

# Cheltenham Borough Council Planning Committee

**Meeting date:** 19 March 2026

**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, Councillor Jackie Chelin and Councillor Suzanne Williams

---

## **Important notice – filming, recording and broadcasting of Council meetings**

This meeting will be recorded by the council for live broadcast online at [www.cheltenham.gov.uk](http://www.cheltenham.gov.uk) and <https://www.youtube.com/@cheltenhambc/streams>  
The Chair will confirm this at the start of the meeting.

If you participate in the meeting, you consent to being filmed and to the possible use of those images and sound recordings for broadcasting and/or training purposes.

If you have any questions on the issue of filming/recording of meetings, please contact Democratic Services.

---

## **Speaking at Planning Committee**

To find out more about Planning Committee or to register to speak, please click [here](#).

**Please note:** the deadline to register to speak is 10.00am on the Wednesday before the meeting.

---

**Contact:** [democraticservices@cheltenham.gov.uk](mailto: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 - 8)**

To approve the minutes of the meeting held on 19 February 2026.

**5 Public Questions**

**6 Planning Applications**

**6a 25/01587/FUL - Dowdeswell Park, London Road, Charlton Kings, Cheltenham, GL52 6UT (Pages 9 - 54)**

[Planning Application Documents](#)

**6b 25/01636/LBC - Gloucestershire County Council, Cheltenham Library, Clarence Street, Cheltenham, GL50 3JT (Pages 55 - 60)**

[Listed Building Consent Application Documents](#)

**7 Appeal Update (Pages 61 - 74)**

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



# Cheltenham Borough Council Planning Committee Minutes

**Meeting date:** 19 February 2026

**Meeting time:** 18:00-19:00

---

**In attendance:**

**Councillors:**

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

**Also in attendance:**

Chris Gomm (Head of Planning), Michelle Payne (Development Management Manager), Lucy White (Principal Planning Officer) and Simon Aley (Locum Senior Planning Solicitor)

---

## 1 Apologies

Apologies were received from Councillors Clark and Wheeler.

## 2 Declarations of Interest

There were none.

## 3 Declarations of independent site visits

There were none.

## 4 Minutes of the last meeting

The minutes of the meeting held on 22<sup>nd</sup> January were approved unanimously.

## 5 Public Questions

There were none.

## 6 Planning Applications

### 7 25/00837/FUL Land Off Shelley Road, Cheltenham, GL51 7DT

The Planning Officer introduced the report as published.

There was one public speaker who spoke for the application, she made the following points:

- The applicant stated that there was engagement with the community and there was a post card drop to 437 houses.
- A consultation and a drop in session took place at Hesters Way community centre
- Comments were received on line from 87 people.
- There were concerns raised about parking and landscaping and all points have been taken into account.
- With a view to affordable housing, this has been made possible with a grant from Homes England, affordable housing is essential.
- Parking has moved on from last years consultation. There will be approximately 60 dwellings with allocated spaces.
- It is a sustainable site with landscaping.
- The application is supported by civic society and they have tried, where possible to fit in Cheltenham SPD.

The response member questions were as follows:

- The parking level is based on the census data in the area and a parking survey in the area, highways officers were consulted and were satisfied that the levels are satisfactory.
- With regard to the request from county archaeology, this has been included and submitted and agreed by the county archaeologist.
- The care home have objected to the application and have submitted a petition, the applicant engaged with the care home and they do have concerns but mostly around the noise that the construction will cause.

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

- Members were really happy with the layout.
- It was pleasing to see the amount of social housing in the borough, as there is an issue with affordability in Cheltenham.
- There is potential for biodiversity with the gardens, although that will be up to the occupiers.
- There is no reason not to back the application especially as there is a need to bring down the waiting list.
- There was appreciation for the consultation that has been done on the application.
- The site looks beautiful, only concern is about the maintenance of the landscaping and the swales, there was a hope that there is a robust plan to protect the landscaping. It was suggested that the details are put in the

new owners handbook with regard to who to contact if there is damage to the neighbourhood.

- It was commented that there is a sense of pride in communities these days, and it was hoped that will continue with this application.
- It is assumed that flat dwellers don't want outdoor private space, it is important to a lot of people, this was just a comment for future developments.

Matter went to the vote

Unanimous to grant.

### **8 25/01931/FUL Hatherley Park, Hatherley Court Road, GL51 3AL**

The Senior Planning Officer introduced the report as published.

Councillor Barrell addressed the committee to speak in favour of the application.

She made the following points:

- Both herself and Cllr Chelin were in favour of the application.
- The park is a great asset to the town.
- During the summer due to lack of rainfall the fish were dying due to the lack of water in the lake. Team have worked very hard to improve the situation.
- Asked that the committee allow this application to be permitted.

Responses to Member questions were as follows:

- The work would start as soon as possible to circumvent the birds that nest in the area, there isn't a start date at the moment. This is covered by the mitigation measures and recommendations set out in the Ecology report submitted with the application.
- The planning officer will re check the ecology report to see that there is a provision with regard to the birds.

There was no Member debate.

The matter then went to the vote:

Unanimous – for.

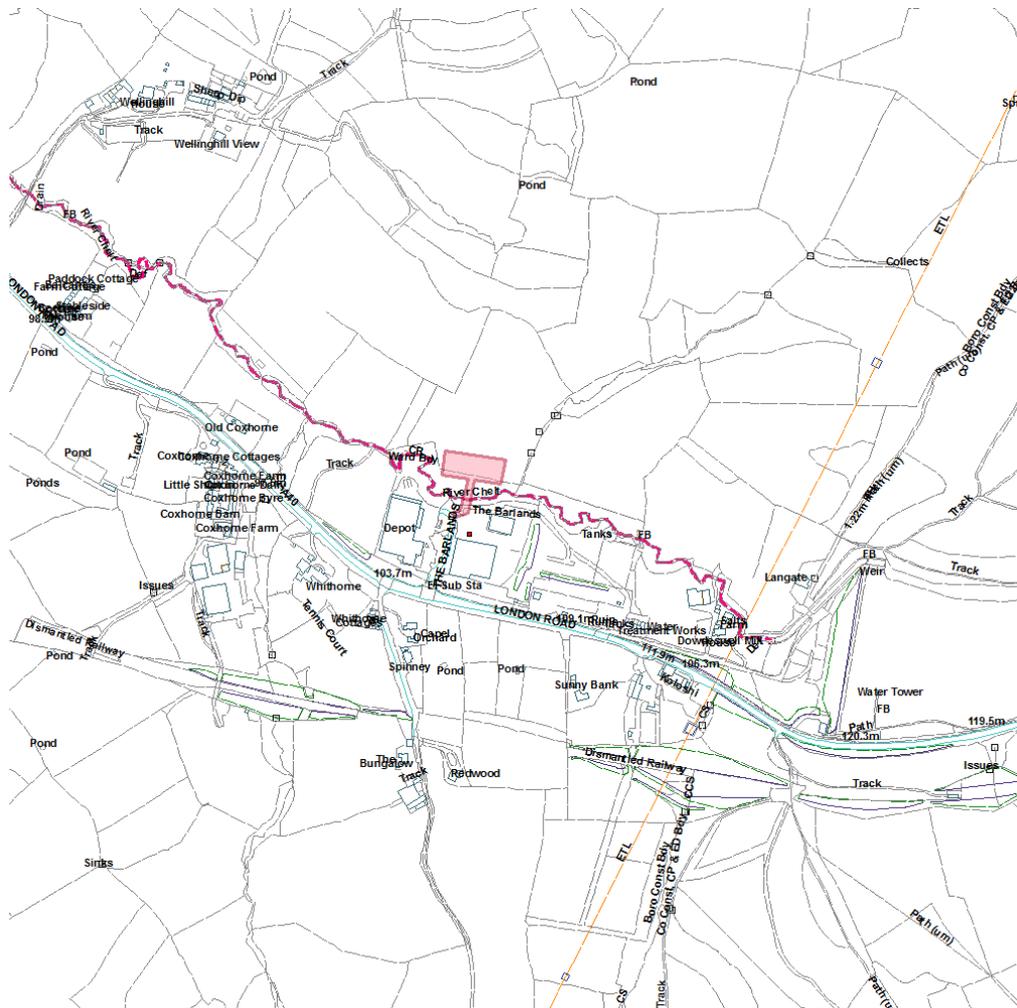
### **9 Appeal Update**

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

This page is intentionally left blank

|   |  |
|---|--|
| <b>APPLICATION NO:</b> 25/01587/FUL       | <b>OFFICER:</b> Michelle Payne   |
| <b>DATE REGISTERED:</b> 23rd October 2025 | <b>DATE OF EXPIRY:</b> 18th December 2025<br>(extension of time agreed 20th March 2026)  |
| <b>DATE VALIDATED:</b> 23rd October 2025  | <b>DATE OF SITE VISIT:</b>   |
| <b>WARD:</b> Charlton Kings               | <b>PARISH:</b> Charlton Kings  |
| <b>APPLICANT:</b>                         | Dunkertons Cider   |
| <b>AGENT:</b>                             | SF Planning Limited  |
| <b>LOCATION:</b>                          | Dowdeswell Park London Road Charlton Kings   |
| <b>PROPOSAL:</b>                          | Change of use of agricultural building to a Padel Centre (Use Class E(d)) with associated alterations, pedestrian access and footbridge. |

**RECOMMENDATION:** Permit subject to conditions and s106 legal agreement



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

## 1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 Dunkertons Park is a mixed use commercial and leisure venue that provides a variety of food, drinks and events. The site is located to the north of London Road (A40) and forms part of the wider Dowdeswell Park.
- 1.2 The site lies outside of Cheltenham's Principal Urban Area (PUA) within the Cotswolds National Landscape (AONB). The River Chelt runs to the south of the site, with part of the access to the site located within Flood Zone 2. In addition, a public right of way passes to the north and west of the site.
- 1.3 This application is seeking planning permission for the change of use of a large existing agricultural building to a Padel Centre (Use Class E(d)) with associated alterations, pedestrian access and footbridge. The centre would provide for four indoor padel courts, with associated reception area, kit hire facilities, break out areas, changing rooms/toilets, and small mezzanine viewing area.
- 1.4 Revised/additional information and/or drawings have been submitted during the course of the application and are discussed in the report below.
- 1.5 A separate application for planning permission (ref. 25/01202/FUL) for the creation of a raised terraced area adjacent to the river, for use as additional outdoor seating in connection with the food and drink offer available at the venue, is currently under consideration with a delegated decision expected.
- 1.6 This application is before the planning committee at the request of Cllr Angie Boyes for the following reasons:

*Noise increase to local neighbours.*

*Increased traffic on the A40.*

*Loss of agricultural building.*

*It is on AONB. The effect of the development on the character and appearance of the Cotswolds Natural Landscape.*

*The Joint Core Strategy requires all development within the national landscape to conserve, enhance its landscape, scenic beauty, wildlife, cultural heritage and other special qualities. Great weight should be given to this.*

*Section 245 of the Levelling Up and Regeneration Act 2023 (the LURA) amended the duty in the Countryside and Rights of Way Act 2000 in relation to NLs to require relevant authorities, in exercising or performing any functions in relation to, or so as to affect, land in a NL to seek to further the purpose of conserving and enhancing the natural beauty of it.*

- 1.7 Members will have the opportunity to visit the site on planning view.

## 2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

### **Constraints:**

Area of Outstanding Natural Beauty (AONB)  
Airport safeguarding over 15m

**Relevant Planning History:**

|  |                           |                            |
|--|---------------------------|----------------------------|
| <b>16/01603/COU</b>  | <b>PERMIT</b>             | <b>10th November 2016</b>  |
| Change of use from storage/light industrial to brewery and gin distillery and use for other food and drink preparation, production, storage and distribution   |                           |                            |
| <b>16/01729/FUL</b>  | <b>PERMIT</b>             | <b>9th December 2016</b>   |
| Extension of existing building to provide entrance/arrivals area for cider production business, timber cladding of facades and over-cladding of roof of two buildings, replacement windows to two buildings. (incorporating alterations to layout of car park and new landscaping) |                           |                            |
| <b>17/00424/FUL</b>  | <b>PERMIT</b>             | <b>20th April 2017</b>     |
| Erection of bat house  |                           |                            |
| <b>17/01044/FUL</b>  | <b>PERMIT</b>             | <b>18th January 2018</b>   |
| Extension and change of use of existing pump house, erection of new pavilion and visitor centre, works to open up an underground vaulted area and creation of a parking area, all for flexible employment and retail use   |                           |                            |
| <b>17/02086/CONDIT</b>   | <b>PERMIT</b>             | <b>18th December 2017</b>  |
| Variation of Condition 2 of 16/01729/FUL - minor material amendments to fenestration and elevation treatment   |                           |                            |
| <b>18/01548/COU</b>  | <b>PERMIT</b>             | <b>21st September 2018</b> |
| Change of use of existing industrial/storage unit to use for food and drink preparation, production, storage, distribution and sale  |                           |                            |
| <b>18/01689/FUL</b>  | <b>PERMIT</b>             | <b>1st October 2018</b>    |
| External alterations to existing building to provide timber cladding, stonework and new openings for windows and doors   |                           |                            |
| <b>18/01754/FUL</b>  | <b>PERMIT</b>             | <b>9th November 2018</b>   |
| Extension and external alterations to office building including use of part of the building as a cafe (A3) and exercise/gym space (D2)   |                           |                            |
| <b>19/01986/DISCON</b>   | <b>DISCHARGED</b>         | <b>12th December 2019</b>  |
| Discharge of condition 3 (roofing materials), 4 (window and door design) on planning permission ref. 18/01689/FUL  |                           |                            |
| <b>19/01987/DISCON</b>   | <b>DISCHARGED</b>         | <b>12th December 2019</b>  |
| Discharge of conditions 3 and 4 of planning permission 18/01754/FUL  |                           |                            |
| <b>19/02485/COU</b>  | <b>PERMIT</b>             | <b>5th February 2020</b>   |
| Change of use of part of existing industrial unit (B2) to A1 retail (florist) and erection of retractable awning (retrospective application)   |                           |                            |
| <b>19/02485/ADV</b>  | <b>GRANT</b>              | <b>5th February 2020</b>   |
| Retractable awning (retrospective application)   |                           |                            |
| <b>20/01974/CONDIT</b>   | <b>PERMIT</b>             | <b>11th December 2020</b>  |
| Removal of condition 3 on planning permission ref. 19/02485/COU - to enable the site to be used for purposes other than just as a florist  |                           |                            |
| <b>23/00737/DEMCON</b>   | <b>REQUIRED AND GIVEN</b> | <b>28th June 2023</b>      |
| Demolish three storey modern office building   |                           |                            |

23/01260/COU

PERMIT

8th September 2023

Proposed change of use to Storage and Distribution (Use Class B8)

25/00276/PRIOR

PA NOT NEEDED

6th March 2025

Purpose designed/built agricultural building for the storage of hay, straw and machinery on land adjacent to Dowdeswell Park.

