

Cheltenham Borough Council Planning Committee

Meeting date: 23 April 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 and Councillor Suzanne Williams

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Contact: democraticservices@cheltenham.gov.uk
Phone: 01242 264 246

Agenda

1 Apologies

2 Declarations of Interest

3 Declarations of independent site visits

4 Minutes of the last meeting (Pages 5 - 12)

To approve the minutes of the meeting held on 19th March 2026.

5 Public Questions

6 Planning Applications

7 23/01874/OUT - Land at West Cheltenham, Northern Parcel, South of Old Gloucester Road (Pages 13 - 92)

[Planning application documents](#)

8 26/00001/REM - Land at West Cheltenham, Southern Parcel, Fiddlers Green Lane, Cheltenham (Pages 93 - 154)

[Planning Application documents](#)

9 25/01567/FUL - Broadlands Lodge, 56 The Park, Cheltenham, GL50 2SA (Pages 155 - 222)

[Planning application documents](#)

10 26/00240/FUL - Robert Harvey House, Winchombe Street, Cheltenham, GL52 2NL (Pages 223 - 230)

[Planning application documents](#)

11 26/00257/FUL - 10 Hallad Road, Cheltenham, GL53 0DJ (Pages 231 - 242)

[Planning application documents](#)

12 Appeal Update (Pages 243 - 250)

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

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Cheltenham Borough Council Planning Committee Minutes

Meeting date: 19 March 2026

Meeting time: 6.00 pm - 6.58 pm

In attendance:

Councillors:

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

Also in attendance:

Tracey Birkinshaw (Director of Planning and Building Control), Chris Gomm (Head of Planning), Michelle Payne (Development Management Manager), Sophie Lunn (Senior Planning Ecologist) and Simon Aley (Locum Senior Planning Solicitor)

1 Apologies

Apologies were received from Councillor Frank Allen. Councillor Jackie Chelin acted as a substitute.

2 Declarations of Interest

There were none.

3 Declarations of independent site visits

The following Councillors attended site 6a during Planning View:

- Councillor Frank Allen
- Councillor Garth Barnes
- Councillor Barbara Clark
- Councillor Iain Dobie
- Councillor Jan Foster
- Councillor Tony Oliver
- Councillor Dr Steve Steinhardt

4 Minutes of the last meeting

It was noted that Councillor Simon Wheeler had sent apologies to the meeting on the 19 February 2026.

Subject to the correction, the minutes of the meeting held on 19 February 2026 were approved and signed as a correct record.

5 Public Questions

There were none.

6 Planning Applications

7 25/01587/FUL - Dowdeswell Park, London Road, Charlton Kings, Cheltenham, GL52 6UT

The Senior Planning Officer introduced the report as published.

There were three public speakers on the item: an objector, the applicant, and the Ward Member.

The objector addressed the committee and made the following points:

- Disappointed that the request for an informal face-to-face meeting with the applicant or a representative to respectfully address concerns was not fulfilled.
- The objector and her husband have lived at a neighbouring property with adjacent land to the site for a combined 30 years and are very proud of the countryside that they maintain. It is a small area of the Cotswolds, but its wildlife, views and public footpaths are truly precious. They are deserving of protection so that hopefully it will continue to flourish for the many generations to come.
- As close neighbours they have witnessed the conception of Dunkerton's Park over the last six years or so. Aside from the occasional loud music, much of its development has been very positive, which they have happily embraced. They have enjoyed visits with friends and families. It is a quality, unique venue that offers much to the community and the many young people it employs.
- However, this objection is about the shared national local and the environment. It is about protecting and preserving the national landscape, a place within the community that is free for all to use and enjoy without cost or compromise.
- This potential commercial venue, is to be repurposed from a brand new seemingly unfinished agricultural barn standing for less than one year, built with intentions of being for farm use. It should not be clearing established woodland boundaries, upsetting wildlife habitats and ancient river corridors views. It should not be doing any of this under the guise of it being good for

the community. Because no matter how nice it might look or how much money is spent, nature and its wildlife does not appreciate our human view on aesthetics because nature is messy.

- Aware there is to be some replanting of trees that were removed in response to the ecology reports request, but doubt it will be sufficient for at least decades in its aid for lost habitats, visual screening, light pollution, and additional noise. Especially as plans state that the business will be in use for 7 days a week, 16 hours a day on average.
- No objection at all to the concept of the padel courts but feel other commercial land at Dunkerton's Park should and could have been considered first before allowing an 87% biodiversity loss of an area of outstanding natural beauty (AONB).
- Studying the plans it was seemingly always the intention to build padel courts, rather than a building for agricultural use. This method of legitimately getting around planning loopholes is misleading. It points to an assumption that the agricultural barn was constructed under false pretences, perhaps for fear of its true intention being rejected. The fear for neighbours is that if change of use permission is granted for this development as submitted, this approach may set a precedent to the applicant to further expand his site. Seeding ideas for the construction of additional agricultural buildings under the permitted development rule to then apply for change of use once in situ. Damaging even more of our AONB, which once it is gone is gone.
- It is also worth considering that any permissions granted for this venue will likely increase the value of the site considerably. A clear benefit to its owner. As someone owning adjacent fields this is concerning. Where does it stop and what are the plans for the long term?
- Ultimately this feels like a legitimate mockery is being made of the planning rules directly under the noses of the very people who implement them. Hope they are wrong but it is sad to see that an area of AONB land, which is supposedly protected by law, can actually just be bought, dismantled at will, and its wildlife habits and views permanently altered. All for a person's commercial gain and profit. Personally hope that more long-term thought is given to what makes the Cotswolds, Charlton Kings and Cheltenham's diminishing countryside special.

The applicant addressed the committee and made the following points:

- Appreciate everything that has been said in the objector's impassioned speech but does not think there is a real understanding of the facts.
- Owns 250 acres of land in the area and within Dowdeswell Wood has been taking back all the conifers and planting deciduous trees to create natural environments. Currently working with the Environment Agency to try and make the reservoir come back to life after it was recently drained. Aiming to create a nature reserve with a wild wetland in the area.
- Thanked officers for recommending that the committee pass the change of use application.
- This is approx.. a £1.5m investment in the area, creating more jobs and delivering what the public patently need and want.
- There are no near neighbours to be disturbed by noise and it will be a fully enclosed building. Environmental Health have raised no issues with the application.

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- Trees will be planted to bring back and enhance the landscape and screen the site from the north. Previously this was a derelict and defunct building site, completely unused and unloved. After 9.5 acres of development it is now a beautiful, vibrant tourist attraction that brings in thousands of people to the town. It is loved by the community of Charlton Kings and has been quoted in all sorts of ways as the most positive thing to happen to the area in years.
- Previous trees were removed due to ash dieback requiring them to be taken down.
- No issues have been raised in regards to flooding or by Highways as there is plenty of parking available.
- Thanks were offered to the new ecology officer for making this a much easier process. The applicant will be enhancing habitats with a 10% biodiversity net gain (BNG) on the site or nearby. Hundreds of new trees have already been planted, with thousands more to follow. The river environment will also be enhanced and will bring back the meandering, to bring back something to be proud of that is exciting and beautiful all the way through the site.
- The applicant has funded the building of a music department for Balcarras School in Charlton Kings and is very proud of what has been done for the school. If this project goes forward free lessons will be given to Balcarras students. Wants to work with the local community to deliver something that is exciting and useful and enhancing for everyone. It will enhance youth engagement with free school access and coaching through allocated lessons.
- The plans will stimulate local economic growth through hospitality and community football, and reuse existing structures responsibly whilst preserving the environment. Becoming a padel event and tournament venue will put Charlton Kings on the map and promote sport as part of a healthy lifestyle.

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

- Had this application been in a sustainable location in the ward, such as the Industrial Estate where La Boulangerie Artisan is located, then the Member would be welcoming it. That would be a sustainable location in ecological, landscape impact, and travel terms.
- Issue is not with the idea of a padel centre, but the location which has the highest level of protection under planning rules.
- Members will be aware that the applicant was granted permission to build the barn structure a year ago in March 2025. The application form stated that the site could not be seen from a public road, public footpath, bridleway or other public land. These photos show that the site is clearly visible along extended sections of public footpaths. In this application, submitted only 7 months after permission for the barn was given, it is now acknowledged that the site is visible from footpaths, and proposes planting a screen of trees to attempt to soften the visual impact. However, given the height of the structure it seems unlikely this will ever be achieved.
- The barn has not been used for any substantive agricultural activity, and it has been stated that an unspecified change in circumstances has led to this application. By a stroke of luck, the structure is the perfect size for 4 padel courts, reception area, shop and changing rooms.

- While a barn is a structure one would expect to see in the AONB, and by supporting farming, helps to conserve and enhance its landscape and scenic beauty as required by paragraph 189 of the NPPF. This is not true of a padel centre.
- Due to the negative visual impact it conflicts with JCS Policies SD6 and SD7, paragraphs 187 and 189 of the NPPF, and Section 245 of the Levelling Up and Regeneration Act 2023 which requires the council as planning authority to seek to further the purpose of conserving and enhancing the natural beauty of the AONB.
- The site is located in an open field on the other side of the river Chelt from the main Dunkerton's site. Access will cut across important wildlife and nature corridors.
- In November 2024 an application to add a first-floor extension to a house close to this site was refused, because it would be over development and would fail to conserve or enhance the Cotswold National Landscape. This refusal was upheld on appeal. I imagine the owner of that property, like me, will be wondering why given that refusal, upheld on appeal, this application is being recommended for approval.
- After continued challenge from the council's ecologist, the latest biodiversity calculation shows a net habitat loss of 87.36%. The bridge and path from the main site into the field will cut across a nature corridor. The bat survey identified that the site provides good quality bat foraging and commuting habitat along the Chelt, and warns that the footpath and bridge will result in habitat loss that could fragment and lower its value for foraging and commuting. Members will know that the UK is one of the most nature depleted countries in the world. As there always seem to be applications to build in the AONB that would result in biodiversity loss this is no surprise to me.
- Following pressure from the council's ecologist, the applicant has agreed to explore on site biodiversity enhancements to reduce the quantity of offsite units that will need to be purchased. However, this will happen after tonight's decision has been made.
- This application should be refused. However, the Member would be supportive of an application to build a padel centre in a sustainable location.

In response to Members' questions, officers confirmed that:

- The recommendation to grant permission is based on the circumstances of this case and the conversion of what is an existing building. If an application for a new building in this location for use as padel courts were submitted, it would be subject to additional considerations. An application for a new building within the AONB would have taken into account that the NPPF gives great weight to conserving and enhancing the national landscape, however in this case the building is already present and the impact has occurred. It is not possible to make a direct comparison because they are two very different proposals, and it is not possible to say what the outcome of a different application would have been.
- Officers were not able to confirm whether trees had to be removed due to safety concerns due to ash dieback but did confirm that a felling license had been reviewed by the council and permission for their removal had been granted.

- The agricultural building was built as permitted development. Before works are carried out an application must be made to the council to see if prior approval is required. As part of the prior approval process, very specific things are taken into account. In this case all requirements were met so the decision was made that prior approval wasn't required and the building could be constructed. There is significant legislation in place around permitted development and in this case the council is satisfied that the building is authorised.
- Officers do not know the background to the change in circumstances around the barn.
- The visibility of the barn from the Cotswold National Landscape would not have been considered as part of the prior approval process.
- Specifics of the actual build are not known and whether there will be soundproofing is not something that the council would necessarily be involved in as part of a planning application. The impact of noise on protected species such as bats and other nocturnal species was considered as part of the ecology officer's report. There may be issues from the vibrations from a padel development of this size, however that has not yet been identified as a problem within legislation, so it is not possible to object on that basis.
- It is not necessary to attach an additional condition in relation to the glazing of the gallery and viewing terrace as the approved plan conditions include the layout of this and the mezzanine. Any deviation to these designs would require additional permissions.
- Concerns were raised about the prominence of the proposed signage and it was confirmed that there is a condition that requires details of any signage to be submitted and approved.
- There is a condition covering external lighting, including that on the bridge, following recommendation by the ecology officer. This has been a big consideration for this application and will need to be seen and agreed before construction of the bridge.
- A conversation took place with Highways where they highlighted how many vehicle trips would be likely to take place in association with the padel courts. Their 'no objection' comment acknowledges that they have not addressed the sustainable transport side. Further contact was made with the officer and they said that following receipt of further information about the likely increase in trips they considered the impact on the highway to be negligible, negating the need for the development to invest in any public transport improvements.
- The trees that are proposed are outside of the BNG requirements and requested ecological enhancements for this application. The conditions require some BNG to be achieved on site and have been agreed upon.

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

- Appreciate the other works the applicant has carried out for the environment and community, but feel that in this case the approach has been negative. It seems clear that there it was never any intention to use a barn as an agricultural building but was a way to shoehorn the application through. If the application had been brought to the committee as a more honest application from day one would have looked at it a lot more sympathetically. However, the Member could not see any fair argument to refuse the application on planning grounds.

- A Member highlighted that it would be good to see a change in national policy so that in situations where agricultural buildings are built, their use must not be changed for a number of years to stop abuse of the system. It was suggested that the Cabinet Member Planning and Building Control could raise this with the MP.
- The importance of exercise was noted and padel was seen as a very good sport. Mr. Dunkerton's work for the local community and for Cheltenham was also highlighted.
- A number of Members noted that they would be voting in favour of the recommendation reluctantly because it was clear that this was the right decision in planning terms. However, they stressed their dissatisfaction with the approach the applicant had taken.

The Head of Planning highlighted that suspicion or speculation about an applicant's motives are not a material planning consideration. The committee cannot take that into account. Nor is the committee considering whether the building is lawful or whether it is authorised because that has already been determined. Members are solely assessing an application for a material change of use and the impact of that change of use.

The matter then went to the vote on the officer recommendation to permit subject to conditions and S106 legal agreement.

For: 9
Against: 0
Abstain: 2

Voted for the officer recommendation to permit subject to conditions and S106 legal agreement.

8 25/01636/LBC - Gloucestershire County Council, Cheltenham Library, Clarence Street, Cheltenham, GL50 3JT

The Head of Planning introduced the report as published.

In response to Members' questions, officers confirmed that:

- The current windows have deteriorated to the point where they are essentially leaking air and are not meeting the thermal requirements that they should.

The matter then went to the vote on the officer recommendation to grant.

For: 11
Against: 0
Abstain: 0

Voted UNANIMOUSLY for the officer recommendation to grant.

9 Appeal Update

The appeal updates were noted.

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

There were none.

Committee Report

APPLICATION NO: 23/01874/OUT		OFFICER: Mr Chris Gomm
DATE REGISTERED: 7th November 2023		DATE OF EXPIRY:
DATE VALIDATED: 7th November 2023		DATE OF SITE VISIT: 10/10/2023
WARD: Springbank		PARISH: None
APPLICANT:	HBD Golden Valley Limited	
AGENT:	Hgh Consulting	
LOCATION:	Land at West Cheltenham, Northern Parcel, South of Old Gloucester Road, Cheltenham	
PROPOSAL:	Outline planning permission (with all matters reserved except for access) for a severable and phased development to provide new homes (Use Class C3) and non-residential floorspace comprising flexible commercial and community uses (Use Class E), as well as land for potential primary education (Use Class F1) and other associated infrastructure.	

RECOMMENDATION:

To delegate authority to the Head of Planning to **permit** the application subject to:

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

B) completion of a S106 obligation and/or other legal document to deliver the infrastructure and other mitigation, as set out in this report at paragraphs 7.265 to 7.278, and for alterations to s106 heads of terms as may be agreed under delegated authority given to the Head of Planning in consultation with the Chairman and Vice Chairman of the Planning Committee.

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



1. EXECUTIVE SUMMARY

This Executive Summary has been prepared by AI, with human edits.

- 1.1** This document assesses an outline planning application forming part of the West Cheltenham / Golden Valley Strategic Allocation (JCS Policy A7). The proposal seeks permission for a predominantly residential development, with 500 sqm of employment space, extensive green infrastructure, community facilities, and strategic infrastructure contributions. All matters are reserved for approval at a later date, except access.
- 1.2** The wider site, of which the current application only forms part, is allocated under JCS Policy A7 for 1,100 homes and 45 ha of employment land. The proposal aligns with the Cheltenham Plan (2020), Joint Core Strategy (2017), NPPF (2024/25), and Golden Valley Supplementary Planning Document (2020).
- 1.3** Cheltenham Borough Council cannot demonstrate a five-year housing land supply (this being 2.69 years) and so NPPF Paragraph 11d tilted balance applies (i.e. the presumption in favour of sustainable development).
- 1.4** The application forms part of a broader suite of linked schemes across the allocation. A comprehensive masterplan and infrastructure delivery plan (IDP) have been produced and are considered acceptable. Allocation-wide master planning is judged deliverable.
- 1.5** A Tier 2 Design Code has been prepared and will be secured via condition. The approach is considered high-quality and policy compliant, delivering varied character areas, good connectivity, and strong green infrastructure.

- 1.6 Extensive ecological surveys have been undertaken. The development will achieve 10%+ Biodiversity Net Gain through on-site and off-site measures (Hill Farm, Leckhampton). SANG (Suitable Alternative Natural Greenspace) requirements will be met by a combination of on-site (5.09 ha) and off-site (13.59 ha) provision. Natural England confirms no adverse effects on protected sites.
- 1.7 Significant landscape change is to be expected and is acceptable given the site's allocation for development. There will be a net gain of over 600 new trees with 40 removals (non-high-value).
- 1.8 In respect of amenity and impact on neighbouring residential areas; large, landscaped buffers will protect nearby existing homes. Odour mitigation from Hayden Sewage Treatment Works requires Grampian conditions to ensure certain properties are not occupied unless/until improvement works are undertaken at the treatment works. Noise, air quality and construction impacts are found to be manageable via conditions.
- 1.9 The main vehicular access to the development will be via a new roundabout on Old Gloucester Road. Extensive off-site mitigation and active travel improvements will be secured as will a significant M5 J10 financial contribution (circa £2m), together with other contributions. Two Grampian conditions are required to manage the impact on the local and strategic highway networks
- 1.10 An independent financial viability review has been completed. The proposed development is viable with 31% affordable housing (below 35% policy target but justified). This is on the basis that this is in addition to contributions to be made to education (including primary school land transfer), library contributions, SANG/SAMM, open space, safeguarded pitch land, public art, and the aforementioned highways/active travel measures.
- 1.11 In heritage terms, there will be no harm to nearby listed buildings or scheduled monuments; further archaeological investigation will be required by condition.
- 1.12 In flood risk and drainage terms, the revised layout addresses the updated Environment Agency (EA) mapping and the EA and Local Lead Flood Authority (LLFA) raise no objection.
- 1.13 The scheme accords with the development plan when read as a whole and accordingly can be supported.

