overall, officers consider this proposed development could offer some betterment in terms of light, overbearing impact and overshadowing on this neighbouring garden and those properties further south.

Noise and disturbance

- 6.47 The proposed use of the site for residential is wholly appropriate in this context and will likely offer some betterment to neighbouring land users over that of the existing commercial use. The change of use of the site would mean HGV vehicles would no longer be accessing the site and vehicular trips to and from the site would likely reduce, therefore likely improving noise and disturbance in this regard.
- 6.48 Due to the nature and scale of the proposed development, and the close proximity of neighbouring residential properties, it is considered that suitable measures are necessary to minimise the disruption to the public highway and to adjacent land users. Two conditions have therefore been recommended, one requires the submission of a construction management plan and the other requires the submission of scheme for demolition.
- 6.49 A query was raised by the Council's Environmental Health Officer with regards to the proposed Air Source Heat Pumps (ASHP) and potential noise implications. Two of the proposed ASHP's were shown to be located close to the shared boundary with number 36 Lypiatt Street. Having raised concerns about their location, these have been relocated. A condition which requires the ASHP's to be installed and operated in accordance with the latest MCS20 standards has been suggested. A further query related to the potential use of piling for foundations; the applicant's agent was not able to confirm if such a process would be required due to further site investigations being

necessary. Both officers and the agent agree that a suitable condition is appropriate in this regard, and one has therefore been recommended.

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

6.51 **Sustainability**

6.52 JCS policy SD3 requires new development to be designed and constructed to maximise the principles of sustainability. Development proposals are required to demonstrate how they contribute to the aims of sustainability and shall be adaptable to climate change in respect of the design, siting, orientation and function of buildings and outside space.

6.53 Further supporting text which discusses JCS policy SD3 identifies how the design of development should first identify measures to reduce overall energy demand before the use of renewable energy technologies. It is noted that this can be achieved through the choice of building fabric and construction techniques, optimising solar gain, natural lighting and ventilation to reduce the need for heating, cooling and lighting. It also suggests that design measures should seek to use energy more efficiently, such as increasing levels of insulation and improved air-tightness.

6.54 It is also important to note that Cheltenham has an adopted Supplementary Planning Document – Cheltenham Climate Change (adopted June 2022) which is relevant to the considerations of this application. This SPD sets out a strategy for how buildings should respond to the climate change and biodiversity crisis and sets out how applicants can successfully integrate a best practice approach towards climate and biodiversity in their development proposals.

6.55 The application is supported by an energy statement which discusses some of the key points in the climate change SPD.

6.56 The application proposes the inclusion of the following specific low carbon technologies:

- Solar panels are to be installed on the flat roof areas at second floor
- Air Source Heat Pump's (ASHP's) are to be installed for each property
- Green roofs

6.57 Officers also note that current building regulations will require the installation of Electric Vehicle Charging points which will also contribute to the sustainability of the proposal.

6.58 A condition is recommended which requires the installation of the solar panels, ASHP's and Green roofs prior to occupation of the units.

6.59 Having considered all of the above, the development is considered to be compliant with JCS policy SD3 and Climate Change SPD and the proposed measures are welcomed.

6.60 **Contaminated Land**

6.61 The Council's Contaminated Land Officer identifies the site as having the potential for land contamination due to its historic use, and, as the proposed plans show there to be areas of soft landscaping, a contaminated land survey is considered necessary and shall include any appropriate remediation works. A condition has therefore been recommended.

6.62 Impact on trees

- 6.63 A single tree is located within the north west corner of the application site and is protected by its position within the conservation area. The applicant has submitted an arboricultural impact assessment, which includes proposed tree protection measures. The tree officer has reviewed the submitted documents and whilst they have encouraged the applicant to consider giving this tree more space about it, they also confirm that if the works adhere to the submitted information, the tree will be suitably protected. Relevant conditions have been recommended. With the conditions in place, the development is considered to accord with Cheltenham Plan policies GI2 and GI3 which requires the protection and replacement of trees.

6.64 Highway and parking considerations

- 6.65 The site layout provides individual vehicular access points for each proposed dwelling, with the provision of two off street parking spaces per dwelling. The access points would be along Lypiatt Street and Saddlers Lane. Each proposed dwelling also has a dedicated bin and bike storage area.
- 6.66 As originally submitted, the application documents suggested the introduction of double yellow lines along Tivoli Walk, spanning the length of road that runs adjacent to the northern boundary of the application site; this was suggested to be secured by an appropriate Traffic Regulation Order (TRO) with Gloucestershire Highways. The applicants believed this would be necessary from an access and highway safety perspective. Many of the objections from local residents in response to the original consultation process was in relation to parking congestion and a loss of on-street parking as a result of the proposed development and proposed introduction of double yellow lines. As originally proposed, a total of 10 existing on-street parking spaces would have been lost, 7 as a result of the proposed double yellow lines and a further 3 would be lost as a result of the proposed development and need for dropped kerbs to serve the new accesses on Lypiatt Street.
- 6.67 Gloucestershire County Council as the Local Highways Authority (LHA) were consulted on this application, their detailed comments can be read in the appendix at the end of this report. In their original response, no objection was raised, with the LHA confirming that 2 off road parking spaces per new dwelling is sufficient for development in this location. They also confirm that the loss of 3 on street parking spaces to facilitate the development can be accommodated elsewhere on-street within 200m of the site. Overall, the LHA concluded there would be no unacceptable impact on highway safety or a severe impact on congestion. Conditions were recommended which related to access implementation, reinstatement of redundant accesses and bicycle storage.
- 6.68 The original response from the LHA did not discuss or make reference to the suggested proposal for double yellow lines along Tivoli Walk or the requirement for a TRO for such a proposal. Clarification of this was therefore sought and a further response from the LHA was received. On this point, they have confirmed that they do not feel it appropriate to recommend a TRO to be progressed as this would result in the loss of 10 spaces rather than just 3 spaces. They also further highlight that there are already parking restrictions in place at the junction of Tivoli Walk with Lypiatt Street and at the entry into Saddlers Lane and as such those proposed measures would not be necessary in highway safety terms. As the LHA do not require the TRO, the applicant has updated their submission, removing this proposal. This therefore means that on-street parking along Tivoli Walk would be unaffected.
- 6.69 It is still acknowledged that 3 on street parking spaces would be lost as a result of the proposed development, and local residents express concerns with existing on-street

parking demand, however, Highways raise no concerns or objection with regards to parking.

6.70 Having considered all of the above, the development is not considered to result in any unacceptable highway safety implications, is considered to achieve a suitable access, parking provision and appropriate provision of cycle storage facilities. The development therefore accords with JCS policy INF1.

6.71 The suggested conditions from highways are considered necessary and therefore have been included in the suggested conditions. Due to the level of concern around parking pressures in the area, officers also consider a further condition to be necessary which would seek to retain off street parking for that purpose only.

6.72 **Flooding and drainage**

6.73 The application site is located wholly within flood zone 1, and as per the governments long term flood risk data, the site is at very low chance of surface water flooding and very low risk of flooding from rivers.

6.74 Concerns have been raised by local residents with regards to the existing sewer capacities and question whether the existing infrastructure area can cope with this further development.

6.75 The Council's drainage officer and Severn Trent have reviewed and commented on the application; their full comments can be read in the Appendix at the end of this report.

6.76 Severn Trent raise no objection, subject to a condition which requires the submission of a detailed foul and surface water drainage strategy. The Council's drainage officer initially requested further details about the proposed drainage strategy, but having considered the agents response and acknowledging that the site already drains to a combined sewer, they have confirmed that it would be appropriate for the details to be dealt with at discharge of condition stage. Additional information regarding the recommended approach has been included by way of informative.

6.77 With the condition included, the development is considered to be acceptable in terms of flooding and drainage and accords with JCS policy INF2.

6.78 **Ecology**

6.79 The application is supported by a Preliminary Ecological Appraisal. The Council's ecologist has reviewed the details of the application, their full comments can be read at the end of this report.

6.80 The ecologist confirms that the assessment identifies the buildings as having negligible suitability for roosting bats and the site having very limited suitability for other protected species.

6.81 The ecologist raises no concerns with the proposed development but recommends appropriate conditions which require the works to be carried out in accordance with the recommendations within the Preliminary Ecological Appraisal, the submission of a Biodiversity enhancement scheme and the submission of external lighting details prior to installation. These conditions have been included in the suggested conditions.

6.82 **Bio-diversity Net Gain**

6.83 As of 2nd April 2024, all minor developments for new housing requires a mandatory 10% Biodiversity Net Gain. Whilst this application is minor development for six new residential dwellings, the council's ecologist has confirmed this proposal falls within the de-minimus

exemption and therefore the 10% gain does not apply. Nevertheless, there is still a requirement to provide gain; in this instance, other than the existing tree located in the far northwest corner of the plot, the site is void of any soft landscaping. The proposed site layout includes some landscaped areas to the front of plots 2, 3 and 4. Whilst these are only small areas of landscaping, they do offer some betterment to the existing situation. Plots 1, 2, 5 and 6 also have grassed landscaped areas, however these are internalised within the development. Green roofs are also proposed for this development.

6.84 Overall, given the existing lack of landscaping, the proposed soft landscaping is considered to be a suitable enhancement for the site.

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

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

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

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

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

6.90 **Removal of Permitted Development Rights / restrictive conditions**

6.91 The development has been carefully considered in terms of design and its impact, as such, officers consider it necessary to remove permitted development rights to ensure the design and quality of the scheme is retained.

6.92 It is also considered necessary to restrict the use of the flat roof areas to ensure these are not used as external terraces or amenity spaces, use as such could be harmful to the design of the development and could result in amenity implications.

6.93 **Other considerations**

Public Sector Equality Duty (PSED)

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

- Removing or minimising disadvantages suffered by people due to their protected characteristics;

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

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

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

7. CONCLUSION AND RECOMMENDATION

- 7.1 At the time of considering this application, the council cannot currently demonstrate a 5-year housing land supply and therefore the housing policies of the development plan are out-of-date. With this being the case, the NPPF requires development proposals to be approved without delay, unless a strong reason for refusing development has been identified (NPPF para 11 d) i), or, any adverse impacts of doing so would significantly and demonstrably outweigh the benefits of the scheme (NPPF para 11) d) ii), when assessed against the NPPF policies as a whole.
- 7.2 With regards paragraph 11 d) i), in this instance, the protected asset, relates to the Conservation Area.
- 7.3 Paragraph 11 d) ii) of the NPPF requires any harm to be weighed against the public benefits of the development, and consideration is given to whether any adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies of the framework as a whole. In this instance, the main benefits of the scheme include:
- the provision of 6 residential units to Cheltenham’s much needed housing stock,
 - the redevelopment of a poor quality building/site in the conservation area
- 7.4 Having considered all of the above, officers do not consider there to be a strong reason to refuse the application when considering impact on the conservation area. Furthermore, any identified harm is not considered to be of a level that would significantly and demonstrably outweigh the benefits of the scheme, as such, the tilted balance in favour of sustainable development is engaged.
- 7.5 With the above in mind, officer recommendation is to permit the application subject to conditions as set out below. The applicant has confirmed their agreement to the relevant pre-commencement conditions and the two further conditions.
- 7.6 The officer recommendation is also subject to a S.106 agreement with respect to securing mitigation against the recreational pressures on the Beechwoods SAC.

8. CONDITIONS / INFORMATIVES

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

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

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

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

- 3 Notwithstanding the submitted details, prior to commencement of development hereby approved, detailed drainage plans for the disposal of foul and surface water flows shall have first been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.

Reason: To ensure that the development is provided with a satisfactory means of drainage as well as reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution, having regard to adopted policy INF2 of the Joint Core Strategy (2017). Approval is required upfront because the design of the drainage is an integral part of the development and its acceptability.

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

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

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

Reason: In the interests of the character and appearance of the area, having regard to adopted policies D1, GI2 and GI3 of the Cheltenham Plan (2020), and adopted policies SD4 and INF3 of the Joint Core Strategy (2017). Approval is required upfront because the landscaping is an integral part of the development and its acceptability.

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

- a) External facing materials (details shall include a written specification and physical samples of the materials)
- b) Louvre details

The works shall not be carried out unless in accordance with the details so approved.

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 policies SD4 and SD8 of the Joint Core Strategy (2017).

- 6 Prior to first occupation of the development, refuse and recycling storage facilities shall be provided in accordance with the approved plans and shall be retained as such thereafter.

Reason: In the interests of sustainable waste management and recycling, having regard to Policy W36 of the Gloucestershire Waste Local Plan.

- 7 Prior to first occupation of the development, secure covered cycle storage shall be provided in accordance with the approved plans. The cycle storage shall thereafter be retained available for such use in accordance with the approved plans at all times.

Reason: To ensure the adequate provision and availability of cycle parking, so as to ensure that opportunities for sustainable transport modes have been taken up, having regard adopted policy INF1 of the Joint Core Strategy (2017).

- 8 Notwithstanding the submitted details, the Air Source Heat Pump's (ASHP) shall be installed in accordance with the Schedule 2, Part 14, Class G of The Town and Country Planning (General Permitted Development) (England) Order 2015 (As Amended), unless in accordance with details which shall have first been submitted to and approved in writing by the local planning authority. The details shall include acoustic information relating to the operation of the ASHP and should relate to the closest noise receptors, in line with MCS020 assessment.

The air source heat pumps shall be installed prior to first occupation of each dwelling, and maintained as such thereafter.

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

- 9 All works shall be carried out in full accordance with the recommendations contained in the Preliminary Ecological Appraisal (All Ecology, May 2025), unless otherwise first approved in writing by the local planning authority.

Reason: In the interest of bio-diversity and ecological enhancement having regard to Adopted Joint Core Strategy SD9 and section 15 of the NPPF.

- 10 Notwithstanding the submitted details, before above ground works commence a scheme for biodiversity enhancement, such as the incorporation of permanent bat roosting feature(s), and nesting opportunities for birds, shall be submitted to and agreed in writing with the Local Planning Authority. The approved details shall be implemented prior to the occupation of any of the dwelling houses hereby permitted, and thereafter retained and maintained for the lifetime of the development;

The scheme shall include, but not be limited to, the following details:-

- i. Description, design or specification of the type of feature(s) or measure(s) to be undertaken;
- ii. Materials and construction to ensure long lifespan of the feature/measure;
- iii. A drawing(s) showing the location and where appropriate the elevation of the features or measures to be installed or undertaken; and
- iv. When the features or measures will be installed within the construction, occupation, or phase of the development.

Reason: In the interest of bio-diversity and ecological enhancement having regard to Adopted Joint Core Strategy SD9 and section 15 of the NPPF.

- 11 Prior to the installation of external lighting for the development hereby approved, a lighting design strategy shall be submitted to and approved by the Local Planning Authority.
- Reason: In the interest of bio-diversity, having regard to Adopted Joint Core Strategy SD9 and section 15 of the NPPF.
- 12 The development hereby approved shall not be occupied until the means of access for vehicles, pedestrians and cyclists have been constructed and completed as shown on drawing 24.20.016 PL112 B.
- Reason: To ensure a safe and suitable access to the development is provided and maintained in the interests of highway safety, having regard to adopted policy INF1 of the Joint Core Strategy (2017).
- 13 The vehicular accesses hereby permitted shall not be brought into use until the existing vehicular access to the site (other than that intended to serve the development) has been permanently closed in accordance with details to be submitted to and agreed in writing beforehand by the Local Planning Authority.
- Reason: To ensure a safe and suitable access to the development is provided and maintained in the interests of highway safety, having regard to adopted policy INF1 of the Joint Core Strategy (2017).
- 14 Prior to commencement of the development hereby permitted details of a construction management plan shall be submitted to and approved in writing by the Local Planning Authority. The approved plan shall be adhered to throughout the demolition/construction period. The plan/statement shall include but not be restricted to:
- a) 24 hour emergency contact number
 - b) details for parking of vehicle of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
 - c) Advisory routes for construction traffic;
 - d) Any temporary access to the site;
 - e) Locations for loading/unloading and storage of plant, waste and construction materials;
 - f) Method of preventing mud and dust being carried onto the highway;
 - g) Arrangements for turning vehicles;
 - h) Arrangements to receive abnormal loads or unusually large vehicles;
 - i) Highway Condition survey;
 - j) Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.
 - k) noise controls and mitigation
 - l) measures for controlling the use of site lighting whether required for safe working or for security purposes.
- Reason: To safeguard the amenity of adjacent properties and the general locality and in the interests of safe operation of the adopted highway, having regard to adopted policy SL1 of the Cheltenham Plan (2020) and adopted policies SD14 and INF1 of the Joint Core Strategy (2017).
- 15 The vehicle hardstandings hereby approved shall be surfaced in bound materials and not have any loose stone or gravel and must be drained, details of which shall be submitted to and approved in writing by the Local Planning Authority.
- Reason: To ensure a safe and suitable access to the development is provided and maintained in the interests of highway safety, having regard to adopted policy INF1 of the Joint Core Strategy (2017).

- 16 Prior to first occupation of the development, parking facilities shall be provided in accordance with the approved plans. Such areas shall not be used for any purpose other than the parking and shall remain free of obstruction for such use at all times.

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

- 17 All works, including demolition, site clearance and construction shall only take place between the following hours Monday-Friday 07:30hrs -18:00hrs, Saturday 08.00hrs - 13:00hrs nor at any time on Sundays, Bank or Public Holidays.

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

- 18 Prior to the commencement of development, including any works of demolition, a contaminated land assessment and associated remedial strategy shall be submitted to and approved by the Local Planning Authority (LPA). The development shall thereafter be carried out with the details so approved, and any identified remedial works shall be undertaken.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with the relevant policies in the Cheltenham Plan (2020) and adopted Joint Core Strategy (2017).

- 19 Prior to demolition of any buildings on the site, a demolition management plan shall be submitted to and approved in writing by the Local Planning Authority. The demolition plan shall include measures to control noise, dust, vibration and other nuisance during the demolition phase. No demolition shall be carried out unless in accordance with the approved details.

Reason: To safeguard the amenity of adjacent properties and the general locality, having regard to adopted policy SL1 of the Cheltenham Plan (2020) and adopted policy SD14 of the Joint Core Strategy (2017). Approval is required upfront because without proper mitigation the use could have an unacceptable environmental impact on the area.

- 20 Should the development require piling, prior to the commencement of foundation installation, a piling foundation method statement shall be submitted to and approved in writing by the Local Planning Authority. The details shall include background base measurements of noise and mitigation measures to control both noise/vibration and dust. The development shall be undertaken in accordance with the details approved.

Reason: To safeguard the amenity of adjacent properties and the general locality, having regard to adopted policy SL1 of the Cheltenham Plan (2020) and adopted policy SD14 of the Joint Core Strategy (2017). Approval is required upfront because the mitigation scheme may be integral to the overall design of the development.

- 21 The development shall be carried out in accordance with the details set out in the 'Arboricultural survey, impact and tree protection details', produced by mhp, received on the 18th August 2025 and drawing number 25096A.502 included within it.

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).

- 22 The tree protective fencing to BS 5837:2012 shall remain in place and in accordance with the details shown in drawing number 25096A.502 included within the 'Arboricultural survey, impact and tree protection details', 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).

- 23 The flat roof areas of the development hereby permitted shall not be used as a balcony, roof garden or other external amenity area at any time. Access to the flat roof shall be for maintenance purposes only.

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

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

Reason: Any further extension or alteration requires further consideration to safeguard the amenities of the area, having regard to adopted policies D1 and SL1 of the Cheltenham Plan (2020) and adopted policies SD4, SD8 and SD14 of the Joint Core Strategy (2017).