### 3. POLICIES AND GUIDANCE

#### **National Planning Policy Framework 2024 (NPPF)**

Section 2 Achieving sustainable development

Section 4 Decision-making

Section 9 Promoting sustainable transport

Section 12 Achieving well-designed places

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

Section 15 Conserving and enhancing the natural environment

Section 16 Conserving and enhancing the historic environment

#### **Adopted Cheltenham Plan 2020 (CP) Policies**

D1 Design

L1 Landscape and Setting

L2 Conversion of Rural Buildings

SL1 Safe and Sustainable Living

GI2 Protection and replacement of trees

GI3 Trees and Development

#### **Adopted Joint Core Strategy 2017 (JCS) Policies**

SD3 Sustainable Design and Construction

SD4 Design Requirements

SD6 Landscape

SD7 The Cotswolds Area of Outstanding Natural Beauty

SD9 Biodiversity and Geodiversity

SD14 Health and Environmental Quality

INF1 Transport Network

INF2 Flood Risk Management

### 4. CONSULTATIONS

See appendix at end of report

### 5. PUBLICITY AND REPRESENTATIONS

- 5.1 Given the nature of the site and the proposal, individual letters of notification were not sent on this occasion; however, a site notice as posted at the entrance to the site.
- 5.2 69 representations have been received in response to the publicity; 63 in support, 5 in objection, and one general comment. The comments have been circulated in full to Members but the main concerns relate to:
  - The visibility of the existing barn structure from the public footpath
  - The negative impacts on the AONB
  - Proposed building not acceptable/expected in a rural location
  - Proposal conflicts with JCS policy SD6
  - Location not suitable for this type of development

- Existing barn constructed under 'False Pretences' and was clearly never intended for 'Agricultural purposes' hence it is incomplete with no solid walls, only ever housing the construction machinery of which it was built with.
- Plenty of space on the existing site for padel courts to be built
- Noise and light pollution
- Removal of trees
- Access for emergency vehicles
- Precedent

## 6. OFFICER COMMENTS

### 6.1 Determining issues

6.1.1 The key considerations in determining this application relate to the principle of a change of use, design, landscape impacts, ecology and biodiversity net gain, trees and landscaping, flood risk and amenity.

### 6.2 Background

6.2.1 The existing building was constructed following the submission of an application (ref. 25/00276/PRIOR) seeking determination as to whether prior approval was required for the erection of a building for agricultural use pursuant to Schedule 2, Part 6 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). The decision on the application issued in March last year confirmed that no prior approval was required, the building found to be in accordance with the relevant criteria. The building is understandably utilitarian in its design.

6.2.2 The Planning Statement submitted in support of the application states at paragraph 1.3 that:

*Although constructed not that long ago for agriculture and used for that purpose since it was completed, a change in circumstance means the barn is no longer required for agriculture. An alternative use is therefore required to make beneficial use of it and recoup some of the investment put into the building.*

### 6.3 Principle

6.3.1 Planning law requires applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise.

6.3.2 For Cheltenham, the development plan comprises the saved policies of the Cheltenham Borough Local Plan Second Review 2006 (CBLP), adopted policies of the Cheltenham Plan 2020 (CP) and adopted policies of the Tewkesbury, Gloucester and Cheltenham Joint Core Strategy 2017 (JCS). Material considerations include the National Planning Policy Framework 2024 (NPPF), and Planning Practice Guidance (nPPG).

6.3.3 Paragraph 11 of the NPPF sets out a presumption in favour of sustainable development which in decision-taking means:

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

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

*i) the application of policies in [the] Framework that protect areas or assets of particular importance provides a strong 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 [the] Framework taken as a whole...*

6.3.4 NPPF paragraph 85 sets out the need to create conditions in which businesses can invest, expand and adapt and that “*Significant weight should be placed on the need to support economic growth...*”. Paragraph 88 goes on to say that:

*Planning policies and decisions should enable:*

*a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed, new buildings;*

*b) the development and diversification of agricultural and other land-based rural businesses;*

*c) sustainable rural tourism and leisure developments which respect the character of the countryside; and*

*d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.*

6.3.5 Additionally, NPPF paragraphs 96 and 98 require decisions to help achieve places which promote social interaction, and provide shared spaces and community facilities, ensuring that established shops, facilities and services are able to develop and modernise.

6.3.6 JCS policy SD1 also looks to support development that enables the growth or expansion of existing businesses; and, within the countryside, when it is located within an existing employment area and of an appropriate scale and character.

6.3.7 Furthermore, CP policy L2 advises that the conversion of rural buildings to uses other than agricultural will be permitted provided the building is structurally sound and capable of conversion, the use would not harm the character of the building and is appropriate to the setting, and the change in use would not cause conflict with existing or planned uses on or in close proximity to the site.

6.3.8 As such, given that this application proposes the conversion of an existing building in connection with the wider use of the site, the general principle of development is considered acceptable, albeit it is still necessary to assess whether policies within the NPPF that protect areas or assets of particular importance provide a strong reason for refusing the development proposed, or the adverse impacts of supporting the proposals would significantly and demonstrably outweigh the benefits, when assessed against NPPF policies taken as a whole.

## 6.4 Design

6.4.1 JCS policy SD4 and CP policy D1 require all development to respond positively to, and respect the character of, the site and its surroundings.

6.4.2 As previously noted, the existing building is utilitarian in its appearance and appropriate in this rural location. The building comprises a steel portal frame set on a concrete base. Although the existing building is currently open sided, timber cladding to a single elevation was proposed as part of the prior approval application. Externally, the

proposed building elevations will comprise vertical timber cladding on a brick plinth, with the existing metal corrugated metal roof retained. Limited glazing is proposed to the south and east elevations, together with a simple timber external stair to the east, and raised timber decked walkway to the south connecting to the footbridge.

6.4.3 The limited palette of external materials proposed, and resultant building, is therefore considered to continue to be appropriate in this rural location. Additional detail in relation to materials and finishes can be secured by condition.

6.4.4 In addition, a condition is suggested in relation to any external signage.

### 6.5 Landscape impacts

6.5.1 As noted in the introduction, the site is located outside of the PUA within the AONB wherein NPPF paragraph 189 requires great weight to be given to conserving and enhancing landscape and scenic beauty; the scale and extent of development within the AONB should be limited. Similarly, JCS policy SD6 and CP policy L1 require development to protect landscape character, and consider the landscape and visual sensitivity of the area to ensure no harm to the setting of Cheltenham.

6.5.2 The Cotswolds National Landscape (CNL) Board, whilst consulted, have chosen not to provide a comprehensive response on this occasion due to a high volume of work, but highlight that the local planning authority has a duty to seek to further the statutory purpose of conserving and enhancing the natural beauty of the National Landscape as per the requirements of section 245 of the Levelling Up and Regeneration Act 2023.

6.5.3 When seeking to 'further the purpose', consideration should be given to the policies within the CNL Management Plan 2025 – 2030; and the consistency of the proposals with those policies.

6.5.4 In this case, as the structure itself is already present, and only relatively minor changes are necessary to facilitate the proposed use, officers are satisfied that the visual sensitivities of the area will not be harmed, and the wider landscape will be preserved. The proposed footbridge over the river to access the site is simple in its form and comprises a timber truss bridge constructed on supports set into the river bank and will be read in the context of the existing leisure venue. Long views of the building from the north will be limited due to the planting of 36no. new trees (in addition to the 36no. new trees proposed to be planted in connection to the new extended terrace). Details of any external lighting can be secured by condition to ensure that the dark skies of the AONB are not compromised.

6.5.5 As such, officers are satisfied that the proposals generally accord with the relevant CNL plan policies, and the proposed planting of 36no. new trees would provide for an enhancement and therefore further the purpose of the CNL designation.

### 6.6 Ecology and biodiversity net gain

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

6.6.2 Moreover, a minimum biodiversity net gain (BNG) of 10% is now a statutory requirement for minor developments (albeit there are some exceptions), and the mandatory BNG condition is applicable to this development because it is impacting over 25m<sup>2</sup> of natural habitat and is within 10m of a watercourse.

6.6.3 The application has been thoroughly reviewed by the Ecologist, and a significant amount of additional and revised ecological/BNG information has been submitted during the course of the application in response to concerns. The Ecologist's full and detailed

comments can be read in the Consultations Appendix below, and it is not considered necessary to repeat them here. In their final consultation response, the Ecologist raises no objection.

6.6.4 Although, as the Ecologist sets out, it would be preferable for the majority of biodiversity gains to be clearly demonstrated and secured on-site at the point of determination, the applicant has confirmed that the delivery of Biodiversity Net Gain will follow the mitigation hierarchy set out within the statutory BNG framework. This commitment to exploring on-site biodiversity enhancements is welcomed, as securing some biodiversity improvements within the application site can provide direct benefits for local habitats and species.

6.6.5 Natural England have also commented on the application and raise no objection, considering that *“the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes”*.

6.6.6 The trees recently removed on site in connection with the existing barn structure were authorised and carried out under a Felling Licence, with an associated restocking requirement.

### 6.7 Flood risk

6.7.1 NPPF paragraph 181 advises that it is necessary to ensure that developments do not increase flood risk elsewhere and that, where appropriate, a flood risk assessment should be submitted. JCS policy INF2 reiterates this.

6.7.2 As previously noted, the River Chelt runs to the south of the site with part of the bridged access falling within Flood Zone 2; and the Environment Agency (EA) were therefore consulted.

6.7.3 Based on the scale and nature of the proposals, the EA raise no objection but advise that the works may require a Flood Risk Activity Permit (FRAP) from them under the Environmental Permitting (England and Wales) Regulations 2016. An informative is suggested in this regard.

### 6.8 Amenity

6.8.1 CP policy SL1 advises that development will only be permitted where it will not cause unacceptable harm to the amenity of adjoining land users or the locality; and these requirements are reiterated in JCS policy SD14.

6.8.2 In this case, the nearest residential neighbour is some distance away, and there are no significant concerns in relation to noise or disturbance. That said, a condition is suggested which requires all external doors to be kept closed when the padel courts are in use, other than when in use for access or egress, or in an emergency situation, to assist in reducing noise breakout.

6.8.3 The opening hours proposed are 7am to 11pm Monday to Friday, and 7am to 10pm on Saturdays, Sundays and Bank Holidays. The proposed hours are supported by Environmental Health, and have been conditioned.

### 6.9 Highway safety

6.9.1 JCS policy INF1 sets out that planning permission will only be permitted where the proposals will not result in a severe highway impact. In addition, safe and efficient access to the highway is required. The policy reiterates the advice in section 9 of the NPPF.

6.9.2 From a highways perspective the application has been reviewed by the GCC Highways Development Management (HDM) team, who following receipt of greater clarity from the applicant in relation to the likely usage levels of the proposed padel centre, raise no highway objection. HDM concluding that *“It is unlikely that a significant increase in vehicle trips will occur therefore the present access arrangements are considered acceptable. The availability of space in the existing car park near to the building also shows that the proposal can easily be accommodated on site.”*

6.9.3 Officers are therefore satisfied that the proposed development is acceptable on highway grounds.

### 6.10 Other considerations

#### *Public Sector Equality Duty (PSED)*

6.10.1 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.

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

6.10.3 In the context of the above PSED duties, these proposals are considered to be acceptable.

## **7. CONCLUSION AND RECOMMENDATION**

7.1 With all of the above in mind, officers are satisfied that the application is one should be supported and the recommendation is to grant planning permission subject to the schedule of conditions below and a section 106 legal agreement to agree. Agreement has been sought in respect of the pre-commencement conditions, and an update will be provided in this regard.

## **8. CONDITIONS**

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

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

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

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

- 3 Details of all external lighting (to include location, height from ground level, lux level contour plan, and hours of operation) shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation/operational use of the proposed

development. All external lighting proposed should conform to the protocols set out in Guidance Note 08/23 - Bats and Artificial Lighting at Night (BCT and ILP, 2023). The development shall thereafter be carried out in full accordance with such approved details. In discharging this condition, the Local Planning Authority expects lighting to be restricted in proximity to key habitats, trees, hedges, and the proposed bat boxes and to be kept to a minimum at night across the whole site to minimise impact on emerging and foraging bats. This could be achieved in the following ways:

- Narrow spectrum lighting used to avoid the blue-white wavelengths
- Lighting directed away from vegetated areas
- The brightness of lights will be as low as legally possible
- Lighting timed to provide some dark periods
- Connections to areas important for foraging will contain dark corridors.
- Lighting shielded to avoid spillage onto vegetated areas

Reason: To protect the dark skies of the Cotswolds National Landscape and protect nocturnal wildlife in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 (as amended), Circular 06/2005, paragraphs 187, 192 and 193 of the National Planning Policy Framework (Chapter 15), and in order for the Council to comply with Section 40 of the Natural Environment and Rural Communities Act 2006 as amended by the Environment Act 2021.

- 4 Prior to the commencement of development of the bridge and pedestrian access (including any ground clearance works), a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall be compliant with the British Standard on Biodiversity BS 42020:2013. In discharging this condition, the Local Planning Authority expect to see details concerning pre-commencement checks for protected and notable species and appropriate working practices and safeguards for retained habitats and for wildlife that are to be employed whilst works are taking place on site. The agreed CEMP shall thereafter be implemented in full.