2. DESCRIPTION OF SITE AND PROPOSAL

- 2.1 The applicant, HBD Golden Valley Limited (previously called HBD X Factory Limited) (HBD), the development partner of Cheltenham Borough Council (CBC) as landowner, seeks outline planning permission for "Outline planning permission (with all matters reserved except for access) for a severable and phased development to provide new homes (Use Class C3) and non-residential floorspace comprising flexible commercial and community uses (Use Class E), as well as land for potential primary education (Use Class F1) and other associated infrastructure." This application is for a maximum of 443 homes and up to 500sqm of non-residential uses (Use Class E)
- 2.2 The site covers a total area of 19.66ha and is located within the administrative boundary of CBC and within Springbank ward. The site area is outlined in red on the plan at the top of this report. It comprises land to the west of Cheltenham which is currently in agricultural use and contains several structures associated with Hope Farm. It is bounded to the east by the residential streets of Grist Mill Close, Wheatland Drive, Hazledean Road, Somergate Road, and Hope Orchard, and to the north by Old Gloucester Road (B4634). The land to the west and south forms another part of the Strategic Allocation and is subject to a separate planning application for a residential-led development (22/01817/OUT).

- 2.3** The application is accompanied by a master plan which shows how the site could be developed; layout is a reserved matter and so the master plan is illustrative only. The illustrative master plan shows a scheme comprising a network of typically tree-lined residential streets with a significant corridor of open space along the site's eastern edge. The layout includes potential focal buildings at key locations and pedestrian/cycle connections to adjoining existing and proposed residential areas. A primary school is proposed off-site, and the illustrative master plan shows some of the ancillary land required to deliver that school, within the site. Proposed sports pitches which span the application site and adjacent site are also shown on the illustrative master plan.
- 2.4** Vehicular access is proposed from the site's northern boundary via Old Gloucester Road (B4634). The application, as originally submitted, proposed that the site be accessed via a priority junction to Old Gloucester Road, in a central position on the site's frontage; this has since been amended to a compact three-armed roundabout re-located to the north-western corner of the site (still via B4634 Old Gloucester Road).
- 2.5** The application is also accompanied by an Environmental Statement (ES) as the proposed development constitutes EIA (Environmental Impact Assessment) development in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. The ES has been updated via various addendums as appropriate during the determination of the application and assesses a range of social, environmental and economic issues.
- 2.6** The application is supported by various plans; as well as technical documents which are reviewed and explained, as appropriate, in the following sections of this report and are all available to view via the councils website; [23/01875/OUT | Outline planning permission \(with all matters reserved except for access\) for a severable and phased development to provide non-residential floorspace comprising flexible commercial and community uses \(Use Classes E, F and Sui Generis\), new homes \(Use Class C3\) and other associated infrastructure | Land At West Cheltenham Southern Parcel Fiddlers Green Lane Cheltenham Gloucestershire](#)

3. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Airport safeguarding over 10m
Development Exclusion Zone (UI 121)
Flood Zone 2
Strategic Allocations Red Line Boundary
Smoke Control Order
Strategic Allocations

Relevant Planning History:

21/02272/PREAPP – Pre application covering both HBD parcels North and South. Mixed use development on 46ha of land owned by CBC and allocated for development in the Cheltenham, Gloucester and Tewkesbury JCS and West Cheltenham SPD

23/00554/SCOPE – Scoping opinion provided by LPA that an Environmental Statement is needed and explained what it needs to contain.

Current/Recent Relevant Planning Applications within West Cheltenham Allocation (JCS Policy A7)

- 24/01268/OUT Southwestern Parcel. 325 dwellings and 43,785 sqm of employment floorspace (submitted by NEMA Golden Valley Limited. Live application

- 23/01874/OUT Northern Parcel. 443 homes and up to 500sqm of flexible non-residential uses submitted by HBD, the development partner of Cheltenham Borough Council (CBC) as landowner (*this application*).
- 23/01875/OUT Southern Parcel. 576 new homes and up to 125,698 sqm (GIA) of employment floorspace submitted by HBD, the development partner of Cheltenham Borough Council (CBC) as landowner (approved 23 December 2025).
- 22/01817/OUT Northwestern Parcel. 1100 dwellings, retirement/extra care accommodation and a flexible mixed-use area with a community hub of 1,300sqm. Brighton STM Developments Ltd and Midlands Land Portfolio Ltd (committee resolution to grant 21 October 2025, S106 negotiations are taking place).
- 26/00001/REM. Reserved Matters for Phase 1 of outline ref. 23/01875/OUT for an Innovation Centre with ancillary cafe and event spaces (Class E), a Mobility Hub (Sui Generis) with flexible retail (Class E) and community uses (Class F). HBD Golden Valley Limited (development partner of Cheltenham Borough Council). Live application.

4. POLICIES AND GUIDANCE

Planning law requires that applications for planning permission to be determined in accordance with the Development Plan unless material considerations indicate otherwise. The following planning guidance and policies are relevant to the consideration of this application.

National Planning Policy Framework 2024 (NPPF) (as amended February 2025) and National Planning Practice Guidance (NPPG)

Adopted Cheltenham Plan (2020) (CP)

D1 Design

L1 Landscape and Setting

BG1 Cotswold Beechwoods Special Area of Conservation Recreation Pressure

BG2 Cotswold Beechwoods Special Area of Conservation Air Quality

SL1 Safe and Sustainable Living

GI2 Protection and replacement of trees

GI3 Trees and Development

C11 Securing community infrastructure benefits

C12 Sports and open space provision in new residential development

C13 Statutory and Non-Statutory Allotments

C14 Broadband provision

Saved policies from the Cheltenham Borough Local Plan 2006 (CBLP)

RT1 Location of Retail Development

RT4 Retail Development in Local Shopping Centres

RT8 Individual Convenience Shops

Adopted Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (2017) (JCS)

SP1 The Need for New Development

SP2 Distribution of New Development

SD3 Sustainable Design and Construction

SD4 Design Requirements

SD6 Landscape

SD7 The Cotswolds Area of Outstanding Natural Beauty

SD8 Historic Environment
SD9 Biodiversity and Geodiversity
SD10 Residential Development
SD11 Housing Mix and Standards
SD12 Affordable Housing
SD14 Health and Environmental Quality
INF1 Transport Network
INF2 Flood Risk Management
INF3 Green Infrastructure
INF4 Social and Community Infrastructure
INF5 Renewable Energy/Low Carbon Energy Development
INF6 Infrastructure Delivery
INF7 Developer Contributions
SA1 Strategic Allocations
A7 West Cheltenham

Minerals Local Plan for Gloucestershire (2020)

MLP establishes designated Mineral Consultation Areas (MCAs) and Mineral Safeguarding Areas (MSAs) throughout the county.

Supplementary Planning Guidance/Documents

Golden Valley Development SPD (2020) (Golden Valley SPD)

Cheltenham Climate Change SPD (2022)

The Hesters Way Neighbourhood Plan- They have a designated area which includes the Springbank Ward- Cabinet decision of 5 December 2017 but is unadopted currently.

Other Relevant Policies/Legislation

Town and Country Planning (Environmental Impact Assessment) (EIA) Regs 2017

Human Rights Act 1998

Article 8 (Right of Respect for Private and Family Life)

Planning (Listed Buildings and Conservation Areas) Act 1990

Cotswolds National Landscape Management Plan 2030

National Design Guide and National Design Code (2021)

Gloucestershire's Local Transport Plan 2020-2041 – Adopted 2021 (LTP)

Policy PD0.1 (Reducing Transport Carbon Emissions and Adapting to Climate Change)

Policy PD0.2 (Local Environmental Protection)

Policy PD0.3 (Maximising Investment in a Sustainable Transport Network)

Policy PD0.4 (Integration with Land Use Planning and New Development)

Policy PD0.5 (Community Health and Wellbeing) - Policy PD0.6 (Thinktravel – Influencing Travel Behaviour Change)

Policy PD1.1 (Gloucestershire's Bus Network)

Policy PD1.2 (Improving the Quality of Road Based Public Transport)

Policy PD1.6 (Transport Interchange Hubs) 6.10 6.11

Policy PD2.1 (Gloucestershire's Cycle Network)

Policy PD2.2 (Cycle Asset Management)

Policy PD2.3 (Active Travel: Safety, Awareness and Confidence)

Policy PD4.1 (Gloucestershire's Highway Network)

Policy PD4.4 (Road Safety)

Policy PD4.5 (On-Street Parking)

Policy PD6.1 (Gloucestershire's Pedestrian Network)

Policy PD6.2 (Rights of Way)

Policy PD6.4 (Pedestrian Safety)

5. CONSULTATIONS

All consultation responses are set out in full at the end of the Report or as an Appendix to the Report. All consultation comments can be read in full online at [23/01874/OUT | Outline planning permission \(with all matters reserved except for access\) for a severable and phased development to provide new homes \(Use Class C3\) and non-residential floorspace comprising flexible commercial and community uses \(Use Class E\), as well as land for potential primary education \(Use Class F1\) and other associated infrastructure. | Land At West Cheltenham Northern Parcel South Old Gloucester Road Cheltenham Gloucestershire](#) these comments should be read in full alongside this Report.

A summary of final consultee comments is provided below.

CBC Ecologist: No objection subject to Nature Space consultation and response regarding Great Crested Newts Licensing (GCN), planning conditions and legal agreement.

- A revised GCN Mitigation Strategy has been submitted (as requested by the Nature Space Newt Officer). Revised comments from Nature Space are awaited.
- An updated Biodiversity Net Gain (BNG) Assessment has been submitted. The applicant has committed to delivering a minimum of 10% BNG [despite this not being mandatory in this case]. A final biodiversity metric calculation will be required at a later stage i.e. prior to commencement.
- A Habitat Management and Monitoring Plan (HMMP) will need to be secured by condition (management and monitoring for at least 30 years).
- SANG (Suitable Alternative Natural Greenspace) to mitigate recreational pressures on the Cotswolds Beechwoods SAC, and BNG, will be provided off-site at Hill Farm, Leckhampton; this is acceptable.
- A Habitat Regulations Assessment (HRA) has been undertaken; this sets out that 6.9ha of SANG will be provided on-site and 13.59ha off site (at Hill Farm). It is concluded that the development will not have an adverse effect on the integrity of the Cotswold Beechwoods SAC (alone or in combination with other plans/projects).
- Impact on protected species is acceptable subject to conditions including an Ecological Construction Method Statement and a Construction Environmental Management Plan. [comments are provided on the required scope of these documents]
- A schedule of ecological conditions has been specified and recommended.

Gloucestershire Wildlife Trust (GWT): No objection in principle subject to the matters raised below.

- Habitat connectivity could be strengthened across the site and wider allocation
- The revised documents now show a clearer and more legible Green Infrastructure framework; this is a material improvement on the earlier submission.
- The application remains severable and GWT stress the importance of securing connectivity through planning conditions/reserved matters submission.
- In isolation, Hill Farm represents a suitably scaled and credible SANG however its proposed dual function as both SANG and BNG site introduces an inherent risk. The success of this approach will be dependent on careful habitat zoning, realistic condition targets, robust long-term management, monitoring and remedial measures. Hill Farm will need to be delivered early relative to housing occupations – this should be secured by conditions/legal agreement.

- The Biodiversity Gain Plan [this will be secured later by condition] will need to demonstrate that the BNG habitats are compatible with the recreational use, targets are realistic and enforceable, and that long-term management, monitoring and remedial measures are fully secured via legal mechanisms.

Gloucestershire Newt Officer: Further information required

- The applicant should submit a Nature Space Report or Certificate to demonstrate that the impacts of the proposed development can be addressed through Cheltenham Borough Council's District Licence; *or*
- Provide further information in the form of an outline mitigation strategy which demonstrates how the applicant will carry out the development in a way that avoids, reduces or compensates for impacts on great crested newts, including long term management and monitoring

Cotswold Natural Landscape Board: No objection

- The proposed development will be located within the setting of the Cotswold Natural Landscape.
- The board agrees with the findings of the submitted Environmental Statement – that the development would not give rise to an overall significant adverse impact on the landscape and scenic beauty of the national landscape and that any identified adverse impacts, including cumulative impacts, could be avoided and minimised.
- The board acknowledges the applicant's in principle agreement to the conditions recommended in the board's October 2024 consultation response.
- The board recommends that the local planning authority ensures that the planning decisions are consistent with relevant national and local planning policy and guidance.

Historic England: No comment

Gloucestershire County Council Highways: No objection subject to conditions and financial obligations.

- The Highway Authority is satisfied that the proposed roundabout etc. provides a suitable alternative to that previously proposed.
- The following financial contributions are requested:
 - £2,003,027.69 - M5 Junction 10 works
 - £74,085 - Residential Travel Plan Deposit
 - £7000 - Residential Travel Plan Monitoring Fee
 - £620,000 - new bus service
 - £60,859 - Marsland Road Active Travel Scheme
 - £45,000 - Traffic Regulation Orders
- An amended Grampian condition is recommended preventing the occupation of no more than 200 dwellings and 500sqm of commercial floor space until the M5 J10 improvement works have been completed.
- Further conditions are recommended requiring the submission of detailed design drawings (of the roundabout etc.); TROs relating to amended speed limits on Old Gloucester Road; active travel measures; interim bus strategy; residential travel plan and a construction management plan.

Environment Agency: No objection subject to conditions

- A condition is recommended requiring the submission of a detailed flood risk analysis as is a condition ensuring that no raising of ground levels, nor storage of materials, within the part of the site liable to flood.

Local Lead Flood Authority (GCC): No objection subject to conditions.

- Conditions are suggested requiring the submission of a Sustainable Drainage System (SuDS) Strategy, a SuDS Management and Maintenance Plan and a Construction Phase Surface Water Management.

Drainage Officer (CBC): No objection

- The basins could have been integrated within the flood zone provided that supporting analysis was provided to show they would remain operational and any flood volume displacement was mitigated. Nevertheless, there are no objections to the revised locations of the basins.
- It is concerning that swales around the development now appear to be completely replaced with pipe network on the drainage strategy drawings, which would further distance the strategy from the principles of the national standards for sustainable drainage systems. This also appears to contradict the BNG assessment which states 0.06ha of bioswales and 0.1ha of raingarden are to be provided by the development.
- There appears to be a mapping error with the surface water outfall from the site (MH57) and the pipe network from the basins to the watercourse below public open space is unnecessary (these could be shorter open channels/swales), but these details can likely be addressed in later drainage and landscape conditions.

Minerals and Waste (GCC): Comments

- No preliminary mineral resource assessment was carried out at the plan making stage and consequently, no mineral safeguarding policy exemption exists.
- Based on local records, the probability that materially significant quantities of underlying mineral resources are present within the application site is deemed to be low
- No further information is required nor do GCC Minerals & Waste seek the imposition of a pre-commencement condition(s).

Education and Libraries (GCC): Comments

- The following financial contributions are requested:
 - £2,891,644.60 - primary education
 - £1,808,178.34 - secondary education
 - £566,931.99 - post-16 secondary education
 - £215,142.95 - libraries.

Urban Design (CBC): Summarised as follows:

- The revised masterplan addresses the main concerns previously raised about the relationship between land parcels, now demonstrating well-connected GI corridors, accessible walking routes and building groupings that properly enclose and define key public spaces. These elements are essential to good placemaking.
- Although still illustrative at outline stage, the design process shows that the proposed quantum and mix of uses can be successfully accommodated.
- The placemaking rationale is clearly set out in the Design and Access Statement and is supported and regulated by the accompanying Tier 1 Design Code (rev. Jan 2026).

Urban Design (external): No objection subject to review of:

- Relocation of the sports pitches from under power lines

- Creating a clearer pedestrian connection east/west between the school and the new public square. This applies to both school location options and is not dependent on the school building design. Parameter plans are to be provided for both school options which establishes the principles regarding pedestrian and vehicular access, landscape treatment and the position in principle of the entrance to the school.
- Parameter plan adjusted to achieve open spaces suggested in the DAS

Landscape and Visual: Approve

- Approve due to the adverse landscape character and visual effects being at a less than significant level and manageable through carefully worded Reserved Matters

Design & Crime Advisor (Gloucestershire Constabulary): Concern

- Concern continues to be expressed regarding the lack of information submitted with this application in relation to crime prevention

National Highways: Comments

- A Grampian condition is recommended prescribing that no more than 382 dwellings and 500sqm of Class E floorspace shall be occupied unless or until the M5 Junction 10 'All Movements Improvement Scheme' is complete and is open to traffic.

Active Travel England: Conditional approval

- ATE recommends approval of the application, subject to the agreement and implementation of planning conditions and obligations as set out in this response.
- Conditions recommended to deal with/secure; off-site highway works; internal bus stops; signage strategy and cycle parking.
- Planning obligations are recommended in the form of; financial contributions towards GCC works (namely off-site infrastructure); walking and cycling links; public transport infrastructure (kerbs/shelters/passenger information systems etc.) and a site-wide Travel Plan.

Public Rights of Way (GCC): Comments

- Footpaths ZCH3, ZCH 4 are affected by the development. The proposed route of ZCH 4 appears to be mainly via greenspace and this is in line with circular 1/09. We would expect a surface to be provided for the path to be agreed with GCC PROW.
- The proposal to upgrade ZCH 3 width to accommodate cyclists is not acceptable without sufficient mitigation for the additional use and probably conflict arising and only after discussion with GCC PROW. We would expect detailed design to be provided prior to any works on this path

Sport England: No objection

- Sport England is supportive of the contributions which are to be received to provide sports provision.
- We are concerned about new playing field being provided partly under an electrical pylon line, and would strongly recommend that this avoided, if at all possible.

Tree Officer (CBC): No comment

Archaeology (GCC): Comment

- A condition should be attached to the planning permission to secure a programme of archaeological investigation

Health & Safety Executive: No comment

Natural England: No objection subject to appropriate mitigation being secured.

- It is considered that without appropriate mitigation the application would have an adverse effect on the integrity of Cotswold Beechwoods Special Area of Conservation (SAC)
- The mitigation measures, as set out in the Shadow Appropriate Assessment, are required to mitigate these adverse effects.
- Your appropriate assessment concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of any of the sites in question. NE concurs with these conclusions providing that all mitigation measures are appropriately secured in any planning permission given.

Environmental Health (CBC): Comments

- Conditions are recommended in respect of:
 - Air quality and dust
 - Noise levels within dwellings
 - Restrictions on piling activities during the construction phase
 - Construction Management Plan (including hours of construction working)
 - Noise limits from extraction/odour treatment and air conditioning
 - Details of any heat pumps
 - Contaminated land

Severn Trent: No objection

- The foul sewage proposals are acceptable to STW subject to S106 application.
- No surface water to discharge to the STW sewer network.

Gloucestershire Airport: No objection

- It is vital that the proposed developments do not compromise the operational ability of Gloucestershire Airport by introducing obstacle features, temporary or permanent.
- The proposed application site lies within the safeguarded area for Gloucestershire Airport.
- There is a general height limitation here (i.e. within the area of the Inner Horizontal Surface) of 22.25m + 45m = 67.25m AOD.
- Gloucestershire Airport Limited has no objection to the proposed buildings comprising the application, as they would not exceed 67.25m AOD.
- A planning condition is recommended requiring the agreement of crane management plans with the Airport prior to commencement of each phase of the development. *[It is not considered that the LPA needs to be involved in conversations between the developer and the airport regarding cranes – no such condition is therefore recommended].*

Housing Enabling Officer (CBC): Comments

- The proposed affordable housing scheme delivers 137 affordable homes (equivalent to 31% affordable housing) following an exhaustive independent viability process.
- The scheme meets the policy requirements of JCS Policies SD11, SD12 and SD4, with the caveat that a number of matters (layout, distribution, visual plans) are reserved matters.
- Nevertheless, the applicant's mix includes a significant proportion of M4(3) affordable provision (7%), in addition to 87% provision of M4(2) level access accommodation well above identified need.
- Additionally, this mix includes 6 no. Social Supported Rented Units to support individuals with low level neurodivergence/mental health needs on their pathway to independence, working with Gloucestershire County Council and other key stakeholders.