- 25 Prior to first beneficial occupation of the development hereby approved the following sustainability features shall be installed

- a) Solar panels
- b) Air source heat pumps
- c) Green/grass roofs

The features shall be maintained as such thereafter.

Reason: To ensure that the development contributes towards the mitigation of Climate Change, having regard to Strategic Objective 6, policies SD3 and INF5 of the Joint Core Strategy (2017) and the guidance set out in Cheltenham Climate SPD (adopted 2022).

INFORMATIVES

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

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

In this instance, the authority sought a number of minor revisions to the scheme;

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

- 2 Before undertaking any work on site, all applicants must determine if Severn Trent has any assets in the vicinity of the proposed works. This can be done by accessing our records at www.digdat.co.uk

Severn Trent Water advise that even if our statutory records do not show any public sewers within the area you have specified, there may be sewers that have been recently adopted under The Transfer of Sewer Regulations 2011.

Our records indicate that there are no assets that may be affected by this proposal, however it is the duty of the site owner to confirm this is the case before any work takes place.

Public sewers and Water mains have statutory protection and may not be built close to, or diverted without consent, consequently you must contact Severn Trent Water to discuss your proposals. Severn Trent will seek to assist you obtaining a solution which protects both the public sewer and the proposed building.

- 3 The Local Highway Authority has no objection to the above subject to the applicant obtaining a section 184 licence. The construction of a new access will require the extension of a verge and/or footway crossing from the carriageway under the Highways Act 1980 - Section 184 and the Applicant is required to obtain the permission of Gloucestershire Highways on 08000 514 514 or highways@gloucestershire.gov.uk before commencing any works on the highway. Full Details can be found at www.gloucestershire.gov.uk .
- 4 The development hereby approved and any associated highway works required, is likely to impact on the operation of the highway network during its construction (and any demolition required). You are advised to contact the Highway Authorities Network Management Team at streetworks@gloucestershire.gov.uk before undertaking any work, to discuss any temporary traffic management measures required, such as footway, Public Right of Way, carriageway closures or temporary parking restrictions a minimum of eight weeks prior to any activity on site to enable Temporary Traffic Regulation Orders to be prepared and a programme of Temporary Traffic Management measures to be agreed.
- 5 Drainage arrangements shall be provided to ensure that surface water from the driveway and/or vehicular turning area does not discharge onto the public highway. No drainage or effluent from the proposed development shall be allowed to discharge into any highway drain or over any part of the public highway.
- 6 It is expected that contractors are registered with the Considerate Constructors scheme and comply with the code of conduct in full, but particularly reference is made to "respecting the community" this says:

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

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

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

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

- 7 Should a survey of the existing building (prior to any work beginning) indicate the presence of any asbestos containing materials, the works to the site will need to be undertaken in accordance with the legislation surrounding asbestos removal and the waste disposed of in a legally compliant manner.
- 8 The applicant should be aware that bats are legally protected under Regulation 41 of the Conservation of Habitats and Species Regulations 2017 and Section 9 of the Wildlife and Countryside Act 1981 and the grant of planning permission does not remove this legal protection.

A grant of planning permission does not remove the legal protection afforded to bats and their roosts. If, during the works, any bats (or signs of bats, such as droppings) are found, an immediate halt should be called and a bat worker/ecologist should be consulted to determine if and how the works can proceed lawfully, with or without a mitigation licence.

- 9 The surface water drainage scheme shall be in accordance with the National standards for sustainable drainage systems (SUDS) <https://www.gov.uk/government/publications/national-standards-for-sustainable-drainage-systems>. Standards 1.2 and 1.3 outline the hierarchy of runoff destinations and state: “to utilise a lesser priority final destination, appropriate evidence shall be provided that demonstrates all higher priority final destinations have been utilised to the maximum extent practicable. Higher cost alone shall not be a reason to utilise lower priority final destinations”.

Consultations Appendix

Cheltenham Civic Society - 9th September 2025

This is an important site. We support on balance the principle of residential development, but strongly oppose the design, which is incongruous and unsympathetic to the conservation area. The extensive on-site parking is unnecessary and contributes to the inappropriate design; parking in the area should be addressed by rapid introduction of a controlled parking zone (CPZ). A much better design is needed to fulfil the site's potential. Consent should not be given to this proposal.

We comment on four elements of the proposal.

1 The principle of development

Consent has already been granted for change of use of the site to create 6no. residential units (25/00054). This change means a further loss of commercial floorspace and comes at a time when other former employment sites are coming up for change of use to residential. This trend should be kept under review because the cumulative loss of commercial sites across the town may discourage economic activity.

However, this particular site is appropriate for housing as it is in a highly accessible area well served by public transport and within easy walking distance of the town centre and its many employment opportunities. Housing development here can encourage active travel and contribute to meeting the town's housing targets.

2 Design

The existing buildings have no merit, and redevelopment is an opportunity to improve the area. The Planning (Listed Buildings & Conservation Areas) Act 1990, s72, imposes a duty to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area. NPPF 12:

Achieving well-designed places, para 135, calls for developments that will "function well and add to the overall quality of the area ...are visually attractive ... are sympathetic to local character and history, including the surrounding built environment ... establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places".

The development as proposed does not fulfil the s72 duty and is actively unsympathetic to local character and history, which is well recorded and analysed in the council's character area appraisal of 2008 for the Tivoli area, along with planning guidance designed to ensure that new building is sympathetic to it. This proposal should improve the coherence of the character area, yet the applicant seems determined to create something that stands out rather than integrates. The Planning Statement (3.2, 3.3) claims that the development will "ensure the dwellings sit sensitively within the surroundings and do not detract from the character or setting of this part of the conservation area. ..The proposed design will also make a positive contribution to the street scene" are simply not borne out by the design.

The failure to understand the character of the conservation area is illustrated by the repeated references to "Georgian" terraces and architecture. The streets around are in fact built in two consistent styles of early and mid-Victorian artisan terraces with a late 20th century copy across Tivoli Mews. They all adopt easily replicated proportions and use stucco rendering, and this could be done in a variety of ways, including in modern/contemporary style. Instead, these basic characteristics of the Tivoli Character Area are wholly ignored. Page 13 of the DAS, which illustrates a street frontage, claims that the following materials used in the scheme "reinforce [its] residential and contextual quality:

- "Buff-coloured brick, laid in both stretcher bond and vertical stack patterns, creating subtle textural variation.

- Natural timber front doors and garage doors, contributing to the warm and tactile character of the dwellings.
- Vertical timber cladding at ground floor level, visually softening the façade and adding warmth.
- Timber louvre panels and balustrades at first floor level, offering privacy and a contemporary interpretation of traditional detailing.
- Bronze cladding to the set-back second-floor volumes, providing a recessive and modern contrast that reduces visual impact on the streetscape. “

In fact, the Tivoli character area terraces include none of these features. The claim that “at ground floor level, front yards are defined by railings set on masonry plinths, a detail that directly references the heritage boundary treatments typical of the Georgian terraces along Lypiatt Street, reinforcing the continuity of the streetscape and respecting the character of the Conservation Area” is plain wrong. The cheap, plain railing illustrated has nothing to do with the surviving railings fronting terraces nearby.

In short, the design and materials fail to match the vernacular of the character area in any way. As a result, they do not meet the requirements of Tivoli Character Area Appraisal and Management Plan, Cheltenham Plan Policy D1 Design, nor of a series of national policies including National Design Guide (NDG) C1, C2, 11, 12, 13, B2, H2, H3 and NPPF 16. A much better design is required - one that responds to context and enhances the conservation area.

3 Parking

The development provides two off street parking spaces per dwelling, presumably to lessen pressure on on-street parking. However, this site is highly accessible, well served by bus and train and within a few minutes walk of the town centre and the Bath Road shopping centre. If this site is not suitable for a development that discourages car use, it is difficult to imagine one that is. The attempt to accommodate on-site parking for two cars contributes to the unsympathetic street frontage, the minimal private open space and the introduction of terraces that will create overlooking and noise nuisance. It would be better to plan for on street parking on the basis that one or no car is needed. The location of the internal parking spaces also means there is no net gain in parking since existing spaces on the street must be sacrificed to gain entry to the private spaces.

There is a parking problem in Tivoli, but it arises from it being an uncontrolled parking area next to areas that are CPZs. This means that non-residents park in the area – sometimes for a long period – to avoid charges. Councillor surveys have previously demonstrated this, whilst the CPZ bays in Lansdowne consistently have low occupancy. The solution to parking in Tivoli is rapid implementation of a CPZ. Short term amelioration through a flawed design is the wrong answer.

4 Tree

The design is to be commended for retaining the fine existing false acacia tree. An improved scheme should do the same.

Cheltenham Civic Society - 17th November 2025

Regarding the revised plans dated 03 Nov 2025, our original objections still stand. None of the changes made respond to our concerns (or indeed to those of many objectors).

Severn Trent Water Ltd - 9th October 2025

With reference to the above planning application the Company's observations regarding sewerage are as follows.

Severn Trent requests that any approval be conditioned as follows:

- o The development hereby permitted should not commence until drainage plans for the disposal of foul and surface water flows have been submitted to and approved by the Local Planning Authority, and
- o The scheme shall be implemented in accordance with the approved details before the development is first brought into use.
- o Planning Practice Guidance and section H of the Building Regulations 2010 detail surface water disposal hierarchy. The disposal of surface water by means of soakaways should be considered as the primary method. If this is not practical and there is no watercourse available as an alternative, other sustainable methods should also be explored. If these are found unsuitable satisfactory evidence will need to be submitted before a discharge to the public sewerage system is considered. No surface water to enter the foul or combined water systems by any means.

Reason

To ensure that the development is provided with a satisfactory means of drainage as well as reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.

IMPORTANT NOTE: With regard to network capacity, this response only relates to the public waste water network and does not include representation from other areas of Severn Trent Water, such as the provision of water supply or the protection of drinking water quality.

Please note for the use or reuse of sewer connections either direct or indirect to the public sewerage system the applicant will be required to make a formal application to the Company under Section 106 of the Water Industry Act 1991. They may obtain copies of our current guidance notes and application form from either our website (www.stwater.co.uk) or by contacting our Developer Services Team (Tel: 0800 707 6600).

Suggested Informative - affected sewers and water mains

Before undertaking any work on site, all applicants must determine if Severn Trent has any assets in the vicinity of the proposed works. This can be done by accessing our records at www.digdat.co.uk

Severn Trent Water advise that even if our statutory records do not show any public sewers within the area you have specified, there may be sewers that have been recently adopted under The Transfer of Sewer Regulations 2011.

Our records indicate that there are no assets that may be affected by this proposal, however it is the duty of the site owner to confirm this is the case before any work takes place.

Public sewers and Water mains have statutory protection and may not be built close to, or diverted without consent, consequently you must contact Severn Trent Water to discuss your proposals. Severn Trent will seek to assist you obtaining a solution which protects both the public sewer and the proposed building.

Should you require any further information please contact us on email below.

Ecologist - 2nd October 2025

We have reviewed the Preliminary Ecological Appraisal (All Ecology, May 2025), Design and Access Statement (Coombes: Everitt Architects, May 2025) and Proposed Site Plan (Coombes: Everitt Architects, April 2025), and our response with regards to ecology is provided below.

The site was surveyed in April 2025, which included an extended UK Hab survey, a Daytime Bat Walkover and a badger walkover survey. The site was found to comprise buildings, hardstanding, a false acacia tree and a brick wall. The tree is shown to be retained and

protected from the development.

The buildings were considered to have negligible suitability for roosting bats, and the site has very limited suitability for other protected species.

The site lies within the 15.4km zone of influence around the Cotswold Beechwoods SAC, and as the proposed development will lead to a net increase in residential dwellings, Natural England should be consulted. A financial contribution to the strategic mitigation strategy will be required.

The proposed development is exempt from mandatory Biodiversity Net Gain under the de minimis exemption. We would still expect the site to be enhanced for wildlife, and recommendations have been made, which include integrated bat tubes/ boxes, native planting, nest boxes for swifts, house martins and general bird boxes.

Requirements prior to commencement/conditions to be attached to planning consent:

All works shall be carried out in full accordance with the recommendations contained in the Preliminary Ecological Appraisal (All Ecology, May 2025).

Notwithstanding the submitted details, before above ground works commence a scheme for biodiversity enhancement, such as the incorporation of permanent bat roosting feature(s), and nesting opportunities for birds, shall be submitted to and agreed in writing with the Local Planning Authority. The approved details shall be implemented prior to the occupation of any of the dwelling houses hereby permitted, and thereafter retained and maintained for the lifetime of the development;

The scheme shall include, but not be limited to, the following details:-

- i. Description, design or specification of the type of feature(s) or measure(s) to be undertaken;
- ii. Materials and construction to ensure long lifespan of the feature/measure;
- iii. A drawing(s) showing the location and where appropriate the elevation of the features or measures to be installed or undertaken; and
- iv. When the features or measures will be installed within the construction, occupation, or phase of the development.

Prior to the installation of external lighting for the development hereby approved, a lighting design strategy shall be submitted to and approved by the Local Planning Authority. The details shall clearly demonstrate that lighting will not cause excessive light pollution or disturb or prevent bat species using key corridors, forage habitat features or accessing roost sites. The strategy will:

- a. Identify the areas/features on site that are particularly sensitive for nocturnal species;
- b. Show how and where external lighting will be installed (including the type of lighting), so that it can be clearly demonstrated that areas to be lit will not disturb or prevent nocturnal species using their habitats or wildlife corridors.
- c. show the position and luminance levels of proposed external lighting and how this responds to the landscape setting of the area.
- d. Methods to control lighting control (e.g. timer operation, passive infrared sensor (PIR)).

The scheme should be implemented and maintained in accordance with the approved details for the lifetime of the development.

Gloucestershire Centre For Environmental Records

22nd August 2025 - Comment available to view in documents tab.

GCC Highways Planning Liaison Officer - 7th October 2025

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

The justification for this decision is provided below.

I gave my preliminary views on this application for the determination of the prior approval application No. 25/00054/PRIOR in my response dated 10 February 2025, in which I recommended no objections to the principle of development at this site.

After careful consideration of all the submitted information in support of the application, including the findings in the transport Statement, I again, raise no objections to the development.

I reiterate that the provision of 10 car parking spaces for the 6 units of accommodation is acceptable. This level of car parking will ensure that there is sufficient to cater for the residents rather than parking on-street; I have also acknowledged the findings in the Transport Statement that the 3 parking spaces displaced by the proposed development can be accommodated elsewhere on-street within about 200m of the site.

Individual secure storage facilities for bicycles and refuse storage have been provided for each Unit and this is satisfactory.

A further advantage of allowing this development is that it will now remove the need for HGV delivery lorries to arrive at the premises.

The Highway Authority has undertaken an assessment of the planning application. Based on the analysis of the information submitted the Highway Authority concludes that there would not be an unacceptable impact on Highway Safety or a severe impact on congestion. There are no justifiable grounds on which an objection could be maintained.

Conditions

Completion of Vehicular Accesses - Shown on the approved plans

The development hereby approved shall not be occupied until the means of access for vehicles, pedestrians and cyclists have been constructed and completed as shown on drawing 24.20.016 PL112.

Reason: In the interest of highway safety.

Reinstatement of Redundant Access

The vehicular accesses hereby permitted shall not be brought into use until the existing vehicular access to the site (other than that intended to serve the development) has been permanently closed in accordance with details to be submitted to and agreed in writing beforehand by the Local Planning Authority.

Reason: In the interests of highway safety.

Bicycle Parking

The Development hereby approved shall not be occupied until the sheltered, secure and accessible bicycle parking have been provided in accordance with the details shown on plan 24.20.016 PL112. The storage area shall be maintained for this purpose thereafter.

REASON: To promote sustainable travel and healthy communities

Construction Management Plan

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

- o Parking of vehicle of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
- o Advisory routes for construction traffic;
- o Any temporary access to the site;
- o Locations for loading/unloading and storage of plant, waste and construction materials;
- o Method of preventing mud and dust being carried onto the highway;
- o Arrangements for turning vehicles;
- o Arrangements to receive abnormal loads or unusually large vehicles;
- o Highway Condition survey;
- o Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.

Reason: In the interests of safe operation of the adopted highway in the lead into development both during the demolition and construction phase of the development.

Construction of vehicle hardstandings

The vehicle hardstandings hereby approved shall be surfaced in bound materials and not have any loose stone or gravel and must be drained, details of which shall be submitted to and approved in writing by the LPA.

Reason: In the interests of safety for all users of the highway.

Informatives

Alterations to Vehicular Access

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

Impact on the highway network during construction

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

site to enable Temporary Traffic Regulation Orders to be prepared and a programme of Temporary Traffic Management measures to be agreed

No Drainage to Discharge to Highway

Drainage arrangements shall be provided to ensure that surface water from the driveway and/or vehicular turning area does not discharge onto the public highway. No drainage or effluent from the proposed development shall be allowed to discharge into any highway drain or over any part of the public highway.

Construction Management Plan (CMP)

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

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

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

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

Environmental Health - 12th September 2025

Environmental Health Conditions:

For the construction phase to be kept within the times of work as follows: 07:30 - 18:00 Monday - Friday and 08:00 - 13:00 Saturdays with no works to take place on a Sunday or Bank Holiday and to be mindful of noise when deliveries arrive at the site.

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

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

- measures for controlling the use of site lighting whether required for safe working or for security purposes.

Historic maps show the site itself as being potentially contaminated land due to its historic use as a printing works. The submitted plans demonstrate that there will be areas of soft landscaping and therefore a full and intrusive site survey will need to be undertaken prior to the build commencing. The survey is to check on the extent of any possible contamination and the extent of any remedial work which may need to be undertaken to ensure the safety of future receptors. The contaminated land survey and any associated remediation proposals will need to be made available to this department for review and we may at that stage put forward further conditions to ensure recommendations from the survey are adhered to which would mitigate the transfer of any known contamination on human receptors.

Informative:

Should a survey of the existing building (prior to any work beginning) indicate the presence of any asbestos containing materials, the works to the site will need to be undertaken in accordance with the legislation surrounding asbestos removal and the waste disposed of in a legally compliant manner.

Queries:

The ground floor plans show an ASHP for each property, although the energy statement states that the option is between ASHP or GSHP, therefore please could the applicant confirm this.

If the applicant decides to install an ASHP's- they will need to liaise with the Planning Authority prior to any works starting relating to an ASHP. This is to assess if the ASHP can be installed under PD or not. If it is not covered by PD - the Environmental Health department will require further acoustic information relating to the operation of the pump prior to any works taking place. the Environmental Health department would require further acoustic information relating to the operation of the ASHP. This would involve the acoustic information from the closest noise sensitive receptor and not just manufacture output levels. The MCS020 assessment could be utilised to present the ASHP acoustic information, which would be reviewed and have to be approved by the department prior to any works taking place. As an advisory, the MCS assessment provides a useful starting point, but shall the department deem necessary after review, further acoustic information may also be required. If the applicant indicates that they will be installing an ASHP, please can we request that we are further consulted by the Planning team.

Will piling be required on site? If so, please could the below be attached:

Prior to any piling activities being carried out on site, a detailed piling plan which identifies the likely impact of piling activities and suitable mitigation of those effects, shall be submitted to and approved in writing by the Local Planning Authority. All piling works shall thereafter be carried out in accordance with the approved details

Tree Officer - 5th September 2025

The proposal will recontextualise a fair quality false acacia into a much smaller space. This will likely increase pressure on the tree (e.g. for heavy pruning or removal) and will limit views of the tree from the public realm. However, the application has met the recommendations in BS5837 (2012). It would be preferable to afford this tree more space and for the scale of development to be reduced but if the AIM and TPP are adhered to, damage to the tree during demolition and construction will be limited.