Reason: To ensure that protected and priority species and priority habitats are safeguarded in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 (as amended), The Hedgerow Regulations 1997, Circular 06/2005, paragraphs 187, 192 and 193 of the National Planning Policy Framework (Chapter 15), and in order for the Council to comply with Section 40 of the Natural Environment and Rural Communities Act 2006 as amended by the Environment Act 2021.

- 5 Notwithstanding the submitted details, prior to the commencement of any development above ground level, a scheme for biodiversity enhancements shall be submitted to and approved in writing by the Local Planning Authority. The approved details thereafter shall be implemented, retained and maintained for their designed purpose in accordance with the approved scheme.

The 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(s);
- 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: To provide additional opportunities for wildlife as a biodiversity enhancement, in accordance with paragraphs 187, 192 and 193 of the National Planning Policy

Framework (Chapter 15), and Section 40 of the Natural Environment and Rural Communities Act 2006 as amended by the Environment Act 2021.

- 6 Prior to the commencement of development of the bridge and pedestrian access, a Habitat Management and Monitoring Plan (HMMP) shall be submitted to and approved in writing by the Local Planning Authority. The HMMP shall be prepared in accordance with the approved Biodiversity Gain Plan and 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 occupation/operational use of the proposed development shall take place until:

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

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

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

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

- 7 The Biodiversity Gain Plan submitted pursuant to the national biodiversity condition must be in accordance with any biodiversity or ecological information submitted with the planning application and implemented in accordance with the approved details.

Reason: To secure the delivery of at least a 10% biodiversity net gain through successful establishment and management of all newly created and enhanced habitats in accordance with Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021), and paragraphs 187, 192 and 193 of the National Planning Policy Framework.

- 8 No external facing materials shall be applied unless in accordance with:
- a) a written specification of the materials; and/or
  - b) physical sample(s) of the materials.
- The details of which shall have first been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the character and appearance of the area, having regard to adopted policies D1 and L2 of the Cheltenham Plan (2020) and adopted policies SD4, SD6 and SD7 of the Joint Core Strategy (2017).

- 9 Prior to the installation of any external signage on the building, details shall have first been submitted to and approved in writing by the Local Planning Authority. All signage shall thereafter be implemented in accordance with the agreed details.

Reason: To ensure that the signage is sensitive to its surroundings, having regard to policies D2, L1 and L2 of the Cheltenham Plan (2020) and policies, SD4, SD6 and SD7 of the Joint Core Strategy (2017).

- 10 The use hereby permitted shall only take place between the following hours:  
- 7am to 11pm Monday to Friday  
- 7am to 10pm on Saturdays  
- 7am to 10pm on Sundays and Bank or Public holidays.

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

- 11 Other than when in use for access or egress, or in an emergency situation, all external doors shall be kept closed when the padel courts are in use.

Reason: To assist in reducing noise breakout, having regard to adopted policy SL1 of the Cheltenham Plan (2020) and adopted policy SD14 of the Joint Core Strategy (2017).

- 12 The premises shall be used for indoor sport/recreation purposes only, and for no other purpose (including any other purpose in Class E of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: Any alternative use requires further consideration by the Local Planning Authority, having regard to the provisions of the Cheltenham Plan (2020) and the Joint Core Strategy (2017).

### **INFORMATIVES**

- 1 **IMPORTANT: BIODIVERSITY NET GAIN CONDITION - DEVELOPMENT CANNOT COMMENCE UNTIL A BIODIVERSITY GAIN PLAN HAS BEEN SUBMITTED TO (AS A CONDITION COMPLIANCE APPLICATION) AND APPROVED BY THE LOCAL PLANNING AUTHORITY.**

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 in writing.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. 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 are considered to apply. If the onsite habitats include irreplaceable habitats (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitats) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans. Advice about how to prepare a Biodiversity Gain Plan and a template can be found at <https://www.gov.uk/guidance/submit-a-biodiversity-gain-plan>.

- 2 The Gloucestershire Local Nature Recovery Strategy (LNRS) has been published by Gloucestershire County Council. This strategy must be used to inform the Strategic Significance Multiplier in the Statutory Biodiversity Metric or the Small Sites Metric, depending on which version has been submitted. As part of your discharge of condition application the biodiversity metric will need to be updated to refer to the published LNRS. Please speak to your project ecologist for further advice or alternatively, you can engage with the Council's pre-application advice service

## Consultations Appendix

### Natural England

12th November 2025

Response in documents.

### Consultant Ecologist (Wild Service)

20th November 2025 (updated 12th December 2025)

We have reviewed the Preliminary Ecological Appraisal (All Ecology, Oct 2025), Bat Activity Survey Report (All Ecology, Oct 2025), Otter Survey Report (All Ecology, Oct 2025), Biodiversity Net Gain Design Stage Report (All Ecology, Nov 2025), UK Hab Baseline Habitat Plan (Nov 2025), Biodiversity Metric (All Ecology, October 2025), and Habitat Condition Assessment Sheets, and our response with regards to ecology is provided below.

*The Biodiversity Net Gain Design Stage Report (All Ecology, Nov 2025) has been updated to address previous comments, and a River Condition Assessment report (All Ecology, November 2025) has been submitted.*

The site was subject to a Preliminary Ecological Appraisal and River Condition Assessment survey in October 2025. The site comprises the existing barn, which has only recently been built, an area of car park/ a seating area, a section of the River Chelt and bankside ruderal/ ephemeral vegetation.

The area either side of the River Chelt is mapped as Priority Habitat Deciduous Woodland on the Priority Habitat Inventory, and aerial imagery from 2022 shows a much denser woodland belt on either side of the river. The extent of the habitat clearance needs to be clarified, and further information is required on whether the woodland is considered to be Priority Habitat.

Bat activity surveys were carried out in May, July and September 2025, and automated detectors were left on-site on seven occasions between May and October 2025 to establish the usage of the river corridor by bats. The majority of the bat activity comprised common pipistrelle foraging activity, but notable use of the river and tree corridor by lesser horseshoe bats was recorded, with the occasional barbastelle recording. Lesser horseshoe bats are known to roost in the pumphouse in the southeast corner of the wider site.

The Bat Survey Report states that provided the scheme does not include external lighting, installation of the bridge is unlikely to impact bats. Tree cover along the river corridor will apparently remain intact; however, given the clearance of some of the woodland on both sides of the river, replacement tree planting should be provided to strengthen this habitat corridor. Trees should be planted in proximity to the proposed bridge to ensure habitat/ tree canopy connectivity.

The habitats on-site are considered unsuitable for hazel dormouse due to the lack of understorey vegetation and the low density of trees.

There are two ponds within 250m, but these are isolated from the site by the main road. The habitats on-site are largely unsuitable for amphibians and great crested newts are considered likely absent.

The River Chelt is considered unsuitable for water vole as it is narrow, relatively fast flowing and devoid of aquatic vegetation. The river is a tributary of the River Severn, where otters are known to be present, and the river is considered suitable for commuting otters. A detailed otter survey was carried out in August 2025, and no evidence of otter was found along the banks of the river or the surrounding area. However, it is still considered possible that otter could move along the river on occasion and precautionary measures have been outlined to avoid impacts during construction.

The site is within a SSSI Impact Risk Zone, but the type of development proposed is not considered likely to have a harmful effect on terrestrial Sites of Special Scientific Interest (SSSIs) and the Special Areas of Conservation (SACs), Special Protection Areas (SPAs) or Ramsar sites that they underpin.

The Biodiversity Metric shows that the proposals would deliver a -69.68% net loss in habitat units and no change in watercourse units. Trading rules have not been satisfied. The River Chelt has been assessed as being in moderate condition with major encroachment on both banks. All baseline and proposed habitats have been assigned high strategic significance. Proposed habitats comprise developed land and artificial unvegetated unsealed surface.

Offsite offsetting is proposed to deliver a 10% net gain in habitat units; however, it is unclear how the Biodiversity Gain Hierarchy has been followed, as there appear to be ample opportunities to provide a net gain on-site for both habitat and watercourse units.

Requirements prior to determination:

- The extent of the historical habitat clearance needs to be clarified, and further information is required on whether the woodland is considered to be Priority Habitat. The Biodiversity Metric should be updated accordingly. *This has not been addressed in either the update Biodiversity Net Gain Design Stage Report (All Ecology, Nov 2025) or the River Condition Assessment report (All Ecology, November 2025). This information is required prior to determination.*
- The applicant should demonstrate how the Biodiversity Gain Hierarchy has been followed. Options should be explored for delivering a 10% net gain in habitat and watercourse units on-site or within land under the same ownership. This could include strengthening the woodland corridor with replacement planting and enhancing the river's riparian zone with native planting. The Biodiversity Metric should be updated accordingly. *Further information has been provided within the BNG Report, which outlines how the mitigation hierarchy has been followed; however, it doesn't seem to be specific to the proposed scheme. It mentions improving the condition of retained habitats and creating new habitats within the site, neither of which is being implemented.*  
*The Biodiversity Gain Hierarchy, which we have a duty to follow, states that onsite gains must be considered first, and only where this is demonstrably not possible, can offsite options be explored. The submitted reports include recommendations to enhance the river corridor, but these have not been included in the Metric. I would recommend that the red line boundary be extended so that on-site enhancement measures can be included.*
- Justification needs to be provided for assigning all baseline and proposed habitats high strategic significance within the Biodiversity Metric. *The BNG Report states that the site lies within core woodland and wetland habitats within the Gloucestershire Nature Recovery Network, hence baseline and proposed habitats have been assigned high strategic significance. However, as the LNRS is still in draft, Table 8 in the Biodiversity Metric User Guide should be utilised to assign Strategic Significance. As it currently stands, the baseline and proposed habitats are not mapped as ecologically important and should therefore be assigned low strategic significance. The watercourse can be assigned high strategic significance.*
- The results of the River Condition Assessment survey need to be provided, and the RCA Data Sheet within the Habitat Condition Assessment Sheets should be completed. *The methods and results of the River Condition Assessment Survey have been presented in the River Condition Assessment report (All Ecology, November 2025), which is considered suitable.*

Recommended conditions will be provided following receipt of the information requested above.

### **CBC Ecologist 3rd March 2026**

I previously acknowledged that a Felling Licence (January 2025) was secured for tree removal on the north bank, with an associated restocking requirement, and that this demonstrated the clearance was lawful and appropriately regulated. I also confirmed that the agricultural building approved under reference 25/00276/PRIOR constituted permitted development and was not itself subject to BNG requirements. In addition, I accepted the explanation regarding vegetation management on the southern bank as part of ongoing site husbandry, including works associated with ash dieback, and noted that the proposed bridge and ramp would not directly result in further woodland loss.

However, having now reviewed the most up-to-date Government guidance on BNG and its relationship with Felling Licences, it is clear that the presence of a Felling Licence does not negate or override the requirement to correctly apply the statutory biodiversity metric where woodland habitat was present on site following the commencement of mandatory BNG.

Woodland that was present on site at or after the date BNG became mandatory must be appropriately reflected within the biodiversity baseline unless it can be clearly demonstrated that it falls within one of the limited exemptions set out in legislation or guidance. The fact that removal was authorised under a Felling Licence, and subject to a restocking condition, does not in itself remove the requirement to account for that habitat within the BNG assessment where it formed part of the site baseline during the relevant period.

On that basis, the Biodiversity Metric submitted in support of the current application will need to be updated to:

- Include the woodland habitat present on site at the relevant BNG baseline date, including areas subsequently subject to licensed felling;
- Clearly set out the baseline condition, distinctiveness and area of that woodland habitat;
- Reflect any post-felling scenario (including restocking obligations) transparently within the metric;
- Demonstrate that the statutory 10% Biodiversity Net Gain requirement can still be achieved when the correct baseline is applied.

Please submit an updated Biodiversity Metric calculation (using the current statutory metric), together with accompanying plans and a short technical note explaining the assumptions applied to the woodland baseline and how the restocking requirements have been factored into the assessment.

This request arises from updated clarification following review of Government guidance regarding the relationship between Felling Licences and BNG, and is necessary to ensure that the application is assessed in accordance with the statutory BNG framework.

The Local Planning Authority (LPA) has reviewed the ecological information submitted to date, including the habitat baseline mapping and Biodiversity Metric calculations. The Authority is satisfied that the baseline habitats within the application site have now been appropriately identified and recorded and that the submitted information provides a sufficiently robust understanding of the existing habitat conditions to inform the Biodiversity Net Gain assessment.

### **9th March 2026 – revised comments**

The Authority confirms that the requested information has now been received and reviewed.

The updated habitat baseline mapping is noted as including the areas of woodland associated with the licensed felling, and paragraphs 4.1 and 4.2 of the report clarify the baseline habitat classification, confirming that the woodland was assessed as being in 'good' condition, together with the associated habitat type and areas used within the Biodiversity Metric.

The revised metric indicates that the proposed development would result in a habitat unit loss of 0.45 units, representing a net habitat change of -87.36%, with a resulting deficit of 0.50 habitat units when measured against the statutory requirement to achieve at least 10% Biodiversity Net Gain. The watercourse assessment indicates no net change in watercourse units, resulting in a further deficit of 0.07 watercourse units in relation to the 10% gain requirement.

A substantial level of ecological information has been provided and reviewed, and the applicant has confirmed that the delivery of Biodiversity Net Gain will follow the mitigation hierarchy set out within the statutory BNG framework. This includes prioritising opportunities for habitat enhancement and creation within the application site where feasible, followed by biodiversity gains delivered on land within the applicant's ownership or control adjacent to or near the site, with any remaining biodiversity unit deficit addressed through the purchase of off-site biodiversity units where necessary.

While it remains the Authority's preference that the majority of biodiversity gains are clearly demonstrated and secured on-site at the point of determination, the approach outlined above is considered acceptable in principle. In particular, the commitment to exploring on-site biodiversity enhancements is welcomed, as securing some biodiversity improvements within the application site can provide direct benefits for local habitats and species. The Authority considers that this approach is preferable to relying solely on off-site biodiversity units or statutory credits with no ecological benefit delivered within the local site context.