- Finally, the provision of 1–5-bedroom homes to Nationally Described Space Standards (above policy requirements) is a significant benefit of this scheme, and, as such, officers are supportive of the currently agreed affordable housing mix.

Gloucestershire Constabulary: Comments

- Financial contributions requested towards policing in the County.
 - £28,476 - Recruitment and equipping of officers and staff
 - £5,897 - Police Vehicles
 - £90,825 - Office Accommodation
 - Total £125,198

Heritage & Conservation (CBC): No observations

- The development proposal is not considered to affect the significance of any designated heritage assets, and their settings, within Cheltenham Borough.

Clean Green (CBC): Comments (re. recycling collection points etc).

6. PUBLICITY AND REPRESENTATIONS

- 6.1** The application was advertised by way of 92 letters sent to neighbouring properties and businesses, site notices displayed at publicly accessible locations adjacent and near to the site, and an advert placed in the Gloucestershire Echo.
- 6.2** During the course of the application a total of 4 third party representations were received, in objection to the proposed development. When each resubmission occurred, the LPA reconsulted the public again.
- 6.3** As noted in the applicant's Statement of Community Involvement considerable public engagement was undertaken by the applicant prior to submission of their planning applications.
- 6.4** All of the comments have been made available on the planning website separately, and should be read in full, but the main comments and concerns raised are summarised as follows:
 - The changes [Jan 2026] to the illustrative master plan now show a pedestrian/cycle route and recreational loop alongside an existing neighbours garden and private road; this will increase the risk of trespass, dog incursions, noise, and overlooking.
 - Concerns about sensor-controlled lighting and the impact of this.
 - A water feature adjacent to a neighbouring resident's property will likely be dry for much of the year and therefore attract informal use.
 - Residents will be exposed to trespass and criminal activity; dogs or children entering private gardens; loss of privacy and increased overlooking; noise and disturbance; reduced sense of safety; light pollution directly impacting neighbouring properties and increased dust.
 - The revised masterplan [Jan 2026] will now draw in residents from neighbouring developments; concentrate activity along the northern boundary, the green space is not scaled to absorb this combined use without harming neighbouring amenity.
 - Mature trees should be planted early to shield existing home, especially given its lower elevation and proximity to Phase 2, and a planting timeline.
 - It is requested that a footpath is re-routed away from neighbouring boundaries.
 - Formal boundary fencing and measures to prevent unauthorised access to neighbours private road is requested as well as future maintenance arrangements.

- Neighbours suggest resurfacing the private road alongside council works for consistency.
- SuDs management arrangements are sought.
- Hope Orchard's private road status needs to be confirmed in the application.
- Unclear boundary treatment along the private road.
- Allotment area adjacent to Leinster Close should be increased.
- Clarity is sought on construction hours and hope for minimal weekend disruption.
- Provision needs to be made for the family of deer which live on the site.
- Proposal ignores national and local policies supporting self-build and custom housing.
- Key planning documents (NPPF, JCS, SPD) are cited but relevant sections promoting self-build are omitted.
- The scheme fails to reflect identified demand for self-build plots, making it non-compliant with policy.

7. OFFICER ASSESSMENT

Determining Issues

7.1 The key issues (in no particular order of importance) for consideration are:

- Policy Framework and Principle of Development
- The Golden Valley Supplementary Planning Document
- Design and Layout
- Biodiversity, Ecology and Green Infrastructure
- Landscape, Trees and Visual Impact
- Impact on Neighbouring Amenity
- Odour, Air Quality and Noise
- Sustainability
- Drainage/Flood Risk
- Highway matters
- Viability
- Housing Mix
- Historic Environment
- Section 106 Obligations

Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (EIA Regulations)

7.2 Environmental Impact Assessment (EIA) is a formal procedure underpinned by the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 ('the EIA Regulations'). Following the screening and scoping advice of the LPA the application is supported by an Environmental Statement.

7.3 During the course of the application various EIA addendums have been appended to the original EIA. At the time of writing, it is considered that the conclusions of the Environmental Statement ES (as amended and updated) remain valid in all respects.

Policy Framework and Principle of Development

7.4 The development plan comprises of the saved policies of the Cheltenham Borough Local Plan Second Review 2006 (CBLP), adopted policies of the Cheltenham Plan 2020 (CP) and the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2017 (JCS). Material considerations include the National Planning Policy Framework (December 2024 – minor revision February 2025) (NPPF), the Golden Valley Development

Supplementary Planning Document (Golden Valley SPD) (2020) and the national Planning Practice Guidance (nPPG).

- 7.5** Policies D1, SL1, CI1 and CI2 of the Cheltenham Plan and policies EM3, SP1, SP2, INF1, INF2, INF6, INF7, SD1, SD3, SD4, SD10, SD11, SD12, SD14 and SA1 and A7 of the JCS are most relevant.
- 7.6** Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the Development Plan unless material considerations indicate otherwise. Section 70 (2) of the Town and Country Planning Act 1990 provides that the LPA shall have regard to the provisions of the Development Plan, in so far as material to the application, and to any other material considerations.
- 7.7** Policy SP1 of the JCS identifies the need for new development over the plan period from 2011-2031 and identifies the need for approximately 35,175 new homes and a minimum of 192 hectares of employment land. Of these 35,175 new homes, Policy SP1 criterion 3 identifies there is a requirement for at least 10,917 new homes to meet the housing needs of Cheltenham.
- 7.8** Policy SP1 criterion 2 identifies that the strategy for delivering these identified needs will be achieved by, inter alia, urban extensions to Cheltenham. This spatial strategy aims to locate jobs next to economically active population, increase sustainability, and reduce carbon emissions from unsustainable car use.
- 7.9** Policy SP2 criterion 3 sets out 10,996 homes will be allocated within Cheltenham's administrative boundaries and in two cross boundary urban extensions.
- 7.10** Policy SP2 criterion 9 also identifies that employment land will be delivered on these Strategic Allocations to support economic growth in the JCS area, contributing to the overall requirement for of at least 192 hectares of employment land.
- 7.11** Policy SD10 states housing development will be permitted at sites allocated for housing through the development plan, including Strategic Allocations and allocations in district and neighbourhood plans.
- 7.12** The JCS allocates West Cheltenham as a Strategic Allocation under Policy A7 capable of delivering around 1,100 new homes and 45 hectares of employment land by 2031 and states development with be expected to deliver:
- I. Approximately 1,100 new homes*
 - ii. Approximately 45 hectares of B-class led employment land to be focussed upon a cyber security hub and other high technology and high 'Gross Value Added' generating development and ancillary employment uses*
 - iii. All development should be employment led; delivery of housing must be in tandem with employment development*
 - iv. A comprehensive masterplan and development strategy for the Strategic Allocation, set within the context of the safeguarded land at West Cheltenham, which includes:*
 - a) A delivery strategy for employment focussed land release*
 - b) A positive impact on the regeneration of neighbourhoods in west Cheltenham*
 - c) Integrates built form and a comprehensive network of accessible green infrastructure, including local green space. The network will incorporate and protect notable natural features, including the Hatherley Brook, the Fiddlers Green Key Wildlife Site and important trees and hedgerows, and contribute to water quality enhancements.*

- v. *Vehicle accesses from Fiddlers Green Lane and B4634 Old Gloucester Road and facilitate links to the M5 J10 for strategic movements to and from the site*
- vi. *Measures necessary to mitigate the traffic impact of the site, including the use of travel plans to encourage the use of sustainable transport modes*
- vii. *High quality public transport facilities and connections within and adjacent to the site.*
- viii. *Safe, easy and convenient pedestrian and cycle links within the site, to key centres and with neighbouring existing development and the wider green infrastructure network*
- ix. *A distribution of development that takes account of the proximity of the Hayden sewage treatment works and incorporates appropriate spatial planning arrangements and mitigation measures designed to minimise material impacts on residential properties and commercial premises. Development which is likely to be significantly affected by odours will not be permitted within the Odour Monitoring Zone identified on the policies map*
- x. *A landscape buffer to the western boundary of the site which will provide screening between the development and the Hayden sewage treatment works*
- xi. *A layout and form that respects landscape character, significance and setting of the heritage assets at Hayden Farmhouse and Barn*
- xii. *A layout and form that reduces the impact of electricity pylons and high voltage lines; with the siting of residential development being a particular consideration.*

7.13 The Golden Valley SPD provides further guidance on what West Cheltenham should be and how it should be delivered. It reiterates the need for development to be “employment-led” (with a greater focus on cyber and high-technology industries) but increases the allocation capacity to around 2,370 dwellings alongside new public open spaces and community uses to better support the employment hub and create a sustainable new community. Conformity with the supplementary guidance is discussed in the relevant sections below.

7.14 This application only forms *part* of the West Cheltenham strategic allocation. The proposals for this predominantly residential scheme tie into various other applications for the Strategic Allocation A7, which also includes those applications listed in Section 3 above. All of these applications have a role in establishing the requirements for the Strategic Allocation A7.

7.15 It is important to note that the relevant JCS policies do not prevent development from moving forward if one party disagrees with the comprehensive masterplan and it does not prevent separate applications coming forward on a strategic allocation. Officers have worked actively and consistently with the various applicants of the West Cheltenham strategic allocation in the context of effective delivery of JCS to ensure alignment with Policy SA1, which states that “development proposals should enable a comprehensive scheme to be delivered across the developable area within each Strategic Allocation.”

7.16 JCS Policy INF6 requires proposals to consider the cumulative impacts when providing infrastructure. It states that this infrastructure be delivered according to an agreed, phased timeline, in alignment with the other requirements of the JCS.

7.17 JCS Policy SA1 stipulates that proposals must be accompanied by a comprehensive masterplan for the entire Strategic Allocation. The JCS authorities will be flexible in considering various approaches to achieving a comprehensive masterplan, as long as the proposals adequately address the development and infrastructure needs of the wider

allocation and demonstrate that they do not hinder the sustainable delivery of the entire allocation.

- 7.18** Page 81 of the Golden Valley SPD states that an Infrastructure Delivery Plan (IDP) must be agreed upon by developers and landowners before the first planning application is submitted on site. This plan needs to outline a timely approach to infrastructure delivery, including site-wide phasing and trigger targets. The IDP must ensure that the scheme remains commercially viable and market orientated. It is important to note that this requirement is not a specific objective of the Golden Valley SPD but appears in the concluding pages as advisory for future planning applications. Consequently, while it serves as a useful tool, it does not carry the same weight as the development plan policies examined above, which does not require agreement amongst developers.
- 7.19** The application, as well as the others approved by this committee, is supported by an IDP. This IDP outlines the necessary infrastructure for the entire allocation and designates responsibilities for the delivery of each component. The policy states that these plans must be agreed with the LPA, rather than solely among the group of developers. An overarching phasing strategy has been provided to support the application; however, detailed phasing will be required as a condition to allow for future adjustments by whomever develops the site.
- 7.20** The IDP, submitted as part of this application, is supported by an allocation wide comprehensive master plan, which shows that, when viewed as a whole, the separate parameter plans for each application align with one another. For example, the road layouts and green infrastructure are cohesive, reflecting a unified vision for delivering of the wider allocation. The policy explicitly states that the JCS authorities will be flexible in considering different approaches to achieve the comprehensive masterplan.
- 7.21** Officers are satisfied that the comprehensive masterplan meets the objectives of Policies SA1 and A7, as well as the further guidance within the Golden Valley SPD. The indicative phasing plan submitted alongside the comprehensive masterplan and IDP illustrates a natural sequence for development, starting from the edge of the site and progressing inward. This scheme provides the some of the land for the sport pitches, and primary school, which is not considered to prejudice the advancement of other elements of the strategic allocation coming forward, but in fact support them.
- 7.22** This planning application, which forms a meaningful part of the strategic allocation A7, includes the development components which are required by JCS Policy A7. By virtue of the scale of the application site, the proposals also facilitate a comprehensive scheme to be delivered across the developable area within the strategic allocation allowing for infrastructure to be planned comprehensively in accordance with the requirements of Policy SA1 of the JCS. Officers are of the opinion that the planning applications are capable of being implemented to deliver the strategic allocation as a whole.
- 7.23** Officers consider that the application proposals address the strategic ambition of Policy A7 and propose a form of development which is in accordance with Policy A7 and Policy SA1 of the JCS, helping to meet the specific policy requirements and the wider ambitions of the JCS and is in accordance with spatial strategy and adopted Development Plan when read as a whole.
- 7.24** In terms of the decision-making context for the proposed development, legislation requires that the application is to be determined in accordance with the Development Plan unless material considerations indicate otherwise with the application being assessed on its own merits.
- 7.25** The principle of residential development here is considered acceptable, however there is no up to date development plan for Cheltenham as the latest published 5 year housing land supply figure is 2.52 years for housing land supply for which Cabinet at its meeting

on 10th June 2025 approved a [Housing Delivery Test Action Plan](#). As such, paragraph 11d of the NPPF is therefore engaged which states:

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 this 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 this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.*

The overall planning balance is undertaken at the end of the Report.

The Golden Valley Supplementary Planning Document

- 7.26** The purpose of this SPD was to provide further guidance and details relating to the interpretation of policies set out in the JCS. It was commissioned and approved by both Cheltenham and Tewkesbury borough councils. There is detailed design guidance within the Golden Valley SPD, however this relates to one vision of how the development may come forward. The Golden Valley SPD is therefore not seeking to be overly prescriptive and other design approaches may be considered appropriate but only if it can be demonstrated that they still respond positively to the overall Golden Valley SPD objectives and principles including the delivery of a garden community.
- 7.27** The Golden Valley SPD contains 5 overriding objectives, broken into 32 sub objectives.
- 7.28** Whilst the principle is clearly established, the sections below examine the key issues and their relevant sub objectives with reference to relevant development plan policies and other material considerations where appropriate.
- 7.29** Policy A7 of the JCS allocates 45 hectares of employment land in West Cheltenham to ensure a vibrant mixed-use community. The Golden Valley SPD translates the 45 hectares of mixed-use employment land referenced in JCS Policy A7 into approximately '2m square feet of non-residential floorspace'.
- 7.30** The Golden Valley SPD aimed to include a significant amount of employment through dense mixed-use development across the allocation. This proposal however is predominantly housing with only 500sqm of employment; be that as it may, this is what was largely envisaged for this particular area by the Golden Valley SPD.
- 7.31** Additionally, and as previously mentioned, the council is currently unable to demonstrate a five-year housing land supply and consequently the demand for housing is considerable. On balance, it is considered that the absence of employment opportunities within this application is acceptable, as the predominately residential development proposed contributes significantly to the council's five-year housing land supply and supports other applications within the broader allocation by offering extensive community facilities.

Design and Layout

- 7.32** Section 12 of the NPPF sets out that good design is a key aspect to achieving sustainable development and creating better places in which to live. Similarly, Policy SD4 and the relevant criteria of Policy A7 of the JCS, require development to respond positively to and respect the character of the site and its surroundings, including in the case of A7, a layout

and form of development that respects the landscape character and setting of the heritage assets and providing a landscape buffer; Design objectives are reiterated in Policy D1 of the Cheltenham Plan which requires development to achieve a high standard of architectural design that complements neighbouring development.

- 7.33** The Golden Valley SPD builds on Policy A7 regarding urban design. All objectives contribute to the urban design aspects of the applications; however, objectives B1-4 "vibrant and diverse range of uses and activities to serve existing and new communities," and objectives E1-3 P1-3 "character and placemaking," are particularly important for urban design considerations. The objectives of the Golden Valley SPD have been used to evaluate the urban design merits of the proposal in the following sections of this report.
- 7.34** The design approach for this proposal is primarily outlined in the submitted Design and Access Statement, as amended. The key principles are captured in the Parameters plans and the Tier 2 Design Code (both of which have also been amended). The illustrative masterplan underwent extensive pre-application discussions involving the applicant's team of specialists, including urban designers, transport planners, landscape designers, ecologists, and drainage engineers, alongside the LPAs in-house experts and consultants. This collaborative review of the masterplan led to several amendments, such as reducing the long rows of terraces and parking, including more trees, improving connections to the school, improving connections to the adjacent parcel. The January 2026 iteration of the master plan, in terms of general urban design approach, is substantially the same as earlier iterations.

Design Objectives

- 7.35** The Golden Valley SPD provides a broad masterplan setting out important principles including connections from existing neighbourhoods, the design of green spaces, new homes, employment spaces and community facilities. It lists a series of objectives to be achieved with the development of this site and the wider area masterplan. The below examines the proposal against these specific design objectives. Some objectives span multiple themes within the report, therefore the design elements are covered here, but for example landscape, are explored in further detail further into the report.

Objective B "A vibrant and diverse range of uses serving new and existing communities"

- 7.36** Whilst the proposal does not provide much in the way of employment, this is acknowledged in the context of the wider masterplan. Objective B in the Golden Valley SPD to deliver a range of housing typologies is demonstrated within the Tier 2 Design Code and on the Illustrative masterplan. A range of densities is proposed across the plan to create different character areas. The proposals meet the expectations of the Golden Valley SPD Section B to make best use of the land available, in parallel with providing a range of high-quality green spaces.

Objective C "Working with the natural landscape and its features"

- 7.37** The illustrative masterplan maintains all existing connections while introducing new links to surrounding communities. Additionally, it incorporates a food growing strategy that includes grow zones, foraging areas, orchards, and access to allotments.
- 7.38** Delivering a programme of public art across the proposals is an aspiration of the Golden Valley SPD and will be secured within in the s106 Agreement.

Objective D "An integrated and connected extension of west Cheltenham"

- 7.39** A permeable network of active travel routes is proposed to respect existing Public Rights of Way while enhancing connectivity with adjacent neighbourhoods and promoting public transport use. The pedestrian and cycle connections align with the Golden Valley SPD

framework masterplan, with additional routes suggested for further active travel enhancements.

The masterplan features a comprehensive network of routes and street typologies developed with GCC Highways, serving various functions in the route hierarchy.

Objective E “Highest standards of design, good urban design principles, character and placemaking”

- 7.40** In line with Golden Valley SPD E1 the illustrative masterplan and design code provides a range of densities and building typologies. These have been carefully arranged across the plan to create different character areas. The design very successfully uses rear courtyards that can be moved through to reduce parking on street.