Drainage And Flooding - 2nd December 2025

As discussed, the notwithstanding submitted details condition is appropriate in this instance as the site already drains to the combined sewer, which is an acceptable destination once all other options have been exhausted.

Suggested informative for this application to add below

The surface water drainage scheme shall be in accordance with the National standards for sustainable drainage systems (SUDS) <https://www.gov.uk/government/publications/national-standards-for-sustainable-drainage-systems>. Standards 1.2 and 1.3 outline the hierarchy of runoff destinations and state: “to utilise a lesser priority final destination, appropriate evidence shall be provided that demonstrates all higher priority final destinations have been utilised to the maximum extent practicable. Higher cost alone shall not be a reason to utilise lower priority final destinations”.

Drainage And Flooding - 1st December 2025

The application has now confirmed it intends to discharge surface water to a combined sewer which is lowest priority for runoff destinations in the SUDS standards. As per SUDS standard 1.3, appropriate evidence needs to be provided that demonstrates all higher priority final destinations have been utilised to the maximum extent practicable. Options for infiltration or discharge to the surface water sewer in Andover Road do not appear to have been explored.

Drainage And Flooding - 5th September 2025

Further detail is required on the proposed surface water runoff destination at planning stage. The Design and Access Statement indicates the presence of an existing surface water sewer connection; however, STW maps only indicate combined sewers adjacent to the site.

Finer details of the drainage design can be conditioned, noting that the proposed 20% reduction in surface water runoff rate is not acceptable as the final design will be reviewed against the National SuDS Standards (2025) and requirement 3.21 will apply.

Architects Panel - 29th September 2025

Design Concept

The panel had no objection to the principle of this development, but did have a concern, due to the size of the units that there may be one too many.

It was acknowledged that the scheme is a significantly positive addition to the street scene over the existing commercial buildings.

Design Detail

Overall the panel liked the approach and consideration of the scheme. Elements such as the curved vehicle access on Saddlers Lane, the treatment of the tree corner, the railings and overall materiality and general arrangement of massing elements. The buff bricks can work very successfully if done well.

One particular concern centred on the quite narrow shaft created between the rears of units 1 & 2 and 5 & 6 that might suggest the overdevelopment of the site.

The treatment of the corner with the tree also raised discussion given its prominence and treatment with new railings. The panel wondered whether a refresh of plot six would be beneficial to enable the front entrance to replace the bin store.

Details such as location of ASHP's and flimsy door canopies needs careful consideration - could entrance doors be set in instead?

The small terraces were not entirely convincing and it was unclear whether they were all open to the sky or not.

Recommendation

Support in principle, but refine some areas and consider deleting one unit to improve amenity space.

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APPLICATION NO: 25/01296/FUL		OFFICER: Mr Ben Warren
DATE REGISTERED: 19th August 2025		DATE OF EXPIRY : 14th October 2025
WARD: Park		PARISH:
APPLICANT:	The Applicant	
LOCATION:	1 Prinbox Works Saddlers Lane Tivoli Walk	
PROPOSAL:	Redevelopment of the site to provide 6 no. dwellings following the demolition of the existing building.	

REPRESENTATIONS

Number of contributors	22
Number of objections	22
Number of representations	0
Number of supporting	0

2 Tivoli Walk
Cheltenham
Gloucestershire
GL50 2UX

Comments: 10th September 2025

We would like to add our support to our neighbours objections to this development as it stands.

The observations of the civic society and others identify clearly that the development as proposed would be detrimental to the Tivoli area.

14 Lypiatt Street
Cheltenham
Gloucestershire
GL50 2TY

Comments: 15th September 2025

Letter and photographs attached.

14 Lypiatt Street
Cheltenham
Gloucestershire
GL50 2TY

Comments: 15th September 2025

Here is a video my wife took very recently highlighting how far we typically have to park from our house on lypiatt st (no14) , it's rare to get a spot on the road as it is. These plans will impact tivoli walk as well, which is going to make parking significantly harder for the

current residents. The proposal as it stands is offensive and completely disregards the needs of the existing residents of the street.

Thanks

From*****Sent: Sunday, September 14, 2025 7:32:18 pm
To:*****
Cc: dccomments@cheltenham.gov.uk
Subject: Re: 25/01296/FUL

To whom it may concern,

Further to my husband ***** email below, please see the attached video taken by myself - *****_*****wife also residing at 14 Lypiatt st, Cheltenham GL50 2TY- this video was taken at 19.50pm on Monday evening 8th September 2025 , I drove around looking for a space, but had to park at the very top of Tivoli walk - on the corner, outside the bed and breakfast apartments that lead onto Hatherley street- I walked down Hatherley street, and started filming walking through Princes street and onto Lypiatt street to show how people are even parking on double yellow lines, as there are no spaces. This is a regular occurrence. We would need to have residents parking to safeguard our spaces.

Yours sincerely

4 Llandudno Villas
Lypiatt Street
Cheltenham
Gloucestershire
GL50 2TZ

Comments: 10th September 2025

As a long term resident of Lypiatt Street, I am concerned regarding the loss of Parking Spaces. What guarantee will we have we can park in the Street, which is not always likely at present? Will any size vehicle be able to turn in and Park into Saddlers Lane Properties?

What use was it surveying the Street 6.00-6.30 and 22.00-2030 I assume this has been done very recently, i.e. School Holiday Season and before the Uni is back!

Has any consideration been given to the speed limit, i.e.30 at present should it not be 20mph, as many people like to 'cut through between the Park & Town. They become cross when we are unloading or are trying to reverse back out into Princes Road! These various aspects subtract from our quality of life!

We have had NO STREET LIGHTS for at least 8 weeks! This in itself is becoming an issue and to add to that, my vehicle is old and someone damaged the Wing Mirror 2 weeks ago when it was parked at the kerbside, during the evening! The Children are

back at School and dark nights will soon be here, surely this should be a matter of urgency for the National Grid, I know ***** has been chasing them up!

I am sure there are many more points I could try and raise, and many will be highlighted by neighbours.

One further point I would like to make is that Prinbox, as it is now has several parking spaces but I never seem to see it half full even. I realise it could be for Directors/Managers who are out on business a great deal of the time.

4 Llandudno Villas
GL502TZ

14 Lypiatt Street
Cheltenham
Gloucestershire
GL50 2TY

Comments: 8th October 2025

Dear Sir / Madam,

I am writing as a local resident of 14 Lypiatt Street, Cheltenham (GL50 2TY) to object to the above planning application.

My objection relates primarily to the unacceptable impact this proposal would have on local parking availability, traffic congestion, and highway safety within the Tivoli and Lypiatt area.

1. Increased Pressure on On-Street Parking

The proposal for six new dwellings will inevitably generate additional parking demand from residents, visitors, deliveries, and tradespeople.

The streets surrounding Saddlers Lane and Tivoli Walk — including Lypiatt Street — already experience severe parking pressure, particularly during evenings and weekends.

This development does not appear to provide adequate off-street parking provision, meaning further displacement of vehicles onto surrounding residential streets. This would increase congestion, inconvenience existing residents, and in some cases obstruct access for emergency and service vehicles.

2. Highway Safety Concerns

The additional parking stress and vehicle movements will likely lead to cars parking closer to corners, junctions, and driveways, reducing visibility for both drivers and pedestrians.

Given the narrow nature of Tivoli Walk and the surrounding roads, this presents a clear highway safety risk, particularly for children and elderly residents walking in the area.

Without sufficient on-site parking or traffic management measures, the proposal fails to protect the safety and convenience of existing road users.

3. Failure to Meet Local Planning and Parking Standards

The development appears inconsistent with Cheltenham Borough Council's adopted parking standards as informed by the Manual for Gloucestershire Streets. Each dwelling is expected to generate at least one parking space, with visitor provision on top of that.

By not demonstrating sufficient off-street capacity, the proposal conflicts with the Joint Core Strategy Policies INF1 (Transport Network) and SD4 (Design Requirements), which require safe and suitable access, adequate parking provision, and avoidance of unacceptable transport impacts.

4. Lack of Sustainable Transport Mitigation

While the proposal may reference sustainable transport options, there are no clear or enforceable measures (such as secure cycle storage, electric vehicle charging points, or travel plan commitments) to realistically reduce private car dependency. Without these measures, the proposal will intensify local parking and traffic problems rather than alleviate them.

5. Suggested Mitigation if Approved

If the Council is minded to approve the application, I respectfully request that the following conditions or obligations be applied to mitigate the impact:

1. Restriction on residents' parking permits for the new dwellings within existing controlled parking zones.
2. Provision of adequate off-street parking spaces to meet local standards.
3. Requirement for secure cycle storage and EV charging facilities for all dwellings.
4. A post-occupation parking survey to monitor and address any adverse parking displacement.
5. A contribution towards local traffic management or parking control measures if parking congestion worsens.

Conclusion

In summary, the proposed redevelopment of Prinbox Works would cause an unacceptable impact on parking availability, highway safety, and residential amenity in the surrounding streets.

The application fails to demonstrate compliance with local planning policy or adequate mitigation for these impacts.

For these reasons, I respectfully request that Cheltenham Borough Council refuse planning application 25/01296/FUL.

Comments: 9th September 2025

We live at 14 Lypiatt Street and we are very concerned about the worsening parking situation that will happen if these apartments are built- as it will decrease even further any parking availability for local residents. We have ***** , and it is becoming increasingly difficult and unsafe to get the children in and out of the car, particularly when I'm forced to park some distance from our house as there are no free spaces on Lypiatt street- people who work in the town are already parking and leaving their cars here all day, to have more apartments will increase the issues. Our ***** and has no road awareness, which makes the situation even more challenging and potentially dangerous. On many occasions I have had to stop in the middle of the street with my hazard lights on just to get the children safely out of the car or to unload a family shop as I can not park near my house. This is happening more frequently as parking pressures grow. We strongly support the introduction of residential parking permits to safeguard spaces for the people who live here. Without this, the problem will only get worse - especially once the new apartments are built. Thank you *****

Trewsbury
Lypiatt Street
Cheltenham
Gloucestershire
GL50 2TY

Comments: 3rd September 2025

Dear Sir/Madam,

I am writing to object to the above application on the grounds of highways and parking harm, conflict with Conservation Area duties, and procedural deliverability issues.

1. Loss of Public On-Street Parking

The Transport Statement confirms that the scheme will result in the removal of 3 spaces on Lypiatt Street and 7 spaces on Tivoli Walk (Transport Statement 5.32, 7.1). This equates to the permanent loss of 10 valuable public spaces relied upon daily by existing residents and visitors.

2. Inadequate Replacement and Flawed Parking Survey

The applicant justifies this loss by claiming a theoretical 214 available spaces in the wider area, calculated by dividing kerb length by 5.75 m (TS 7.5). However:

- The survey was conducted on a single weekday (Thu 1 May 2025) at 06:00-06:30 and 22:00-22:30 only (TS 7.6-7.7). This is not representative of weekend or daytime demand.
- The methodology ignores driveways, dropped kerbs, junctions, and refuse staging areas, inflating the supposed capacity.
- The TS itself acknowledges existing footway parking on Tivoli Walk (TS 7.4), demonstrating real-world stress on kerbside space.

3. Safety Concerns - Visibility and Speed

The TS assumes a 20 mph design speed for visibility splays (2.4 m × 22 m), despite Lypiatt Street being a posted 30 mph road (TS 5.7-5.12). No speed survey evidence is provided. Reliance on "side friction" from parked cars is speculative and unsafe.

4. Conservation Area Harm (Section 72 Duty)

The site lies within the Tivoli character area of the Cheltenham Central Conservation Area (Design & Access Statement 3.0; Planning Statement p.4). Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special attention to preserving or enhancing character.

- The creation of multiple new crossovers, extended double yellow lines, and loss of continuous street frontage will introduce visual clutter and forecourt parking, eroding the historic character of Lypiatt Street.
- These highway alterations themselves should be subject to heritage impact assessment, which has not been provided.

5. Deliverability Dependent on TRO

The TS acknowledges that the proposed highway changes (extended double yellows) require a Traffic Regulation Order (TRO) (TS 5.20, Appx I). TROs are not guaranteed and require statutory consultation, with the public able to object. Without a confirmed TRO, the development is not deliverable in the form assessed. A Grampian condition should be imposed at minimum.

6. Other Omissions and Risks

- Visitor/Trades Parking: No provision is made for visitors or tradespeople, despite loss of 10 public bays.
- Waste & Servicing: With reduced kerb length, refuse staging is likely to obstruct sightlines and footways.
- Construction Impact: Narrow streets and Tree Protection CEZs (Tree Survey 6.2.8-6.2.10) will constrain access; a Construction Traffic Management Plan is absent.
- Ecology: The Preliminary Ecological Appraisal confirms nesting bird potential; demolition or pruning must avoid March-August or be subject to pre-works survey (PEA 4.9-4.13).
- Trees: The retained tree is within the Conservation Area and legally protected (Tree Survey 5.2.5, TPO section).

7. Policy Conflict

The proposal conflicts with:

- NPPF 111 - development should be refused where there are "unacceptable impacts on highway safety" or "severe residual cumulative impacts."
- Cheltenham Local Plan policies on transport and heritage.
- Section 72 duty - no demonstration of "preserve or enhance" to the Conservation Area.

8. Requested Actions

I respectfully request that the Council refuse the application.

If the LPA is nevertheless minded to approve, I request robust conditions/obligations including:

1. Grampian condition - no commencement/occupation until the TRO is confirmed and implemented.
2. Commitment to introduce a Controlled Parking Zone (CPZ) for Lypiatt Street and Tivoli Walk, ensuring residents are prioritised in parking allocation.
3. Stage 1 Road Safety Audit and ATC speed survey - to be undertaken and designs amended before approval.
4. Parking Management Plan - covering provision for visitors and trades.
5. Construction Traffic Management Plan - covering routing, contractor parking, and tree protection.
6. Waste & Servicing Plan - showing safe bin staging away from sightlines.
7. Ecology and Tree Protection - pre-commencement surveys, CEZ compliance, and lighting controls.
8. Detailed SuDS/drainage design - permeable surfacing and on-site attenuation.

Conclusion

The proposal removes vital public parking, reduces safety, harms the Conservation Area, and is not deliverable without a separate TRO. It should therefore be refused or deferred until proper evidence and parking controls (via a residents' permit scheme) are secured.

14 Tivoli Street
Cheltenham
Gloucestershire
GL50 2UW

Comments: 8th September 2025

Planning Application for Prinbox Tivoli Cheltenham
Redevelopment of the site to provide 6 no. dwellings following the
demolition of the existing building.

25/01296/FUL

1 Prinbox Works Saddlers Lane Tivoli Walk Cheltenham Gloucestershire GL50 2UX

I am writing to formally object to the proposed six-bedroom housing development at The Prinbox.

I added my complaint last year along with many other neighbours when the proposed 'change of use' plans for the Prinbox were published. It was immediately apparent that trying to fit six dwellings into that space would detrimentally affect the whole area. The new plans are equally problematic.

We know Cheltenham is very attractive to investors and developers and that there is pressure for change, be it large scale new build or small incremental alterations, but we live in a conservation area here in Tivoli with particular characteristics which over time have already been diminished by poor building choices during a period in time when many, low-quality, high-density dwellings were erected which have not aged well and detract from the character of these lovely, old streets.

Issues

Parking - safety and over-crowding.

Parking in these small streets has been an issue for many years and despite numerous surveys by the council nothing has happened to ameliorate the situation for the residents. Tivoli is the last free parking in Cheltenham and everyone uses it.

At one point the press reported that a near-by flying school was advising their students to use our streets for long term parking. Shoppers and workers use these streets to park in. We have disabled parking slots which use 1.5 spaces. The two pubs have customers who take up space in the day and evenings when residents arrive home and can't find space to park. We even have a new, 'change of use' hairdressing salon and an import/export business using multiple spaces and both bringing more traffic and pressure on parking spaces. The residents themselves have friends and family to visit and many have two or three cars per household. People even turn up in camper vans and spend a few weeks at a time. The festivals bring chaos to our streets with people wanting free, easy access to the venues.

Moreover, a couple of years ago, we lost double-digit, on-street parking spaces to double yellow lines. One of the reasons cited for painting the lines was due to limited manoeuvring for emergency vehicles due to too many cars parked.

This new development will further remove double-digit, on-street parking capacity so, where are existing residents of Tivoli supposed to park our cars and where are friends, family and other visitors to the new dwellings supposed to park?

The planned development states, ""The site is bounded by roads on three sides, allowing convenient access to off -street parking for each dwelling."

This is a gross exaggeration.

In fact, the site is actually bounded by one normal road (Lypiatt street) and one very tight and narrow road (Tivoli Walk) and one tiny, private track (Saddlers lane) which runs up the back of the houses between Tivoli street and Lypiatt street. Mostly, it is grassy and bumpy with inconvenient access to the tight, narrow Tivoli Walk. It is ludicrous that this dirt track will be home to croft garages for four cars! In addition, the house on the end of Tivoli street and Tivoli walk runs some kind of import/export business so has vans stopping outside to load and unload on a regular basis. Equally, the pub on the corner of Tivoli Walk has regular beer and miscellaneous deliveries.

As this design stands, for every off-road car space planned, the street loses the same and more parking. Drawings show no cars parked on Tivoli Walk on the side of the development. We cannot lose these spaces.

The parking issue, is in itself enough to say no to this over-developed housing scheme until a parking solution for the whole area has been identified, agreed and implemented. There are disputes regularly outside with cars and vans getting stuck. How on earth are all these new proposed cars supposed to navigate the small roads?

It is the job of the Council to discourage additional traffic from using unsuitable local roads but here we are!

"POLICY BE 7 PARKING ON FORECOURTS OR FRONT GARDENS IN CONSERVATION AREAS Objective O11 Development which introduces or extends the parking of vehicles on forecourts or front gardens of buildings in conservation areas will not be permitted."

Design problems

1)

The design shows 'croft-style' parking. It rains... A LOT.. in Cheltenham. In 2007, I believe, the area flooded, basements flooded... yet this design suggests a low flood risk?! The basement at no. 12 Tivoli street was enlarged over the last decade to try to create extra head height however, the builders hit the water table and created many problems as a result. There was pumping equipment outside for days.

Some neighbours who have lived in Tivoli for decades talk about the river that runs underneath us. To create under-house parking in Saddlers Lane without undertaking necessary research to establish the water line is insane. Simply, these two proposed units on that side should be removed along with their 'croft-style' parking or they will be regularly flooded.

The residents should be able to see in advance of any approval, that a comprehensive survey of the infrastructure is carried out so that existing land drainage, sewerage will not be overwhelmed and that a chaotic build is avoided when it inevitably becomes apparent that the whole of the area requires upgrading to accommodate the new additions. We've seen many examples of the Suffolks rendered impassable to traffic over the years as newer sewers had to be installed. OR, you could just build a less demanding development that really does blend into the Tivoli environment.

"POLICY UI 3 SUSTAINABLE DRAINAGE SYSTEMS Objective O30 In new developments the incorporation of Sustainable Drainage Systems will be required. Where this is not practicable developers will be required to demonstrate fully why the development cannot incorporate sustainable drainage systems and how the development manages surface water drainage. " - It rains a lot in Cheltenham! Digging up the roads for new infrastructure will cause mayhem.

"POLICY UI 2 DEVELOPMENT AND FLOODING Objective O30 New development will only be permitted where it would: not increase the quantity or rate of surface water run-off and not have a direct and adverse effect on a watercourse or its flood defences; and not impede access to flood defence and management facilities.