On this basis, the LPA is satisfied that an acceptable route to achieving the statutory minimum 10% Biodiversity Net Gain has been identified. The Authority therefore raises no objection in principle in relation to ecology and Biodiversity Net Gain, subject to the required details being secured through the statutory Biodiversity Gain Plan process.

Should planning permission be granted, a Biodiversity Net Gain planning condition will require the submission and approval of a Biodiversity Gain Plan prior to the commencement of development. This will need to confirm the final Biodiversity Metric calculations, clearly demonstrate how the mitigation hierarchy has been applied, and provide full details of the habitats to be retained, enhanced or created on-site, together with confirmation of any off-site biodiversity units required to meet the statutory requirement.

Where biodiversity gains are to be delivered off-site, or on land outside the application boundary, these will need to be secured through an appropriate legal agreement to ensure that the biodiversity units are delivered, managed and maintained for the statutory minimum period of 30 years.

In addition, the LPA requires monitoring and administration contributions to enable the Authority to fulfil its responsibilities for reviewing and monitoring Biodiversity Net Gain delivery over the required 30-year management period. For developments of this scale (small scale) involving relatively complex habitats, the current monitoring fee applied by the Authority is £5,168, which is consistent with the monitoring fee structures adopted by neighbouring Local Planning Authorities. This contribution would be secured through the associated legal agreement.

Subject to the submission and approval of the Biodiversity Gain Plan and the securing of the necessary legal agreement and monitoring provisions, the Local Planning Authority is satisfied that the statutory Biodiversity Net Gain requirement can be achieved and therefore raises no objection in relation to ecology.

For clarity, the applicant is reminded that the statutory Biodiversity Net Gain requirement must be satisfied prior to the commencement of development through the approval of a Biodiversity Gain Plan by the Local Planning Authority. This plan must demonstrate how the development will achieve at least a 10% Biodiversity Net Gain in accordance with the Environment Act 2021

and the relevant secondary legislation. Development cannot lawfully commence until the Biodiversity Gain Plan has been approved and the necessary biodiversity units have been secured through the appropriate legal mechanisms. If sufficient on-site, off-site, or statutory biodiversity credits cannot be secured to meet the statutory requirement, the development would not be able to proceed.

Should the application be recommended for approval, the following conditions are recommended:

### Lighting

The development hereby permitted shall not commence (including ground clearance works) until details of all external lighting (to include location, height from ground level, lux level contour plan, and hours of operation) have been submitted to and approved by the Local Planning Authority. External lighting proposed should conform to the protocols set out in Guidance Note 08/23 - Bats and Artificial Lighting at Night (BCT and ILP, 2023). The development shall be carried out in full accordance with such approved details. In discharging this condition, the Local Planning Authority expects lighting to be restricted in proximity to key habitats, trees, hedges, and the proposed bat boxes and to be kept to a minimum at night across the whole site to minimise impact on emerging and foraging bats. This could be achieved in the following ways:

- Narrow spectrum lighting used to avoid the blue-white wavelengths
- Lighting directed away from vegetated areas
- The brightness of lights will be as low as legally possible
- Lighting timed to provide some dark periods
- Connections to areas important for foraging will contain dark corridors.
- Lighting shielded to avoid spillage onto vegetated areas

Reason: To protect nocturnal wildlife in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 (as amended), Circular 06/2005, paragraphs 187, 192 and 193 of the National Planning Policy Framework (Chapter 15), and in order for the Council to comply with Section 40 of the Natural Environment and Rural Communities Act 2006 as amended by the Environment Act 2021.

### Biodiversity Enhancement

Notwithstanding the submitted details, before the commencement of development a scheme for biodiversity enhancements, shall be submitted to and approved in writing with the Local Planning Authority. The approved details thereafter shall be implemented, retained and maintained for their designed purpose in accordance with the approved scheme.

The 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.
- iv. When the features or measures will be installed within the construction, occupation, or phase of the development.

Reason: To provide additional opportunities for wildlife as a biodiversity enhancement, in accordance with paragraphs 187, 192 and 193 of the National Planning Policy Framework (Chapter 15), and Section 40 of the Natural Environment and Rural Communities Act 2006 as amended by the Environment Act 2021.

### Habitat Management and Monitoring Plan (HMMP)

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

- (a) a non-technical summary;
- (b) the roles and responsibilities of the people or organisation(s) delivering the HMMP;
- (c) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
- (d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and

(e) the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority, has been submitted to, and approved in writing by, the local planning authority.

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

(f) HMMP has been implemented; and

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

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

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

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

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

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

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

### Biodiversity Gain Plan

The Biodiversity Gain Plan submitted pursuant to the national biodiversity condition must be in accordance with any biodiversity or ecological information submitted with the planning application and implemented in accordance with the approved details.

Reason: To secure the delivery of at least a 10% biodiversity net gain through successful establishment and management of all newly created and enhanced habitats in accordance with Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021), paragraphs 187, 192 and 193 of the National Planning Policy Framework,.

**IMPORTANT: BIODIVERSITY NET GAIN CONDITION - DEVELOPMENT CANNOT COMMENCE UNTIL A BIODIVERSITY GAIN PLAN HAS BEEN SUBMITTED (AS A CONDITION COMPLIANCE APPLICATION) TO AND APPROVED BY The Local Planning Authority.**

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 in writing.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. 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 are considered to apply. If the onsite habitats include irreplaceable habitats (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitats) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans. Advice about how to prepare a Biodiversity Gain Plan and a template can be found at <https://www.gov.uk/guidance/submit-a-biodiversity-gain-plan>.

The Gloucestershire Local Nature Recovery Strategy (LNRS) has been published by Gloucestershire County Council. This strategy must be used to inform the Strategic Significance Multiplier in the Statutory Biodiversity Metric or the Small Sites Metric, depending on which version has been submitted. As part of your discharge of condition application the biodiversity metric will need to be updated to refer to the published LNRS. Please speak to your project ecologist for further advice or alternatively, you can engage with the Council's pre-application advice service

### Construction Environmental Management Plan

The development hereby permitted shall not commence including any site clearance until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall be compliant with the British Standard on Biodiversity BS 42020:2013. In discharging this condition, the Local Planning Authority expect to see details concerning pre-commencement checks for protected and notable species and appropriate working practices and safeguards for retained habitats and for wildlife that are to be employed whilst works are taking place on site. The agreed Construction Environmental Management Plan shall thereafter be implemented in full.

Reason: To ensure that protected and priority species and priority habitats are safeguarded in accordance with The Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 (as amended), The Hedgerow Regulations 1997, Circular 06/2005, paragraphs 187, 192 and 193 of the National Planning Policy Framework (Chapter 15), and in order for the Council to comply with Section 40 of the Natural Environment and Rural Communities Act 2006 as amended by the Environment Act 2021.

### **Building Control**

**19th November 2025**

This application will require Building Regulations approval. Please contact the office on 01242 264321 or [buildingcontrol@cheltenham.gov.uk](mailto:buildingcontrol@cheltenham.gov.uk) for further information.

### **Parish Council**

**18th November 2025**

No objection.

### **Ward Councillor – Cllr Angie Boyes**

**25th November 2025**

Please can I request that the above planning application comes before full committee. The agricultural barn was only recently built (under a year ago) under permitted development and given this is on the AONB this needs proper scrutiny by committee.

My reasons for this are:

Noise increase to local neighbours.

Increased traffic on the A40.

Loss of agricultural building.

It is on AONB. The effect of the development on the character and appearance of the Cotswolds Natural Landscape.

The Joint Core Strategy requires all development within the national landscape to conserve, enhance its landscape, scenic beauty, wildlife, cultural heritage and other special qualities. Great weight should be given to this.

Section 245 of the Levelling Up and Regeneration Act 2023 (the LURA) amended the duty in the Countryside and Rights of Way Act 2000 in relation to NLs to require relevant authorities, in exercising or performing any functions in relation to, or so as to affect, land in a NL to seek to further the purpose of conserving and enhancing the natural beauty of it.

### **Tree Officer**

**29th October 2025**

Whilst 8-10 significant (but not large) ash trees which are seemingly suffering from ash die-back are to be removed, the report states that they are to be replaced with birch/lime trees.

Please could a formal tree planting plan to include species, size, location, size etc be submitted as a condition of any planning permission.

It would be preferable if trunks from these trees could be retained on site as a deadwood habitat.

All underground services must be out of the root protection centre of all retained trees.

### **2nd February 2026 – revised comments**

The proposed planting plan appears to be generous, if vague as to the specifics of species, tree size and exact location. These details would ordinarily be expected on a planting proposal. It would be preferable for these details to be submitted by condition.

It would also be preferable for some of these trees to be planted to the south side of the building in order to soften the impact of the building from that side.

### **GCC Highways Development Management 25th November 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 recommends that this application be deferred.

The justification for this decision is provided below.

The planning statement suggests at paragraph 3.5 that many trips to the Padel courts will be shared with those visiting the Dunkertons site. The local highway authority (LHA) requires this statement to be supported by evidence, going back to first principles for this additional recreational facility and providing an assessment of the net impact of the development including the existing trip generation for the agricultural use and shared trips for the new use.

It is the view of the LHA that the use of the site will intensify therefore an assessment of the site access on the A40 needs to be undertaken including visibility in both directions and an analysis of personal injury collision data covering the last 5 years. A serious injury collision occurred at the site access in February 2024.

The visibility splays shall have a 'Y' distance based on the posted speed limit of the road (for example for 40mph roads it is 120m and for 60mph roads it is 215m). If the required visibility splays cannot be achieved then measures will need to be implemented to reduce approach speeds on the A40. For details of visibility requirements please refer to page 32 of the Manual for Gloucestershire Streets July 2020 and the Design Manual for Roads and Bridges CD123 Geometric design of at-grade priority and signal-controlled junctions.

In terms of the site itself, please request more detail as to the availability of car parking plus secure and covered cycle parking.

The planning statement suggests at paragraph 4.19 that the site is easily accessible from Cheltenham via sustainable transport modes. Further details of these are required including safe, direct and convenient routes for pedestrians and cyclists and details of public transport options including the nearest bus stops, what facilities exist at these stops, how frequent the bus services are and to/from which destination and finally, how viable is access to/from the nearest railway station.

The LHA therefore suggests that the application be deferred until the required information has been provided and considered.

### **8th December 2025 – revised comments**

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

The justification for this decision is provided below.

The applicant has provided greater clarity regarding the usage levels of the proposed padel centre. It is unlikely that a significant increase in vehicle trips will occur therefore the present access arrangements are considered acceptable. The availability of space in the existing car park near to the building also shows that the proposal can easily be accommodated on site.

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. The Highway Authority therefore submits a response of no objection.

### **Environmental Health**

**17th November 2025**

In relation to the planning application, reference 25/01587/FUL, for the installation of padel courts at Dowdeswell Park, London Road, Charlton Kings, Cheltenham, GL52 6UT, there are no additional comments to make from Environmental Health.

This department would be in support of a condition relating to the proposed times of use for the courts as set out on the application form.

### **Environment Agency**

**17th November 2025**

Response in documents tab.

### **Cotswolds National Landscape Board**

**17th November 2025**

Response in documents tab.

|   |  |  |
|---|--|--|
| <b>APPLICATION NO: 25/01587/FUL</b>       |  | <b>OFFICER: Ms Michelle Payne</b>          |
| <b>DATE REGISTERED: 23rd October 2025</b> |  | <b>DATE OF EXPIRY : 18th December 2025</b> |
| <b>WARD: Charlton Kings</b>               |  | <b>PARISH: CHARLK</b>                      |
| <b>APPLICANT:</b>                         | Dunkertons Cider   |  |
| <b>LOCATION:</b>                          | Dowdeswell Park London Road Charlton Kings   |  |
| <b>PROPOSAL:</b>                          | Change of use of agricultural building to a Padel Centre (Use Class E(d)) with associated alterations, pedestrian access and footbridge. |  |

## REPRESENTATIONS

|                           |           |
|---------------------------|-----------|
| Number of contributors    | <b>69</b> |
| Number of objections      | <b>5</b>  |
| Number of representations | <b>1</b>  |
| Number of supporting      | <b>63</b> |

1 Violet Lane, Winchcombe  
Winchcombe  
GL54 5FW

**Comments:** 20th November 2025

Absolutely love the idea of them being paddle Courts. Dunkertons has always been incredible at bringing the community together, and turning the agricultural building into paddle courts would be such a positive addition. It gives families, friends, and local businesses more reasons to come together, stay active, and enjoy the space all year round. It's exactly the kind of development that adds value to the area without taking away from its charm. Fully support this!

28  
Hinton on the green  
Evesham  
wr11 2qu

**Comments:** 18th December 2025

I am in support as another recreational activity is a great thing, padel is easy to pick up and a great way to keep active.

78 Clegram Road  
Gloucester  
GL1 5QA

**Comments:** 20th November 2025

This is a fantastic opportunity to introduce a new, accessible and fast-growing sport to the local community, encouraging health, wellbeing and social connection for people of all ages.

The plans have clearly been designed with sensitivity to the surrounding environment, ensuring the courts sit naturally within the existing setting while enhancing the overall offering at Dunkertons. As a destination that already brings people together, the addition of padel will further support local business, promote active lifestyles and provide a high-quality recreational space for both residents and visitors.

This project aligns perfectly with Cheltenham's commitment to community wellbeing and sustainable development, and I believe it will be a real asset to the area.

12 Little Herberts Road  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL53 8LZ

**Comments:** 20th November 2025

As someone who plays padel frequently, having padel courts closer to home and available with a social side after it. Would be perfect for a group of mates for an either breakfast, lunch or dinner and padel. Am all for the idea

15 Castlefields Avenue  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL52 6YR

**Comments:** 20th November 2025

NONE GIVEN

Amphlett House  
Pancake Hill, Chedworth  
Cheltenham  
GL54 4AW

**Comments:** 26th November 2025

I support the proposed Padel Centre. Padel is an inclusive, fast-growing sport that promotes health, fitness, and social wellbeing for individuals and families. This development would provide a valuable recreational asset to the local community.

The design also respects the surrounding vernacular, with materials and layout chosen to complement the character of the area.