Design Codes

- 7.41** As defined by the NPPF, design codes are sets of illustrated requirements that provide specific, detailed parameters for the physical development of a site or area. The design code should include both graphic and written components that build upon a design vision, such as a masterplan or other development frameworks for the site or area.
- 7.42** NPPF paragraph 115 states that *“the design of streets, parking areas, other transport elements, and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code.”*
- 7.43** Additionally, NPPF paragraph 134 notes that *“Design guides and codes can be prepared at an area-wide, neighbourhood, or site-specific scale. To carry weight in decision-making, they should be produced as part of a planning document or as supplementary planning documents. Landowners and developers may contribute to these efforts, but they may also choose to prepare design codes to support planning applications for the sites they wish to develop. Regardless of who prepares them, all guides and codes should be based on effective community engagement and reflect local aspirations for development. They should also take into account the guidance found in the National Design Guide and the National Model Design Code. These national documents should guide decisions on applications in the absence of locally produced design guides or codes.”*
- 7.44** In this application, the developers have prepared a design code with the intention of it being approved as part of the outline planning permission. A condition attached to this outline permission will require that all reserved matters adhere to the elements outlined in the Tier 2 design code.
- 7.45** Large developments, such as West Cheltenham, typically have an overarching design code. The Golden Valley SPD contains significant details, and if a design code had been produced by the council, it would likely have repeated many of the points already covered in the Golden Valley SPD.
- 7.46** A Tier 1 code has been established for the entire allocation, and for this application, a Tier 2 code has been developed in collaboration between the LPA and the applicants.
- 7.47** Tier 1 Design Code - The LPA held collaboration meetings with all the developers, each of whom had a slightly different approach to design codes. For instance, some developers, like those involved in this application, submitted their design codes during the outline application phase, while others, such as MLPL/Brighton Developments, the applicants for 22/01817/OUT (north-west parcel) and Nema the applicants for 24/01268/OUT (south-west parcel), plan to address them in the discharge of condition application following outline approval.

- 7.48** As a result, the LPA requested that the developers work together to produce a Tier 1 design code. This Tier 1 design code focuses on overarching aspirational principles, building upon the Golden Valley SPD. It also addresses the relationships between each application, such as road dimensions and landscape buffers connecting 22/01817/OUT (MLPL/St Modwen) and HBD, as well as points of access between the HBD and 24/01268/OUT (Nema).
- 7.49** The Tier 1 design code however has a limited scope. Although it served as a useful design exercise during these applications, it does not carry any regulatory weight. Nonetheless, it will be used in the future to guide design teams and case officers when considering subsequent applications and design codes.
- 7.50** The Tier 2 Design Code describes the vision for the development and provides a Regulatory Plan to show how it can be achieved. This plan fixes key elements on the site like access points, green spaces, development areas and key frontages. This plan is a high-level summary of the code, capturing the key principles whilst providing flexibility for detailed design solutions to be tested or accommodate changes due to demand. The Regulatory Plan is accompanied by an Illustrative Masterplan which demonstrates how the vision could be achieved.
- 7.51** The coded elements are divided into sections (which combine the recommended headings in the National Model Design Code):
- Urban Design Principles
 - Movement and Access
 - Landscape Framework
 - Landscape Strategies
 - Landscape Key Spaces
 - Character Areas
- 7.52** The applicant has worked hard to refine the contents of the code which have been tested by the Council's consultant urban design adviser and more recently via the councils Principal Urban Designer. The code includes a good range of both high-level principles and detailed elements to ensure the code is deliverable and will produce a high-quality environment. Detailed coded items include things like parking, bins and bike stores to ensure that every day essentials are considered early in the setting out of streets, commercial buildings and dwellings.
- 7.53** Code non-compliance will only be acceptable when a rationale for breaking it can clearly demonstrate place-making benefits or that it is necessary to respond to technical aspects. Guidance elements (not fixed but represent best practice) are also provided in the code with illustrative examples.

Design Conclusions

- 7.54** The submitted Masterplan underwent a comprehensive pre-application assessment and thorough evaluation through an independent urban design peer review. This process has demonstrated the proposals resilience and confirmed it as a sound Illustrative Masterplan.
- 7.55** The proposal shows a high level of design quality. By adhering to the carefully developed coding outlined in the design code and conditions, the proposal aligns with the provisions set out within Policy SD4 and the pertinent criteria of Policy A7 from the JCS, as well as Policy D1 from the Cheltenham Plan and Golden Valley SPD.
- 7.56** In summary, the approved design code serves as an effective instrument, guaranteeing not only good design practices but also fostering the development of a successful and sustainable community. There is a strong assurance that the aspirations articulated in the

Golden Valley SPD can be effectively realised in forthcoming reserved matters applications.

Biodiversity, Ecology and Green Infrastructure

- 7.57** Policy SD9 of the JCS seeks the protection and enhancement of ecological networks and across the JCS area, improved community access and for new development to contribute positively to biodiversity and geodiversity whilst linking with wider networks of green infrastructure.
- 7.58** JCS Policy A7 states that iv. A comprehensive masterplan and development strategy for the Strategic Allocation [is required], set within the context of the safeguarded land at West Cheltenham, which includes c) Integrates built form and a comprehensive network of accessible green infrastructure, including local green space. The network will incorporate and protect notable natural features, including the Hatherley Brook, the Fiddlers Green Key Wildlife Site and important trees and hedgerows, and contribute to water quality enhancements.
- 7.59** NPPF paragraph 187 states planning decisions should “d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures and incorporating features which support priority or threatened species such as swifts, bats and hedgehogs;”
- 7.60** Paragraph 188 of the NPPF sets out a mitigation hierarchy in terms of retained and enhanced environmental features that can be incorporated into a development proposal.
- 7.61** NPPF paragraph 193 states when determining planning applications, local planning authorities should apply the following principles: a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused; and d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.
- 7.62** The application details include a comprehensive ES Technical Appendix 8.1, which was updated during the course of the application to cover amendments in the biodiversity net gain following masterplan changes.
- 7.63** The site predominantly consists of species-poor grassland fields that offer limited ecological value. These are intersected by hedgerows of local importance and a seasonally wet ditch. A small, degraded orchard is located near the farmstead at the centre of the site. There are no designated nature conservation sites within or directly adjacent to the site. However, several exist in the wider landscape, including Badgeworth Site of Special Scientific Interest (SSSI), located 2.8 km to the south, and the Cotswold Beechwoods Special Area of Conservation (SAC), approximately 8.9 km to the south.
- 7.64** Given the habitats present on and around the site, comprehensive ecological surveys were conducted. These included assessments of the grassland and hedgerows, as well as targeted surveys for breeding and wintering birds, foraging, commuting and roosting bats, badgers (*Meles meles*), great crested newts (*Triturus cristatus*), and reptiles. The surveys identified locally important populations of breeding birds and foraging/commuting bats within and adjacent to the site.
- 7.65** The proposed development has been shaped through an iterative design process to retain and safeguard key habitats and species, thereby significantly reducing the potential for

adverse ecological impacts. This includes the preservation of most of the hedgerow network, the seasonally wet ditch, and the orchard. These retained habitats will be strengthened and enhanced through appropriate management to improve connectivity with surrounding habitats and support protected species.

- 7.66** Enhancement measures will include the restoration of the orchard, improvement of the hedgerow network, and the creation of a substantial natural habitat corridor along the eastern site boundary, incorporating the seasonally wet ditch and drainage features. Additional habitats such as new hedgerows, woodland, wetlands, and grassland will be established to maximise biodiversity opportunities. Further biodiversity net gains will be achieved through off-site habitat creation and enhancement.
- 7.67** Wildlife interests particularly birds, bats, and other species associated with the retained habitat corridors will be protected through sensitive construction practices. Their habitats will be further supported through initiatives such as installing bird and bat boxes, enhancing existing habitats, and creating permanent water bodies.
- 7.68** Under objective A3 of the Golden Valley SPD "Connection to nature: Development at the Golden Valley Development will enrich local ecology and biodiversity", the Golden Valley SPD mandates that new developments meet the Building with Nature benchmark. The proposed development will incorporate Building with Nature principles and aims for accreditation, along with a minimum Biodiversity Net Gain (BNG) of 10%, using on site measures and offsite compensation. Plans include creating new habitats, significant tree planting, living roofs as part of sustainable drainage, and 'stepping stone' habitats to enhance ecological connectivity.
- 7.69** Principles and details in the ES, and Shadow Habitats Regulations Assessment (explored below) will be secured via condition and s106, ensuring that details required are provided at detailed design stage.

Statutory designated sites

- 7.70** NPPF para 195 states "The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site."
- 7.71** The site is not subject to any statutory ecological designations; however, it lies within the zone of influence of the Cotswolds Beechwoods Special Area of Conservation (SAC). Furthermore, studies by Natural England (NE) have indicated that the floodplain habitats at Coombe Hill Canal and Meadows, located approximately 4.2 km and 4.7 km to the northwest of the Northern and Southern Parcels, respectively, are functionally linked to the Severn Estuary Special Protection Area (SPA) and Ramsar designations.
- 7.72** Regarding the Cotswolds Beechwoods SAC, in consultation with NE, the applicant is required to provide a bespoke Suitable Alternative Natural Greenspace (SANG) solution rather than relying on the financial contributions typically offered by smaller schemes in the borough. As a result, both HBD schemes (23/01874/OUT & 23/01875/OUT) are required to deliver 20.48 hectares of SANG in total.
- 7.73** Some of the development's required provision of SANG will be provided on-site; this will total 5.09ha (as shown on plan no., EDP3132_D109) with the remainder provided off-site (see below). As a consequence, up to 265 dwellings may be occupied before the off-site SANG requirements are triggered.
- 7.74** To fully meet the SANG requirements, as mentioned, the applicants will provide an additional 13.59 hectares off-site at Hill Farm in Leckhampton. This site, owned by

Cheltenham Borough Council, has been agreed in principle with Natural England and CBC, and a cost analysis has been completed. Leckhampton Hill SANG car park will be close to the 5-kilometre radius, required by NE, and this distance has been agreed by them. This off-site SANG solution has been deemed appropriate, deliverable, and can be secured through the Section 106 agreement.

- 7.75** While the applicants explored alternative SANG options, including enhancing local walking networks, Natural England deemed these inadequate. Ultimately, a combination of on-site and off-site SANG provision was agreed upon.
- 7.76** A Shadow Habitats Regulations Assessment (HRA) was conducted on behalf of the applicant and reviewed by the LPA. Under Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended) as competent authority the LPA is required to undertake an Appropriate Assessment of the development on the basis of its likely significant effects on the SAC as a European Site. The LPA has adopted an 'Appropriate Assessment' based on this shadow HRA, which was agreed upon by NE. In their final response, NE confirmed that the proposed SANG measures are expected to effectively prevent adverse impacts on the integrity of the European sites within the zone of influence, particularly from recreational disturbances associated with the proposed residential development. NE's advice is formally acknowledged as their representation on the appropriate assessment.
- 7.77** NE studies indicate that the floodplain habitats at Coombe Hill Canal and Meadows, located 4.2 km and 4.7 km from the development sites, are functionally linked to the Severn Estuary designations. The adopted shadow HRA concludes that while the proposed development could lead to increased recreational use at Coombe Hill Canal and Meadows, the impact is limited due to factors such as car parking capacity and ongoing management by the Gloucestershire Wildlife Trust (GWT) to reduce recreational disturbance. Regarding the potential for likely significant effects (LSE) on the Severn Estuary SPA/Ramsar from recreational disturbance, precautionary mitigation measures, including SANG provision, are proposed. The HRA, which is agreed by the LPA, concludes that the development, alone or in combination with other projects, will not have an adverse effect on the Severn Estuary SPA/Ramsar, due to the proposed SANG provision.
- 7.78** Turning to the soundness of the S106 and conditions to cover SAC mitigation, the nPPG test relates to the imposition of Grampian conditions and states that it will be unreasonable to impose a condition where there are no prospects at all of the action in question being performed. In short, 'certainty' is required in relation to the Regulation 63 test (Under Regulation 63 of the Conservation of Habitats and Species Regulations 2017), whereas 'reasonable prospect' relates to the imposition of a Grampian condition.
- 7.79** NE's advice states that permission may be granted provided it can be ascertained that the proposal would not adversely affect the integrity of the SAC. The Council's view is that a negatively worded s106 clause preventing any further occupation until the SANG mitigation is secured off site, would ensure no adverse effects on the SAC. Thus, clauses limiting to 265 occupations until the offsite SANG is created and the requirement that on site SANG being completed prior to first occupation of that relevant phase, removes all reasonable doubt of adverse effects on the SAC. The Regulation 63 test is therefore met. The reasonable prospect test is met as CBC own the off-site land and have stated a willingness to sign a S106 to bring this forward.

Habitats and Protected species

- 7.80** Protected species have been recorded both within and adjacent to the site. The presence of protected, priority, or notable wildlife species in the area is assessed through desk studies, habitat evaluations, and detailed surveys, as outlined in the applicant's Ecological Baseline Assessment 'Technical Appendix 8.1.

- 7.81** The site supports a variety of habitats suitable for nesting birds, including a network of hedgerows and areas of open grassland. To assess the breeding bird population, a comprehensive survey was conducted following standard methodologies. This involved a modified Common Bird Census (CBC) 'territory mapping' approach, comprising three site visits. One visit took place in early July 2022, with two additional visits carried out in April and May 2023, aligning with the peak of the breeding season for lowland Britain.
- 7.82** To assess the presence of wintering bird species, a separate survey was conducted, comprising three monthly visits between November 2022 and February 2023. This aimed to determine whether any notable wintering bird populations were present, particularly those associated with farmland and nearby wetland habitats, which are important for both resident species and winter migrants
- 7.83** The construction project will result in some loss and degradation of bird nesting and foraging habitats within the site boundaries. Removing breeding habitats at unsuitable times could potentially harm birds and their nests; however, compliance with wildlife protection laws is expected to mitigate this risk. Additionally, noise and activity during construction may temporarily disturb birds in nearby habitats, potentially affecting a small portion of the population, but these impacts are characterised as minor. Any removal of potential nesting habitat will be conducted outside the bird breeding season as required by a Construction Environmental Management Plan (CEMP).
- 7.84** The site supports a variety of habitats suitable for nesting birds, including a network of hedgerows and open grassland fields. As such, a comprehensive breeding bird survey was undertaken in line with standard methodologies, employing a modified Common Bird Census 'territory mapping' approach.
- 7.85** During the Extended Phase 1 Habitat Survey, six buildings within the site were identified as having potential to support roosting bats. Additionally, several habitats on-site particularly the hedgerow network were assessed as offering moderate suitability for foraging and commuting bats. In response, a series of bat surveys were carried out in accordance with best practice guidelines.
- 7.86** The applicant's Ecological Appraisal was reviewed by the Council's Ecologist (CE), who requested a suite of conditions regarding the aforementioned matters.
- 7.87** Overall, the following plans and strategies are necessary:
1. Overall Biodiversity Gain Plan and subsequent Reserved Matters (RM) Biodiversity Gain Plan to achieve the targets set within the metric.
 2. Habitat Management and Monitoring Plan (HMMP) to ensure that appropriate agencies manage the areas designated for biodiversity.
 3. Ecological Mitigation & Enhancement Strategy (EMES) to secure details of wildlife improvements, such as bat and bird boxes and hedgehog boxes.
 4. A lighting plan within each RM to prevent light pollution affecting sensitive species discussed above.
 5. A Precautionary Method of Working (PMW) plan to ensure the protection of species such as otters and birds during construction.
 6. A Construction Environmental Management Plan (CEMP) to fulfil the principles outlined in the Ecological Appraisal.

7. An updated ecological report within each RM to ensure that as time passes, each RM includes current survey information regarding species on-site.

Mitigation Licence for Great Crested Newts (GCN)

7.88 The ecological surveys have confirmed the presence of Great Crested Newts (GCN) near the site. Therefore, a mitigation license is required either from Natural England or via engagement with the Gloucestershire District Level Licensing Scheme via Nature Space if newts are found. The appropriate licence must be obtained/evidenced and a copy of this sent to Cheltenham Borough Council alongside the first Reserved Matters, which will be required as a condition on the outline.

7.89 The LPA must be satisfied of the legal tests:

- the activity must be for a certain purpose - for example, for scientific research or in the public interest
- there must be no satisfactory alternative that will cause less harm to the species
- the activity must not harm the long-term conservation status of the species - you may need to create new habitats to offset any damage

7.90 The LPA is satisfied the licence would meet these tests and as such it is acceptable to add the relevant condition requiring an Ecological Survey Report (ESR) and GCN license with each Reserved Matters application.

Biodiversity Net Gain

7.91 Cheltenham Council have a duty under the Conservation of Habitats and Species Regulations 2017 (the Habitats Regulations) and under Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006, to have regard to the conservation of biodiversity in exercising its functions. This duty includes the requirement to have regard to protected species.

7.92 The application was submitted before requirements for mandatory 10% Biodiversity Net Gain (BNG) came into force in January 2024. Nevertheless, the NPPF paragraph 187 requires gain and JCS Policy SD9 requires development contribute positively to biodiversity and specifically for this allocation the Golden Valley SPD Objective A3 and C1 require the development to deliver biodiversity net gain.

7.93 The applicant is committed to delivering 10% Biodiversity Net Gain overall. The January 2026 revised BNG assessment confirms that the development will result in a net loss of 29.76% habitat units as well as a 5.33% net loss of hedgerow units. However once off-site contributions at Hill Farm, Leckhampton are taken into account, a net gain in excess of 10% will be achieved (in both habitat and hedgerow units).

7.94 The applicant has agreed to submit an Overall Biodiversity Gain Plan (OBGP) setting out the detail of how the aforementioned biodiversity net gains will be achieved in practice. Phased Biodiversity Gain Plans (PBGP) will be required with each future reserved matters application and updated versions of the biodiversity metric will be included with each of those plans.

7.95 In conclusion, the Councils' ecological advisors have been consulted on this application as well as Natural England and neither object to the application subject to the imposition of conditions.

7.96 The application is on an allocated site where the principle of development is accepted. Officers consider the ecological approach within this application protects and reinforces the existing ecological networks on the site, such that these networks would be resilient to current and future pressures. The planning condition framework also ensures that

European Protected Species and Nationally Protected Species will be protected in accordance with the law, and that the potential impacts on national and international designated sites are mitigated. As such, subject to incorporation of ecological mitigation, compensation, enhancement, and management in line with the recommendations of the submitted Ecological Assessments and ES, it is considered that the impact on ecology would be low. The embedded design measures and the additional mitigation measures have allowed the assessment to conclude that for both the construction and operational phases, that there would in regard to the EIA Regulations, be no significant effects, and indeed there are opportunities for enhancements.

7.97 It is concluded that the ecological and biodiversity impacts of the proposed development would be acceptable, and moreover the application has demonstrated compliance with Policies SD9 and A7 of the JCS as well as the Golden Valley SPD.

Landscape, Trees and Visual Impact

7.98 The NPPF sets out that planning decisions should contribute to and enhance the natural and local environment by, inter alia, recognising the intrinsic character and beauty of the countryside and the wider benefits from natural capital and ecosystem service.

7.99 JCS policy SD6 advises that all development proposals must consider the landscape and visual sensitivity of the area in which they are located or which they may affect; this is reiterated in CP policy L1. SD6 requires applications are supported by a landscape and visual assessment.

7.100 Policy INF3 of the JCS also states that the green infrastructure network of local and strategic importance will be conserved and enhanced in order to deliver a series of multi-functional, linked green corridors across the JCS area.