The minimum standard of attenuation required will be the difference in run-off between that for a 1 in 100 year storm prior to development and a 1 in 100 year storm post development. The restriction and reduction of surface water run-off is likely to require the use of sustainable drainage systems"

2)

"Development in conservation areas is supposed to preserve or enhance the character or appearance of an area, development is most likely to be acceptable if it harmonises with an area's special architectural and visual qualities."

The Tivoli conservation housing area is mainly comprised of two storey terraced housing with front and back gardens built in the 1880s. The scale and mass of the proposed development fails to respect the special character and quality of the area.

The roof lines and messy mix of materials is rather something that can be seen all over Cheltenham on new estates and bears no relationship with the existing style of the Tivoli streets. The design is alien to the existing street scene of simple lines, elegant railings, flowered front gardens, chimney pots and coloured walls.

The mass of the proposed design crowds the space whereas the existing street scenes open up the space- you can see the sky.

Rather it is an unsuitable mass blob which harms the conservation area and detracts from the proportions in relation to adjoining properties with its stylistically unsuitable features such as the pink cladding. We face some pink cladding at the back of our house and it has not aged well over time and leaks so it constantly requires remedial works despite only being installed a few years ago.

One tree left from the original site does not constitute a contribution to the environment. The development should be scaled back so that so these messy lines can be removed and a street scene created that is congruent with the existing.

Allegedly, there is some kind of garden on the proposed plans and a tree but only facing Lypiatt Street. Do other neighbouring properties not deserve something green to break up the mass of the other facades? Tivoli is comprised of front and back gardens, this development is devoid of both.

3)

"Some development has occurred in conservation areas which have eroded this character, and the continued, cumulative effects of even small reductions in open space can have a significant effect on Cheltenham Borough Local Plan Second Review: Adopted July 2006 30 the character and appearance of conservation areas. For these reasons, development which will have an adverse impact upon the green and open character of the conservation areas will be resisted."

One of the important elements in all the conservation areas is their residential character. For the most part they originally consisted of individual houses. It has produced areas of great beauty and an environmental character, which it is important to retain.

A viable use for buildings is essential, but if residential uses at original densities can be retained this will help to preserve the more subtle aspects of the character of the areas, connected, for example, with intensity of use. It will, for example, reduce the pressure for car parking in gardens and may well help to produce a stable community concerned to help take responsibility for individual buildings, gardens and the neighbourhood.

It is important that, where this character remains, it is strongly protected, particularly in conservation areas. Over-development can intensify activity in an area and erode quiet residential character through the cumulative effects of many small changes, including additional pressure for parking space, both on and off the highway... and can have an adverse impact on the light, privacy and amenity space of adjoining properties.

"The hotchpotch of different additions and alterations made over the years cannot simply be eliminated, but the Council will resist the extension of this random diversity of elements." I would like to see the Council resist this hotchpotch.

I appreciate your time and consideration and welcome further discussion on these matters.

Many, many residents of Tivoli are concerned that this development is done well and in such a way as to enhance the quality of our environment and community. The current offering is lacking in this respect and must be challenged.

13 Lypiatt Street
Cheltenham
Gloucestershire
GL50 2TY

Comments: 8th September 2025

In general terms we are pro the intention to develop the site into houses and feel 6 units seems appropriate without overdeveloping the site.

We welcome the green space introduced to the corner of Lypiatt St & Tiv Walk, retaining the existing tree and improving the visibility of that junction.

However, we feel the design and materials are out of keeping for residential properties within the area, brick on such a large scope is not suitable.

The view down the street from Andover Rd will be compromised, although Prinbox is not beautiful it is set back and so your eye is drawn to the attractive Georgian terraces. None of the CGI images or elevation drawings issued show any detail of the existing streetscape and there are no photomontages to give the proposals context.

The façade design (although an improvement on what is currently there) is now on the same line as the Georgian streetscape (not set back like the current industrial units) and should be more in keeping or complement the existing streetscape in order to preserve the special character of the area which stretches across several streets in parallel.

The existing context is simply shown as blocks of a single height, so there is no way of telling whether this relates to the parapet height of the adjacent houses or the ridge height of the roofs. The difference between the two will have a significant impact on the scale of the development and how it sits within the context.

There is no study or justification for the potential impact on the rights of light to the 3 houses directly opposite, given Prinbox is well set back from the street the new development will alter the current setting of these houses.

The proposed roof terraces are not appropriate for this area and will have a significant impact on those living opposite.

The development will take away 3 parking spaces on Lypiatt St and 7 spaces on Tivoli Walk from the existing residents, parking is already an issue given the street is always used by non-residents. Although a survey was undertaken, we do not feel the results are reflective of actual demand over a sustained period of time where there is significant turnover and movement. This blocks use for families that come and go during the day, (have their space taken while doing school drop off etc) these are a large proportion of the area demographic and their need to park close to home is greater.

We are sure (and hope) an approval will be reached at some stage and so the residents interests need to be taken into account during construction, therefore could the following conditions (or similar) be considered:

- working hours need to be appropriate for a Residential area, 08:00-18:00 maximum during the week and limited hours on a Saturday only
- strict wheel wash for site vehicles to prevent mud on the road and regular road cleaning to be enforced
- dust suppression measures in place during the works to reduce damage to neighbouring gardens, properties and vehicles. While protecting people's health
- traffic management for deliveries and large site machinery to prevent any road/pavement blockages, lorries queuing to get into site etc. and ensure the safety of pedestrians. Potential time restrictions to avoid commuter times.
- Compliance with The Considerate Contractor Scheme as a requirement of the company undertaking the works.

5 Lypiatt Street
Cheltenham
Gloucestershire
GL50 2UA

Comments: 10th November 2025

As a property directly opposite this new development I am getting more and more concerned that it is over-reaching what is acceptable on a pretty terraced road in a conservation area.

1. The top floor must be removed to retain existing house height on Lypiatt Street and the properties set back further.
2. Residents of the property must use adequate on site parking - ie. at least one parking space per dwelling and not take up the already minimal parking available on street. The scant existing bays must not be removed to avoid inevitable congestion.
3. I am particularly concerned about cars turning at night and having full glare headlights and security lights in through my windows. Also, during the building works.
3. It must NOT have the balconies that will intrusively look into my bedroom directly opposite. It is a gross invasion of privacy. I bought this property because there was limited overlooking. It will impact any sale of this property.
4. I am concerned about the additional load on sewers.
5. The survey on parking should never have taken place at low impact time of day and must be re-done in commuter hours.

This development has been ill-conceived and the revisions present no regard for existing residents in a conservation area.

29 Lypiatt Street
Cheltenham
Gloucestershire
GL50 2UD

Comments: 9th September 2025

Dear Sir/Madam,

I formally write to you to raise my objections to the planning application 25/01296/FUL for the Redevelopment of the site (1 Prinbox Works, Saddlers Lane, Tivoli Walk, Cheltenham, Gloucestershire GL50 2UX) to provide 6 no. dwellings following the demolition of the existing building for the reasons within my comments below:

1) Design/Build

- The current design as submitted with in the application suggest the use if 'Standing Seam' metal cladding and vertical timber cladding. This is not in keeping with the Regency style of the conservation area of Tivoli.
- The proposed roof terraces and balconies are intrusive to the existing residents on Lypiatt Street and Tivoli Walk.
- The view of the regency terraces from Andover Road would be compromised by the building being extended towards the footway on Lypiatt Street and Tivoli Walk
- The impact of the right of light to the houses directly opposite, which is currently not affected as the Prinbox is set further back from the road.
- There is no information or assessment completed in relation to the drainage infrastructure currently in place, whether this be a separate foul/storm or a combined system including potential flow rates. One would assume that the existing drainage apparatus capacity would be checked.
- A proposed Demolition plan has not been submitted with the application. I cannot see how it would be possible to grant permission for the scheme with no detailed intention for how the building will be safely demolished and outlining any affect this will have on the residents.
- The demolition of the building will require dust suppression and wheel wash, with substantial quantities of water. As this is a residential area, I cannot see how the capacity for supply and demand for the water will be met.
- In relation to the build, and the fact that the Tivoli area has exceeded its capacity for parking, there is no detailed draft Construction Phase Health and Safety Plan with simple details relating to how the Owner of the building will control the sub-contractor parking, deliveries, plant, material etc.
- For deliveries and removals of materials for a scheme of this nature, i.e. Heavy plant, low loaders, concrete vehicles, muckaway wagons, Hiab's, HGVs etc, the current road infrastructure is not suitable for these types of vehicles.

- An infiltration SuDS system would be unsuitable as a drainage system for rainwater due to the high water table. Flooding has been apparent within the area and especially noted in residential properties with basements. Again, if a SuDS system was developed to discharge into the main sewer, there is no data on the capacity for this and/or how an attenuation stored system with a Hydrobrake would work? Even if a SuDS system was to be introduced, the footprint of the scheme area is small and will require deeper excavations, potentially undermining structures and utility apparatus.
- Further concerns are raised in relation to the demolition. The houses in the area date back to the early 19th century, and although the houses are of sound construction, previous developments such as extensions have found some poor quality of footing and foundation material. The proximity of the demolition to the residential area will inevitably cause vibration, which in turn will cause costly and significantly hazardous damage to the properties.
- Although not relevant to the current planning application, the previous application which was successful has Pre-commencement planning conditions which are required to be discharged. In the event of any future application becoming successful, I request that the wording be reviewed and changed to words relating the developer from 'Should' to 'Will'. An example of this is 'The developer should be mindful of the impact of construction work on neighbouring properties'

2) Parking/Safety

- Note (as part of accompanying comments), it has become apparent that the Tivoli area is known throughout Cheltenham, and further afield, as the 'Free Parking ' zone for residents of Cheltenham and visitors to Cheltenham.
- The current proposed scheme requests incorporation of double yellow lines to parts of Lypiatt street and Tivoli Walk, with the loss of 3nr and 7nr parking spaces respectively. As the parking within these streets and locally within Tivoli is already exhausted, the loss of spaces would be significant to the residents of Tivoli.
- In conjunction with the introduction of double yellow lines, if this is not implemented and the scheme is passed with off-street parking with individual access to the proposed properties, this would provide an opportunity for the proposed properties of a 'Third' parking place by being able to park at 90 degrees to the property (in front of the proposed off-street parking). On this basis, I strongly object to the introduction of double yellow lines to Lypiatt Street and Tivoli Walk including individual off-street vehicle access for the proposed development.
- Lypiatt street is registered as a 30mph road. Due to the width restriction to both Tivoli street and Hatherley street, the road is used as a cut through by motorists, delivery vehicles etc. Residents have witnessed vehicles travelling at speeds exceeding the 30mph limit daily. Furthermore, if off-street parking to individual properties were to be approved, this would cause a substantial hazard to vehicles reversing from the development onto Lypiatt street, intensified by both junctions from Tivoli walk. The visual splay highlighted in the Transport statement in Appendix G for Plot 1, 2 and 3 cannot be achieved for safe access and egress.

- The Transport statement refers to a reliance to 'Side Friction' from parked vehicles on Lypiatt Street. It is clear that this cannot be relied on and is speculative as the residents have witnessed the reality of speedy vehicles accessing the street.
- The Transport statement notes that the survey of parking within the area was carried over a single day (06:00hrs - 06:30hrs and 22:00hrs - 22:30hrs) and notes that these times are considered 'High Demand'? This does not take into account peak times which affect residents who work from home, retired residents who have the right to come and go as they please without the fear of not being able to park on their street. Also, the calculated unoccupied spaces recorded over the period of 1hr is not a true reflection of the parking issues within the area.
- It is noted within the Transport statement that there were 18nr spaces unoccupied (AM) and 9nr spaces unoccupied (PM) within the controlled parking bays at the top of the A40 Andover road. Of course they were unoccupied as the cars were parked around the corner on Tivoli street and Lypiatt street without fear of penalty and with free use of the road!! This statement within the Transport statement is a non-sense.
- It is noted with in the Transport statement which schedules the proximity of local services, amenities and facilities on Page 7. This schedule should be used by the Planning department as evidence of people who also park within the Tivoli area free of charge and exhaust the parking provision further.
- It is noted in the Transport statement that there are approximately 214 on-street car parking spaces within the area. This estimate cannot be relied on and is speculative as there are no actual marked parking spaces to provide an accurate assessment over this greater period, compared to a small area assessment such as parts of Lypiatt street and Tivoli walk where 10nr spaces will be removed and can be easily calculated.
- In conjunction with the previous comment, Tivoli is used by the Skyborne residential facility which has the capacity to house 80nr persons (with provision in their car parking facilities on their property of approximately 20nr vehicles), various and numerous festivals within Cheltenham, tourists and visitors, commuters to London/Birmingham (for instance) who leave their vehicles for days and weeks within the Tivoli area and use the free parking facility. A controlled parking system within the Tivoli area would help promote the use of the expensively constructed and predominantly unused Park and Ride scheme.
- It is noted in the Transport statement that refuse collection will operate kerbside as per the arrangements on Tivoli walk, Lypiatt street and Saddlers lane. This is inaccurate as bin collection is operated on within the confines of Saddlers lane and bins are not stored on Tivoli walk and Lypiatt street. Kerbside operations will reduce the width of the footways for pedestrians, the disabled and visually impaired.

Although I object to the current scheme, I am not against the principal of the building change in use to residential (with caveats)

1) Significant design changes to the current scheme which is more in keeping in the Regency style of the surrounding conservation area and sympathetic to the immediate location.

- 2) In the event of the planning application being successful, the Planning officer will send the application to an independent planning committee for review and vote.
- 3) Strict Pre-commencement planning conditions are imposed by the Local Authority and enforced.
- 4) The application is removed/refused for the introduction of double yellow lines on parts of Lypiatt street and Tivoli walk.
- 5) The application for off-street parking accessing/egressing individual properties onto Lypiatt street and Saddlers Lane is removed/refused, with the exception of off-street parking being confined to the footprint of the scheme with a common access/egress point (single gated entrance) point onto Lypiatt street, as already existing.
- 6) GCC consultation to be sent out to the residents of Tivoli in respect to Controlled parking zoning (whatever the decision of the planning application)
- 7) A review of the existing speed limit within the Tivoli area and potential for traffic calming.

Thank you for this consideration and Regards.

42 Tivoli Street
Cheltenham
Gloucestershire
GL50 2UW

Comments: 10th September 2025

In principle, I support the redevelopment of the Prinbox Works commercial site, and changing its use into residential, but what has been proposed in this planning application is not in keeping with the important character of Tivoli nor does it properly consider the negative impacts, that the design submitted, will have on those in the surrounding community.

My main concerns are around the negative impacts on parking , access, and the density and style of buildings, that the developer is attempting to pack onto the Prinbox site.

I strongly object to what has been proposed.

On parking and safe access in the area:

As the local councillors will be fully aware, this is already a big issue for residents in this area. The proposals and supporting 'studies' that have been submitted in this application are flawed and misleading.

I am one of many elderly residents in the area, and it is important that we can park our cars as close to our properties as possible. Currently, it is not always possible to even park in our street, so any loss of parking spaces or increased demand for on-street parking in the area will severely impact us.

The proposals suggest more vehicles (over longer periods of the day) and a reduction in the number of spaces!

It is also important that the refuse and other services in the area are not changed or disrupted by the development. If the current rear access to our properties, via Saddlers Lane is impaired in any way, it will have a huge impact on me. I cannot lift or move rubbish bins etc around to the front of my house for collection.

As far as I can see from the plans submitted, there would be more vehicles using Saddlers Lane - and this is a concern for both safety and access.

I am also very concerned that the whole demolition and construction process, which will take many months to complete, will have a severe impact on the area in terms of creating parking chaos, restricting safe access and creating dust, noise and dirt around the surrounding streets.

On the density and style of buildings proposed.

The proposals would detract from the character of Tivoli. I feel strongly that such character should be conserved. We are meant to be in a conservation area!

The submitted designs propose too many buildings for the site. Because there will be more residents, more vehicles, more demand for local services there is sure to be negative impacts on parking, services, sewage, drainage, water run off etc.

As the buildings are to be residential, they are proposed to be much too high. They incorporate roof top social spaces that will undoubtedly create more noise and less privacy for local residents.

All existing buildings in the surrounding street are at a lower level, so the proposed designs are not commensurate to Tivoli's character.

The materials and style of buildings proposed are also totally out character too!

I am also concerned about the proposed use of heat pumps, particularly if these are visible and audible to local residents.

Comments: 10th September 2025

Comments from AS - 42, Tivoli Street GL50 2UW

In principle, I support the redevelopment of the Prinbox Works commercial site, and changing its use into residential, but what has been proposed in this planning application is not in keeping with the important character of Tivoli nor does it properly consider the negative impacts, that the design submitted, will have on those in the surrounding community.

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The proposals would detract from the character of Tivoli. I feel strongly that such character should be conserved. We are meant to be in a conservation area!

The submitted designs propose too many buildings for the site. Because there will be more residents, more vehicles, more demand for local services there is sure to be negative impacts on parking, services, sewage, drainage, water run off etc.

As the buildings are to be residential, they are proposed to be much too high. They incorporate roof top social spaces that will undoubtedly create more noise and less privacy for local residents.

All existing buildings in the surrounding street are at a lower level, so the proposed designs are not commensurate to Tivoli's character.

The materials and style of buildings proposed are also totally out character too!

I am also concerned about the proposed use of heat pumps, particularly if these are visible and audible to local residents.

2 Hatherley Street
Cheltenham
Gloucestershire
GL50 2TU

Comments: 12th September 2025

We support the principle of residential use. It will make some contribution to the town's housing needs and the site is highly accessible - very well served by public transport and within easy walking distance of local and town centre services.

However:

1 The design is entirely inappropriate and fails to fulfil the duty to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area (Planning (Listed Buildings & Conservation Areas) Act 1990, s72) or the requirements of Tivoli Character Area Appraisal and Management Plan

2 Off street parking is unnecessary in this very accessible location. Providing it - for two cars / dwelling - is one of the reasons the design is so unsatisfactory. This should be a one / no car development, and parking should be on street - as it is for most of the rest of us in Tivoli!

3 A consciously "modern" design could be satisfactory - but this is not it. Echoing the Tivoli vocabulary - modest scale and massing, terrace, stucco finish etc - can also provide good design, and has been used successfully in infill (eg 17 Hatherley St) or larger development like Tivoli Walk.

Of course, part of what is at issue here is the difficulty of parking in Tivoli. Many non residents park here to avoid the parking restrictions in adjacent areas. A CPZ for Tivoli is urgently needed, and is the way to resolve parking problems.

This application should be refused and a much better design produced.

44 Tivoli Street
Cheltenham
Gloucestershire
GL50 2UW

Comments: 9th September 2025

Dear Sirs

We wish to register our formal objection to the proposed re-development design of the Prinbox works as submitted.

We did not object to the change of use planning application, as I am supportive of the principle of improving the site.

I have read the comments from Cheltenham Civic Society and endorse 100% their views as presented.

My objections to the development can be summarised as follows:

1)The proposed design is incongruous and not sympathetic to the conservation attributes of the surrounding areas of Tivoli.

2)Concern of the impact of Undercroft parking/garages for the proposed properties accessed from Saddlers lane. The flood of 2007 had severe impact on the properties in Tivoli Street.

3)The provision of private drives/parking spaces at the expense of the existing on-road parking, severely worsens the parking issues in the Tivoli area which are well known to all. The timing of the parking survey undertaken totally misrepresents the true parking issues residents experience on a daily basis between 08.00 and 18.00 each week day.