For these reasons, I fully support the application

41 Beeches Road  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL53 8NL

**Comments:** 24th November 2025

I believe the proposed Padel courts and Dunkertons Cider venue should be approved because they will provide clear social, physical and mental health benefits for the local community. Padel is an inclusive and accessible sport for all ages, and having nearby courts will encourage regular exercise, activity and social connection - all of which support wellbeing and help combat isolation. Pairing this with a welcoming social space like Dunkertons creates a genuine community hub where people can meet, relax and build friendships. This development would not only promote healthy, active lifestyles but also support local business, increase footfall and contribute positively to the area's economy and sense of place.

3 De Havilland Road  
Upper Rissington  
Cheltenham  
GL54 2NZ

**Comments:** 26th November 2025

What a wonderful idea, access to such amazing facilities is essential for all ages. I strongly support this application and all the benefits it will bring to the local area.

106 London Road  
Cheltenham  
Gloucestershire  
GL52 6HJ

**Comments:** 13th November 2025

Anything that drives wellness, healthy activity and general fun in a fabulous environment should be fully supported. As a padel player myself, I struggle to book courts locally and travel as far as Gloucester for a game. I struggle to see any negatives regarding this application.

Gyting Broc  
Gyting Power  
Cheltenham  
GL54 5UE

**Comments:** 13th November 2025

I fully support this development. I would like to play padel to improve my fitness but there are no panel courts local to me. There is already a development on this site with ample parking, so impact will be minimal.

107 Banbury Road  
Stratford-upon-Avon  
cv37 7hw

**Comments:** 19th December 2025

I work in Cheltenham and often visit Dunkertons after work. Padel courts would be a great addition to the site. It would encourage a healthy habit after work and is a great use of the existing space. It would provide additional employment opportunities and encourage more visitors to help the existing businesses that are on the Park. For these reasons, I fully support the application.

45 Broad Acre Road  
Cheltenham  
Gloucestershire  
GL52 3HU

**Comments:** 19th December 2025

I believe the proposed padel courts would be a very positive addition to the Dunkertons site and the wider local community. Padel is an inclusive and social sport that appeals to people of all ages and abilities, and the plans appear well suited to this location. I fully support this application and feel it would enhance local recreational opportunities and community wellbeing.

The Hills  
20 Greatfield Drive  
Cheltenham  
Gloucestershire  
GL53 9BY

**Comments:** 20th November 2025

I think this would be a great addition and would definitely make me visit this fabulous venue a lot more!

58 Upper Park Street  
Cheltenham  
Gloucestershire  
GL52 6SA

**Comments:** 8th December 2025

I object to this application as it conflicts with planning rules and policies designed to protect the Cotswold National Landscape (CNL)/AONB - a landscape which has the highest level of protection under planning law.

The barn structure which was only built recently under permitted development rules, is very visible from the public footpath (marked by stiles and footpath arrows) running across the field where the barn is located.

The application form submitted for the barn's construction (25/00276/PRIOR) states that it cannot be seen from a public road, public footpath, bridleway or other public land, but as stated above it can be seen from, and is in fairly close proximity to, the footpath running across the field where the barn has been built.

Now an application has been made to convert this recently constructed structure (by stroke of luck the exact dimensions required for 4 padel courts, reception, shop, and changing areas!), the application should be assessed for conflict with relevant rules and policies designed to protect the CNL.

Being beyond the river Chelt and the tree screen, the application site is situated in the open landscape of the CNL, and as described above, is clearly visible from public footpaths resulting in a negative landscape visual impact. This might be acceptable for a barn used for agricultural purposes, being the type of building expected to be seen in rural farming locations, but it is not acceptable for a building housing padel courts.

Specifically, it conflicts with Joint Core Strategy (JCS) Policy SD7 which requires all development within the setting of the CNL to conserve and, where appropriate, enhance its landscape, scenic beauty, wildlife, cultural heritage, and other special qualities.

Similarly, policy SD6 of the JCS requires development to protect landscape character for its own intrinsic beauty and for its benefit to economic, environmental and social well-

being. The siting of a building containing 4 padel courts in open land within the CNL harms the intrinsic beauty of the landscape character.

Since the JCS was adopted, planning rules over the CNL have been further tightened by Section 245 of the Levelling Up and Regeneration Act 2023 (the LURA) which requires the Council as Planning Authority to seek to further the purpose of conserving and enhancing the natural beauty of the CNL. This application fails to meet this test.

The application also conflicts with paragraphs 187 and 189 of the National Planning Policy Framework which require decision-makers to place great weight on conserving the landscape and scenic beauty of designated National Landscapes such as the CNL.

Policy D1 of the Cheltenham Plan and SD4 of the JCS state that development will not be permitted which harms attributes and features which make a significant contribution to the character, distinctiveness, quality and amenity value of the landscape and that harms the visual amenity of the landscape. It is the amenity value of the landscape and the visual amenity of the CNL which is relevant in planning terms, not the amenity value of the provision of padel courts.

The Council Ecologist comments dated 20 November identified that the river and tree cover is a habitat and wildlife corridor and that the application would result in an almost 70% biodiversity loss. Given the proposed opening hours, it doesn't seem realistic that the route between the main site and the padel courts, including the bridge over the river Chelt would not be lit (health and safety issues) and therefore a negative impact on this wildlife corridor and the biodiversity habitat value of this part of the CNL appears inevitable if this application is approved.

If the padel courts were to be located on the other side of the river Chelt within the footprint of the existing Dunkerton's operation the harms to the CNL and policy conflicts described above would be greatly reduced due to the proximity of the A40 on one side and the tree screening on the other.

If the padel courts were located within the urban boundary of Cheltenham, as are other businesses owned by ..... such as 131 The Promenade or La Boulangerie Artisan, the planning policy conflicts identified above would not arise as the policies relate specifically to development located in the CNL/AONB.

My objection is based purely on planning policy conflicts due to the location being within the CNL which has the highest level of protection under planning rules.

If the location was a sustainable location from a planning perspective, I would be echoing all those who have submitted expressions of support for more padel court provision in Cheltenham.

Unfortunately, the location is not suitable for this type of development - it is a location where the Council has a duty under planning law to further the purpose of conserving and enhancing the natural beauty of the landscape. The application neither conserves nor enhances the natural beauty of the CNL.

2 Snowhill Drive  
Bishops Cleeve  
Cheltenham  
GL52 8SY

**Comments:** 3rd December 2025

I have no doubt the proposed padel courts will be both stylish and another amazing addition to both Dunkertons Park and Cheltenham.

24 lewis lane Cirencester  
Cirencester  
GL7 1EA

**Comments:** 13th November 2025

I fully support the proposed Padel courts at Dunkertons, Cheltenham. This project will provide high-quality sports facilities, encourage active lifestyles, and offer a new leisure option for local residents. With the growing popularity of Padel, as seen at East Gloucestershire Club, this development will meet clear local demand. The plans appear well designed, with suitable access, parking, and lighting measures in place. I believe this will be a valuable and sustainable addition to the community.

Wellinghill View  
London Road  
Charlton Kings Cheltenham  
Gloucestershire  
GL52 6UT

**Comments:** 17th November 2025

This planning application is fundamentally not about the construction of Padel courts, which may be seen as a benefit to the local community, it is about the rapid expansion of Dunkerton's Park (a commercial enterprise) onto agricultural land across the river Chelt which is a designated 'Cotswold Natural Landscape'

The vast agricultural barn built on this farmland has been constructed under 'False Pretences' and was clearly never intended for 'Agricultural purposes' hence it is incomplete with no solid walls, only ever housing the construction machinery of which it was built with.

I would have no objection if the sports facility was constructed on the existing site of Dunkerton's which has considerable space available, but the application includes a 'Pedestrian Bridge' across the river onto the protected AONB, already this river corridor has seen a vast clearance of trees and vegetation by the current owner (to accommodate the above) which in turn has led to a concerning disruption to the natural habitat.

As close neighbours, we have seen and heard the rapid expansion of Dunkerton's park which has led to ever increasing noise and light pollution in an historically peaceful and

## Page 36

rural location. We're worried the Padel courts and it's adjoining facilities will only add to this issue as well as being detrimental both ecologically and visually to the landscape.

We are also concerned that if the 'Agricultural covenant' on this building is indeed removed, this 'may' lead to more expansion on the protected farmland of which could be submitted under the same false intentions as above.

2 Denman Avenue  
Cheltenham  
Gloucestershire  
GL50 4GH

**Comments:** 27th November 2025

I am writing to express my strong support for this application. Ongoing investment in high-quality facilities is essential if Cheltenham is to sustain a thriving, healthy and active community. In the current climate, privately funded projects such as this are often the only realistic way for us to secure these kinds of amenities, as the local council simply does not have the budget to deliver them.

In keeping with Julian's previous projects, this proposal promises to be a stylish and architecturally sensitive addition to our beautiful town. There is also a significant workforce based on the Dunkertons site; it would be a real asset for them to have such convenient access to these facilities to support their health and wellbeing.

5 Colletts Gardens  
Broadway  
WR12 7AX

**Comments:** 19th December 2025

In support of community facilities that are accessible and affordable, bringing the community together.

10 Woodgate Close  
Cheltenham  
Gloucestershire  
GL52 6UW

**Comments:** 10th November 2025

This would be an amazing facility for the local community and a huge boost for their health and well being! It would further enhance Gloucestershire's reputation as one of the best places to come to play padel, and would be a massive boost for the many Gloucestershire juniors who already play (and are some of the best players in the UK). Furthermore, with Balcarras school being so close, and PE lessons and clubs being propositioned, further talented junior players would undoubtedly emerge from this facility allowing Gloucestershire to further dominate the UK padel scene. It's such an exciting

sport, but the only thing stopping more juniors playing at the moment is a lack of courts and coaching availability; the development of this facility would help solve this issue.

61 Welland Lodge Road  
Cheltenham  
Gloucestershire  
GL52 3HH

**Comments:** 5th December 2025

I support the new courts, it will be a great addition to Dunkertons and the local community.

Savills (UK) Limited  
Unit 1 Quadrangle  
Imperial Square Cheltenham  
Gloucestershire  
GL50 1PZ

**Comments:** 26th November 2025

Strongly support this application. It would provide a highly sought after amenity which would certainly enhance the local area. I also believe this is one of the few/only sites which provides a ready-made infrastructure to accommodate a facility of this nature.

Cockleford Farm  
Cockleford  
Cheltenham  
GL53 9NW

**Comments:** 5th December 2025

I totally support this application for Dunkertons Park, it can only add to the community already being created by such a great proposition. The range of activities that Dunkertons offers, from children's experiences throughout the year, to club nights for adults, coffee mornings, parties and whole family entertainment, I think the addition of the courts will extend the offering further for the residents of Cheltenham and the surrounding areas. It's such a great idea. I totally support it.

54 VALE ROAD  
Bishops Cleeve  
Cheltenham  
GL52 8ER

**Comments:** 24th November 2025

I support the planning application for the new paddle courts at Dunkertons. The highly accessible, low-impact nature of paddle directly contributes to public health goals by promoting physical activity and boosting mental well-being through social engagement, while also widening sporting diversity for residents of all ages. I urge the council to approve this positive investment in Cheltenham's future.

1 The Grove  
Christchurch Road  
Cheltenham  
Gloucestershire  
GL50 2PN

**Comments:** 26th November 2025

I strongly support this application, as it will enhance access to this fast-growing sport for people of all ages and abilities. The proposed location is ideal for such facilities and is sure to attract high levels of use.

Dry knapps farm  
Painswick  
GL6 6uw

**Comments:** 1st December 2025

What a great idea.

Padel is a fast growing sport in this country and is a healthy activity that includes all ages and abilities.

The plans look very much in keeping with the local area.

I fully support this project

65 Cleeve View Road  
Cheltenham  
Gloucestershire  
GL52 5NJ

**Comments:** 24th November 2025

A padel court at Dunkertons would be an incredible addition to the growth up there. Such a beautiful location by the river and fantastic for not only the local community but also visitors to Cheltenham.

45 Moorend Road  
Cheltenham  
Gloucestershire  
GL53 0ET

**Comments:** 24th November 2025

I fully support this venture. Anything that brings friends and family together, supports mental and physical well-being and adds to the community is a great idea!

The Retreat  
Gloucester road. Andoversford  
Cheltenham  
GL54 4HR

**Comments:** 24th November 2025

I believe that a padel court, could only bring positives into the area. Personally it would provide a place to enjoy some sporting activity extremely close to home. Dunkertons is a brilliant venue and i'm sure will manage the courts very well.

47 Cudnall Street  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL53 8HQ

**Comments:** 24th November 2025

I am in full support of the Padel Courts being built

Garden House  
19 Brookway Road  
Charlton Kings Cheltenham  
Gloucestershire  
GL53 8HD

**Comments:** 24th November 2025

Good idea

1 Ullenwood Court  
Ullenwood  
Cheltenham  
GL53 9QS

**Comments:** 27th November 2025

I fully support this application to develop a new padel facility within Cheltenham. Padel is a rapidly growing sport in the UK and more courts are required to satisfy the demand.

Flat8, 38 Valentine Road  
Bishops Cleeve  
Cheltenham  
GL52 8HS

**Comments:** 4th December 2025

I am in support of the Padel Courts at Dunkertons. It will be a great addition to the site, and the local area. Promotes a healthy lifestyle in a beautiful setting.

2 Pear Tree Close  
Cheltenham  
Gloucestershire  
GL53 0FP

**Comments:** 24th November 2025

I think that the implementation of a padel court would be amazing. Not only would I be able to pursue padel as a sport whilst being in the area around dunkertons but I could even bring others to the area to play with me

**Comments:** 24th November 2025  
NONE GIVEN

29 Eldorado Road  
Cheltenham  
Gloucestershire  
GL50 2PX

**Comments:** 19th December 2025

The addition of padel courts at the Dunkertons site would be a positive addition. It would promote economic activity in the area and would no doubt create jobs for local people. Covered courts would provide year round playability, regardless of the weather, but with the feel of being outside and engaging with nature, which is of critical importance for wellbeing. Padel is a great game accessible to all ages - providing social interaction, exercise and fresh air. Opportunity for such activity should be encouraged and embraced. Not allowing these courts would be a loss for Cheltenham and the wider area.