7.101 JCS policy A7 requires a comprehensive network of accessible green infrastructure, including local green space. The network will incorporate and protect notable natural features, including the Hatherley Brook, the Fiddlers Green Key Wildlife Site and important trees and hedgerows, and contribute to water quality enhancements. And whilst not applicable to this application as it is not on the western edge, a landscape buffer to the western boundary of the site which will provide screening between the development, and the Hayden sewage treatment works.

7.102 Objective C1 of the Golden Valley SPD requires that development must positively integrate existing landscape assets, ecology and features and use these features to inform the development of a highly connective green and blue infrastructure network for the site.

7.103 Objective C2 of the Golden Valley SPD requires that proposals should respond to views into and out of the site and react to the existing topography and strategic landscape character.

7.104 In respect of the development's wider landscape and visual impact, there will unquestionably be an impact; this is to be expected given that this largely undeveloped site is allocated for significant development in the development plan. These impacts were fully tested through the JCS. The site is within the landscape setting of the Cotswolds Natural Landscape; the Cotswold National Landscape Board agree with the conclusions of the submitted Environmental Statement, that the development will not give rise to an overall significant adverse impact on the landscape nor the scenic beauty of the national landscape and that any identified adverse impacts, including cumulative impacts, can be avoided and minimised. The reserved matters submission can address and mitigate localised landscape and visual impacts.

7.105 In summary, when the site was allocated, it established the presumption for considerable physical development within these fields. Furthermore, the Golden Valley SPD requires

this area to be the densest element, combining a high level of residential use with substantial employment opportunities. Therefore, a dramatic change in the landscape is anticipated. The site has a sensible and connected overall GI vision, which can flow through into the Reserved Matters applications. Future Reserved Matters applications, guided by the approved design code, will ensure that landscape considerations are appropriately integrated into the scheme. The landscape and visual impacts of the proposals are thus considered acceptable. As such, the proposal is deemed to comply with policies JCS A7, SD6, SD7, SD4, Cheltenham Local Plan L1, G12, G13, D1, NPPF paragraph 135 and the Golden Valley SPD.

Trees

- 7.106** Paragraph 187 of the NPPF states that planning decisions should recognise benefits from natural capital and ecosystem services, including trees and woodland. Paragraph 193 states that when determining applications development which results in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists. Paragraph 136 also identifies trees make an important contribution to the character and quality of urban environments and can also help mitigate and adapt to climate change. *“Planning policies and decisions should ensure that new streets are tree-lined...and that existing trees are retained wherever possible. Applicants and local planning authorities should work with highways officers and tree officers to ensure that the right trees are planted in the right places, and solutions are found that are compatible with highways standards and the needs of different users.”*
- 7.107** Objective C6 of the Golden Valley SPD requires that development should promote and deliver a strategy for new tree planting and retention of existing trees. JCS Policy INF3 states that development proposals that will have an impact on woodlands, hedges and trees need to include a justification for why this impact cannot be avoided and should incorporate measures acceptable to the LPA to mitigate losses.
- 7.108** Policy GI3 of the CP states that development which would cause damage to trees of high value will not be permitted and developments may be required to retain existing trees, plant new trees and ensure adequate measures are in place to ensure the protection of trees during construction works.
- 7.109** An arboricultural impact assessment (AIA) has been submitted with the application together with a variety of supporting information. The assessment identifies the presence of 62 trees, groups of trees or hedgerows across the application site; none of these are identified as ancient or veteran specimens nor are any of these trees subject to a Tree Preservation Order (TPO). 17 of the on-site trees are assessed as being of moderate arboricultural quality (Category B); 34 trees are of low arboricultural quality (Category C) and 11 trees are of poor arboricultural quality (Category U). The majority of the trees sit within the external boundaries of the site with some close to the original farmstead as well as within internal field boundaries. There is a small, degraded orchard in the centre of the site adjacent to the farmstead.
- 7.110** 40 trees are to be removed to facilitate the development; 8 of the trees to be removed are of moderate quality (Cat B); 24 are of low quality (Cat C) and 8 of poor quality (Cat U); no Category A trees are to be removed. All retained trees are to be protected throughout the construction phase, and this will be secured by condition.
- 7.111** The replacement tree strategy involves the planting of some 601 new trees across the site which will amount to a 15% canopy cover. Tree planting will occur in a variety of locations across the development including within public open spaces, parks, the nature reserve/SuD area and within the streets themselves as well as within individual plots. The aforementioned remnant orchard will also be retained and enhanced through additional planting. The submission meets with the approval of the Council’s Trees Officer.

7.112 On [24th February 2026](#), Cabinet approved the Cheltenham Tree Strategy, which is a material consideration. Albeit, this Strategy has been approved at the latter stage of considering this application, the principles of this strategy are addressed by the technical reports supporting this application

7.113 In summary, following supplementary information from the application, the TO believes the proposed removal and retention is acceptable. The implementation of the landscaping scheme, tree protection, and tree management can be ensured through conditions. All relevant tree-related conditions have been attached accordingly. The proposal is considered to accord with the NPPF, Golden Valley SPD, JCS policy INF3 CP policy G13 and the recently approved Cheltenham Tree Strategy.

Impact on Neighbouring Amenity

7.114 Paragraph 124 of the NPPF states that planning policies and decisions should support development that makes efficient use of land. Similarly, JCS Policy SD10 states that residential development should seek to achieve the maximum density compatible with good design and local amenity. Policy SD4 states that new development should respond positively to, and respect the character of, the site and its surroundings. It should be of a scale, type, density, and materials appropriate to the site and its setting. Golden Valley SPD objective B4 requires higher densities and a range of dwelling typologies.

7.115 NPPF paragraph 135(f) requires that decisions create places that are safe and maintain a high standard of amenity for both existing and future users. Policy SL1 of the Cheltenham Plan states that “development will only be permitted if it does not cause unacceptable harm to the amenity of neighbouring land users or the locality. In assessing the impact on amenity, the Council will consider various factors, including, but not limited to, loss of privacy, light, and outlook.” This policy aligns with the adopted JCS policy SD14.

7.116 The existing residential properties and their occupants, most likely to be affected by this development are situated to the north, beyond Old Gloucester Road, and to the immediate east within the adjoining housing estate (principally the various cul-de-sacs connected to Harry Yates Way and those connected to Solway Road. Also likely to be impacted are a small number of detached properties in Hope Orchard which adjoin the site’s eastern boundary.

7.117 The illustrative masterplan shows a substantial area of parkland along the eastern boundary of the development in the form of public open space, SuDS and strategic landscaping. This strip of landscaped, open land measures in the region of 60m wide (with building-to-building distances greater still) and provides a significant buffer zone between the proposed residential properties and the existing properties beyond the eastern boundary; this ensures that direct impacts such as overshadowing, loss of light and overlooking from new homes is minimised.

7.118 It is noted that the illustrative master plan, and other plans, shows a footpath along the eastern boundary of the site; this path will run forward of existing properties in Hope Orchard and along the rear boundaries of existing properties in streets such as Hazeldean Road, Wheatland Drive and Gristmill Close. This arrangement has attracted some objections, but it is not considered that the proposed route(s) are incompatible with the adjacent residential properties nor too close to them as to cause unacceptable levels of noise or disturbance. Details submitted at the reserved matters stage can ensure that the impact of these pedestrian routes is adequately mitigated (appropriate boundary treatment to protect privacy for example.) The Police Crime Prevention Officer will be consulted on future Reserved Matters application(s) and residents will be able to review details through future public consultation on any application presented.

- 7.119** As mentioned earlier in the landscape section of this report, this site has been allocated for significant growth, with the Golden Valley SPD prescribing high to mid-density development for this area. It is crucial to note that this is an outline application, and the implications of the height and scale of the proposal will ultimately be examined at the Reserved Matters stage. The Reserved Matters will include full light assessments and demonstrate appropriate separation distances.
- 7.120** Overall, while it is acknowledged that existing residents will experience a significantly different character along this edge of town, officers are confident that concerns regarding neighbouring amenity can be satisfactorily addressed at the Reserved Matters stage.
- 7.121** Regarding the amenity of future residents within the development itself, the design code mandates minimum space standards, garden sizes, and separation distances, all of which will be reviewed in detail during the Reserved Matters stage. Officers believe that the illustrative masterplan, design access statement, and design code ensure that future residential amenity can be addressed appropriately at that stage.
- 7.122** Objectors have voiced concerns about traffic and noise impacts associated with the proposed development during both the construction phase and once the development is occupied. Highway safety and transport matters are discussed in detail later in this report. The construction phase will be temporary, so any noise, disturbance, and disruption during this period can only be afforded limited weight. A Construction Environmental Management Plan, which will include measures to minimize noise, dust, pollution, and manage construction traffic and deliveries, will be approved prior to the commencement of development and secured by planning condition.
- 7.123** For all the reasons outlined above, the proposals are considered to comply with paragraph 135 of the NPPF, Policy SL1 of the Cheltenham Plan, and Policy SD14 of the JCS.

Odour, Air Quality and Noise

- 7.124** Paragraph 198 of the NPPF states that planning decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. Policy SD14 of the JCS also states that new development must ensure that there are no unacceptable levels of pollution from, inter alia, air and noise.

Odour

- 7.125** Odour presents a significant constraint on the West Cheltenham allocation as a whole, primarily due to the Severn Trent sewage treatment centre located to the South-West. Severn Trent Water has proposed to undertake mitigation works to manage and minimise odour, from the sewage treatment centre, which is essential for unlocking development at West Cheltenham.
- 7.126** NPPF paragraph 187 states planning decisions should be “e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans”
- 7.127** JCS Policy A7 states “ix. A distribution of development that takes account of the proximity of the Hayden sewage treatment works and incorporates appropriate spatial planning arrangements and mitigation measures designed to minimise material impacts on residential properties and commercial premises. Development which is likely to be

significantly affected by odours will not be permitted within the Odour Monitoring Zone identified on the policies map.”

- 7.128** In terms of the northern parcel currently being considered, it mostly falls outside the odour impact zones currently affecting the site. Following the implementation of the mitigation works, the entire northern parcel should be outside any zones impacted by odour. However, it is crucial to ensure that dwellings are not occupied and impacted by smells if there are delays in the mitigation works. Consequently, a condition has been added to the outline permission stating that no more than 200 residential dwellings in this parcel may be occupied until the mitigation works at the water treatment plant have been completed and validated.
- 7.129** There is a requirement for the works to be validated to ensure that the implemented mitigation measures are indeed effective at reducing odour on-site. These mitigation measures will be carried out by Severn Trent Water, as the council is unable to acquire the ability to implement the work themselves. Therefore, this application, like others within the West Cheltenham allocation, relies on the works being conducted by Severn Trent Water for the development to proceed.
- 7.130** The test for a Grampian planning condition is whether there is a reasonable prospect of the necessary actions being completed within the time limits imposed by the permission. Severn Trent Water has indicated that they are likely to undertake the works between 2027 and 2028.
- 7.131** A Grampian condition is required regarding the occupancy of residential units. For the MLPL/ Brighton STM Developments and HBD Northern Parcel applications some occupations can occur as there are dwellings outside of the 2.5 Isopleth odour zone. However, the proposed location for the primary school falls within the isopleths of the odour zone. The S106s for HBD Northern Parcel and MLPL/ Brighton STM Developments application site will require release of the primary school site to GCC at 400 occupations on the whole site. Therefore, to ensure that the site for the primary school is free from any odour when the trigger threshold of 400 occupations is reached Grampian conditions must be used. For HBD Northern Parcel and MLPL/Brighton STM Developments application site this means only 400 occupations (200 for each application) can occur before the odour works have been completed.
- 7.132** By ensuring that the necessary mitigation measures are implemented before reaching the 400-occupation mark for the whole site, the LPA can ensure that the school building will not be affected by odour pollution when it is constructed. Additionally, by no residential units being occupied in the southern portion of the site (i.e. within the 2.5 Isopleth odour zone) this ensures the area's most vulnerable to odour are protected.
- 7.133** It is also important to note that Severn Trent Water is the landowner for the Brighton STM Developments planning application (22/01817/OUT) with the land falling within Midlands Land Portfolio Ltd., which is also part of the West Cheltenham allocation. Therefore, it is in Severn Trent Water's interest to implement these works, as they will facilitate the MLPL/ Brighton STM Developments application in the West Cheltenham strategic allocation.
- 7.134** While there is a risk that these mitigation works may never occur, it is understood that a portion of these works are regulatory via OFWAT (water services regulation authority) related to the Industrial Emissions Directive and therefore legally required. This provides some assurance that they will be carried out. Coupled with the fact that they are the landowner of an adjacent planning application within the West Cheltenham allocation, officers are satisfied that it is highly likely the mitigation works will be completed within the time limits set by the permission.

Air Quality

- 7.135** Whilst the site is not located within an air quality management zone, in accordance with the Golden Valley SPD, the proposed development considers off-site effects from traffic accessing and egressing the site to ensure that air quality for new and existing residents remains within acceptable levels. The ES assesses air quality and demonstrates that in line with the Golden Valley SPD and JCS Policy SD14, the residual effects on human health arising from operation phase emissions are negligible, with best practice mitigation proposed to manage temporary dust formation during construction. The Environmental health officer was content with the contents of the environmental statement regarding air quality, and they have recommended a suite of conditions that have been added to this permission to safeguard the amenities of future residents.
- 7.136** The mitigation of construction phase pollutant and dust emissions will be addressed by the provision of a Construction Environmental Management Plan (CEMP), which will need to be agreed with the LPA. It is anticipated that nearby construction sites will adopt appropriate mitigation measures to limit emissions of dust and ensure that plans are co-ordinated to minimise impacts upon the most sensitive receptors. With these measures in place, the cumulative effects of construction activities are anticipated to be not significant.

Noise

- 7.137** With respect to the potential effects of noise and vibration resulting from the application, the main relevant elements are considered to be the construction works, including the associated construction traffic, changes in road traffic noise when the project is operational, and noise from any operational fixed plant and deliveries and servicing activities. A baseline noise survey was undertaken between the end of September to the middle of October 2022 at locations selected primarily to be representative of the closest noise-sensitive receptors, covering the adjacent residential areas. The ES concluded sensitive receptors selected for this assessment comprise a sample of those closest to the application site. Their proximity means that, in general, effects at other locations further from the relevant sources of noise and/or vibration would be no greater, and in most cases lower than those that have been considered.
- 7.138** Construction noise from on-site works has been predicted and assessed based on the worst-case assumptions for demolition noise. A Construction Environmental Management Plan (CEMP) and adoption of Best Practicable Means (BPM) will ensure contractor noise and dust is managed. The contractor will be responsible for implementing the mitigation measures identified in the CEMP.
- 7.139** Regarding construction vibration, no significant adverse effects have been identified, although some adverse effects could occur when the minimum distance between the works and the receptor is below 45 m. These adverse effects will be managed through the measures identified in the CEMP.
- 7.140** Construction road traffic noise has been predicted and assessed based on the likely peak volume of construction traffic; the highest change in noise level anticipated to occur is considered negligible. Therefore, no adverse or significant adverse effects are anticipated from construction traffic, as advised in the ES and the Councils Environmental Health Officer is satisfied conditions provide the level of scrutiny to mitigate any harms.
- 7.141** Once built out, road traffic noise has been predicted and assessed based on the site being completed and fully operational, with the result indicating minor adverse effects which are not significant on three road links: Marsland Road, Fiddler's Green Road and Telstar Way. For all other links operational traffic noise would have a negligible non-significant effect.

7.142 Target noise levels have been defined for fixed plant installations and deliveries & servicing noise that will form part of the commercial areas. Reserved Matters for these buildings will provide sufficient detail to ensure noise is minimised.

7.143 Overall, the ES concluded no significant residual effects have been identified, there will however be some temporary adverse effects arising from construction noise and vibration. As already noted, the Environmental Health Officer raises no objection and has recommended a suite of conditions to safeguard residential amenity of existing and future residents.

Sustainability

7.144 NPPF para 163 states that the need to mitigate and adapt to climate change should also be considered in preparing and assessing planning applications, taking into account the full range of potential climate change impacts.

7.145 In addition, NPPF para 166 states that in determining planning applications, local planning authorities should expect new development to: a) comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and

7.146 Policy SD3 of the JCS requires all new development to be designed to contribute to the aims of sustainability by increasing energy efficiency and minimising waste and air pollution. Development proposals are also required to be adaptable to climate change in respect of the design, layout, siting, orientation and function of buildings. Similarly, Policy INF5 of the JCS sets out that proposals for the generation of energy from renewable resources or low carbon energy development will be supported.

7.147 The Cheltenham Climate Change SPD (adopted June 2022), sets out a strategy for decarbonising buildings over the next decade. For residential development there is an opportunity to improve the environmental performance of buildings through the inclusion of technologies and features such as photovoltaics, heat recovery, permeable (or minimal) hard surfaces, fabric first design approach, insulation renewable and appropriately sourced materials and alternative heating systems (heat pump).

7.148 Objective A of the Golden Valley SPD 'Embracing the highest standards of environmental sustainability' provides further guidance for tackling climate change in a West Cheltenham context. The Golden Valley SPD states new development at the Golden Valley Development will be net carbon zero (or better) and an exemplar in water and energy conservation and waste management, employing the highest standards of environmental sustainability.

7.149 In accordance with the Cheltenham Climate Change SPD, the Golden Valley SPD, and JCS Policies SD3 and INF5, the proposal seeks to support the move to a low carbon future by reducing energy demands (through efficient building design) and implementing renewable technologies throughout the site (such as solar PV and heat pumps) where feasible.

7.150 A Sustainability Statement was initially submitted in 2023. Throughout the application process, officers collaborated with the applicant to review and enhance the environmental standards. The applicant completed the climate change SPD checklist, which can be reviewed to show a detailed breakdown of the metrics from the Climate Change SPD.

7.151 The applicant now proposes a development that exceeds national standards, with a focus on achieving high environmental performance. The energy and sustainability statement includes commitments to both operational energy and embodied carbon reduction, aiming to meet RIBA 2025 performance targets immediately and RIBA 2030 targets by 2030. The

RIBA 2030 targets will be required for RM applications unless the applicant can prove the enhanced specifications would make the project unviable. This commitment aligns with the RIBA 2030 Climate Challenge, which sets ambitious, voluntary targets for net-zero buildings by 2050, ensuring progressive, viable design standards.

7.152 Key commitments as set out in the applicant's Sustainability Statement (dated June 2025) are as follows (high level summary):

- *Energy efficiency* - Use passive design measures to maximise opportunities for natural solar gain and natural ventilation; and minimise overheating risk; Minimise Energy Use Intensity (EUI).
- *Low carbon heat* - All electric buildings using low carbon heating technologies such as heat pumps. Maximise opportunities for renewable energy such as solar PV generation. Incorporate smart technologies such as smart meters and electric car chargers
- *Potable water* - Exceed the minimum building regulations to reduce water consumption.
- *Transport and travel* - Aim to maximise opportunities for homeworking. All plots to have gigabit internet connections. Maximise connections for cycling, walking, public transport and micro-mobility. Maximise active charging infrastructure with future charging. Demands safeguarded through passive installation of charging infrastructure. Enable sustainable travel choices within and beyond the site.
- *Prevention of flooding* - Avoid vulnerable uses in areas at risk of flooding. Introduce nature-based solutions and methods of sustainable drainage to reduce flood risk onsite and elsewhere Reduce surface water runoff.
- *Ecology and biodiversity* - Achieve net gains in biodiversity. Incorporate Building with Nature principles into designs.
- *Embodied carbon* - Minimise upfront embodied carbon (A1-A5); and monitor progress against targets. This applies to the building only.
- *Waste* - Apply circular economy principles to the sourcing of materials and how they can be reused. Provide adequate spaces for waste recycling and storage. Divert construction waste from landfill.