4)Contrary to the suggestion that Saddles Lane is not regularly used, it is used on a daily basis by residents whose properties back on to the lane. In addition to it being an important service lane, vehicles are parked in some of the garages. Access the full length of the lane must be maintained at all times.

For any development of the site it will be important to ensure the following are in place:

1. Commitment to introduce a Controlled Parking Zone (CPZ) for Lypiatt Street, Tivoli Walk, and Tivoli Street ensuring residents are prioritised in parking allocation.
2. Parking Management Plan - covering provision for visitors and trades.
3. Construction Traffic Management Plan - covering routing, contractor parking, and tree protection.
4. Waste & Servicing Plan - showing safe bin staging away from sightlines
7. Ecology and Tree Protection - pre-commencement surveys, CEZ compliance, and lighting controls.
8. Detailed SuDS/drainage design - permeable surfacing and on-site attenuation, including a review of the services and on and to Saddlers Lane

In conclusion we fully endorse the comments from other residents that this proposal will remove vital public parking, reduces safety, harms the Conservation Area, and is not deliverable without a separate TRO. It should therefore be refused or deferred until proper evidence and parking controls (via a residents' permit scheme) are secured.

27 Lypiatt Street
Cheltenham
Gloucestershire
GL50 2UD

Comments: 10th September 2025

We are not opposed to the redevelopment of the site or the change of use to residential housing in principle. However, we strongly object to this application in its current form and agree with many of the more detailed objection comments already made. We would like to add the following:

1. This proposal results in a net loss of parking spaces at the expense of all existing residents. We would favour that parking is contained within the development site using their existing access.
2. The proposed design does not preserve or enhance the character of the conservation area. There appears to be little understanding of the historic context the development is in. The size, scale, layout, design, massing, height, frontage activity and materials are totally inappropriate. We do not think this is high quality design and do not think it will be a positive building in the context of the Tivoli conservation area.
3. Planning applications for residents in the conservation area have been heavily amended at the advice of the council in order to comply with preserving or enhancing the conservation area. We expect the same scrutiny to be applied to big developments such as this.
4. Roof terraces are not appropriate in the conservation area.
5. Any south facing windows should be obscured glass as they would be new side facing windows for the terrace, overlooking back gardens and the rear of properties in Lypiatt Street. All recent developments/planning applications in Lypiatt Street have adhered to this for North or South facing windows.

2 Lypiatt Street
Cheltenham
Gloucestershire
GL50 2UA

Comments: 9th September 2025

2 Tivoli Street Cheltenham Gloucestershire GL50 2UA (Objects)

Planning Application for redevelopment of the site known as PrinBox Works to provide 6 dwellings following the demolition of the existing building.

Dear sir/ madam

I am writing to raise my objections to the planning application 25/01296/FUL for the redevelopment of the site (1 Prinbox Works, Saddlers Lane, Tivoli Walk, Cheltenham, Gloucestershire GL50 2UX) to provide 6 dwellings, following the demolition of the existing building. This is on the grounds of highways and parking harm, conflict with Conservation Area duties, and procedural deliverability issues for reasons as outlined within my comments below:

1. Loss of Public On-Street Parking

The Transport Statement confirms that the proposed development will result in the removal of 3 spaces on Lypiatt Street and 7 spaces on Tivoli Walk. This equates to the permanent loss of 10 valuable public parking spaces relied upon daily by existing residents and visitors.

2. Inadequate Replacement and Flawed Parking Survey The applicant justifies this loss by claiming a theoretical 214 available spaces in the wider area, calculated by dividing kerb length by 5.75 m.

Please Note:-

The survey was conducted on a single weekday (Thu 1 May 2025) at 06:00-06:30 and 22:00-22:30 only. This is not representative of weekend or daytime demand. - The methodology ignores driveways, dropped kerbs, junctions, and refuse staging areas, inflating the supposed capacity. - The Traffic survey itself acknowledges existing footway parking on Tivoli Walk, demonstrating the real-world stress on kerbside space availability.

3. Safety Concerns - Visibility and Speed The Traffic Survey assumes a 20 mph design speed for visibility splays (2.4 m × 22 m), despite Lypiatt Street being a posted 30 mph road. No speed survey evidence is provided. Reliance on "side friction" from parked cars is speculative and unsafe.

4. Conservation Area Harm/ Impact (Section 72 Duty) The site lies within the Tivoli character area of the Cheltenham Central Conservation Area Design and Access Planning Statement. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special attention to preserving or enhancing character. The Proposed development is not in keeping with the character of Tivoli area. The double yellow lines proposed for Tivoli Walk and the loss of continuous street frontage will introduce visual clutter and forecourt parking, thus eroding the historic character of Lypiatt Street. This plan proposes to build a development which is 3 stories high, with Rooftop patios which will be intrusive and have an impact on to at least houses number 1,2,3,4,5, Lypiatt street. Building in front of the existing 'Building line' is not in keeping with the current 'Building line' of Lypiatt street and will reduce the drivers line of sight when traffic is exiting the junction of Tivoli Walk and Lypiatt street. (This is a Serious safety concern)

The height of the proposed new development will impede a light impact on houses number 1,2,3,4,5, Lypiatt street along with all current properties situated in Tivoli Walk. It will also cause a lack of privacy to the top floor windows in these current dwellings. Designation of the Conservation Area is not intended to prevent change, especially that which would enhance the character or appearance of the area, it only seeks to ensure that any future development of the area is appropriate to the existing character of the area. Therefore careful consideration should be given when considering inappropriate modern designs and the materials being proposed. The proposed changes both in the design, proposed materials to be used and the highway alterations themselves should be subject to heritage impact assessment, which has not been provided.

5. Deliverability Dependent on Traffic Regulation Order The Traffic Survey acknowledges that the proposed highway changes (extended double yellows) require a Traffic Regulation Order, which to date has not been approved and requires statutory consultation with the public having the option to object. Without a confirmed Traffic Regulation Order, the development is not deliverable in the form assessed. A Grampian condition should be imposed at minimum.

6. Other Omissions and Risks

Site Visitors/Trades Parking: No provision has been made for visitors or tradespeople, despite loss of 10 public bays. - Waste & Servicing. With reduced kerb length, refuse staging is likely to obstruct sight lines and footways. - Construction Impact: Narrow

streets and Tree Protection will constrain access and construction. A Construction Traffic Management Plan and hours of work plan are both absent. - Ecology: The Preliminary Ecological Appraisal confirms nesting bird potential; demolition or pruning must avoid March-August or be subject to pre-works survey. - Trees: The retained tree is within the Conservation Area and legally protected.

7. Policy Conflict; The proposal conflicts with: -development should be refused where there are "unacceptable impacts on highway safety" or "severe residual cumulative impacts." - Cheltenham Local Plan policies on transport and heritage. - Section 72 duty - no demonstration of "preserve or enhance" to the Conservation Area.

8. Requested Actions; I request that the Council refuse the application. If the Local Planning Authority is nevertheless minded to approve, I request robust conditions/obligations including: 1. Grampian condition - no commencement/occupation until the Traffic Regulation Order is confirmed and implemented. 2. Commitment to introduce a Controlled Parking Zone for Lypiatt Street and Tivoli Walk, ensuring residents are prioritised in parking allocation. 3. Stage 1 Road Safety Audit and speed survey - to be undertaken and designs amended before approval. 4. Parking Management Plan - covering provision for visitors and trades. 5. Construction Traffic Management Plan - covering routing, contractor parking, and tree protection. 6. Waste & Servicing Plan - showing safe bin staging away from sight lines. 7. Ecology and Tree Protection - pre-commencement surveys, compliance, and lighting controls. 8. Detailed SuDS/drainage design - permeable surfacing and on-site attenuation.

9. A Utilities impact assessment should be undertaken to ensure this development will not impact the current residents. ie no drop in current water pressure. No information or impact assessment completed in relation to drainage infrastructure currently in place regarding drainage and water run off, showing potential flow rates. Flooding has been apparent within the area and especially noted in properties with basements.

Conclusion

If this proposal was given approval it would remove vital public parking, reduce public and residents safety, harm the Conservation Area, and would not be deliverable without a separate Traffic Regulation Order. It should therefore be refused or deferred until proper evidence and parking controls are secured.

Approval of this proposal could set a concerning precedent for other developers to ignore the conservation protection given to the area of Tivoli.

Any parking changes in the area should prioritise and benefit the existing community and not sacrifice residential amenity or safety. Therefore the Borough Council should reject and reconsider the proposed changes to Tivoli Walk. As this will Increased Congestion and Reduced Safety on the north side. Serious Consideration should be given to Emergency vehicle access at all times.

Whilst I am not against the future development of the Prinbox Works Tivoli Cheltenham, I feel this proposed development is purely beneficial to the developer and the development and with little or no consideration being given to the existing residents and the Conservation duties of the area.

Significant design changes to the current proposal need to be more in keeping with the Regency style of the surrounding conservation area and sympathetic to the immediate location, need to be addressed.

Comments: 9th September 2025

2 Tivoli Street Cheltenham Gloucestershire GL50 2UA (Objects)

Planning Application for redevelopment of the site known as PrinBox Works to provide 6 dwellings following the demolition of the existing building.

Dear sir/ madam

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6. Other Omissions and Risks

¿ Site Visitors/Trades Parking: No provision has been made for visitors or tradespeople, despite loss of 10 public bays. - Waste & Servicing. With reduced kerb length, refuse staging is likely to obstruct sight lines and footways. - Construction Impact: Narrow streets and Tree Protection will constrain access and construction. A Construction Traffic Management Plan and hours of work plan are both absent. - Ecology: The Preliminary Ecological Appraisal confirms nesting bird potential; demolition or pruning must avoid March-August or be subject to pre-works survey. - Trees: The retained tree is within the Conservation Area and legally protected.

7. Policy Conflict The proposal conflicts with: -development should be refused where there are "unacceptable impacts on highway safety" or "severe residual cumulative impacts." - Cheltenham Local Plan policies on transport and heritage. - Section 72 duty - no demonstration of "preserve or enhance" to the Conservation Area.

8. Requested Actions I request that the Council refuse the application. If the Local Planning Authority is nevertheless minded to approve, I request robust conditions/obligations including: 1. Grampian condition - no commencement/occupation until the Traffic Regulation Order is confirmed and implemented. 2. Commitment to introduce a Controlled Parking Zone for Lypiatt Street and Tivoli Walk, ensuring residents are prioritised in parking allocation. 3. Stage 1 Road Safety Audit and speed survey - to be undertaken and designs amended before approval. 4. Parking Management Plan - covering provision for visitors and trades. 5. Construction Traffic Management Plan - covering routing, contractor parking, and tree protection. 6. Waste & Servicing Plan - showing safe bin staging away from sight lines. 7. Ecology and Tree Protection - pre-commencement surveys, compliance, and lighting controls. 8. Detailed SuDS/drainage design - permeable surfacing and on-site attenuation.

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Conclusion

If this proposal was given approval it would remove vital public parking, reduce public and residents safety, harm the Conservation Area, and would not be deliverable without a separate Traffic Regulation Order. It should therefore be refused or deferred until proper evidence and parking controls are secured.

Approval of this proposal could set a concerning precedent for other developers to ignore the conservation protection given to the area of Tivoli.

Any parking changes in the area should prioritise and benefit the existing community and not sacrifice residential amenity or safety. Therefore the Borough Council should reject and reconsider the proposed changes to Tivoli Walk. As this will Increased Congestion and Reduced Safety on the north side. Serious Consideration should be given to Emergency vehicle access at all times.

Whilst I am not against the future development of the Prinbox Works Tivoli Cheltenham, I feel this proposed development is purely beneficial to the developer and the development and with little or no consideration being given to the existing residents and the Conservation duties of the area.

Significant design changes to the current proposal need to be more in keeping with the Regency style of the surrounding conservation area and sympathetic to the immediate location, need to be addressed.

3 Lypiatt Street
Cheltenham
Gloucestershire
GL50 2UA

Comments: 7th November 2025

Site is being over developed which is leading to issues.

- Remove 2nd floor to retain existing housing height on Lypiatt st
- Set properties further back from tivoli walk and saddlers lane
- Car parking spaces within the properties are fine, it must be enforced that the new property owners use them rather than leave empty and park across them, to help avoid need of residents parking
- Style/material not in keeping with a conservation area

It feels like fitting this proposed development into an existing congested area, does not compliment the community.

5 Lypiatt Street
Cheltenham
Gloucestershire
GL50 2UA

Comments: 3rd September 2025

In addition to my earlier comments I have now found out that the developers have requested the permanent removal of TEN parking spaces - which I strongly object to on the basis of lack of existing spaces for residents.

Comments: 2nd September 2025

My property is directly opposite the proposed development and I am very concerned at:

1. The lack of privacy from top floor windows
2. The noise during development
3. Most importantly, the drain on existing parking in the streets. I note that there is an application to further restrict parking with yellow lines under the guise of better access for pedestrians- this is nonsense and clearly a bid to make easier access for their lorries during development and residents when it is finished. The proposed development MUST include off street parking and NOT affect the already difficult parking in the street. Furthermore - any attempt by the council to make these streets resident only - seeking yet more revenue - would be underhand and unfair to an already cash strapped neighbourhood. PLEASE TAKE THESE COMMENTS INTO SERIOUS CONSIDERATION WHEN

45 Tivoli Street
Cheltenham
Gloucestershire
GL50 2UW

Comments: 12th November 2025

In respect of the "Additional drawing- proposed sketch views 2":

This illustrates that the overall visual impact of the proposed development would be incredibly detrimental to the Tivoli community.

The images, shown in the additional drawing, deliberately omit the context of the surrounding houses; this is because the proposal (in terms of density, modern blocky style, modern materials and height) conflicts with all that the designation of Tivoli's conservation area attempts to preserve.

We strongly object to this wholly inappropriate proposal.

As a reminder, in July 2008, the Council commissioned the 'Tivoli Character Appraisal & Management Plan'; this continues to form part of Cheltenham's 'Local Development Framework'. The 2008 document states:

"The uniformity of the houses provides Tivoli with a unique and distinctive character". Tivoli, as a Conservation Area is, "an area that has a special character or appearance worth protecting"

The document states that:

- new developments must be well designed
- use of in-keeping, traditional, and natural materials will normally be required
- new buildings, extensions and alterations must preserve or enhance the appearance of the conservation area
- future development must be appropriate to the character of the area

We see no evidence that the developers have taken any of this into consideration when drafting their proposal. We implore the Council to uphold the intentions of Tivoli's Conservation Area designation, and to refuse permission for what has been proposed.

With regard to the slightly revised floor plans:

We welcome the removal of the 2nd floor terraces from plots 1,3 and 5. This will lessen the negative noise and privacy impacts, of the original proposals, on those in neighbouring properties.

However, these revisions do not go far enough to lessen negative impacts, nor do they address our concerns about the appropriateness of the proposed development in the context of Tivoli's conservation area designation.

With regard to the positions of the Air Source Heating Pumps (ASHPs):

- the revised drawings show a repositioning of the ASHP's in relation to plots 1 & 6. We welcome this revision as it may lessen the noise impact on those in neighbouring properties

- there is no indication (on any of the Plan drawings for ground, first or second floors) of the position of the ASHP for plot 4. This omission is a concern.

- as it is now proposed that there be no 2nd floor terrace for plot 3 ASHP there needs to be a correction to the proposed ASHP position for this respective plot - as currently the ASHP for plot 3 appears to be floating in midair on the 2nd floor Plan.

- plan drawings show an ASHP for Plot 5 on the ground and 2nd floors - so there appears to be duplication that needs to be corrected

We appreciate that our comments about ASHPs are very specific - but the devil is definitely in the detail - and drawings for the proposals need to be correct!!

Comments: 10th September 2025

Comments/observations from residents at 45 Tivoli Street:

Overall:

Whilst we are supportive of the redevelopment of the Prinbox Works site, and change of use to 'residential use', the size, density and look of the buildings proposed, in the application (and changes to the respective facilities) are unsympathetic to the conservation area of Tivoli. There are likely to be several negative impacts on existing local residents, if the plans submitted were to be approved.

We therefore strongly object to what has been proposed.

Our main concerns / objections in relation to what has been proposed are:

A) The incongruity of the proposed design when taking into account the surrounding area:

The designs proposed indicate that, rather than creating a development that sits sensitively within its surroundings and not detract from the character of Tivoli's conservation area, the submitted design crams in too many buildings and facilities onto the site, to maximise potential return on investment.

The dense nature of the proposed development (and resultant increase in the number of residents) will undoubtedly put undue pressure on existing facilities in the area (such as parking, refuse collection, sewage/drainage/water run off, and other services).

Furthermore, the proposed height of the new dwellings and use of materials is wholly incongruous to the Victorian character of the Tivoli part of the wider conservation area.

Whilst the apex of the existing pitched roofs is high - we do not feel it is necessary to match this with the replacement buildings, because the proposals are for residential not commercial.

We feel that the number of houses to be built on the site should be limited to 3 or 4, and that these should be in a more sympathetic and commensurate style for this area (and in congruous materials). The height of the new buildings should also be restricted to 2 storeys, rather than the rather ugly variable heights of those proposed.

A less dense development would provide better and more open living spaces, and facilitate safer, easily accessible on-site parking for the new residents.

This would decrease additional pressures on the local facilities and parking, and it may even enhance the area, in line with conservation guidelines.

We are also concerned that solar panels proposed, to be mounted on top of the flat roofs, will be visible to local residents (and therefore unsightly) if they are mounted on an angle and extending beyond the height of the buildings shown on the plans.

B) The negative impact on parking and access in the area:

- The proposal - see 25_01296_FUL-PROPOSED_GROUND_FLOOR_PLAN-1648359 (drawing no. 24.20.016 24.20.016 PL112 - suggests there will be 'off road' parking for up to 10 vehicles (the same as the current site), but it also shows that 3 of the existing on-street spaces would be removed.

There would therefore be a net loss of parking together with a net increase in the number of residents on site (meaning that parking demand is 24 hours, and not over office hours of the current site). The relevance of this is shown below:

- some of the garage/hard standing off road spaces proposed are particularly tight (as evidenced by existing experience of those with garages and hard standing in Saddlers Lane). It is felt that there will be undoubtedly an additional increase demand for on street parking as a result of the development, as some of the residents of the proposed dwellings will find it more convenient to park on the street, rather than the tight space on their property. This has been increasing the case where a number of 'garages' have been built on Saddlers Lane in recent years.

- The parking survey undertaken by Rappor on 1st May 2025 appears to deliberately mislead in terms of the impact of the proposals on parking in the area - The survey misrepresents the reality of the current experience, as clearly there are already parking pressures on the area! The survey was conducted between the hours of 06:00 and 06:30 and between 22:00 and 22:30. This is by the surveys own admission NOT during peak hours. The survey hours ignore commuter traffic, many St Stephens Social Club and Tivoli Inn customers and shoppers (who regular park in the area). It also ignores that vehicles are regularly parked on the yellow lines in the area, without sanction (as the monitoring by parking enforcement officers is a very rare occurrence, if it happens at all)

- Due to the angle of vehicular entry to plots 5 & 6 - This would cause a significant hazard / danger to pedestrians stepping in/out of their houses directly opposite these plots in Saddlers Lane.

- TRANSPORT_ASSESSMENT-1648374 I Appendix J - Swept Path Analysis - Estate Car does not take account of pedestrians stepping out of their houses directly opposite parking bays of plots 5&6. It effectively treats the frontage of these houses as vehicular access.

- The proposals add significant vehicular traffic to a small lane onto which residents from 2 houses (directly opposite the proposed development) step, without any pathway their side.