Avenue Lodge  
Chargrove Lane  
Up Hatherley Cheltenham  
Gloucestershire  
GL51 3LD

**Comments:** 10th November 2025

I am in total support of this application. I think it will benefit the local community and result in no changes to traffic around the area. If local residents are concerned about traffic they must remember that 4 Padel courts can accommodate a maximum of 16 people. Padel is a growing sport and the current infrastructure in Cheltenham doesn't currently support the demand, another club would be a much need and great addition.

Flat 1, Salterley Grange  
Cheltenham  
GL53 9QW

**Comments:** 26th November 2025

I am writing to express my full support for the planning application for the proposed indoor padel club at Dunkertons. Padel is one of the fastest growing sports in the UK, with over 400,000 people playing as of 2024, and awareness growing rapidly among the public. Despite this popularity, there remains an under-representation of courts, making new indoor facilities particularly valuable.

An indoor club at Dunkertons would offer a wide range of benefits to the local community and Cheltenham as a whole. These include improved physical and mental wellbeing through active participation in sport, greater opportunities for social interaction, and support for all age groups and skill levels due to the accessible and inclusive nature of padel.

This proposal aligns strongly with local and national objectives to promote community health, wellbeing, and sport participation. The development would fill a gap in current sports amenities, providing year-round access regardless of weather conditions and encouraging wider community engagement. I wholeheartedly support the application and urge the planning committee to approve it.

24 Osterley Road  
Swindon  
SN25 1UW

**Comments:** 18th December 2025

I support the new courts, it will be a great addition to Dunkertons and the local community

Flat 29, Stone Manor  
Bisley Road  
Stroud  
GL5 1JD

**Comments:** 2nd December 2025

Looks fantastic, one of the fastest growing sports in the UK and now Cheltenham will have courts that people can actually access via roads safely.

No doubt they will be the best looking courts in the UK if the rest of the Dunkertons site is anything to go by!

Dowdeswell Park  
London Road  
Charlton Kings Cheltenham  
Gloucestershire  
GL52 6UT

**Comments:** 21st November 2025

Fully supportive of the proposals to provide leisure facilities at the site in addition to the current retail and hospitality offering. The scheme represents a great opportunity to bring a fast growing leisure activity to the area which will no doubt be offered in a premium manner in keeping with the rest of the site. I hope the application is approved.

Elysium  
Ham Road  
Charlton Kings Cheltenham  
Gloucestershire  
GL54 4EZ

**Comments:** 29th October 2025

This is a clear case of trying to get round the planning system by stealth. An agricultural building put up 6 months ago which is now not needed for that purpose (very convenient) but that just happens to be the exact size needed for 4 padel courts? Mr Dunkerton clearly thinks the Planning Committee were born yesterday. I do hope that you don't fall for this.

65 Hales Road  
Cheltenham  
Gloucestershire  
GL52 6SR

**Comments:** 20th November 2025

I am in full support. I think this is a great addition to the Dunkerton's community offering. I am in full support.

32 Cromwell Road  
Cheltenham  
Gloucestershire  
GL52 5DW

**Comments:** 2nd December 2025

Would be a great addition

Bamfurlong Farm  
Bamfurlong Lane  
Cheltenham  
GL51 6SW

**Comments:** 24th November 2025

Yes good idea

266 Old Bath Road  
Cheltenham  
Gloucestershire  
GL53 9AP

**Comments:** 13th November 2025

This development would be a fantastic addition to the local area, offering huge benefits for the community's health, fitness, and social wellbeing. It would strengthen Gloucestershire's standing as a leading destination for padel, while providing brilliant opportunities for the many talented juniors who already represent the county so well. With Balcarras School nearby, there's a great chance to build strong links for PE lessons and after-school clubs, inspiring even more young players to get involved. Padel is growing rapidly, and facilities like this are exactly what's needed to meet the growing demand for courts and coaching, helping the sport to continue thriving in Gloucestershire.

60 brookfield road  
Gloucester  
GL3 2PB

**Comments:** 13th November 2025

Excellent use of the space to promote health & wellbeing amongst the local community..

1 Thetford Avenue  
Worcester  
WR4 0RB

**Comments:** 20th November 2025

I fully support this application. A Padel Centre would provide a fantastic new space for exercise, social connection, and overall community wellbeing. Padel is accessible, inclusive, and encourages people of all ages to stay active, making it a positive addition to the local area.

19 rodney road  
cheltenham  
GL50 1HX

**Comments:** 26th November 2025

I have always wanted to give padel a go and I know my friends share the same sentiments as me, although these plans have never come to anything as we haven't found anywhere to play close to all of us, with this proximity in such a familiar place I am certain we will be able to give it a try and have some fun with it!

Flaxley Cottage  
London Road  
Charlton Kings Cheltenham  
Gloucestershire  
GL52 6UT

**Comments:** 15th November 2025

I'm usually a fan of Dunkertons, but this latest move feels incredibly cynical to me. It appears they're trying to sidestep planning restrictions in an Area of Outstanding Natural Beauty by first putting up a barn for "agricultural use" and then, just a few months later, applying to convert it into padel courts. It doesn't take a great leap to assume this was the intention from the start. I doubt permission would ever have been granted for a padel court in that field from the outset.

There's plenty of space on their existing site for padel courts to be built - so why the need to expand across the river onto farmland at all?

56 Harvest Street  
Cheltenham  
Gloucestershire  
GL52 3PQ

**Comments:** 24th November 2025

## Page 45

We need jobs, we need growth in the UK economy, we need to support entrepreneur's in their endeavor's to achieve this. This sounds like a great idea. Encouraging sport and exercise as well!! Double win.

10 Ullenwood Court  
Ullenwood  
Cheltenham  
GL53 9QS

**Comments:** 27th November 2025

I fully support the application on the basis of introducing more physical and mental health facilities in the neighbourhood. The location is ideal for families and promotes good health.

St Mary?s  
Eastcombe  
GL6 7dy

**Comments:** 19th December 2025

NONE GIVEN

Paddock Cottage  
Church Lane  
The Leigh  
GL19 4AF

**Comments:** 19th December 2025

Anything that encourages people to get out, be active, and support their physical and mental wellbeing is a positive addition to the community.

2 Dinas Close  
Cheltenham  
Gloucestershire  
GL51 3EP

**Comments:** 19th December 2025

I would love to have a padel court here where I can play with my family and friends. A great addition to Chelt!

18 Bournside Road  
Cheltenham  
Gloucestershire  
GL51 3AH

**Comments:** 19th December 2025

I write in support of this application. These facilities will add something genuinely new, fun and positive for the community - exactly the sort of high-quality amenity that helps Cheltenham remain a healthy, thriving, and active place to live.

It's also reassuring that the proposal appears to be guided by a strong design sensibility. Cheltenham's character is one of its greatest assets, and from Julian's earlier projects, it's reasonable to expect a scheme that is both stylish and respectful of its surroundings, contributing to the town rather than competing with it.

Finally, I think it's important to be realistic about how projects like this are delivered currently. With local authority finances so constrained, the council is simply not in a position to fund new facilities of this kind.

Private investment, therefore, plays an essential role in ensuring that communities like ours can continue to secure well-designed, high-quality infrastructure that benefits everyone and continues to raise Cheltenham's profile as a desirable place to live, work, and visit.

24 Marsh Lane  
Cheltenham  
Gloucestershire  
GL51 9JB

**Comments:** 19th December 2025

I've just started playing Padel and think it's a great social sport for everyone! Great fun and a brilliant way to stay active whilst meeting people too. Padel courts would be a fantastic addition to Dunkertons.

3 Little Ashley Court  
Ryeworth Road  
Charlton Kings Cheltenham  
Gloucestershire  
GL52 6JY

**Comments:** 19th November 2025

Building padel courts so that more people locally can enjoy the sport and keep fit is very desirable, as is the intention of growing Gloucestershire as a centre of excellence, particularly for juniors. For me it would be fantastic to have courts so close to home at Dowdeswell Park.

## Page 47

However, more thought should go into this application if it is to better serve the needs of both users of the facility and the local environment. My concerns relate to making the courts as safe and enjoyable as possible to use (and therefore successful in the long term) and not harming the local environment and its wildlife.

### 1) Court spacing

- Four courts, with only 2m between each seems very tight. Players usually arrive ahead of their lesson/game, and plenty of other facilities offer greater space between the courts to gather, socialise, and watch play. Parents particularly may want to watch their children taking a lesson.
- Players like to have bags, drinks, warming up clothes and ball containers to hand just outside the court, ideally on a bench, even if outdoor shoes and clothes have to be left at reception. When balls are hit out of the court, you need space to retrieve them quickly and not trip over people's stuff.

### 2) Safety

- Padel is a fast sport and injuries can and do occur. Having the courts so close together could be problematic. For example (and I've witnessed this happen) a player with a torn leg muscle may need to come off court and sit/lie down to stretch for a while before making their way back to reception. Or they may need first aid, which requires room to give help.
- In the (hopefully very rare) situation where an injury required an ambulance, how exactly would that work? The plans suggest that the courts are only accessed via the pedestrian bridge. Shouldn't there be provision for vehicular access in an emergency? This appears to have been overlooked.
- A defibrillator in the block would be sensible if it hasn't already been included.

### 3) Environment and wildlife

- The bat survey found that many species use the river as a corridor, highlighting the need for lighting that does not spill outside what's essential for using the bridge safely. One side of the river already has light and noise after dark, why add more on the other side? Hopefully the building design would avoid light overspill, but inevitably some exterior lighting will be needed.
- If the intended location is developed, especially if access for vehicles is included, will it create a precedent for more expansion on the other side of the river, causing further issues for the environment and wildlife?
- Already one can see how the fields and view across the river will be obscured by the building. The rural setting was originally part of the attraction of Dunkertons, but that is being lost as each new building is added, so it feels increasingly built up.

It would be great to have padel courts at Dowdeswell Park, but do they have to be across the river? With all the space that has been created for car parking, could the facility be located closer to the road, where any sound and light coming from the courts would be less of an issue?

10 Wellsprings Road  
Longlevens  
GLOUCESTER  
GL2 0NL

**Comments:** 18th December 2025

Great to bring extra community facilities to the area and I'm sure they will be of great quality. That padel is a fast-growing sport, interest and use should be high.

My concern is access to and egress from the site for the increased volume of traffic this development will bring. The A40 is a fast road and the site access is on a semi-blind bend with a road surface of less than good quality on the access point. Vehicles slowing to gain access and slow moving vehicles exiting the site could cause a hazard to other road users and potentially cause accidents. I believe the council should look at sight lines, speed limits etc prior to granting permission to what otherwise appears to be a well thought out development.

1 Belmore Place  
Cheltenham  
Gloucestershire  
GL53 7JU

**Comments:** 22nd December 2025

I am happy to support this application

39 LILAC WAY  
CARTERTON  
OX18 1JH

**Comments:** 12th November 2025

As a regular commuter to Cheltenham from the Oxford side, and a regular user of Dunkerton's facilities on this site, this in my opinion would be a good use of the existing space, and would help to sustain the already established businesses on this site, as well as provide additional employment, plus leisure opportunities for customers / those living in the vicinity. The development is not overlooked by residential properties and is far enough away from the main road (which does not have any residential properties immediately adjoining it), to not cause any disturbance by the requested opening hours.

I therefore support this application.

1 Finchcroft Lane  
Cheltenham  
Gloucestershire  
GL52 5BD

**Comments:** 27th November 2025

Very much support this. Great location and I'm sure will be very popular for those in the local area

Skylarks  
Park Lane  
Prestbury Cheltenham  
Gloucestershire  
GL52 3BN

**Comments:** 27th November 2025

This padel court would be very well used (I may even give it a go) and most importantly it would make my friend \*\*\*\*\* very happy. It would save a lot of other Cheltenham padel fans a much longer car journey to Elkstone, reducing pressure on the narrow road past the Green Dragon which can be a hair raiser at times. I support this application.

14 Lyndley Chase  
Bishop's Cleeve  
GL52 7YZ

**Comments:** 20th November 2025

NONE GIVEN

5 William Booth Hall  
240 Swindon Road  
Cheltenham  
Gloucestershire  
GL51 9HY

**Comments:** 15th November 2025

Both myself and my partner would love to see this facility at Dunkerton's. For him as a commuter to and from London it will be a great spot to spend time with friends doing padel after work without driving 40 minutes out of Cheltenham for a good court. For me I would love to take up the sport more in an environment that feels more relaxed and I could make a day of it with everything else on offer there

4 Fairfield Walk  
Cheltenham  
Gloucestershire  
GL53 7PF

**Comments:** 20th November 2025

Can help attract a larger number of customers

7 Siskin Drive  
Cheltenham  
Gloucestershire  
GL51 0WW

**Comments:** 18th December 2025

i fully support the padel courts, what a great addition to cheltenham and the community.

The Garden Flat, 21 Lansdown  
Place  
21 Lansdown Place  
Cheltenham  
GL50 2HX

**Comments:** 26th November 2025

I fully support the change of this agricultural building to a Padel centre.

Flat 7  
35 Pittville Lawn  
Cheltenham  
Gloucestershire  
GL52 2BH

**Comments:** 19th December 2025

I want to support this application, as it's always good to have more places to enjoy the day with families and friends.

Upsilon House  
Maugersbury  
Cheltenham  
GL54 1HR

**Comments:** 27th November 2025

Yes please as would mean I wouldn't have to drive through Cheltenham to get to a padel court as traffic is so awful!