7.153 As the application is at outline stage a condition will ensure all reserved matters adhere to the standards set out in the sustainability statement.

Waste Management

7.154 In accordance with the Cheltenham Climate Change SPD, the Sustainability Statement also demonstrates how the principles of the circular economy and whole life-cycle carbon will be embedded into the development at all scales moving forward, including the minimisation of embodied carbon and prioritising the reuse and recycling of materials (see also the Site and Operational Waste Management Plans).

Water Resource

7.155 In accordance with the Golden Valley SPD, the Proposed Development seeks to achieve water conservation and include sustainable drainage measures, attenuation areas and technologies (such as low flow fittings, rainwater/greywater use, and hot water tank restrictions) to reduce water consumption significantly to 110 l/p/d or less (i.e., 75 l/p/d for domestic buildings and 13 l/p/d for nondomestic buildings).

7.156 Overall, officers are now confident that the subsequent reserved matters, following the outline approval, will incorporate appropriate climate change mitigation measures. Whilst

not meeting all the considerable targets of the Golden Valley SPD and Climate Change SPD, officers have utilised the SPDs effectively to seek considerable enhancements to the sustainability and low carbon approach to developing Golden Valley.

Drainage and Flood Risk

- 7.157** The application has been assessed in accordance with JCS Policies INF2 and A7, as well as Section 14 of the NPPF, specifically paragraphs 180 and 181. These outline that local planning authorities should ensure that flood risk is not increased elsewhere when determining planning applications. Additionally, applications should be supported by a site-specific flood risk assessment where appropriate and built form should only be placed in the lowest risk areas.
- 7.158** In line with the Golden Valley SPD, the proposed development aims to achieve water conservation and includes sustainable drainage measures, attenuation areas, and technologies. This includes features such as low-flow fittings, rainwater and greywater reuse, and restrictions on hot water tank usage, all designed to significantly reduce water consumption to 110 litres per person per day or less (i.e., 75 l/p/d for domestic buildings and 13 l/p/d for nondomestic buildings).
- 7.159** The Golden Valley SPD aims to minimise flooding risks through sustainable drainage measures, including the provision of street trees, landscape verges (including swales), and the use of permeable surfaces. While the detailed design of the drainage systems will be finalised at the Reserved Matters stage, sustainable drainage measures, including SuDS, attenuation, blue-green infrastructure, and planting, are proposed throughout the site, in line with the submitted design code. As outlined in the proposed Landscaping Strategy within the Design and Access Statement, a generous network of open spaces will be provided across the site to help manage surface water.
- 7.160** Objective A2 of the Golden Valley SPD requires new developments to be resilient against flooding, while Objective C5 mandates the use of Sustainable Drainage Systems (SuDS). Most of the site is located within Flood Risk Zone 1, with a small section in the north in Flood Zone 3. Following revised Environment Agency (EA) mapping this area has had to be addressed by the applicant.
- 7.161** Although the site includes areas in Flood Zones 2 (concentrated within the public open space on the eastern part of the site), the site has been allocated in the development plan through a sequential test process. In such cases, paragraph 180 of the NPPF confirms that applicants do not need to apply the sequential test again.
- 7.162** Paragraph 180 of the NPPF states: "However, the exception test may need to be reapplied if relevant aspects of the proposal had not been considered when the test was applied at the plan-making stage, or if more recent information about existing or potential flood risk should be taken into account." A new Flood Zone 3 has been introduced by the recent EA flood mapping.
- 7.163** The application as originally submitted, and as stated, proposed a new highway access to the north-east of the site; this was situated within the identified flood plain; the relocation of the access further to the west (January 2026 revisions) has resolved this issue as it is now sited outside of a flood risk zone. The January 2026 revisions also relocate the SuDS attenuation basins further to the south, removing them from the land now categorised as Flood Zone 3 (high risk); an updated Drainage Strategy has also been submitted reflecting changes to the Environment Agency's flood risk mapping.
- 7.164** The Environment Agency now raise no objection to the application and are satisfied that the aforementioned revisions to the scheme address their previously expressed concerns. A condition is recommended requiring the submission (and the council's approval) of a detailed flood risk analysis with each phase of the development (in practice this will be

with each reserved matters submission). A condition is also suggested restricting storage or the raising of ground levels within any areas liable to flood. The Local Lead Flood Authority (GCC) and the CBC drainage officer also now raise no objection to the development, albeit with additional conditions suggested.

7.165 Overall, it is concluded that the proposal complies with policy and guidance with respect to flood risk, surface water drainage, and the water environment. It is concluded that the flood risk and drainage impacts of the proposed development would be acceptable, and moreover the application has demonstrated compliance with policies within the NPPF, INF2 and A7 of the JCS.

Highway considerations

7.166 Paragraph 109 of the NPPF states that transport issues should be considered from the earliest stages of development proposals, using a vision-led approach to identify transport solutions that deliver well-designed, sustainable and popular places. This should involve, inter alia, understanding and addressing the potential impacts of development on transport networks, and identifying and pursuing opportunities to promote walking, cycling and public transport use.

7.167 Paragraph 115 of the NPPF states that in assessing development proposals it should be ensured that, inter alia, sustainable transport modes are prioritised taking account of the vision for the site, the type of development and its location; and that, any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree through a vision-led approach.

7.168 Paragraph 116 of the NPPF confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.

7.169 Policy INF1 of the JCS requires that developers should provide safe and accessible connections to the transport network to enable travel choice for residents and commuters. Criterion 2 of Policy INF1 states that where severe impacts that are attributable to the development are considered likely, including as a consequence of cumulative impacts, they must be mitigated to the satisfaction of the LPA in consultation with the Highway Authorities and in line with the Local Transport Plan.

7.170 Policy A7 of the JCS also states the scheme will include measures necessary to mitigate the traffic impact of the site, including the use of travel plans to encourage the use of sustainable transport modes; High quality public transport facilities and connections within and adjacent to the site. Safe, easy and convenient pedestrian and cycle links within the site, to key centres and with neighbouring existing development.

7.171 Objective A5. Of the Golden Valley SPD states the Golden Valley Development will be an integrated and fully connected extension of West Cheltenham. And Objective D: An integrated and connected extension of West Cheltenham requires:

- The design and delivery of new development will prioritise and support active and sustainable travel patterns and behaviour – public transport.
- Deliver new direct pedestrian and cycle connections to existing communities and facilities.
- Creation of an open network of streets and routes which can be managed to meet local needs.
- Principal junctions should be designed to minimise land take and create safe and direct crossing points for pedestrians and cycles.

- Provision of safe routes to schools, which will be provided within or beyond the West Cheltenham site.
- A flexible and creative approach to the application of parking standards and emerging and new vehicle technologies and initiatives.

Means of Access

7.172 Whilst the application is submitted in outline, the application seeks approval for main vehicular accesses and egresses into the site from Old Gloucester Road and also provides approximate locations of emergency access points, public transport access points, as well as car, pedestrian and cycle access points into the development and adjoining parcels.

7.173 The main vehicular access to the site is to be via a compact three-arm roundabout to the B4634 Old Gloucester Road, in the north-western corner of the site; the road will be realigned to facilitate this. The highway works associated with this new roundabout include shared routes along Old Gloucester Road, an uncontrolled crossing over Old Gloucester Road and landscaping. As has been stated, the proposed roundabout and associated work was introduced within the January 2026 revisions to the scheme in order to address concerns raised by GCC Highways in respect of the previously proposed priority junction arrangement. There has been extensive engagement between the applicant and LHA on transport matters.

7.174 The access arrangements that are now proposed meet with the approval of GCC Highways subject to conditions. GCC Highways acknowledge that a Stage 1 Road Safety Audit has been undertaken; this is largely supportive of the scheme albeit it identifies some minor issues which can be resolved at the detailed design stage.

Other accesses

7.175 In respect to other accesses the HBD101 3503 REVA PARAMETERS PLAN received 26th January 2026 shows the indicative locations of these, and full details will be secured as part of future reserved matters.

7.176 The collaboration documents, the Pedestrian and Cycle Connectivity Plan and the Road Connections Plans, have been included in the approved plans condition for this application. This addition ensures that the access points align with the development parcels to the west and north of this site. There was significant discussion regarding the width of the access route reserved to serve the land to the west. Additionally, a cycle route is shown in the west and pedestrian routes along the eastern edge.

Local Highway Network

7.177 During the determination of the application there have been extensive discussions between the applicants and the LHA and Active Travel England on a package of measures to mitigate the impact of the development on the Local Highway Network and encourage active travel.

7.178 These works have been agreed with the LHA, and the principal works are as follows:

- 205369-PD29 Rev I – Pilgrove Way and Grist Mill Close Improvements
- 205369-PD29.3 Rev I – Old Gloucester Road Pedestrian/Cycle Route (Viewport 2)
- 205369-PD29.4 Rev E – Old Gloucester Road Pedestrian/Cycle Route
- 205369-PD29.6 Rev B – Oldbury Road/ Princess Elizabeth Way Crossing
- 205369-PD29.7 Rev B – Hesters Way/ Princess Elizabeth Way Crossing
- 205369-PD31 Rev B – Hope Orchard Improvements 21185-009-P9 – Springbank Area Active Travel Measures (Site to Springbank Road and Ettington Close to Hesters Way Road)

7.179 The LHA has been consulted on the application and have considered all of these mitigation measures and consider that they are acceptable and would assist in mitigating the highways impact of the development and encourage active travel.

Public Transport

7.180 The bus strategy for the Northern parcel is broadly unchanged from the original technical assessment. Full details are provided in Technical Note N25 at Appendix B.

7.181 Within Technical Note N25, details of the costs associated with the delivery of these upgrades are provided. In addition to this, a suggested apportionment of costs is provided to those elements of the Golden Valley allocation that will benefit from these upgrades.

7.182 The LHA initially requested £1,214,900.00 towards future bus services. However, the applicant directly engaged with the bus service providers (Pulham's and Stagecoach) early in the application as the LHA did not engage until late in the application on bus sums. The applicant was quoted, by the bus service providers, £620,000 for their portion of the bus contribution. This amount is considered substantial to provide an initial bus service in the early stages of the development. As such, **£620,000** is being sought. Later in this report the viability balance is discussed regarding S106 asks.

7.183 The contribution to the bus services ensures that credible travel choices are provided for future occupiers by sustainable modes in accordance with the provisions of the NPPF and policies INF1, SA1 and A7 of the JCS.

Monitor and manage & travel plans

7.184 In accordance with the requirements of paragraph 118 of the NPPF and Policy A7 of the JCS, a Framework Travel Plan (FTP) has been submitted in support of the application. The FTP sets out a strategy for reducing car travel for users of the development for residential and commercial. The FTP is intended to book-end the vision-led transport strategy for the site. To this end, it includes a summary of embedded and off-site active travel infrastructure, soft travel plan measures (i.e. promotional material, vouchers, etc.) and the bus strategy to influence modal shift. It also includes details related to off-site mitigation that would be implemented in the event commercial vehicle trips exceed the forecasted number of vehicles.

7.185 The LHA have advised that these measures should be expanded on post determination of the planning application and detailed Travel Plans should be provided for the residential and commercial of the development and measures should be incorporated including the providing free buses for a trial period, provision of fully funded car clubs, establishments of walking and cycling groups, and promotion of car sharing.

7.186 The LHA have recommended that planning conditions are imposed on the application to secure these detailed Travel Plans prior to the occupation of the residential and school elements of the development, and have requested the following planning obligations:

- Travel Plan Monitoring Fees - **£10,000**, residential only as the commercial is not of a sufficient size.
- Residential Travel Plan Deposit Contribution – **£74,085**, which would be paid back to the developer after 5 years if the LHA do not need to intervene. However, in so far as the S106 tests are concerned and given the wider viability issues, given the scheme is largely residential within standard parking ratios and unlikely to cause parking displacement elsewhere. The deposit is not considered to meet the S106 tests,

7.187 It is considered that these contributions meet the s106 tests insofar as they are directly related to the development, and fairly and reasonably related in scale and kind. They are also necessary and the most appropriate mechanism to extend and modify existing public transport networks and ensure that credible travel choices are provided for future occupiers by sustainable modes in accordance with the provisions of the NPPF and policies INF1, SA1 and A4 of the JCS.

Traffic Regulation Orders

7.188 The LHA has requested **£45,000** towards TROs be added to heads of terms for the S106. However, the LPA has allocated £30,000 towards TROs. It is considered that this contribution meets the S106 tests insofar as they are directly related to the development, and fairly and reasonably related in scale and kind. £45,000 is considered disproportionate given the residential nature of the scheme where there is little space for overspill parking the surrounding streets. They are also necessary and the most appropriate mechanism to ensure the surrounding roads are not impacted and people are encouraged to use sustainable modes in accordance with the provisions of the NPPF and policies INF1 and SA1 of the JCS.

7.189 It is considered that this contribution meets the S106 tests insofar as they are directly related to the development, and fairly and reasonably related in scale and kind. They are also necessary and the most appropriate mechanism to ensure the surrounding roads are not impacted and people are encouraged to use sustainable modes in accordance with the provisions of the NPPF and policies INF1 and SA1 of the JCS.

Strategic Highway Network

7.190 National Highways and the LHA have stated that the proposal, which results in a net increase in residential units and commercial floorspace, requires a financial contribution for improvements to Junction 10 of the M5 motorway.

7.191 The Section 106 tests state the following requirements:

- A. The obligation must be necessary to make the development acceptable in planning terms.
- B. It must be directly related to the development.
- C. It must be fairly and reasonably related in scale and kind to the development.

7.192 As already noted, the test for refusing on highway grounds is set out within paragraph 116 of the NPPF, "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or if the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios."

7.193 Additionally, INF1 of the JCS states, "Planning permission will be granted only where the impact of development is not considered to be severe. Where severe impacts attributable to the development are likely, including those resulting from cumulative impacts, they must be mitigated to the satisfaction of the LPA in consultation with the Highway Authorities and in line with the Local Transport Plan." This requirement to have regard to cumulative impact is reiterated in INF6 and INF7 of the JCS.

7.194 M5 J10 is critical to transport operations on the M5 motorway and the locality and is a project that Cheltenham Borough Council supports and has been actively working collaboratively with Gloucestershire County Council from the bid writing stage to the present day. The current junction arrangement provides for traffic movements to/from the north only, and the southbound off slip is susceptible to queuing which blocks back onto the mainline during the AM peak period to the detriment of highway safety.

7.195 M5 J10 has been identified for improvement to an 'all movements' layout with a grade separated roundabout constructed over the mainline carriageway. The proposal also includes a new West Cheltenham Link Road south of the A4019 to join with the B4634 to the south and A4019 ancillary works. The scheme was promoted by Gloucestershire County Council and completed the Development Consent Order (DCO) examination in 2024. The Secretary of State Decision consented the J10 scheme in June 2025.

7.196 The principal components of the M5 J10 improvement scheme is as follows:

- Construction of a new Junction 10 on the M5, including four new slip roads, and demolition of the existing A4019 bridge and construction of a new roundabout over the M5.
- Realignment and widening of the A4019 with associated footway, shared use paths, private means of access. This includes a bus lane on the A4019 eastbound carriageway from the West Cheltenham Fire Station to the Gallagher Junction.
- Construction of a new West Cheltenham Link Road south of the A4019 to join with the B4634 to the south.

7.197 The proposed M5 Junction 10 scheme will not only mitigate traffic impacts of development on the Strategic Road Network. In addition to this, the A4019 ancillary works enable a significant amount of strategic traffic currently directed to M5 Junction 11, via the A40, Princess Elizabeth Way, Old Gloucester Road, Gloucester Road and from north Cheltenham to utilise the new all movements Junction 10 layout. This redistribution significantly reduces traffic on these local roads and benefits the wider network.

7.198 National Highways and the LHA state that the implementation of the Junction 10 upgrade will release the capacity to support the JCS growth.

7.199 The LHA is seeking **£2,003,028** to improve junction 10, which is considered to meet the tests and is supported by the LPA.

7.200 It should also be noted that the Community Infrastructure Levy Joint Committee has made a substantial commitment to M5 J10.

- An award of up to £10m to the M5 Junction was made on 4th March 2025.
- On 25th September 2025, it was agreed that future CIL income be ringfenced to support the delivery of M5 Junction 10 scheme up to a maximum of £20m (in addition to the £10m previously awarded).

7.201 These awards were made on the basis that The M5 Junction 10 Improvements Scheme represents a critical infrastructure investment for Gloucestershire, enabling transformational growth across the region. It is fundamental to enhanced accessibility, connectivity and unlocking strategic sites in the approved Gloucester, Cheltenham and Tewkesbury JCS and its wider growth, including the Elms Park development and the wider West Cheltenham and Golden Valley development including its ambitious National Innovation Centre and is aligned with core government policy objectives. The release of funding is managed by the CIL Joint Committee with specific allocations of any such sums brought back to the Joint Committee for consideration; together with regular monitoring reported to the Joint Committee

Highways Impact and Grampian Apportionment

7.202 The M5 Junction 10 upgrade scheme is well developed, with an examination undertaken during summer 2024 and the Secretary of States (SoS) decision received on 5th June 2025. The then SoS in her decision letter has echoed the examiners' view and concludes that "the Proposed Development aligns with paragraph 2.23 of the NPSNN which states that Government's wider policy is to bring forward improvements to the existing Strategic Road Network through the delivery of enhancements of the type proposed by the

Applicant. The Secretary of State agrees with the examiner that the Proposed Development will create additional capacity which will support the aspirations of local policy allowing for future much needed housing and employment development [ER 3.2.90].”

7.203 It is agreed that the implementation of the Junction 10 upgrade will release the capacity to support the JCS growth as a whole as set out in the supporting JCS Transport Strategy. In advance of the build out of M5 J10 there has been extensive transport modelling undertaken by the developers of the strategic allocations, National Highways and Gloucestershire County Council to understand the capacity that could be accommodated on the network in advance of the delivery of the Junction upgrade.

7.204 Assessment by National Highways is that a total of **5,474** new homes could be accommodated before there was severe impact on the strategic road network (SRN). However, the modelling that supports this indicates that whilst this level could be appropriate for the strategic road network, impacts are passed onto the local highway network (LHN). To understand this impact further Gloucestershire County Council has undertaken further transport modelling which has led to a capacity figure of **1,711** new homes that could be accommodated on the local road network.

7.205 Therefore, the assessments conclude that a Grampian condition is required should all West Cheltenham planning applications be approved, limiting development levels within the context of the highway capacity identified.