- The proposals will give rise the possibility that the new residents will park their vehicles on Saddlers lane - or partially jutting out - so that they encroach onto the narrow lane, blocking vehicular and pedestrian access to properties further down.

- Without input from Ubico (refuse and recycling waste service providers) - there are no guarantees that current services for existing residents will not be disrupted or changed during and after the works are completed. Section 5.23 of the Transport Statement document 25_01296_FUL-TRANSPORT_ASSESSMENT-1648374 indicates: "Refuse collection will operate kerbside, as per the existing arrangement on Tivoli Walk, Lypiatt Street and Saddlers Lane." - But what opportunity have Ubico had to confirm this?

- proposals have been put forward by the developer in Appendix I of the Transport Statement (25_01296_FUL-TRANSPORT_ASSESSMENT-1648374) to introduce additional parking restrictions along Tivoli Walk . This suggests that a proposal has been made to Gloucestershire Highways to remove 7 on-street parking spaces along Tivoli Walk, adjacent to the north elevation of the Prinbox site.

Whilst we understand that this is a matter for Gloucestershire Highways to consider, if they do support this proposal, parking demand in the area will far exceed provision.

C) A potential negative impact on the environment and existing facilities in the area:

- We are concerned that the proposed open terraces - on first and second floors of the proposed buildings - will give rise to increased noise levels in close proximity to other residents. The position of these terraces, essentially social spaces, would negatively impact the privacy of others in the area - including views into our own garden. These roof terraces are also incongruous with the Victorian character of Tivoli.

- As there will be an increase in permanent residents on the site, we have concerns as to the increase in sewage / drainage / run off demand evidenced by the proposals (i.e. more toilets / less open ground than in the existing buildings). There is a strong potential that the existing provision for sewage and drainage facilities will be overloaded by what is proposed.

- Although the flood risk assessment appears to have been completed, summarising that "The site has a low risk of flooding (flood zone 1)" - this takes no account of the fact that in the 2007 floods, it was discovered that the water table can (and did) rise and flood basements in Tivoli Street. We have a big concern that the water displacement of the

proposed mass of buildings and requirement for much deeper foundations will increase the likelihood of flooding.

- 25_01296_FUL-ENERGY_STATEMENT__MAY_2025-1648368 indicates that ground source or air source heat pumps will be the preferred option for heating the proposed premises. We are concerned about the increased noise levels that will result from the heat pumps installed - The development needs to minimise the impact this may have on the local community. Nothing in the proposal suggests consideration of this.

- There is no reference in the proposals in respect of existing amenities in Saddlers Lane, such as the borders and frontages of the cottages along here. The nature of the lane is currently quiet, safe and aesthetically pleasing with plants/planters etc. It would be loss, if these were not preserved

- Document 25_01296_FUL-GCER_COMMENT-1650942, in relation to wildlife in the area, shows that the latest sighting of anything significant was on 08/10/2018, yet In the last 3 years alone, we have seen hedgehogs, bats, a pheasant and even a kestrel in our garden at 45 Tivoli Street or along Saddlers Lane - So this report is current nor accurate, and does not consider the current wildlife in the area

- As flat roofs are proposed, rather than the current pitched roofs, there is a likelihood of more seagulls nesting in the area, when it is already a significant problem. How will this be avoided?

D) Negative impacts of the demolition and construction process:

We understand that a Construction Management Plan will be required and that direct consultation should be sought via party wall agreements with all neighbouring properties. We consider this to be an important part of the local community engagement process.

- We hope that the Construction Management Plan will make provision as to:

o where and when will contractors and suppliers will park to ensure no communal areas, adjacent to the site, are obstructed

o maintaining 24/7 resident and vehicular access to the rear of properties via Saddlers lane throughout the works (and after construction)

o minimising dust / potentially harmful substances by appropriate risk management during the works

o a clear process to allow concerns to be raised by residents and for issues/problems to be identified and resolved

And finally - We have concerns for No.36 Lypiatt Street! Currently a whole face of this property, which we can see from the rear of our property, is tied into the existing building on Prinbox Works.

It will need to be protected from harm and that the party wall will be made good to ensure safety, weather proofing and aesthetic improvements (as the proposal means this face of the property will more exposed).

49 Tivoli Street
Cheltenham
Gloucestershire
GL50 2UW

Comments: 10th September 2025

Prinbox Works Lypiatt Street. Proposed redevelopment.

Comments.

Ref printbox conversion.

On design.

In a conservation area . Brick is wrong and should be rejected.

The Andover rd shops won a civic award for doing it right.

The allocated parking is limited and the tight access will only cause the new residents to park in the road . A numbered car park with one entrance would be a better design.

Parking in the area.

This development will make parking even more difficult and therefore goes hand in hand with residents parking. 2-3 hours exemption allows ss club and Tivoli time for customers to visit.

What experience of previous developments has this company Mack archived. Is there a track record?

Rooftop patios.

Intrusive and noise carries as no walls to baffle the noise.

This process is rushed and I foresee major problems.

***** 49 Tivoli st.

51 Tivoli Street
Cheltenham
Gloucestershire
GL50 2UW

Comments: 23rd September 2025

As one of the closest most affected residents, we are writing to lodge our formal objection to the above planning proposal. While we appreciate the need for development, there are several major concerns that would have a significant negative impact on our entire family's mental and physical livelihood.

1. Invasion of Privacy - especially the 3rd Floor and Roof Terraces

Please note that we are used to quiet and discreet weekday daytime offices overlooking our property. Not only is the change of use from commercial to domestic, the proposal includes the addition of another floor and domestic roof terraces which would overlook directly our bedroom, our teenage daughter's bedroom, our kitchen and dining room, and our entire garden. This represents a serious intrusion into our privacy, particularly given

the elevated nature of the structures. Which madman thought that a 3rd floor and roof terraces would be in the slightest bit appropriate in this location? The enjoyment of our private indoor and outdoor spaces would be severely compromised, already causing concern and anxiety for every member of our family. We note there is no mindful thought or provision for any added privacy options or landscaping etc and even if there were, the planned windows and terrace is too high for it to provide any benefit. Would you be able to advise us who to discuss with the planting of 5 more mature red robin trees, in keeping with the one already in place, as a gesture of goodwill to provide some privacy?

2. Noise Disturbance from Construction

The scale of the proposed works suggests an extended construction period. This will inevitably bring disruptive levels of noise, dust, and vibration to the area, affecting our ability to work from home which we both do, and living in the property in peace, plus the potential impact on our children's school work and our dog. In addition to this, has anything been put in place to counteract the disorder that is going to be caused to properties? The hours proposed are long and relentless and do not seem to take into consideration that this is a quiet residential area full of permanent residents, families with children, and elderly.

3. Parking Concerns

Parking is already under significant strain in this area, it is shambolic, with residents frequently struggling to find spaces near their own homes. We approve of the proposal to remove approximately 10 parking spaces replacing with double yellow lines but this plus construction traffic would place further pressure on the limited parking available. To mitigate this, I strongly recommend that the Council give serious consideration to the introduction of a residents' permit parking scheme with priority given to the existing residents - the residents which we have discussed this with are desperate for it. Such a scheme would help manage demand fairly and protect the interests of those who live locally & drastically minimise the use of limited parking by commuter's who blight Tivoli who park terribly and sometimes leave their vehicles for days on end. Who do we contact about introducing residents permits as a matter of urgency to alleviate what is already an issue causing anxiety and unnecessary regular neighbourly disputes, and which would end constant requests to the Council?

4. Compensation for Loss of Value to our Home

Please advise who we would discuss with the loss of value to our property, should the 3rd floor and roof terraces go ahead.

In summary, the proposed development raises issues of privacy, noise, parking and traffic congestion which cannot be ignored. Unless these concerns are addressed comprehensively, I urge the Council to refuse permission for this proposal until these issues are resolved.

36 Lypiatt Street
Cheltenham
Gloucestershire
GL50 2UD

Comments: 10th September 2025

Dear Sirs,

I wish to object to the proposed Planning Application for the Prinbox Works site. I fully support appropriate regeneration of the site; however, the plans as submitted raise serious concerns which must be addressed before any approval is granted.

1. Structural Stability and Demolition Risks

My end-terrace property was historically joined to the Prinbox building and relies on this for partial support. Its removal poses a significant risk to the safety and stability of my home, particularly given the shallow foundations typical of early 19th-century properties in the area. Demolition and excavation works must be subject to a detailed Demolition Management Plan and Method Statement, with robust safeguards to protect neighbouring structures. The developer must accept liability for any damage caused by vibration, subsidence, or collapse.

2. Excavation and Construction Impacts

The proposed undercroft parking and foundation works for six large dwellings involve deep excavation in close proximity to Victorian housing. This creates a high risk of structural damage. Heavy plant and vehicle movements on unsuitable residential roads further increase the risk of disruption and damage to local infrastructure.

3. Dust, Debris, and Noise Management

The intensity of the proposed works will generate substantial noise, dust, and debris. Without strict controls, these will cause prolonged disturbance to local residents. A detailed Construction Environmental Management Plan should be required before approval.

4. Drainage and Flooding

No drainage impact assessment appears within the plans. Given the area's flooding history (notably in 2007), this omission is unacceptable. Drainage capacity and flood risk mitigation must be addressed before the application is considered further.

5. Noise from Plant Rooms

The location and specification of heat pumps require clarification. In my experience, these units are noisy and generate vibrations, creating an unacceptable nuisance for existing neighbouring residents.

6. Parking and Overdevelopment

I support and endorse the comments submitted by Cheltenham Civic Society regarding parking pressures and the scale of development. The proposals fail to provide adequate parking provision and will worsen congestion in an already constrained area (as thoroughly detailed by numerous residents in their comments)

Conclusion

For the above reasons, I strongly object to the application in its current form. Regeneration is welcome, but not at the expense of the safety, wellbeing, and amenity of existing residents.

2A Tivoli Walk
Cheltenham
Gloucestershire
GL50 2UX

Comments: 6th November 2025

I can see the revised plans for the development itself but cant see anything in relation to revision for the double yellow lines proposed for Tivoli Walk, which is what I massivley object to as this would mean no resolution to the issue of people practically parking on my front doorstep and still restricting access to my home. Most of the objections are all relating to parking and residents have been begging for permit parking, with priority given to the existing residents. Please, if Im missing something point me in the direction of where this is being addressed?

Comments: 10th September 2025

Just in addition to my earlier comment. Ive now discovered, although should have realised, that the development will be joining the existing sewer system. 3 years ago my property was flooded on the ground floor by raw sewage from the drain directly outside my property. The 1st time it happened we had everything renewed etc only for it to happen again weeks later. Again we cleaned up, replaced all the ruined items and had drain surveys commissioned that found too many properties connected to an already very old and unsuitable sewage system that couldnt cope with demand. The flood then happened for a third time at which point we had to have the drains and manhole fitted with a sealed unit to try and stop the flooding happening, however we have been told water/sewage will always find its own level and it may possibly happen again if the system is overwhelmed. Which it will be with 6 more dwellings.

Comments: 3rd September 2025

I am writing to formally & very strongly object to the proposed parking changes affecting Tivoli Walk, Cheltenham, as recently made public by the council. You have proposed to add double yellow lines to the south side of Tivoli Walk to encourage parking to the north side, which is the same side as the residents' front doors and only access to their properties. As a local resident, I have serious concerns about the impact this proposal would have on the character, safety, and amenity of the area. Plus, the affect it will have on the stress levels of the residents who are already locked in daily battles to simple park in the road where they live or access their property. Tivoli Walk is a narrow street that already has major issues with parking, causing residents high levels of stress. Not to mention dangers caused by the current situation, I believe your proposed changes will only aspirate this and cause more problems for residents. This proposal is purely for the benefit of residents/businesses on Saddlers Lane and I don't believe residents of Tivoli Walk Have been taken into any consideration whatsoever. The survey was undertaken between the hours of 6.00am-6.30am and then at 10.00pm-10.30pm when the road is very quiet due to all the commuters etc having left!

I don't believe this gives a true representation of the challenges faced in Tivoli walk and would request (I have requested this several times to no avail) that the planning team visit Tivoli walk between 9am-6pm at any given day of the week to witness for themselves

Introducing double yellow lines to the south side of the street will undoubtedly mean those of us who have our homes/front doors on the north side of the street are going to be negatively impacted by vehicles parking even more inconsiderably than they do already.

At present we must deal with cars parking so close to our front doors that access is greatly restricted.

I have outlined concerns below.

1. Increased Congestion and Reduced Safety on north side of Tivoli Walk

The road is not designed to support additional vehicle traffic or on-street parking. More cars on the north side could present safety risks to pedestrians, particularly given the lack of adequate footpaths and the narrow road width. Its already impossible to walk on the pavement due to vehicles parking on it. Your proposal will only aspirate this

2. Increased vehicle presence

Tivoli has a unique, almost village-like character that would be disrupted by increased vehicle presence. Residents and visitors value the peaceful nature of this street, and turning it into a parking zone would negatively alter its atmosphere.

3. Environmental Concerns

Instead of more parking you should consider landscaping. Biodiversity would really benefit Tivoli Walk and the introduction of trees along the pavement would restrict parking in a more environmentally friendly way.

4. Precedent for Future Development

Approving this proposal could set a concerning precedent for similar parking schemes in other narrow residential streets throughout Tivoli. Parking for residents is a nightmare, spaces are taken up by people who don't live in Tivoli taking advantage of the free parking, so they can then commute to town/work train station etc. Sometimes living vehicles for weeks on end.

I have suggested many times (and been completely ignored by councillors and the council) that permit parking would massively benefit Tivoli and every resident I have spoken to agreed that it's the only way forward with the problematic parking that has blighted Tivoli. This would also generate income for the council and I'm sure that's a positive for you!

I must add that I work from home. Most days the view from my window is someone's car parked so close I can barely open said window. My home is darkened even during days of sunshine, and this impacts my mental health.

I have, on occasion politely asked people to not park so close to my front door and have been met with torrents of abuse. I don't think I am being unreasonable needing to access my front door.

I've also had deliveries that have been unable to be made due to the items not being able to fit past cars parked outside my front door.

I'd hate to think what would happen if I ever needed to be removed from my property by ambulance on a stretcher as this just wouldn't be possible!

The Garage next to my home also has a No Parking sign as its in constant use, but this is ignored and again, deliveries/bin collection etc are disrupted.

Directly outside my home is a dropped curb, which should be used for access for wheelchair/mobility scooter/pushchair users etc, but this is always parked on contrary to the highway code which states "Parking at a dropped curb is illegal and can result in a

Penalty Charge Notice (PCN) because it obstructs access for pedestrians, cyclists, or vehicles leaving a driveway, and can create hazards for vulnerable road users. You can be fined for any part of your vehicle covering the lowered kerb, and the contravention is often enforced after a report from the property owner or business affected" again this is completely ignored and not enforced.

You have already put double yellow lines on the various junctions around Tivoli, which are blatantly ignored and in the 8 years of living in Tivoli I have never once encountered a parking warden.

While we understand access is needed for refuse collection/emergency services etc what you have proposed is not the answer and has been led purely by the findings of people employed by the company wishing to develop the offices in Saddlers Lane, the whole proposal is centred around this development and zero consideration for existing residents I urge Cheltenham Borough Council to reconsider the proposed changes of Tivoli Walk. Any solution to parking challenges in the area should prioritise sustainable, community-led alternatives that do not sacrifice residential amenity or safety. The residents of Tivoli Walk should be made priority to find a solution

I have many photos as evidence that my front door is blocked etc, which I have previously sent to the parking /planning depts at the council and have never even so much as received an acknowledgement which is very disappointing. Please confirm receipt of this objection and kindly keep me informed about any future consultations or decisions regarding this matter.

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I urge Cheltenham Borough Council to reconsider the proposed changes of Tivoli Walk. Any solution to parking challenges in the area should prioritise sustainable, community-led alternatives that do not sacrifice residential amenity or safety. The residents of Tivoli Walk should be made priority to find a solution

I have many photos as evidence that my front door is blocked etc, which I have previously sent to the parking /planning depts at the council and have never even so much as received and acknowledgement which is very disappointing. Please confirm receipt of this objection and kindly keep me informed about any future consultations or decisions regarding this matter.

Dear Planning Authority,

I am writing with regard to the planning application on Lypiatt Street, which includes a proposal to reduce the number of available parking spaces on the road. I would like to raise my concerns about this plan and urge you to reconsider.

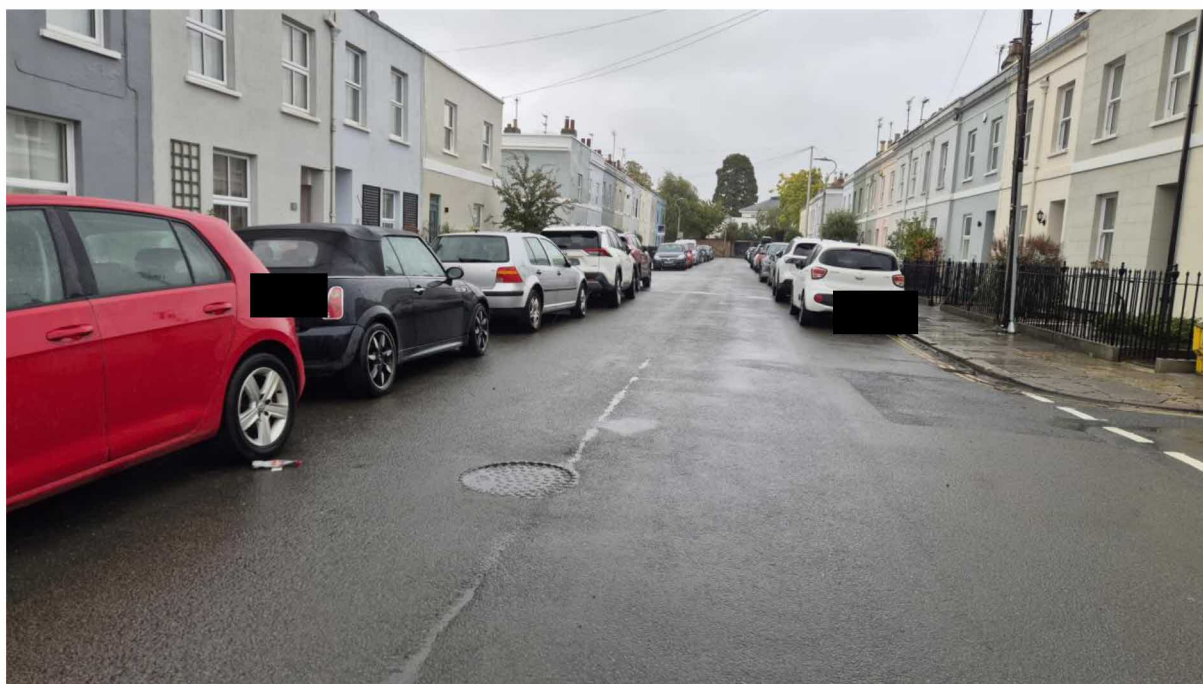
Attached to this email, you will find photos taken today (Sunday evening), which clearly demonstrate that there are no available parking spaces on Lypiatt Street or the adjoining Princes Street. As a resident, I can attest that this situation is a regular occurrence and the existing parking capacity is already insufficient to meet the needs of the residents.