This page is intentionally left blank

### Committee Report

|   |  |   |
|---|--|---|
| <b>APPLICATION NO:</b> 25/01636/LBC       |  | <b>OFFICER:</b> Ms Victoria Hodgson                       |
| <b>DATE REGISTERED:</b> 27th January 2026 |  | <b>DATE OF EXPIRY:</b> 24th March 2026                    |
| <b>DATE VALIDATED:</b> 27th January 2026  |  | <b>DATE OF SITE VISIT:</b> 19 <sup>th</sup> February 2026 |
| <b>WARD:</b> Lansdown                     |  | <b>PARISH:</b>  |
| <b>APPLICANT:</b>                         | Gloucestershire County Council   |   |
| <b>AGENT:</b>                             | Agent  |   |
| <b>LOCATION:</b>                          | Gloucestershire County Council Cheltenham Library Clarence Street  |   |
| <b>PROPOSAL:</b>                          | Application for Listed Building Consent for the partial replacement of 11no. first storey windows to the rear (north-east) elevation, facing Chester Walk, of Cheltenham Library, a Grade II listed building within the 'Old Town' central conservation area. Works to the top window unit, of the 11no spanning ground to first storey, involve retaining the existing timber sub-frames and replacing deteriorated aluminium window units with new aluminium inserts to match the existing style and colour. |   |

**RECOMMENDATION:** Grant



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

## 1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 Cheltenham Library occupies part of a substantial Grade II listed Renaissance-style building dating from 1888–89, constructed of ashlar over brick with a tile roof and designed by W.H. Knight and Chatters. The building was originally purpose-built as a free library and School of Art and Science. It is now shared by the library and The Wilson Art Gallery and Museum.
- 1.2 The building occupies a prominent corner position and forms part of a distinguished group of Victorian buildings, including the Church of St Matthew, Electricity House, and Shaftesbury Hall.
- 1.3 Listed Building Consent is sought for the replacement of eleven windows on the northeast elevation. These openings were originally ground floor windows. Only the smaller upper windows are proposed for replacement.
- 1.4 The existing windows comprise aluminium frames set within timber sub frames. The proposal involves removing the aluminium inserts and installing new aluminium frames and glazing in their place. The timber sub frames would remain and be repainted in RAL 1015 Matt (Light Ivory) to match the larger windows beneath.
- 1.5 Window WE 08 differs from the others, having previously been replaced with a deeper aluminium insert that projects further into the interior. The proposed works for this window include repairs to the timber below the cill and the installation of a white uPVC trim to the internal face.
- 1.6 The application for planning permission was determined by Gloucestershire County Council on the 18<sup>th</sup> February 2026 (25/0069/CHREG3).

## 2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

### Constraints:

Airport Safeguarding over 45m  
Business Improvement District  
Conservation Area  
Central Conservation Area  
Core Commercial Area  
Listed Buildings Grade 2  
Principal Urban Area  
Residents Associations  
Smoke Control Order

### Relevant Planning History:

**00/00296/LBC 18th July 2000 NOOBJ**

Refurbishment works to main entrance and internal alterations to foyer area.

**01/00863/LBC 12th September 2001 GRANT**

Second floor toilet refurbishment

**02/00742/LBC 11th September 2002 GRANT**

Internal alterations consisting of various upgraded fire precaution works to the basement, common staircase, lending library and offices and installation of mobile racking to basement

**02/00919/FUL 18th December 2002 REF**

New extension on basement, ground, first and second floors and remodelling of existing (1989) building on ground, first, second and third floors and alterations to listed (1889) building and plant at roof level

**02/00920/LBC 18th December 2002 REF**

Demolition of 51 Clarence Street and alterations to existing (1887) library/museum including: alterations to roof top plant areas, refurbishment and remodelling of second floor galleries, removal of stair and new internal opening

**02/00921/CAC 18th December 2002 REF**

Demolition of all unlisted structures, walls and substructures within the site bounded by 53 and 55 Clarence Street and 3-5 Chester Walk

**85/01056/LS 21st November 1985 PER**

Art Gallery Cheltenham Gloucestershire - Erection Of Display Cases

**86/01214/LA 18th December 1986 PER**

The Art Gallery And Museum Clarence Street Cheltenham Gloucestershire - Demolition Of Part Of The Building And Extension To Building,  
Erection Of 4-Storey Extension To The Museum Providing New Entry, Galleries And Offices (Phase 1)

**86/01215/LA 18th December 1986 PER**

The Art Gallery And Museum Clarence Street Cheltenham Gloucestershire - Demolition Of Part Of Building And Extension To Building And  
Erection Of A 4-Storey Building To The Museum To Provide New Entry Galleries And Offices (Phase 2)

**89/00960/LA 24th August 1989 PER**

Erection Of Signs To Front And Rear Of New Extension

**90/00047/LA 22nd February 1990 PER**

Alterations To Form New Shop And Installation Of An Additional Handrail To The Main Staircase

**90/00400/LA 24th May 1990 PER**

Demolition Of Wall To Provide A Service Counter To Coffee Shop

**96/00126/LA 21st March 1996 PER**

Erection Of Banners On The Clarence Street Facade (Revised Scheme)

**04/01228/LBC 11th November 2004 GRANT**

Proposed replacement fire escape doors and security protection

**05/00972/LBC 16th September 2005 GRANT**

Four exterior signs to be placed on the building facade, on either side of library entrance.

**05/00973/ADV 16th September 2005 GRANT**

Two exterior signs to be placed on the building facade, on either side of library entrance.

**07/01613/LBC 7th May 2008 GRANT**

Internal alterations to main entrance lobby

**83/00788/LA 24th March 1983 GRANT**

Internal alterations to provide disabled persons ramp/lift and alteration to entrance

**17/01636/LBC**    **13th December 2017**    **GRANT**  
Proposed Sign

**17/01636/ADV**    **13th December 2017**    **GRANT**  
Proposed Sign

**26/00065/DEEM3**    **29th January 2026**    **NOOBJ**  
Update and refit of a row of 11no. first storey windows on the rear (north east) elevation of the building.

### **3. POLICIES AND GUIDANCE**

#### **National Planning Policy Framework**

Section 4 Decision-making

Section 16 Conserving and enhancing the historic environment

#### **Adopted Joint Core Strategy Policies**

SD8 Historic Environment

#### **Supplementary Planning Guidance/Documents**

Central conservation area: Old Town Character Area and Management Plan (Feb 2007)

### **4. CONSULTATIONS**

None.

### **5. PUBLICITY AND REPRESENTATIONS**

**5.1** A site notice was posted on 19<sup>th</sup> February 2026, and an advert was published in the Gloucestershire Echo on the same day.

**5.2** No comments were received as part of the public consultation.

### **6. OFFICER COMMENTS**

**6.1** In considering proposals for listed building consent, the Planning (Listed Buildings and Conservation Areas) Act 1990 requires via Section 16 (2) "special regard to the desirability of preserving the building...or any features of special architectural or historic interest which it possesses."

**6.2** Section 72 (1) of the 1990 Act requires that in the exercise of planning functions "with respect to any buildings or other land in a conservation area...special attention be paid to the desirability of preserving or enhancing the character or appearance of that area."

**6.3** The National Planning Policy Framework (NPPF, December 2024) reinforces this position in Section 16, stating that "When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation" and that any harm to or loss of, the significance of a designated heritage assets, including conservation areas, should be supported by clear and convincing justification. If a development proposal will result in harm, this harm should be weighed against the public benefits of the proposal.

**6.4** Local policy is equally clear. Policy SD8 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy requires proposals to conserve and enhance the historic environment, ensuring that development is informed by, and responds positively to, its context. The Old Town Character Area Appraisal and Management Plan further identify the area's defining

attributes as encompassing the historic core of Cheltenham's layout, incorporating key historic roads and early buildings and ancient street patterns.

- 6.5 The building's significance derives primarily, though not exclusively, from its architectural interest as a late nineteenth century Renaissance style purpose built library and School of Art and Science.
- 6.6 As set out in the submitted Heritage Statement, the existing aluminium windows are deteriorating and require replacement.
- 6.7 The existing aluminium frames are not considered to be original. The proposed replacement windows affect only the upper portions of the ground floor openings on the northeast elevation, a part of the building that is less prominent within the public realm. As the replacements are like for like in design and appearance, the works would not harm the significance of the Grade II listed building, nor would they detract from the character or appearance of the conservation area.
- 6.8 The proposal is therefore considered acceptable.

### **7. CONCLUSION AND RECOMMENDATION**

- 7.1 In accordance with Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the proposals have special regard to preserving the historic building and its features of historic interest. They align with statutory requirements, national policy, and local planning policy. The works represent an acceptable alteration to this Grade II listed building, preserving its significance as a designated heritage asset. The proposal accords with Policy SD8 of the JCS and Part 16 of the NPPF.
- 7.2 It is recommended listed building consent is granted.

### **8. CONDITIONS**

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

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

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

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

**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**

**February/March 2026**

| Address         | Proposal | Delegated or Committee Decision | Appeal Type | Anticipated Appeal Determination Date | Reference |
|-----------------|----------|---------------------------------|-------------|---------------------------------------|-----------|
| None Registered |          |                                 |             |                                       |           |
|                 |          |                                 |             |                                       |           |
|                 |          |                                 |             |                                       |           |

**Appeals being processed**

| Address | Proposal | Delegated/Committee Decision | Appeal Type | Outcome | Reference |
|---------|----------|------------------------------|-------------|---------|-----------|
| None    |          |                              |             |         |           |
|         |          |                              |             |         |           |
|         |          |                              |             |         |           |
|         |          |                              |             |         |           |

## Appeals Decided

| Address   | Proposal                                    | Delegated/Committee Decision | Appeal Type            | Outcome          | Reference  |
|---|---|------------------------------|------------------------|------------------|--|
| 19 Beaumont Road<br>Cheltenham<br>Gloucestershire<br>GL51 0LP                     | Vehicular access and hardstanding           | Delegated Decision           | Written Representation | Appeal Dismissed | Planning ref:<br>25/00324/CLPUD<br>Appeal ref:<br>25/00012/PP1 |
| K S Service Station<br>Bouncers Lane<br>Cheltenham<br>Gloucestershire<br>GL52 5JF | Installation of digital advertising display | Delegated Decision           | Written Representation | Appeal Allowed   | Planning Ref:<br>25/00998/ADV<br>Appeal Ref:<br>25/00016/ADV1  |
| 6 Townsend Street<br>Cheltenham<br>Gloucestershire<br>GL51 9HD                    | First floor side extension.                 | Delegated Decision           | Written Representation | Appeal Dismissed | Planning Ref:<br>25/01756/FUL<br>Appeal Ref:<br>26/00001/PP1   |
|   |   |                              |                        |                  |  |

Authorised By: Chris Gomm 10<sup>th</sup> March 2026

| Application No. | Appeal Ref   | Site Address                 | Appeal Type | Start Date | Questionnaire | Statement  | Final Comments | Decision  | Date of Decision | Costs Deci | Hearing Date | Costs awarded |
|-----------------|--------------|------------------------------|-------------|------------|---------------|------------|----------------|-----------|------------------|------------|--------------|---------------|
| 25/01756/FUL    | 26/00001/PP1 | 6 Townsend Street            | HAS         | 05.01.2026 | 12.01.2026    |            |                | Dismissed | 06.03.2026       |            |              |               |
| 25/00539/FUL    | 26/00002/PP1 | Laxton Meadow Farm           | Written     | 19.01.2026 | 26.01.2026    | 23.02.2026 | 09.03.2026     |           |                  |            |              |               |
| 25/00983/TPO    | 26/00003/TP1 | Pittville Court, Albert Road | Written     | 27.01.2026 |               |            |                |           |                  |            |              |               |

This page is intentionally left blank



---

## Appeal Decision

Site visit made on 3 February 2026

by **S A Hanson BA(Hons) BTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date 19 February 2026

---

**Appeal Ref: APP/B1605/X/25/3368036**

**19 Beaumont Road, Cheltenham, Gloucestershire GL51 0LP**

- The appeal is made under section 195 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant a certificate of lawful use or development.
  - The appeal is made by Mrs Yvette Drake against the decision of Cheltenham Borough Council.
  - The application ref 25/003241, dated 27 February 2025, was refused by notice dated 16 April 2025.
  - The application was made under section 192(1)(b) of the Town and Country Planning Act 1990 (as amended).
  - The development for which a certificate of lawful use or development is sought is described as a driveway (gravel) installed and need to get some kerb stones dropped and pavement re-laid.
- 

### Decision

1. The appeal is dismissed.

### Preliminary Matters

2. The appeal is made under section 195 of the Town and Country Planning Act 1990 against the refusal of Cheltenham Borough Council (“the Council”) to grant a Lawful Development Certificate (LDC) for the proposed formation of a new vehicular access and creation of a hardstanding.
3. An LDC may only be granted if the development described would be lawful at the date of the application. Planning merits are not relevant to this assessment. My decision rests on the facts of the case, and relevant planning law and judicial authority. The onus is firmly on the applicant (appellant) to demonstrate that, on the balance of probabilities, the proposed development would be lawful.

### Main Issue

4. The main issue is whether the Council’s decision to refuse to grant an LDC was well-founded. This turns on whether the proposed vehicular driveway and access would benefit from the planning permission granted by Article 3(1), Class F of Part 1 and Class B of Part 2 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (“the GPDO”).

### Reasons

5. The appeal property is a semi-detached chalet bungalow occupying a corner plot on Beaumont Road, an unclassified highway within a residential estate. The proposal involves the formation of a new vehicular access from the highway and the construction of a permeable hardstanding to the front of the principal elevation.
6. The property has an open frontage, with a substantial evergreen hedge extending along the side and rear boundaries adjacent to the highway. At the front, the

hedge aligns with the building line of the dwelling and continues rearwards to adjoin the garage and an outbuilding situated at the rear of the plot. The front garden is modest in depth and currently laid to lawn with a pedestrian pathway leading to the front entrance. Newly planted hedge whips extend the existing boundary along the pavement to the front and the neighbouring front lawn to the side.