7.206 It is for the LPA to consider the Grampian as decision taker. The LPAs view is that an approach is needed to steer the consideration of apportionment in order to provide transparency in consideration of all the live planning applications and in the context of the JCS and wider material considerations. This approach has been reached collaboratively with Tewkesbury Borough Council. The table below is the list of applications the LPA is applying the Grampian condition to.

Site	App ref
NW Cheltenham (Home Farm)	23/00354/OUT
NW Cheltenham (Elms Park)	16/02000/OUT
West Cheltenham (HBD Southern parcel)	23/01875/OUT
West Cheltenham (HBD Northern parcel)	23/01874/OUT
West Cheltenham 1,100 (Brighton STM Developments)	22/01817/OUT (Cheltenham BC reference) 22/01107/OUT (Tewkesbury BC reference)
West Cheltenham 365 (Nema)	24/01268/OUT

7.207 The LPAs assume that wider development within the authorities will be dealt with separately in recognition of the strategic importance of the JCS allocations and the priority of Government for delivery of new homes and jobs. Gloucestershire County Council as LHA will need to consider the implications of this, particularly in relation to their funding methodology seeking to address the shortfall in funding for the M5 Junction 10 scheme.

7.208 Having undertaken extensive review, the LPAs will split the Grampian based on the below table. The key considerations have included:

- Maximising the delivery of new homes through multiple residential sale outlets across the strategic allocations to support shorter term delivery and future supply to support Cheltenham’s 5-year housing land supply position.
- Enable choice to the market through the different housing types, sizes and tenures that would be brought to the market.

- Link to triggers that enable key community infrastructure to be developed in line with new homes.
- Recognising the local, regional and UK importance of the delivery of the Innovation Centre to support the cyber and digital tech ecosystem in the context of economic growth and deliver against the National Cyber Strategy (2022).

7.209 In the context of West Cheltenham, this strategy allows developments to commence while ensuring a proportionate number of dwellings are available prior to Junction 10, supporting the opportunity to maximise outputs to support the 5- year housing land supply alongside maximising the range of housing types, sizes and tenures. It provides for a significant amount of commercial floor space to be created in the West Cheltenham allocation.

SITE	APP REF	RESI	CLASS E	% RESI	GRAMPIAN 1 LHN		GRAMP 2 SRN	
					RESI LHA	CLASS E LHA	RESI NH	CLASS E NH
NW Elms Park	16/02000/OUT	3,849	49,150	60.8	1040	7,261	3327.00	43,400
WC St Modwens	22/01817/OUT(CBC) 22/01107/OUT (Tewks)	1,100	1300	17.4	297	500	951	1300
WC HBD NORTH	23/01874/OUT	443	500	7	120*	500	382	500
WC HBD SOUTH	23/01875/OUT	576	92,985	9.1	156*	25,009	497	43,400
WC NEMA	24/01268/OUT	365	43,785	5.8	99	25,009	317	43,400
Total		6,333	187,720	100	1,711	58,279	5,474	132,000

* The HBD/CBC applicants requested 80 units be moved from 23/01875/OUT to 23/01874/OUT, their other application on the allocation. The LPA has taken the view this acceptable as such the south will have a limit of 76 and the North (23/01874/OUT this application) **will have a limit of 200 for the Grampian 1 condition, which relates to letting of the contract.**

7.210 It is important to note there are two conditions to control severe impacts on both the LHN and the SRN, and there are different occupation triggers for those conditions, based on the respective consultation responses from LHA and National Highways and the statutory consultees considerations of severe impact and the tests in the NPPF.

7.211 The Grampian condition to control severe impact on the LHN is recommended by the LHA taking account of the LPA's apportionment strategy. This condition will cease to be operative once the construction contract for the works have been awarded. In January 2026, GCC announced that the M5 Junction 10 Improvements Scheme has become fully funded following the approval of an additional £71.5 million from the UK Government's Housing Infrastructure Fund, administered by Homes England. The main construction phase is scheduled to start autumn 2026 with the project expected to be completed in 2028. The condition will be closely monitored, and to support this the LPA sits on an active liaison meeting led by GCC as the scheme promoter, this will support monitoring of delivery.

7.212 The Grampian condition to control severe impact on the SRN is recommended by National Highways taking account of the LPA's apportionment strategy.

7.213 These Grampian conditions are directly supported by INF6 and INF7 of the JCS. The need for the conditions is clearly evidenced, given the conclusions by the LHA and National Highways that there will be severe impacts on the operation of the LHN and SRN if more than the specified number of dwellings and Class E floorspace is occupied before the delivery of the M5 J10 improvement scheme (and the interim scheme).

7.214 The conditions are fairly and reasonably related to the developments, specifically dealing with an identified issue arising directly from the proposals and serves the specific planning purpose of preventing unacceptable severe impacts. Such impacts relate to the character of use of the land and are clearly a planning purpose. The conditions are reasonable, precise and enforceable, meeting the tests of conditions.

Highways Conclusions

7.215 In conclusion, National Highways and the LHA have been consulted on this application and raise no objection to the application subject to the imposition of planning conditions and securing the planning obligations specified above.

7.216 It is considered, the planning obligations and conditional framework will ensure that there is no unacceptable impact on highway safety, and the residual cumulative impacts on the road network, following mitigation, would not be severe, taking into account all reasonable future scenarios.

7.217 The application meets the broad aims of the Golden Valley SPD in terms of transport and has responded to the Golden Valley SPD visions in its own way. The Golden Valley SPD was not a blueprint for development and the response taken by the applicants is considered acceptable in terms of internal road design, movement and accesses.

7.218 In addition, the application has demonstrated that sustainable transport modes are prioritised taking account of the vision for the site, the type of development and its location. It is also demonstrated that safe and suitable access to the site can be achieved for all users. Furthermore, opportunities have been taken, where appropriate, to extend and modify existing walking, cycling and public transport networks and links, to ensure that credible transport choices are provided by sustainable modes.

7.219 As such it is concluded that the impacts of the proposed development on the transport network would be acceptable, and moreover the application has demonstrated compliance with the NPPF, Golden Valley SPD and policies INF1, INF6, INF7 and A7 of the JCS.

Viability

7.220 NPPF para 59 states it is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage. The weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including whether the plan and the viability evidence underpinning it is up to date, and any change in site circumstances since the plan was brought into force. All viability assessments, including any undertaken at the plan-making stage, should reflect the recommended approach in national planning practice guidance, including standardised inputs, and should be made publicly available.

7.221 The LPA appointed an independent cost consultant and viability consultant to review the applicant's financial viability assessments prepared by the applicant. This involved extensive check and challenge on the inputs and benchmarks used to build up the assessment.

7.222 Policy INF7 of the JCS states where, having regard to the on- and / or off-site provision of infrastructure, there is concern relating to the viability of the development, an independent viability assessment, funded by the developer and in proportion with the scale, nature and / or context of the proposal, will be required to accompany planning applications.

7.223 Policy SD12: Affordable Housing of the JCS seeks 35% housing on the strategic allocation sites. It states that if a development cannot deliver the full affordable housing requirement, a viability assessment, conforming to an agreed methodology, in accordance with Policy INF7 will be required.

- 7.224** The applicants submitted a viability assessment in 2024, which underwent an initial review by the council's independent viability assessor. There was pushback on several items, particularly concerning the benchmark land value. Through extensive discussions, the inputs for the viability assessment were agreed upon between the applicant and the LPA. Additionally, the LPA engaged an independent quantity surveyor to review the applicant's cost plan for infrastructure.
- 7.225** Following the initial review by the council's independent viability assessor and the assessment of the infrastructure costs plan, the applicant submitted a revised financial viability assessment. Given the considerable work that had gone into this, the LPA and the applicant were aligned on the assumptions. The council's independent viability expert reviewed the final financial viability assessment and confirmed their agreement with the applicants FVA results.
- 7.226** It is not uncommon for strategic sites to have lower levels of affordable housing due to significant infrastructure burdens, as is reflected in the JCS policies that sets a requirement of 35% as opposed to non-strategic sites of 40%. However, there are additional costs incurred by these sites that were not anticipated when the JCS allocated the site. Initially, the Junction 10 improvement works were a fully funded scheme, but changes now require additional funding due to increased delivery costs influenced by external factors. Furthermore, a substantial level of contributions for highways is being requested alongside the Golden Valley development being designated as a Garden Community and the requirements set by the Golden Valley SPD.
- 7.227** The suggested value for each of the Section 106 contributions has/will be discussed elsewhere in this report, particularly regarding highways, libraries, and sports facilities. It has also been noted that several obligation requests made by consultees were not included in the proposed heads of terms. A degree of prioritisation has been required by the LPA to focus on the most essential requirements to create a sustainable community. Officers have had to undertake a careful balancing exercise between providing funding for schemes, such as Junction 10, and the much-needed affordable housing in the borough. After the Section 106 prioritisation exercise and a slight adjustment in the affordable housing tenure mix (addition of first homes), the council's independent viability assessor re-evaluated the appraisals and determined that the site could now provide an increased affordable percentage based on the new Section 106 profile, which amounted to **31%**.
- 7.228** The balance between the achievable affordable housing level and that of the S106 value is therefore considered to be appropriate. Whilst disappointing that higher levels of affordable housing cannot be achieved, this is however considered to be the most appropriate balance and as such, ensures that the development is sustainable as a whole whilst at the same time making an appropriate contribution to the M5 J10 scheme.

Review Mechanism

- 7.229** In circumstances where issues relating to viability are identified by applicants and accepted by the LPAs, the LPAs would usually seek to agree that a Viability Review Mechanism is included in the S106 agreement. As viability assessments offer a viability appraisal at a snapshot in time, taking into account known viability factors at an early stage in a project, the purpose of a review mechanism is to allow for a reassessment of viability over the lifetime of the development to assess whether policy compliance can be achieved i.e. in this instance the delivery of 35% affordable housing.
- 7.230** During the consideration of this planning application, officers sought to agree with the applicants that a Viability Review Mechanism should be included in the s106 agreement. In response, the applicant's provided a Legal Opinion which considered the justification in seeking a Viability Review Mechanism, having regard to Development Plan Policy, other material considerations including guidance in National Planning Guidance, and recent appeal decisions.

7.231 The applicant's Legal Opinion concludes that our position in seeking the imposition of a Viability Review Mechanism has no basis in policy and to seek and require any S106 agreement to contain such a clause or obligation would be unlawful. The applicants have clearly stated to us that they would not accept a Viability Review Mechanism in the s106 and we have carefully considered the Legal Opinion and the applicant's position on this matter.

7.232 Paragraph 009 of PPG (revision date 9th May 2019) sets out Guidance on viability review and advises 'How should viability be reviewed during the lifetime of a project'. This Guidance advises that:

'Plans should set out circumstances where review mechanisms may be appropriate, as well as clear process and terms of engagement regarding how and when viability will be reassessed over the lifetime of the development to ensure policy compliance and optimal public benefits through economic cycles. Policy compliant means development which fully complies with up-to-date plan policies. A decision maker can give appropriate weight to emerging policies.'

7.233 Officers acknowledge that there are no policies in the adopted Development Plan which set out the circumstances where review mechanisms may be appropriate. However, it is considered by officers that the absence of a direct reference to review mechanisms in development plan policy does not preclude a determination as a matter of planning judgement that a review mechanism is necessary to make the development acceptable in planning terms. This is particularly relevant given this is part of a strategic allocation.

7.234 Paragraph 58 of the NPPF is clear the planning obligations must only be sought where they meet all of the following tests:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

7.235 It is considered that the absence of a planning policy requiring a review mechanism, does not preclude entering into a planning obligation if these legal tests are met. The requirement for a review mechanism is a planning judgement.

7.236 In the circumstances of this case, a planning judgement must be made on whether, having regard to the planning balance as a whole, including the benefits arising from the development proposals as part of the wider Strategic Allocation, whether the application should be refused due to applicants non-acceptance of a Viability Review Mechanism.

7.237 In the individual circumstances of this planning application, officers consider that there are planning reasons to accept as a matter of planning judgement, that the application should not be refused for failure to agree a Viability Review Mechanism. These reasons include: The inter-relationship with this application site and other planning applications/permissions within the wider Strategic Allocation. If this planning application were to be refused solely for the failure to provide a Viability Review Mechanism, it may cause significant delay and undermine infrastructure, housing and employment land delivery the wider Strategic Allocation.

7.238 In these circumstances, instead of seeking a Viability Review Mechanism within the s106 agreement, officers consider a pragmatic alternative is to reduce the time period for submission of reserved matters

Shorter Time Limit Condition

7.239 The standard time condition for submission of reserved matters has been amended (see below) in response to the applicant's refusal to agree to a review mechanism within the

Section 106 agreement. Viability assessments represent a snapshot in time, and without a review mechanism, it is considered reasonable to reduce the time period for implementation to ensure the validity of the submitted viability assessment is maintained. Provision is made within the condition for an additional period of time (for the submission of reserved matters) in respect of the school expansion land, as whether this land is required for school expansion will not be resolved until a later date.

7.240 While the LPAs do not agree with the applicant's stance and would ordinarily seek review mechanisms where appropriate, the reduced time period for submission of reserved matters provides a pragmatic alternative. It ensures that the viability assumptions remain relevant and that the development progresses within a reasonable timeframe.

7.241 Section 91 of the Town and Country Planning Act 1990 requires planning permissions to include a condition setting a time limit for commencement typically three years, unless varied by the LPA. The nPPG allows for flexibility in this period to support delivery, and the nPPG encourages shorter timeframes for housing delivery where appropriate.

7.242 In this case, the applicant contends that the proposal will deliver a substantial number of homes within the current JCS plan period (2025–2031). The six-year limit for submitting reserved matters aligns with this timeframe and supports the delivery of housing to meet identified needs. Importantly, the condition requires submission of reserved matters within the plan period, not completion or occupation of the dwellings, allowing flexibility for buildout.

7.243 Given the Council's inability to demonstrate a five-year housing land supply, significant weight is afforded to housing delivery in the planning balance. The condition ensures that a high proportion of the proposed dwellings contribute to meeting current housing needs.

7.244 Although there are Grampian conditions affecting occupation, namely those related to odour mitigation and Junction 10 of the M5, these do not render the scheme undeliverable with the reduced timescales, in addition, as set out above, the M5 Junction 10 scheme is progressing to delivery with the expectation that key dates will be met this year positively impacting the Grampian condition proposed.

7.245 Given that the outline planning permission stipulates that all reserved matters must be submitted within six years, this would allow a further two-year period following the completion of the odour mitigation works for the submission of reserved matters. This timeframe is considered reasonable and achievable, and it remains within the control of Severn Trent Water (landowner for the adjacent application site also subject to this condition) to expedite the completion of the odour mitigation works should they choose to do so.

Affordable Housing

7.246 Paragraph 8 of the NPPF states that the planning system needs to perform a number of roles, including a social role in supporting strong, vibrant and healthy communities, by providing a supply of housing required to meet the needs of present and future generations. Paragraph 66 of the NPPF states that where major development involving the provision of housing is proposed, planning policies and decisions should expect that the mix of affordable housing required meets identified local needs, across social rent, other affordable housing for rent and affordable home ownership tenures.

7.247 Policy SD12 requires that within the Strategic Allocations a minimum of 35% affordable housing will be sought. Policy SD11 of the JCS also confirms that housing mix should meet the needs older people as set out in the local evidence base including the most up to date Strategic Housing Market Assessment.

7.248The applicants have constructively engaged with officers during the determination of the application and have provided an affordable mix which would significantly contribute towards the area’s affordable housing needs.

7.249As stated above, in accordance with the requirement of Policy SD12, the applicant has agreed to provide 31% affordable housing on site. Following the outcome of the viability assessment.

7.250See below breakdown of the affordable housing mix, which will be secured via the S106. Each reserved matters will need to provide the agreed percentage of affordable, to ensure affordable housing is not left until the end.

137 homes- 31%	Social Rent	Social Supported Rented Units	Affordable Rent	Shared Ownership	Totals	%
1b2p GF Flat M4(2), 50m2	6	0	0	0	6	4%
1b2p GF Flat M4(3)(2)(b), 60m2	2	0	0	0	2	1%
1b2p FF Flat, 50m2	8	0	0	0	8	6%
1b2p maisonettes, M4(2) 50m2	4	0	0	4	8	6%
1b2p houses, M4(2) Cat 2, 50m2	0	4	0	0	4	3%
1b2p Bungalows, M4(3), 60m2	4	2	0	0	6	4%
2b3p M4(3) bungalow, 61m2	0	0	2	0	2	1%
2b4p house M4(2), 79m2	0	0	30	22	52	38%
3b5p house, 93m2, M4(2)	0	0	12	12	24	18%
3b6p house, 102m2, M4(2)	0	0	10	6	16	12%
4b7p house, 115m2, M4(2)	7	0	0	0	7	5%
5b8p house, 134m2, M4(2)	2	0	0	0	2	1%
Totals	33	6	54	44	137	100%
%	24%	4%	39%	32%		

7.251The Councils’ Housing Enabling Officers have advised that this mix complies with policies SD11 and SD12, in so far as they relate to mix when considering viability, of the JCS and has due regard to local needs, community cohesion and affordability considerations. Officers consider that the provision of this amount of affordable housing, particularly the provision of social rent units and first homes, is a substantial benefit of the proposals.

Open Market Housing Mix

7.252Policy SD11 of the JCS requires all new housing development to provide an appropriate mix of dwellings sizes, types and tenures in order to contribute to mixed and balanced communities and a balanced housing market. Housing mix should be based on the most up to date evidence of local housing need and market demand.

7.253The Gloucestershire Local Housing Needs Assessment 2019 – Final Report and Summary (September 2020) (LHNA) provides the most up to date evidence based to inform the housing mix on residential applications, however this evidence base document would be updated during the build out time of the proposed development.

7.254The applicant’s DAS sets out the proposals allow for a range of dwellings across the site to be delivered with varying sizes to accommodate a variety of household types. Given the proposal is in outline, it is recommended that a condition is imposed requiring the submission of a housing mix statement alongside the submission of reserved matters, secure a mix of market housing in broad accordance with the most up to date evidence of the local housing market need and market demand at the time of determination of future reserved matters.

7.255 With a development of this scale, which is submitted in outline, officers consider that the completion of a S106 is the most appropriate mechanism to deliver a balanced housing market on this site, having regard to the latest evidence base at the time of future reserved matters applications. It is therefore considered that subject to the signing of the S106 the application complies with policy SD11 of the JCS, and the conditional framework will facilitate the delivery of an appropriate mix of dwellings sizes and a balanced housing market.

Heritage and Historic Environment

7.256 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a general duty as respects listed buildings in exercise of planning functions. Section 66(1) provides: "In considering whether to grant planning permission for development which affects a listed building or its setting, the LPA or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."

7.257 Section 72 of the act refers to the councils' need to pay special attention to the desirability of preserving or enhancing the character or appearance of and building of land in a Conservation Area in the exercise of their duties.

7.258 Paragraph 208 of the NPPF goes on to state that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

7.259 JCS Policy A7 states the layout and form that respects landscape character, significance and setting of the heritage assets at Hayden Farmhouse and Barn. In regard to non-designated heritage assets, Policy HE1 of the CP states that development proposals that would affect a locally important or non-designated heritage asset, including its setting, will be required to have regard to the scale of any harm or loss to the significance of the heritage asset.