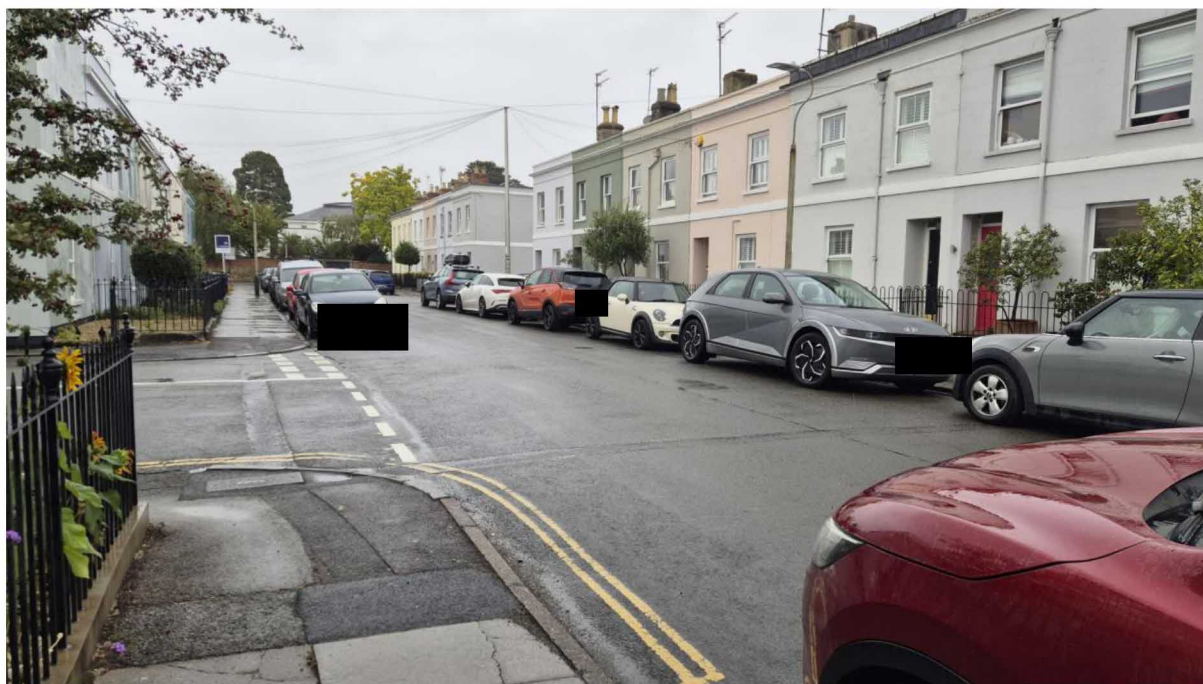
Reducing the number of available parking spaces will only exacerbate the current problem, making it even more difficult for residents to find parking. This will undoubtedly lead to increased frustration and inconvenience for the community.

I strongly urge you to refuse the current plans and consider alternative solutions that do not involve reducing the number of parking spaces. It is essential to address the parking needs of the residents to maintain the quality of life in our area.

Thank you for your attention to this matter.

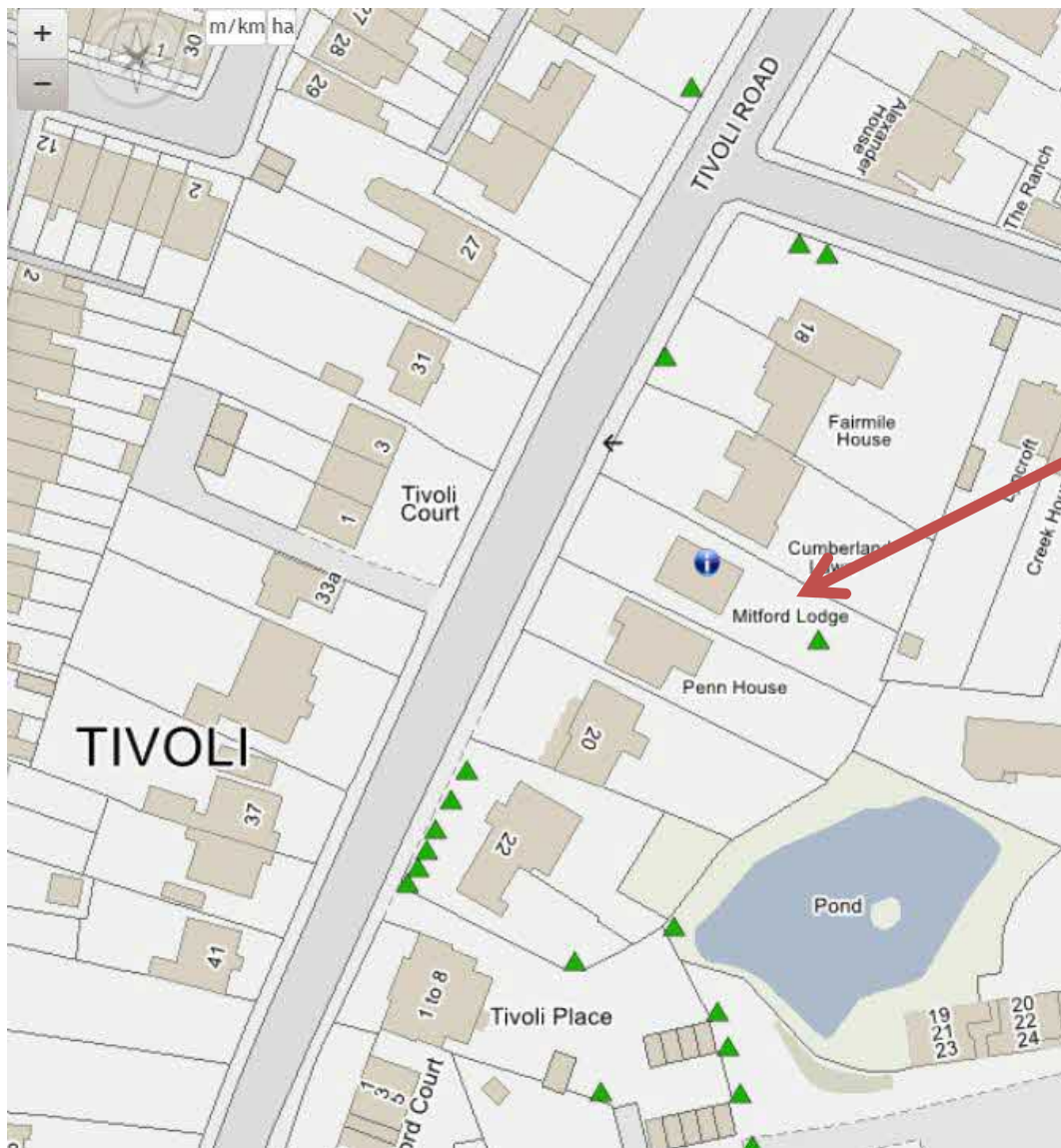






APPLICATION NO: 24/00828/TREEPO		OFFICER: Sam Reader
DATE REGISTERED: 17/7/24		DATE OF EXPIRY: 17/1/24
WARD: Park		PARISH: -
LOCATION:	Rear of Mitford Lodge, Tivoli Road	
PROPOSAL:	TPO to protect one oak tree	

RECOMMENDATION: Confirm without modification



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 Oak tree (*Quercus ilex*) is growing in rear garden of Mitford Lodge. The tree is probably centuries old and its impact on the original setting in the rear of Cumberland Lawn would have been less than in its newer setting (Mitford Lodge is around 20 years old).
- 1.2 The tree dominates the garden and casts shade over this and adjacent gardens at different times of the day. It has been pruned to reduce the overhang over boundaries and crown lifted to reduce the impact of its shade.
- 1.3 The tree bifurcates at around 1.5m to form a multi-stemmed tree. Following extensive pruning works applied for two years ago, the tree has responded with new growth (epicormic) for the first few metres of the stems.
- 1.4 The tree is visible from the road between the houses. Although views are obscured, it is a large and old tree whose size and significance are clear.
- 1.5 Following a Conservation Area tree works notice to remove all but one stem of the tree, considered to be an inappropriate management approach by TOs, a TPO was served to protect it.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Relevant Planning History

23/01673/CACN - T1-Holm Oak. Reduce lateral spread of the complete canopy leaving the height as it is. The point of reduction will be no more than 9m from the centre of the stem.

25/00924/CACN - T1 Large Holm Oak - remove 5 main lower branches, despite a significant reduction in the past, this tree still overpowers the garden casting shade on the house.

3. POLICIES AND GUIDANCE

Town and Country Planning Act 1990

Part 8, Chapter 1 – Trees

Cheltenham Plan

Policy GI2

POLICY GI2: PROTECTION AND REPLACEMENT OF TREES

The Borough Council will resist the unnecessary (Note 1) felling of trees on private land, and will make Tree Preservation Orders in appropriate cases.

For protected trees (Note 2), the Council will require:

a) any tree which has to be felled to be replaced, where practicable (Note 3); and

b) pruning, where it is necessary, to be undertaken so as to minimise harm to the health or general appearance of a tree and to be in conformity with British Standard for Tree Work (BS3998, 2010).

In cases where trees are not protected by a Tree Preservation Order or by being in a Conservation Area but contribute to the townscape and character of the town, the Council will consider including such trees in a Tree Preservation Order.

4. CONSULTATION RESPONSES

4.1. Two site notices were put up nearby on Tivoli Road. Copies of the provisional order were sent to the tree owner and immediate neighbours.

4.2 The owner objected to the TPO on the grounds that since the TPO was served, they had decided to withdraw their works proposal (25/00924/CACN) and had a new work spec prepared with an alternative contractor.

4.3 The neighbour at Cumberland Lawn echoed this reasoning.

4.3 The neighbour at Penn House replied to highlight:

- the size and dominating nature of the tree
- how the tree blocks light
- a safety concern around a limb overhanging their garden

Their reply went on to support the proposal 25/00924/CACN, saying this would not harm the tree and would make it safer and improve its amenity value.

5. OFFICER COMMENTS

- 5.1 The tree appears to be in good physiological condition, despite thin foliage in the apex of the crown. No defects have been identified or submitted as evidence to support tree works notices by any tree surgeon.
- 5.2 Following extensive pruning in 2023, the tree still dominates the garden but the amount of light reaching the ground has increased and the overhang to neighbours' gardens has decreased. The tree appears to have responded well to this pruning with adventitious growth at the sites of pruning but has also shown an increase in epicormic growth up the stems of the tree – this may indicate that the previous pruning works were slightly too heavy.
- 5.3 The tree has high amenity value. Although views of the tree are obscured by the houses, it is visible from the street. Its significant age and size should also be taken into account. It is one of the largest holm oaks in the borough and this is likely to correspond to an impressive age.
- 5.4 A threat to the tree has been established - 25/00924/CACN sought to undertake deleterious works not in keeping with BS3998 (2012) that would have drastically reduced the tree's amenity value and shortened its lifespan. Attempts by the Council's Tree Officer to negotiate a more moderate approach to the tree's management, and despite the applicant's tree surgeon recommending against the original work spec, the applicant persisted with their original proposal. Only when a TPO was served did the applicant change their approach to this tree.
- 5.5 Although the owner has now revised their approach to the tree, were the Council to not confirm the TPO, we would lose the right to refuse future applications for tree works – a new TPO would need to be served in order to protect the tree from inappropriate management.

6. CONCLUSION AND RECOMMENDATION

- 6.1 A threat to a high value tree has been established. Therefore, a TPO is expedient and appropriate for this tree. The TPO was the only legal recourse available to the Council to resist the inappropriate management of the tree. Despite attempts by the TO to negotiate

a more moderate approach to the tree, the applicant was unwilling to change their proposal until a TPO was served.

- 6.2 On this basis the recommendation is to confirm the TPO without modification.

Addenda:

Objections:

Hi Chris and Sam

We have engaged with an alternative local tree specialist company and following a meeting with them, we are formally withdrawing our application ref: 25/00924/CACN.

Their recommendations for the Holm Oak are along the following lines.

- Remove epicormic growth from the main stems to approximately 6.0m above ground level.
- Thin the epicormic growths from 6.0 m to 10.0m by approximately 30%.
- Remove any dead wood which has a diameter greater than 25mm.

We will be engaging with Tree Maintenance to approach you reference the above.

You will receive a separate communication in which we are appealing the TPO decision on the basis that the original reason for it being applied has now been removed.

[tree owner]

...

The appeal is against the TPO being issued not the original application for work (reference: 25/00925/CACN) as this has now been formally withdrawn.

[owner of tree]

Dear Mr Reader

I am writing to object to the Tree Preservation Order on the Oak Tree to the rear of Mitford Lodge.

I understand that the sole reason for this order being made, was, in response to an application made by a Tree Surgeon on behalf of the tree owners to prune this tree. The tree officer, I understand, felt that the proposed pruning would be inappropriate and consequently a Tree Preservation Order was served as the means to prevent this proposed pruning.

I believe that the trees owners have subsequently spoken to a different Tree Care Specialist who has explained the merits of a more arboricultural approach to maintaining this tree and have, as a result, withdrawn the previous application and are in the process of finalising new proposals which should be acceptable to the Tree Officer.

In the light of the above I hope that you will agree that the temporary order is no longer needed, having effectively served its purpose, and, that a permanent order is now, consequently, unnecessary.

I would appreciate it if you could please confirm your receipt of this objection.

Please also find attached copy of the completed information form.

Kind regards

[name withheld]
Cumberland Lawn
Tivoli Road
Cheltenham
GL50 2TF

PENN HOUSE
TIVOLI ROAD
CHELTENHAM GL50 2TF.

The tree in the rear garden of Mitford Lodge is far too large in both height and breadth for the size of the garden, and its spread to adjacent properties is excessive, and blocks out much natural light.

The large limb of the tree that overhangs Penn House is a potential danger, and should be removed. This will give the tree a better and more attractive shape and make it safer.

It will not compromise the retention of the tree in any way. The amenity value will be enhanced.

The views of the tree from Tivoli Road and Ashford Road are very limited to glimpses between the houses on these streets. Also, the views are never in isolation, as there is a backdrop of other trees as one walks along both Tivoli and Ashford Roads.

The requests by Mr. Watts, the owner, are sensible and realistic. The work proposed will retain the tree and enhance it, but also lead to a more attractive street scene. I fully support the request of [REDACTED]

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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

November/December 2025

Address	Proposal	Delegated or Committee Decision	Appeal Type	Anticipated Appeal Determination Date	Reference
The Langton Horse 189 - 191 London Road Charlton Kings Cheltenham Gloucestershire	T1 Beech (nearest hotel building)- Reduce one branch to 2m; T2 Beech (further from building) -Fell and replant	Delegated Decision	Appeal Fast Track Written	n/a	24/02067/TPO

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
19 Beaumont Road Cheltenham Gloucestershire GL51 0LP	Vehicular access and hardstanding.	Delegated Decision	Written Representation	n/a	Planning ref: 25/00324/CLPUD Appeal ref: 25/00012/PP1
K S Service Station Bouncers Lane Cheltenham Gloucestershire GL52 5JF	Installation of digital advertising display	Delegated Decision	Written Representation	n/a	Planning Ref: 25/00998/ADV Appeal Ref: 25/00016/ADV1

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: 24/01703/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
Calder Greenway Lane Charlton Kings Cheltenham Gloucestershire GL52 6LB	Roofing works for roof for Calder and Crossways flats.	Delegated Decision	Written Representation	Appeal Withdrawn 09.07.25	Planning ref: 24/01798/LBC Appeal Ref: 25/00010/LISTB1
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)	Delegated Decision	Written representation	Appeal Dismissed	Planning Ref: 24/00828/FUL Appeal Ref: 25/00008/PP1
Holly Blue House London Road Charlton Kings Cheltenham Gloucestershire GL54 4HG	Proposed first-floor extension.	Delegated Decision	Written representation	Appeal Dismissed	Planning Ref: 24/01692/FUL Appeal Ref: 25/00003/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.	Delegated Decision	Written Representation	Appeal Dismissed	Planning Ref: 24/01123/OUT Appeal Ref: 25/00006/PP1
5 Merriville Gardens Cheltenham Gloucestershire GL51 8JD	Proposed alterations and extensions to existing house (part retrospective).	Delegated Decision	Written Representation	Appeal Dismissed	Planning Ref 24/01900/FUL Appeal Ref 25/00004/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	Appeal Allowed	Planning ref: 25/00245/FUL Appeal Ref: 25/00009/PP1

Eldon Villa 11 Leckhampton Road Cheltenham Gloucestershire GL53 0AX	Proposed roof alterations including two dormer windows and first floor rear extension. (Revised application for 25/00476/FUL).	Delegated Decision	Written Representation (Householder)	Appeal Allowed	Planning Ref: 25/00972/FUL Appeal Ref: 25/00017/PP1
Penrose House 30 Sydenham Road North Cheltenham Gloucestershire GL52 6EB	Single storey extension and loft conversion.	Delegated Decision	Written Representation (Householder)	Appeal Dismissed	Planning ref: 25/00618/FUL Appeal Ref: 25/00014/PP1
34 Churchill Drive Charlton Kings Cheltenham Gloucestershire GL52 6JJ	Erection of 2no. 1-bedroom dwellings to the rear of 34 Churchill Drive.	Delegated Decision	Written representation	Appeal Dismissed	Planning ref: 25/00254/FUL Appeal Ref: 25/00015/PP1
1 Croft Avenue Charlton Kings Cheltenham Gloucestershire GL53 8LF	Erection of building to rear to provide 1no. one bedroom holiday cottage	Delegated Decision	Written representation	Appeal Dismissed	Planning ref: 25/00655/FUL Appeal ref: 25/00013/PP1

REPORT OF THE HEAD OF DEVELOPMENT MANAGEMENT, ENFORCEMENT AND COMPLIANCE ON PLANNING APPEALS AND LEGAL CHALLENGES

LEGAL CHALLENGES

Address	Description	Reference	Reason
Telecommunications Mast Site CLM26627 Lansdown Road Cheltenham Gloucestershire	Installation of 15m pole inc. antennas, ground based apparatus and ancillary development	23/00551/PRIOR	Alleged lack of consideration of health grounds in granting Prior Approval

Authorised By: Chris Gomm 9th December 2025

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 Ro	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	Dismissed	30.07.2025			
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 Merriville Gardens	HAS	11.02.2025	18.02.2025	n/a	n/a	Dismissed	15.08.2025			
24/01123/OUT	25/00006/PP1	Land opposite Ham Close	written	13.03.2025	20.03.2025	17.04.2025	01.05.2025	Dismissed	12.08.2025			
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	Dismissed	24.07.2025			
25/00245/FUL	25/00009/PP1	52 River Leys	written	20.05.2025	27.05.2025	24.06.2025	08.07.25	Allowed	29.08.2025			
24/01798/LBC	25/00010/LISTB1	Calder, Greenway Lane	Written	03.06.2025	10.06.2025	08.07.2025	22.07.2025	Withdrawn	09.07.2025			
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					
25/00655/FUL	25/00013/PP1	1 Croft Avenue	written	22.07.2025	29.07.2025	26.08.2025	09.09.2025	dismissed	21.11.2025			
25/00618/FUL	25/00014/PP1	30 Sydenham Road North	HAS	01.09.2025	08.09.2025			dismissed	20.11.2025			
25/00254/FUL	25/00015/PP1	34 Churchill Drive	written	05.09.2025	12.09.2025	10.10.2025	24.10.2025	dismissed	21.11.2025			
25/00998/ADV	25/00016/ADV1	KS Service St Bouncers La	Written	25.09.2025	02.10.2025							
25/00972/FUL	25/00017/PP1	11 Leckhampton Road	HAS	27.10.2025	03.11.2025			Allowed	19.11.2025			

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Appeal Decision

Site visit made on 12 November 2025

by Penelope Metcalfe BA(Hons) MSc DipUP DipDBE MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 19 November 2025

Appeal Ref: APP/B1605/D/25/3364957

Eldon Villa, 11 Leckhampton Road, Cheltenham, GL53 0AX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Guy Drummond against the decision of Cheltenham Borough Council.
 - The application Ref is 25/00972/FUL.
 - The development proposed is roof alterations including two dormer windows and first floor rear extension.
-

Decision

1. The appeal is allowed and planning permission is granted for erection of roof alterations including two dormer windows and first floor rear extension at Eldon Villa, 11 Leckhampton Road, Cheltenham, GL53 0AX, in accordance with the terms of the application Ref 25/00972/FUL and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 1724_300, 1724_301, 1724_302, 1724_303, 1724_304, 1724_305, 1724_306, 1724_307, 1724_308, 1724_309, 1724_310, 1724_312, 1724_313.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those of the existing building.