7. Class F of Part 1 of the GPDO permits the provision or replacement of a hard surface within the curtilage of a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse as such. This is subject to the condition that where the area of ground covered exceeds 5 square metres and is located on land between the principal elevation of the dwelling and a highway, the hard surface is made of porous materials or provision is made to direct run-off water to a porous or permeable surface within the curtilage of the site. The application form confirms the use of permeable surfacing. Accordingly, the proposed hardstanding would comply with the requirements of Class F and would therefore be permitted development.
8. Class B of Part 2 of the GPDO permits the formation, laying out and construction of a means of access to a highway which is not a trunk road or a classified road, where the access is required in connection with development permitted by any Class of Schedule 2 (other than Class A of Part 2). Beaumont Road is neither a trunk nor a classified road. The access would serve a permeable hardstanding that constitutes permitted development under Class F of Part 1. The proposal would therefore fall within the scope of Class B.
9. However, Article 3(6) of the GPDO provides that permitted development rights do not authorise development which “creates an obstruction to the view of persons using any highway used by vehicular traffic, so as to be likely to cause danger to such persons.”
10. The proposed access would be situated close to a sharp bend of approximately 90 degrees, where visibility for road users is inherently constrained by the alignment of the carriageway. This limitation is compounded by the tall evergreen hedge along the side boundary, which significantly restricts forward visibility for drivers approaching from the bend. Drivers exiting the proposed access, whether in a forward gear or reversing, would likewise experience severely diminished visibility of oncoming traffic.
11. Although many neighbouring properties benefit from off-street parking, during my mid-morning weekday site visit I observed moderate levels of on-street parking in the locality, including along the property’s side boundary. Even discounting the presence of parked vehicles, the hedge alone would impede sightlines to an extent that would materially compromise the ability of drivers, cyclists and pedestrians to anticipate emerging or approaching traffic in a safe and timely manner.
12. This assessment is consistent with the advice of the Highway Authority, acting as statutory consultee. It concluded that the position of the access, combined with boundary vegetation exceeding 1 metre in height adjacent to the highway, would prevent adequate visibility in both directions and would not provide a safe and suitable access.
13. The appellant has submitted photographs of other driveways in seemingly comparable positions. However, no evidence has been provided regarding the

planning status of those accesses. In any event, an application for a certificate of lawfulness must be determined on the basis of whether the proposed development would be lawful on the date of the application and not through comparison with the circumstances of other properties.

14. In this case, it is the formation of the access, not simply the presence of the existing hedge, that would create an obstruction to visibility for highway users. This obstruction would give rise to a likely danger to persons using the highway and those emerging from the proposed access. Because visibility obstruction arises as a direct consequence of creating the access, the limitation in Article 3(6) applies irrespective of the proposal meeting the other requirements of Class B, and the development cannot therefore be considered permitted development.
15. For the reasons given above, I conclude that the Council's refusal to grant a Lawful Development Certificate for the construction of a vehicular driveway and hardstanding at 19 Beaumont Road, Cheltenham was well-founded and that the appeal should not succeed. I will exercise accordingly the powers transferred to me in section 195(3) of the 1990 Act (as amended).

*S A Hanson*

INSPECTOR

This page is intentionally left blank



---

## Appeal Decision

Site visit made on 25 February 2026

by **B J Sims BSc (Hons) CEng MICE MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 04 March 2026

---

**Appeal Ref: APP/B1605/Z/25/3373045.**

**Petrol Filling Station, Bouncers Lane, Prestbury, Cheltenham, GL25 5JF.**

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) against a refusal to grant express consent.
  - The appeal is made by Wildstone Estates Limited against the decision of Cheltenham Borough Council.
  - The application Ref is 25/00998/ADV.
  - The advertisement proposal is installation of digital advertising display.
- 

### Decision

1. The appeal is allowed and express consent is granted for the display of a digital advertising display at Petrol Filling Station, Bouncers Lane, Prestbury, Cheltenham, GL25 5JF, in accordance with the terms of the application, Ref 25/00998/ADV. The consent is for five years from the date of this decision and is subject to the five standard conditions set out in Schedule 2 of the 2007 Regulations and the following additional conditions:

1)

The development shall be undertaken in strict accordance with the following approved drawings:

- 25618/PA/01 Site Location Plan
- 25618/PA/02 Existing Site Plan
- 25618/PA/03 Proposed Site Plan
- 25618/PA/04 Site Location Plan
- 25618/PA/05 Existing and Proposed Elevations
- 25618/PA/06 Specification
- 25618/PA/07 CGI

2)

There shall be no moving images, animation, video or full motion images displayed unless otherwise permitted by this consent.

3)

In the hours of darkness, the advertisement display luminance shall be no greater than 300cd/m<sup>2</sup> in accordance with the recommended maximum night time luminance value set out for Environmental Zone 4 in Table 10.4 within the Institution of Lighting Professionals - Professional Lighting Guide (PLG 05) 'Brightness of Illuminated Advertisements including Digital Displays' (or its equivalent in a replacement guide) in cd/m<sup>2</sup>.

4)

In daylight hours, the advertisement display luminance shall be controlled in order to reflect ambient light conditions (to ensure it is neither too bright nor too dull), and shall at all times be no greater than the recommended maximum daytime luminance values set out in Table 10.5 within the Institution of Lighting Professionals – Professional Lighting Guide (PLG 05) 'Brightness of Illuminated Advertisements including Digital Displays' (or its equivalent in a replacement guide) in cd/m<sup>2</sup>.

5)

Unless otherwise permitted, the minimum display time for each advertisement shall be 10 seconds and the advertisement shall not include any features which would result in interactive messages or advertisements being displayed.

6)

The interval between successive advertisements shall be no greater than 1 second and the complete display shall change without effect. The display to include a mechanism to default to a blank or black screen in the event of malfunction, or if the advertisement is not in use.

7)

No images displayed shall resemble official road traffic signs, traffic lights or traffic matrix signs.

### **Main Issues**

2. The main issues are the effects of the proposed digital advertising display on environmental amenity and public safety, taking account of any cumulative impacts.

### **Reasons**

#### *Amenity*

3. Bouncers Lane as a whole is a predominantly residential street and evidently quite tranquil for much of the time. However, development in the vicinity of the appeal site includes not only the filling station itself, with its retail shop and car wash, but also a garage, a church hall, a pub and the nearby Prestbury and St Mary's Infant and Junior Schools.
4. The 2.4m by 1.2m proposed illuminated sign would stand within the filling station forecourt, against the boundary fence with No 28 Bouncers Lane, although it would rise some way above the top level of that fence.
5. The sign would be viewed mainly from the front and from the north in the context of the typically commercial filling station premises, with the usual central canopy and totem sign at the middle of the street frontage.
6. I agree with the Appellants that the sign would not appear unduly bulky in the street scene, and it would not directly face any residential property. The sign would be seen in the context of normal street furniture, traffic signs and lighting as well as existing advertising at other commercial premises nearby.
7. The main amenity concern is the effect of the illumination of the sign, especially during dark winter mornings and evenings, even if it were switched off overnight. It

is critical that, to be acceptable, the level of lighting must be controlled to avoid undue visual intrusion.

8. It is the stated aim of the Appellants that the proposed sign would follow modern industry standards and appear similar to a traditional paper advertisement panel or a computer screen and not a bright light source, such as a street lamp. This is evidently achievable by way of threshold controls, timers and light sensors to control luminance, in particular to no more than 300cd/sqm during hours of darkness.
9. The changing static displays would relate to the goods and services associated with the filling station or similar businesses, of primary concern to their visiting customers. I do recognise that, in times of darkness, glow from the illuminated sign might be visible from No 28 and other dwellings in Bouncers Lane. However, I do not consider that the periodically changing images would be unduly distracting to residents and passers-by, given the proposed controls over lighting. The latter could be secured by conditions, suggested by the Appellants, in line with the model conditions recommended by the Institute of Lighting Professionals.
10. Overall, I am satisfied that, with the suggested conditions in place to control illumination levels, the proposed advertisement display would not appear unduly incongruous in its setting, given the existing level of commercial activity, signage and street lighting in this part of Bouncers Lane.
11. Therefore, I find that the proposed digital advertisement display would have no unacceptably adverse impact on the character or appearance of the site and its surroundings or harm the visual, environmental or residential amenity of the locality.

### *Safety*

12. Whilst the Council did not refuse the application on public safety grounds, objections are raised by local residents in this regard. With the Prestbury St Mary's Infant and Junior School and the Chiltern Road junction in close proximity to the filling station on Bouncers Lane, it is clearly paramount that any potential effect of the proposed illuminated advertisement display on public safety, and on road safety in particular, is carefully considered. That is notwithstanding that the highway authority has no objection to the proposed sign.
13. It is understandable that parents in particular should be concerned for the safety of very young children who frequent this part of Bouncers Lane at the beginning and end of school hours when the area is busy with school traffic. The fear would be that distraction by the new illuminated display could give rise to inattention by children and adults crossing the road and entering or leaving vehicles, so increasing the potential for accidents.
14. However, on careful consideration of the proposal above, in connection with amenity, I have already reached the judgement that the display would not be so incongruous or so brightly lit that, even with its changing static images, it would not be so noticeable as to harm the local amenity. It follows that the proposed display would not cause such a degree of distraction as to pose any additional threat to public safety on Bouncers Lane above that which exists at present.

*Other Matters*

15. Illuminated advertising displays of the type proposed in this case are commonplace across the UK and the remotely controlled sign would potentially be beneficial to amenity in that it could lead to a reduction of service visits and existing advertising clutter on the site, albeit that is not certain. The Council and residents question the necessity for the illuminated sign in this location, but need is not decisive where a proposal is otherwise acceptable. None of these factors, nor the many examples cited in precedent by the Appellants, have much influenced by conclusions on the present appeal, which is for assessment on its specific effects on amenity and safety.

*Conclusions*

16. With respect to amenity, I consider that the appeal proposal is essentially compliant with the provisions of Policies D1 and D2 of the Adopted Cheltenham Plan (CP) that, consistent with national planning policy, advertisements should be designed to respect neighbouring development and avoid harm to visual amenity and the character of the immediate area. I also consider that the proposal is compliant with the requirement of CP Policy SL1 that development should not endanger public safety. Those policies are also consistent with Policies SD4 and SD14 of the adopted Gloucester, Cheltenham and Tewkesbury Joint Core Strategy as well as with national policy.
17. For the reasons explained, I conclude that this appeal should be allowed subject to the conditions set out above.

*B J Sims*

INSPECTOR



---

## Appeal Decision

Site visit made on 24 February 2026

by **Andrew Fuller BSc (Hons), Dip TP, MA, RTPI, IHBC**

an Inspector appointed by the Secretary of State

Decision date: 06 March 2026

---

### Appeal Ref: 6003238

#### 6 Townsend Street, Cheltenham, Gloucestershire GL51 9HD

- 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 Jeremy Glanfield against the decision of Cheltenham Borough Council.
  - The application Ref is 25/01756/FUL.
  - The development proposed is for the 'Erection of a first floor side extension'.
- 

### Decision

1. The appeal is dismissed.

### Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the property and the surrounding area.

### Reasons

3. Townsend Street comprises a street of two-storey terrace properties, which follow a building line at the back of the pavement. All properties have shallow pitched roofs, albeit with small variations to the ridgeline. The appeal site is located at the head of the street at the junction with Tewkesbury Road, which comprises a modern dual carriageway forming a wide intersection with Townsend Street and Gloucester Road.
4. The appeal site is typical of the other properties in the street in both its width, height and roof form. The existing gable profile of the principal house is visible in long range views along Tewkesbury Road and across the junction. Beneath it, and forming the corner of the plot along the Tewkesbury Road elevation, is a splayed, single-storey side extension.
5. The proposal is for a first floor extension above the existing corner extension and would be topped with a flat roof. This proposed form would be unsympathetic to the host property and uncharacteristic of the street's established roof form of pitched roofs. The proposed flat roof would be read in stark contrast to the continuous ridgeline of the terrace that it would be annexed to. It would form an incongruous feature in this location, harming the character and appearance of the appeal site and street. Moreover, it would be dominant and harmful in the long views along Tewkesbury Road in both directions and particularly across the wide open junction from the approach along Gloucester Road.
6. In making my decision, I have had regard to Policy D1 of the Cheltenham Plan (2020) (the Plan). It allows for some discretion in design, sanctioning a departure

from the established appearance of a building in limited circumstances. The appellant believes this to be an appropriate instance where a different roof design might be acceptable. However, due to the modest scale of the host property and the regularity of the roof design along the street, such a departure in favour of a flat roof would be wholly incongruous.

7. Whilst the extension is sizable and with a door and windows towards Tewkesbury Road, the proposal would not be read as an independent structure, as argued by the appellant, but clearly as an extension, to the host property. I am assessing the proposed development as an extension, not as a new dwelling. Therefore, Supplementary Planning Document: Residential Alterations and Extensions (2008) (SPD), that seeks the character of a house to influence an extensions design, including the pitch and shape of the roof, is relevant in this decision. As described above, the proposed development would fail to accord with this guidance.
8. On my site visit, and as highlighted by the appellant, I saw that there are examples of flat and parapeted roofs throughout Cheltenham in both historic and contemporary development. In the surrounding area to the appeal site, these included a large block of flats, some residential streets where all the houses have parapeted and flat roofs, and main roads, such as High Street, where building height, styles and ages varied significantly along with their roof form. Whilst nearby, these areas have different architectural and townscape characteristics to that of Townsend Street and are in marked contrast with the appeal site. Ultimately, the existence of those other roof types, beyond Townsend Street, has not led me to an alternative conclusion on this main issue.
9. It has also been brought to my attention that there is a short run of buildings, including the Horse and Jockey public house, at the far end of Townsend Street which have parapet roofs. These parapets only partially screen their pitched roofs, which are still visible on the approach from Russell Street. Again, these limited examples do not lead me to an alternative conclusion on this main issue.
10. Overall, I conclude that the proposed development would harm the character and appearance of the property and the surrounding area. As such, it conflicts with Policy D1 of the Cheltenham Plan (2020) and Policy SD4 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (2017) which require, amongst other matters, for extensions to avoid causing harm to the architectural integrity of the building or groups of buildings.

### **Other Matters**

11. I accept that the property is not located within a conservation area. Nevertheless, this weighs neither for nor against the scheme.

### **Conclusion**

12. For the reasons given above, I conclude that the proposal would conflict with the development plan as a whole and that there are no material considerations that indicate that the development should be determined other than in accordance with it. Therefore, the appeal is dismissed.

*Andrew Fuller*

INSPECTOR