Main issue

2. I consider that the main issue in this case is its effect on the character and appearance of the area.

Reasons

3. 11 Leckhampton Road is a two storey semi-detached house located in a residential area. It has a double fronted elevation to the street of painted render with a low pitched roof behind a raised parapet. It is located in the Leckhampton Character Area of the Cheltenham Central Area Conservation Area.

4. The relevant policies in this case include D1 of the Cheltenham Plan (2020), and SD4 and SD8 of the adopted Joint Core Strategy (2017) (the Core Strategy). These relate to design requirements, including reference to the architectural integrity of buildings, scale, materials and historical context and the maintenance of heritage assets. Also relevant are the Council's Supplementary Planning Document *Residential Alterations and Extensions* (the SPD) which offers design advice and the *Leckhampton Character Area Appraisal and Management Plan* (the CAA).
5. There is a statutory duty under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas. The National Planning Policy Framework (2021) (the Framework) states that in the consideration of development proposals great weight should be given to the conservation of heritage assets in accordance with the significance of the asset and any harm should require clear and convincing justification.
6. The proposal includes alterations to the roof which have already been permitted under an earlier planning permission (25/00476/FUL). The Council has no objections to this element of the proposal and I see no reason to disagree with this view.
7. The proposed first floor extension would be constructed above an existing, previously permitted ground floor extension, on the same footprint and alongside an existing two storey rear wing. I consider that, although the proposal would result in rear elements extending the full width of the property, its smaller width and depth and lower profile than the existing wing would render it subservient to the house. The pitched roof and gable and proposed materials would reflect those of the existing rear element.
8. The CAA identifies Leckhampton Road as an important approach road to Cheltenham with architecturally grand houses, set well back from the road along a regular building line. Other parts of the Leckhampton Character Area have smaller, terraced artisan housing in a tighter grid pattern. The CAA cites a number of issues which have a negative impact on the character of this part of Leckhampton Road, particularly those affecting the street scene, such as the loss of architectural detailing and traditional street furniture.
9. The rear elevations of the buildings along the street are very varied with multiple extensions in different forms, including some substantial gabled ones. Materials used include both brick and render. I consider that these rear elevations make little contribution to the significance of the conservation area which in this context is mainly focused on maintaining the character and appearance of the frontages of properties on Leckhampton Road.
10. I consider that the proposal would be well proportioned in relation to the existing house itself and the pattern of rear extensions in the vicinity. The proposed materials would reflect those of the surroundings. It would not be visible from Leckhampton Road and would have no impact on its character and appearance. In limited views from the rear it would appear in keeping with the variety of other built forms visible.
11. I conclude that the proposal would not harm the character and appearance of the house itself or of the wider conservation area. It does not conflict with policies D1 of the Cheltenham Plan or SD4 and SD8 of the Core Strategy.

12. For the reasons given above, the appeal is allowed.

Conditions

13. I have considered the conditions put forward by the Council, having regard to the tests set out in the Framework. A condition detailing the plans is necessary to ensure the development is carried out in accordance with the approved plans and for the avoidance of doubt. A condition relating to the materials is necessary in order to ensure the satisfactory appearance of the development.

PAG Metcalfe

INSPECTOR

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Appeal Decision

Site visit made on 4 November 2025

by **K Townend BSc MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 21 November 2025

Appeal Ref: APP/B1605/W/25/3369339

1 Croft Avenue, Charlton Kings, Cheltenham, Gloucestershire GL53 8LF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
- The appeal is made by Mr John Slater on behalf of Spa Town Rentals against the decision of Cheltenham Borough Council.
- The application Ref is 25/00655/FUL.
- The development proposed is construction of building to provide one single bedroom holiday cottage.

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - the effect of the development on the character and appearance of the area;
 - the effect of the development on the living conditions of the occupiers of nearby properties, with particular regard to noise, disruption, privacy, and security;
 - the effect on the living conditions of the future occupants of the development, with particular regard to the size of the habitable space and the position of the unit; and
 - the effect of the development on the integrity of the Cotswolds Beechwoods Special Area of Conservation (SAC).

Reasons

Character and appearance

3. The appeal site comprises part of the rear garden to the host dwelling, 1 Croft Avenue. The host dwelling is an end terrace property within a built-up residential area and within the Principal Urban Area of Cheltenham. The terrace houses all face the road and have similar length and width rear gardens separated from the houses by a narrow footpath. Both end terraces also have a vehicular access to the side and the opposite end of the terrace has a garage at the rear. However, the host dwelling does not have a garden which is overly large or out of keeping with the size of other gardens to the terrace houses.
4. The appeal proposal is for a detached building to be used as holiday accommodation. It would be built in the rear garden behind the host dwelling and fill most of the width of the garden. A single parking space is indicated, accessed

using the existing vehicular access, which would also continue to serve the host dwelling. The proposed new building would be single storey with a flat roof, one bedroom, shower room and open-plan kitchen and living room. One window is proposed to the kitchen/living room and a flat window in the roof would serve the bedroom.

5. The road frontage terrace houses and the consistent shape and length of the rear gardens sets the grain of the area and creates attractive and continuous streetscapes, contributing positively to the character of the area. The appeal proposal would, by being built behind the host dwelling, not front a road or a driveway. It would, therefore, disrupt the prevailing urban grain and would not integrate well with the context and character. It would be incongruous in the area and would fail to make a positive contribution to the street scene.
6. The Cheltenham Local Development Framework - Development on Garden Land and Infill Sites in Cheltenham Supplementary Planning Document, June 2009 (the Garden Land SPD) defines garden land development as that within either the front or rear garden of existing properties, or both. The Garden Land SPD does not seek to prevent development on gardens; however, it does seek to ensure that any such developments are appropriate and respect the area. The appeal proposal would not respect the grain of the area and would also result in a form of tandem development that is resisted in the Garden Land SPD.
7. The appellant has drawn my attention to houses on Croft Drive, Croft Mews, and Croft Parade which I viewed at my visit. Both Croft Drive and Croft Mews are set on land behind the gardens of the terrace houses on Croft Avenue. Nevertheless, from the extract of historic maps provided in the appellant's evidence, the land on which these properties were built did not form part of the gardens of the terrace houses. Both are built off separate access points, not serving any other properties. Both developments were built on land to the rear of the gardens and have created a separate, small, group of buildings which form part of the character of the area, but do not inform or disrupt the primary road frontages or urban grain of Croft Avenue or Croft Road.
8. Croft Parade is the terrace houses on the opposite side of Croft Avenue and the houses behind those front onto Little Herbert's Close. I have not been provided with any evidence of back land development in Croft Parade. Overall, the other developments referred to by the appellant are materially different to the appeal proposal and would not justify development within the rear gardens of the terrace houses.
9. The appellant has also referred to other outbuildings within the gardens of properties in the area. Although there are some large outbuildings, most are much smaller sheds and garden rooms. I have not been provided with any compelling evidence of any other buildings that are as large as the appeal proposal, set within a garden of a terrace house, and used as separate accommodation.
10. I acknowledge that the proposal would be a contemporary single-storey and flat roofed building, which would not be visually prominent or intrusive, and would be lower in height than the two-storey terrace dwellings. Moreover, I accept that a flat roofed and timber clad building would not be out of keeping with other outbuildings in the area and I saw that the approved, flat roofed, extension to the host dwelling

was under construction. However, these matters are neutral and do not weigh in favour of the development or outweigh the harm of the proposal.

11. The appellant contends that there is a fallback position of constructing an outbuilding to be occupied as an annexe to the host dwelling. The appellant asserts that this fallback should be considered in assessing the appeal proposal. I have had regard to the relevant caselaw¹. However, the appellant also accepts that to be permitted development the building would have to be reduced in height. Furthermore, I have no compelling evidence that a building of a size similar to that proposed would be reasonably required for purposes incidental to the enjoyment of the dwellinghouse and I have no lawful development certificates for such proposals. This leads me to conclude that I have no compelling evidence that the development of an outbuilding as an annexe would be delivered, and there is no “real prospect” of the fallback position advanced being implemented. I have therefore given this little weight in coming to my conclusions.
12. For the reasons given above, I find that the appeal proposal would result in a form of development that would not be in keeping with the surrounding built form and would have an unacceptable adverse effect on the character and appearance of the area contrary to Policy SD4 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011-2031 (the JCS) which seeks to ensure that new development responds positively to, and respects the character of, the site and its surroundings, enhances local distinctiveness and addresses the urban structure and grain of the locality in terms of street pattern and layout.
13. For the same reasons, the proposal would also fail to comply with Policies SL1 and D1 of the Cheltenham Plan, adopted July 2020 (the CP) which, taken together, require development to achieve good design and complement and respect neighbouring development and the character of the locality.

Living conditions of neighbouring occupiers

14. The appeal building would be built within the rear garden of the host dwelling. As a single storey building with windows only in the front elevation there would be limited loss of privacy or light to the immediate neighbours, subject to the appellant erecting a taller fence than the low level fence I saw at my visit.
15. Nevertheless, as a separate unit of accommodation, the proposal would have comings and goings associated with the occupants which would be added to the movements currently associated with the host property. Even if an outbuilding were built and occupied as an annexe the occupant of such a building would likely share some movements with the occupiers of the host dwelling. As holiday accommodation the occupants would have separate movements.
16. Even if I were to accept that the level of activity would not be significant it would still be added activity above and beyond what would be expected associated with the host dwelling, even if an annexe were constructed. The additional activity would be noticeably different to the existing situation and noticeably different to an annexe use. This would, therefore, be harmful to the living conditions of the occupiers of neighbouring properties by reason of additional noise and disturbance.

¹ Mansell v Tonbridge and Malling BC & others [2017] EWCA Civ 1314

17. I have no compelling evidence that the use of the proposed building as a separate unit of accommodation would reduce the security of the neighbouring properties nor add to their fear of crime. The path between the houses and the gardens is not currently secured though I also have no reason to believe that anyone would use this path unless they were a resident or visitor. The additional movements would provide natural surveillance of the area and the path to the rear of the properties and, in my judgement, would likely improve security.
18. The provision of a building and parking space within the appeal site would result in the loss of the off-street parking for the host dwelling which would add to the existing on-street parking. However, as only one car would be displaced, the effect of this would not be severe.
19. For the above reasons, although I find no harm to privacy and security and only limited harm to parking, I find that the appeal proposal would result in adverse harm to the living conditions for the occupiers of nearby properties, with particular regard to noise and disruption. The proposal would, therefore, be contrary to Policy SD14 of the JCS which seeks to ensure that development would not cause unacceptable harm to local amenity. It would also be contrary to Policy SL1 of the CP which requires development to not cause unacceptable harm to living conditions in the locality.
20. For the same reasons, the proposal would also fail to comply with the advice in the Garden Land SPD which, amongst other matters, seeks to resist development that would result in unacceptable harm to the living conditions of neighbouring dwellings.

Living conditions of future occupants

21. The proposed building would fall short of the minimum set out in the Technical Housing Standard – Nationally Described Space Standard (the NDSS) for a two-person, one bedroom, property. Although it meets the minimum for a one-person property the proposal is for a unit with a double bedroom and I have, therefore, assessed it as a two-person unit.
22. Although the appellant contends that as holiday accommodation it would not need to meet the minimum standards, the proposal provides a self-contained unit with the facilities required for day-to-day private domestic existence, and I have therefore treated it as a dwellinghouse for the purposes of considering the living conditions of the future occupants. A dwellinghouse does not lose that characteristic if it is occupied for only part of the year, or at infrequent intervals, or by a series of different persons such as holiday accommodation.
23. Moreover, due to the size and shape of the building it would only have openings on the elevation facing towards the host dwelling which would result in three blank elevations and only a roof window serving the bedroom. Although I accept that a condition could be imposed to require the building to be occupied as holiday accommodation only, this would not mean that it would be appropriate for the development to not provide a comfortable place to stay. The limited window openings and the shortfall of the development below the NDSS would result in a unit of accommodation that would not provide appropriate living standards for the future occupants, even if they were only occupying the unit on a short-term basis. The appeal proposal would, therefore, not provide high quality design.

24. The position, to the rear of the host dwelling, would also result in the future occupants of the property not feeling part of the area or part of any wider development. The building would be the only separate unit of accommodation to the rear of the terrace houses and would result in the accommodation feeling isolated and cramped.
25. For the above reasons, the appeal proposal would not provide acceptable living conditions for the future occupants of the development, with particular regard to the size of the habitable space and the position of the unit. It would, therefore, fail to comply with Policy SD4 of the JCS which seeks to ensure that development creates attractive and comfortable places to live.

Special Area of Conservation

26. The appeal site lies within the zone of influence for the Cotswold Beechwoods Special Area of Conservation (SAC) and the effect of the development on the SAC was included as a reason for refusal. The appeal scheme would result in a net increase in residential accommodation which could result in adverse effects upon the integrity of the SAC through increased recreational use.
27. A signed and dated unilateral undertaking has been provided by the appellant which would secure a financial contribution payable to the Council, prior to the commencement of development.
28. As the competent decision-making authority, if I had been minded to allow the appeal, I would need to examine these matters further and undertake an Appropriate Assessment of the implications of the appeal scheme upon the SAC. However, as I am dismissing the appeal on other main issues, the outcome of an assessment would have no bearing on the overall outcome of the appeal. Therefore, it is not necessary for me to consider this further.

Other Matters

29. The Council states that it is not able to demonstrate a five-year supply of deliverable housing sites and the supply figure of 2.52 years detailed in the officer report is a significant shortfall. Paragraph 11(d) of the National Planning Policy Framework (the Framework) therefore applies.
30. However, if the appeal building were to be restricted to holiday accommodation it would not contribute towards boosting the supply of housing, as promoted by the Framework. I acknowledge there would be general social and economic benefits of providing an additional unit of tourist accommodation. Moreover, the appeal site is also within the Principal Urban Area and, therefore, close to services and facilities accessible by foot, cycle, and public transport. However, in providing one additional property these benefits are limited. Nevertheless, these benefits contribute positively and carry moderate weight in favour of the proposal.
31. There would be adverse environmental impacts in terms of the effect on the character and appearance of the area from the introduction of a new, separate unit of accommodation, in the rear garden of the host dwelling. There would also be harmful environmental effects on the living conditions of both the future occupiers of the scheme and the occupants of the neighbouring properties. The development would, therefore, be contrary to the relevant parts of the Framework, which amongst other matters seek to secure well-designed and attractive places,

promote good design, maintain a strong sense of place, and create places with a high standard of living conditions for existing and future users. These environmental impacts are afforded significant weight.

32. Overall, in my judgement, the adverse impacts of the proposed development would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework, taken as a whole. As a result, the presumption in favour of sustainable development does not apply.

Conclusion

33. For the reasons given above, the proposal would be contrary to the development plan, when taken as a whole, and the Framework. There are no other material considerations that would indicate that the proposal should be determined other than in accordance with the development plan. Therefore, the appeal is dismissed.

K Townsend

INSPECTOR



Appeal Decision

Site visit made on 12 November 2025

by Penelope Metcalfe BA(Hons) MSc DipUP DipDBE MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 20 November 2025

Appeal Ref: APP/B1605/D/25/3371703

Penrose House, 30 Sydenham Road North, Cheltenham, GL52 6EB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Peter Harrison against the decision of Cheltenham Borough Council.
 - The application Ref is 25/00618/FUL.
 - The development proposed is single storey extension and loft conversion.
-

Decision

1. The appeal is dismissed.

Main issue

2. I consider that the main issue in this case is its effect on the character and appearance of the area.

Reasons

3. 30 Sydenham Road North is a two storey detached house located on a corner plot between Sydenham Road North and Cranham Road in the Sydenham Character Area (the SCA) of the Cheltenham Central Conservation Area. The SCA contains a mix of architectural styles and age of buildings and No. 30 is an example of a formal villa style constructed in the 19th century. Although it is not a listed building, it is identified in the Council's Conservation Area Appraisal as a positive building. It is in a relatively prominent location on the corner, well spaced centrally in its plot and set back from the road. It has a two storey element to the rear with a monopitch roof.
4. The Council raises no objection to the single storey side extension and I see no reason to disagree with this view.
5. The relevant adopted policies in this case include D1 of the Cheltenham Plan (2020), and SD4 and SD8 of the adopted Joint Core Strategy (2017) (the Core Strategy). These relate to design requirements, including reference to the architectural integrity of buildings, scale, materials and historical context and the maintenance of heritage assets. Also relevant are the Council's Supplementary Planning Document *Residential Alterations and Extensions* (the SPD) which offers design advice and the *Sydenham Character Area Appraisal and Management Plan* (the CAA).
6. There is a statutory duty under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of

preserving or enhancing the character or appearance of conservation areas. The National Planning Policy Framework (2021) (the Framework) states that in the consideration of development proposals great weight should be given to the conservation of heritage assets in accordance with the significance of the asset and any harm should require clear and convincing justification.

7. I consider that the proposed dormers are unacceptable because of their scale, form and materials. The existing building has a relatively shallow roof pitch and the dormers would appear large and bulky. They would fill much of three of the roof pitches because of their width and their minimal set down from ridge and up from the eaves. Although they would not necessarily give the appearance of an additional storey, they would give the building a top heavy appearance on the skyline which would compromise the architectural integrity of the building. The use of white render, especially for the cheeks, although in keeping with the main house would make them more evident.
8. I have taken account of the examples of loft conversions in the area put forward by the appellant. Many of the dormer windows visible nearby are typically smaller both in real terms and as a proportion of the roof slopes and overall mass of the host buildings. They tend to be of materials more suited to blending in with the host roof, though not all are wholly successful in this respect. Several of these properties have different original roof forms and steeper roof pitches than No. 30.
9. The CAA refers to some dormer windows in the Sydenham Character Area as having a negative impact on the skyline and built form of the historic buildings. In my view this indicates that special care needs to be taken over the introduction of new dormers in the area.
10. Due to the prominent position of No. 30 on a corner and its spacious setting within its plot, the proposed dormers would all, including that on the southeast side elevation, be readily visible from the street, even when the trees are in leaf. I consider that the size and form of the proposed dormers, especially the rear one, would be out of proportion with the original shallow roof form and unsympathetic to the overall architectural style of the building. Their cumulative effect would create a discordant feature which would detract from the character of the building itself and the wider street scene and would fail to make a positive contribution to the conservation area.
11. The proposal would cause less than substantial harm to the significance of the conservation area. I give considerable weight to this harm and although there would be benefits to the living standards of the occupiers of the property, no public benefit sufficient to outweigh the harm is apparent from it and I find no clear and convincing justification for allowing the appeal.
12. I conclude that the proposal would harm the character and appearance of the house and of the street scene and would fail to conserve or enhance the conservation area. It is contrary to policies D1 of the Cheltenham Plan and SD4 and SD8 of the Core Strategy. It is contrary to the SPD and the aims expressed in the CAA and not in accordance with the Framework.
13. For the reasons given above, the appeal is dismissed.

PAG Metcalfe INSPECTOR