7.260 There are no designated heritage assets within the application site. Hope Farm itself (20th century) as well as Hope Cottage (significantly altered, 19th century) together with the various farm buildings situated close by, are to be demolished to facilitate the development; these buildings however are neither designated nor non-designated heritage assets.

7.261 There is one scheduled monument and nine listed buildings within 1km of the site. Uckington Medieval Moated Site (Scheduled Monument no. 1016835) is situated approximately 400m to the north. It is not considered that the setting of this important heritage asset will be harmed due to the distances involved as well as the presence of intervening development (existing and proposed); there is no visual relationship between the two. Similarly, it is not considered that the setting of the 5no. listed buildings located within (and adjacent to) the Uckington moated site (Moat House, Moat Cottage, adjacent barn, lodge and bridge - all Grade II); will be harmed for the same reasons.

7.262 The remaining five listed buildings within 1km of the site comprise Uckington Farmhouse and stable/cart store (located a minimum of 850m from the site); Hayden Farmhouse and associated barn (approximately 900m from the site); and Withybridge Mill and barn (approximately 1km from the site) – all of these five buildings are listed at Grade II. There are no identified historic relationships between these buildings and the application site and again no visual, or a very limited, relationship has been identified between these assets and the site. For these reasons the proposed development will not cause harm to these

heritage assets. Neither Historic England nor the council's conservation team raise any objections to the scheme.

7.263 In respect of archaeological heritage assets, an archaeological assessment and archaeological evaluation have been submitted with the planning application, and this sets out the conclusions drawn from a range of investigations including evaluation trenching and Lidar surveys. The assessment concludes that the site has a moderate to high potential to contain archaeological remains from the Roman period, trenching has identified a range of features such as a number of enclosures and associated ditches, pits and trackways. The assessment concludes however that these remains reflect small-scale land management, rather than settlement, and are unlikely to be of greater than low or local value. The site otherwise has very low potential to contain archaeology from other periods i.e. medieval to modern.

7.264 The site does contain ridge and furrow earthworks in some areas however this is relatively common, and these remains are not considered, by the submitted assessment, to be of more than negligible or local value. There is no reason to believe that the Site contains archaeological remains that would be of such significance as to warrant preservation and instead could be addressed through a phased programme of archaeological investigations, secured by condition to the planning permission.

7.265 The county archaeologist does not challenge the conclusions of the submitted archaeological assessments. It is highlighted that the areas of archaeological remains identified by the investigations are not of such significance to warrant preservation in situ, but they could, nonetheless, contain important evidence which will contribute to a number of local and regional research objectives for the late Iron Age and Romano-British periods. Accordingly, a condition is recommended to secure a programme of archaeological investigation (excavation)

7.266 In conclusion, the impact of the proposed development on listed buildings and non-designated heritage assets, including archaeological remains, would be acceptable, and the potential impacts can be further controlled through the subsequent reserved matters applications and the conditional framework. The proposal accords with the NPPF in this regard as well as with policies SD8 and A7 of the JCS and policy HE1 of the CP.

Planning Obligations

7.267 This development has generated the need for the following planning obligations in order to mitigate the impact of the development and/or to ensure policy compliance.

Affordable Housing

7.268 This is set out in some depth above but in summary, 31% affordable housing will be secured in respect of this development; this sub-policy offer (JCS Policy SD12) has been justified by a financial viability assessment which has been independently corroborated by the council's appointed experts. The detailed mix will be set out in the s106 Agreement.

Open Space – various forms

7.269 The masterplan, whilst illustrative, shows extensive areas of what are referred to as 'community productive garden/allotments'. The details of these areas will be provided within subsequent reserved matters submissions however it is necessary to secure their quantum, provision, maintenance and retention at this stage by means of the s106 Agreement.

7.270 The same is true of the children's play space; this is shown on the illustrative master plan, and each relevant reserved matters application will need to set out the details, however the quantum and provision of the play space together with future maintenance

arrangements will need to be secured at this outline stage by means of the s106 Agreement.

7.271 Collectively the open space which will need to be secured by the s106 Agreement, and which includes parks and gardens, amenity green space, children's play, allotments, structural and tree planting and SUDS, amounts to 6.54ha; this is shown on the submitted Parameters Plan (dwg no. 3503 revA).

7.272 In addition to the 6.54ha of open space referenced above, the application also includes the provision of 0.6ha of land to be safeguarded for playing pitches. It may transpire that this land is ultimately not required for playing pitches and as such the s106 Agreement will make provision for a commuted sum to be paid in lieu of this onsite provision, if the LPA elects to do this at the end of the prescribed safeguarding period.

7.273 On site sports facilities are limited and therefore it has been agreed that a proportionate financial contribution will be made by the developer towards off-site sports facilities. The s106 Agreement will need to secure the agreed contribution (£119,622) and the trigger point(s) for its payment.

Suitable Alternative Nature Green Space (SANG)

7.274 This development makes provision for some of the requisite SANG to be provided on-site (see ecology section above) with the remainder provided off-site at Hill Farm, Leckhampton. The s106 Agreement will need to secure such provision together with fall-back provisions in the event that the off-site provision is unachievable. A financial contribution towards SAMM (Strategic Access Management and Monitoring) is also a requirement (£85,499 has been agreed) and the detailed arrangements for this will need to be set out within the s106 Agreement.

Public Art

7.275 The s106 agreement will need to make provision for the submission (and approval) of a Public Art Strategy as well as the subsequent installation of the agreed public art. A financial contribution of £6,998 has been agreed. The provision of public art is a requirement of the Golden Valley SPD (Policy C9)

M5 Improvement Works

7.276 The requisite financial contribution towards the M5 Junction 10 improvement scheme will need to be secured via the s106 Agreement. As stated elsewhere in this report, the agreed contribution is £2,003,027.69.

Other Highway Related Matters

7.277 A package of other highway matters will need to be secured including the active travel measures, the bus contribution (bus service H) and Travel Plan contributions. The highway works (roundabout etc.) will need to be secured.

Education

7.278 The proposed two-form-entry primary school site straddles this application site and the site of the adjoining application (ref. 22/01817/OUT). The extent of this land situated within *this* application site, will need to be transferred to Gloucestershire County Council so that the primary school can be provided. It will need to be transferred at no cost to GCC and in a cleared and decontaminated state.

7.279 There is the potential for a three-form-entry primary school to be required, rather than the two-form-entry facilities principally proposed. To this end, the s106 agreement will commit GCC to undertake an 'Expansion Review' to determine whether primary school expansion

is required. If expansion is indeed required, the expansion land will need to be transferred to GCC. GCC is required to deliver the primary school itself, on the land that the developer will have provided (see below). The s106 Agreement will comprehensively deal with this matter.

7.280 In addition to the above, the payment of a financial contribution will be secured towards the capital cost of constructing/delivering the aforementioned primary school (£2,557,631) and its expansion if required. Financial contributions will also be secured towards secondary school (£1,644,912) and sixth form provision (£504,489).

Library Contributions

7.281 A financial contribution of £71,714 will be secured towards library provision.

Planning Obligations Summary Table

GCC Asks		
M5 J10	£2,003,028	
Residential Travel Plan Deposit Contribution	£0	
Commercial Travel Plan Deposit Contribution	£0	
Monitor and Manage Bond	£0	
Travel Plan Monitoring Fees	£10,000	
Implementation of Public Transport Strategy	£620,000	
Implementation of Marsland Road 20mph and active travel scheme by GCC	£60,859	
Implementation of local Traffic Regulation Orders	£30,000	
PRIMARY EDUCATION	£2,557,631	
SECONDARY EDUCATION (11-16YRS)	£1,644,912	
SECONDARY EDUCATION (16-18YRS)	£504,489	
LIBRARIES	£71,714	
Primary School Land		GCC education require safeguarded land.
Sub Totals	£7,502,633	
CBC Asks		
PUBLIC ART	£6,998	To be provided by the applicant at by 400 th dwelling
CBC GCC MONITORING S106	£20,000	
SPORTS OFF SITE	£119,622	To be paid by applicant at 200 th occupation.
SAMM (SANG)	£85,499	50% to be paid upon 1 st and rest at 400 th occupation.
AFFORDABLE HOUSING		As per mix on AH section of report.
BIODIVERSITY NET GAIN		Standardised 30-year management wording.
SANG		On site delivery linked to occupations and managed in perpetuity as part of open space.
OPEN SPACE		Open space type and quantum to be

		provided in accordance with The 26 Jan 2026 EDP3132_D 109 GREEN SPACE AND SANG PROVISION
ALLOTMENTS		0.26ha as per 26 Jan 2026 EDP3132_D 109 GREEN SPACE AND SANG PROVISION
SPORTS ON SITE		Land to be given prior to first occupation to the adjoining developer to allow them to construct the sports pitches. Exact legal wording to be agreed at S106 drafting stage.
Sub Totals	£232,120	
Totals	£7,734,753	

Planning Obligations Conclusions

7.282 All of the planning obligations detailed above meet the requisite policy (NPPF Para 58) and legislative tests (Reg 122 of the CIL Regulations 2010). As stated elsewhere in this report, the requisite tests are as follows:

Planning obligations must only be sought where they meet all of the following tests:

- (a) necessary to make the development acceptable in planning terms*
- (b) directly related to the development; and*
- (c) fairly and reasonably related in scale and kind to the development*

7.283 All of the above obligations are considered to make the development acceptable in planning terms (in order to mitigate the impact of the proposal and/or ensure compliance with planning policy); all are directly related to the development itself (including its impacts) and the contributions/obligations themselves are considered to be fairly and reasonably related in scale and kind to the development proposed.

7.284 It is noted that Gloucestershire Constabulary have requested financial contributions from the developer totalling £125,198. It is stated that such contributions are necessary to offset the policing impacts of the development and the associated increase in population. The requested contributions can be broken down into £28,476 towards the recruitment and equipping of officers/staff; £5,897 towards police vehicles and £90,825 towards office accommodation. It is unclear how these sums have been derived or calculated.

7.285 Whilst financial contributions towards police infrastructure have the potential to be legitimate planning obligations, subject to compliance with Regulation 122 above, in this particular case it has not been demonstrated that these tests have been met. Of concern is a lack of evidence satisfactorily demonstrating that the sums sought are fairly and reasonably related to the development itself; it has also not been demonstrated that these contributions are necessary to make the development acceptable in planning term. Of particular concern is the fact that much of the requested contributions relate to operational matters, rather than capital projects.

7.286 To be clear, even had it been concluded that the requisite tests in Regulation 122 had been passed, the delicate viability balance is such (see above) that the requested police contributions would have been apportioned a low priority (as compared to critical matters such as affordable housing and M5 J10 contributions for example) and as such would not have been sought in this case. There has been ongoing engagement in respect of the strategic sites with the Police, this has included advice relating to Community Infrastructure Levy. The CIL Joint Committee at its last meeting on 4th February agreed a CIL Infrastructure Fund Project Bid round be opened in Spring 2026. The Police have been advised of this opportunity to bid for future CIL funding.

Public Sector Equality Duty (PSED)

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

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

7.288 In this case, having considered the merits of the application, this authority is satisfied that the proposed development meets the requirements of the PSED.

7.289 Due regard has been had to the nine protected characteristics recognised within the PSED, and officers are satisfied that no-one has been discriminated against in the determination of this application. The representation received in response to the publicity exercise has been noted and considered.

8. PLANNING BALANCE AND CONCLUSION

8.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 directs that Planning decisions must be made in accordance with the development plan unless material considerations indicate otherwise.

8.2 The development plan applicable to this site, and to Cheltenham borough as a whole, is the Cheltenham Plan (CP) adopted in 2020 and the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (JCS) adopted in 2017.

Compliance with the Development Plan

8.3 Policy SP1 of the JCS identifies the need for 35,175 new homes and a minimum of 192 hectares of employment land during the plan period (2011-2031) and the need for at least 10,917 of these new homes to meet the housing needs of Cheltenham. JCS Policy SP2 identifies two substantial cross-boundary urban extensions to Cheltenham which will, in part, meet those economic and housing needs.

8.4 Policy A7 of the JCS allocates land at West Cheltenham for residential and employment development (focussed upon a cyber security hub and other high technology); the current application site forms an integral part of that wider development plan residential/employment allocation. The application, which proposed a predominantly residential scheme with some, albeit limited, employment uses is, in principle, in accordance with the development plan.

8.5 The application is in outline with all matters reserved except for access. Be that as it may, the submission includes a Tier 2 Design Code which includes a Regulatory Plan, both of

which will be secured by condition; it is necessary therefore that the design and layout of the scheme are scrutinised in so far as they as they will be fixed at this outline stage.

- 8.6** Policy SD4 and Policy A7 of the JCS require development to respond positively to and respect the character of the site and its surroundings. Policy D1 of the CP requires development to achieve a high standard of architectural design that complements neighbouring development. It is evident that the design approach to the layout of the scheme, as set out in the illustrative master plan and Regulatory Plan, is appropriate and well-considered. The overarching template that these documents will provide will ensure that subsequent reserved matters applications are of a high quality which will integrate with adjoining existing and proposed development in a seamless manner. The Tier 2 Design Code is supported and provides sufficient confidence that subsequent reserved matters applications will be of high design quality in respect of layout, detailed design, potential impact on neighbouring amenity and landscaping, in accordance with development plan policy.
- 8.7** Access is not a reserved matter and therefore the highway impact of this development must also be assessed at this outline stage. Policy INF1 of the JCS prescribes that development should include safe and accessible connections to the transport network and that where severe highway impacts are likely, they must be adequately mitigated. Policy A7 of the JCS sets out how the site should be accessed for vehicular purposes (i.e. via Old Gloucester Road) as well as dealing with other site-specific matters such as pedestrian/cycle links and public transport arrangements.
- 8.8** The development is to be accessed via a new compact three-arm roundabout to Old Gloucester Road which is acceptable in operational terms and ultimately policy compliant. More broadly, the impact of the proposed development on the local and strategic highway network will be acceptable subject to a package of off-site improvement and mitigation works (to both) including a significant financial contribution towards the upgrade of M5 Junction 10 and associated works. The scheme incorporates a network of pedestrian and cycle links connecting the development with adjoining development, both existing and planned as well as the wider town. The application is considered to be compliant with highway policy in particular Policy INF1 of the JCS as well as JCS Policy A7.
- 8.9** The application demonstrates that the proposed outline scheme is policy compliant in respect of flood risk and drainage. The application site was subject to the sequential test at the plan-making stage. Within the site, vulnerable forms of development avoids areas of high flood risk and the most recent revisions to the scheme re-site the attenuation ponds away from areas of increased flood risk.
- 8.10** The impact of the proposed development on designated and non-designated heritage assets is limited and policy compliant. The development will not have a harmful setting on any nearby listed buildings or other designated heritage assets and within the site any potential archaeological remains (non-designated heritage assets) will be adequately dealt with by condition.
- 8.11** The development will provide a satisfactory quantum of affordable housing (31%). Whilst the relevant development plan policy (JCS Policy SD12) requires 35% affordable housing on the strategic allocated sites, this shortfall does not amount to a conflict with the development plan as Policy SD12 allows for a reduction where financial viability is an issue, as is the case here.
- 8.12** It is concluded that, for the reasons set out above, the application, subject to conditions and planning obligations, accords with the development plan i.e. the Joint Core Strategy and the Cheltenham Plan.

Material Considerations and Whether these Indicate That a Decision Contrary to the Development Plan Ought to Be Taken

8.13 It is considered that relevant material considerations weigh in favour of granting permission, and ultimately support the development plan, rather than indicating that a decision contrary to it ought to be taken, for the reasons set out below.

Golden Valley SPD

8.14 In 2020 the council adopted the 'Golden Valley' Supplementary Planning Document (SPD); this document is a key material consideration which carries significant weight. The SPD document sets out guidance as to how the outcomes specified in the development plan in respect of the West Cheltenham/Golden Valley strategic allocation (namely Policy A7) are expected to be delivered. The SPD includes a masterplan framework which encapsulates a number of key objectives for delivery of the wider development.

8.15 The SPD masterplan framework shows a mid-density, housing-led garden community (which is to include community infrastructure) within this part of the wider allocation, and that is what the current application proposes. The application is considered to comply with the Golden Valley SPD in so much as an outline application with all matters reserved except access, can.

National Planning Policy Framework

8.16 The National Planning Policy Framework (NPPF) December 2024 is another key material consideration which carries significant weight.

8.17 The NPPF, at Paragraph 11, sets out a presumption in favour of sustainable development. This presumption means approving development proposals which accord with an up-to-date plan without delay or 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 NPPF 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 this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

8.18 The NPPF is clear (at footnote 7) that situations where the local planning authority cannot demonstrate a five-year supply of deliverable housing sites and/or where the Housing Delivery Test indicates that the delivery of housing was less than 75% of the housing requirement over the previous three years, amounts to the policies which are most important for determining the application being out of date.

8.19 Cheltenham Borough Council can currently (September 2025) demonstrate a 2.69-year supply of deliverable housing sites; the council's development plan is therefore out of date and the presumption in favour of sustainable development consequently applies.

8.20 There are no policies in the NPPF which provide a strong reason for refusing the development proposed, on the contrary the application is considered to comply with the NPPF where relevant, and there are not considered to be any adverse impacts to be weighed against the benefits; the NPPF therefore directs that permission be granted.

Final Balance and Conclusion

8.21 Planning decisions are to be taken in accordance with the development plan, unless material considerations indicate otherwise. The application complies with the development plan and will result in the ultimate delivery of one of the council's key allocated sites; the substantial benefits of delivering one of the council's key allocated sites weigh considerably in favour of granting consent.

8.22 Notwithstanding compliance with the development plan, the development plan policies which are the most relevant to this decision are deemed to be out of date (by virtue of a lack of 5-year housing land supply), and as such the NPPF presumption in favour of sustainable development is engaged – a key material consideration carrying significant weight. Neither this material consideration, nor any other material considerations, indicates that a decision other than in accordance with the development plan (i.e. permission) ought to be taken. There are no adverse impacts of granting permission which would significantly and demonstrably outweigh the benefits, nor does the application of any NPPF policies provide a strong reason for refusing the application. Accordingly, it is recommended that permission be granted, subject to the conditions and obligations detailed in this report.

RECOMMENDATION

To delegate authority to the Head of Planning to **permit** the application subject to:

- A) the conditions as set out or substantially similar as may be agreed under delegated authority given to the Head of Planning and:
- B) completion of a S106 obligation and/or other legal document to deliver the infrastructure and other mitigation, as set out in this report at paragraphs 7.265 to 7.278 and for alterations to s106 heads of terms as may be agreed under delegated authority given to the Head of Planning in consultation with the Chairman and Vice Chairman of the Planning Committee.
- C) In the event that the S106 obligation and/or other legal document remains unsigned nine months after this resolution, that the application is reviewed by the Head of Planning in consultation with the Chairman and Vice Chairman of the Planning Committee, and if no progress is being made delegated authority is given to the Head of Planning to refuse the application in the absence of an agreed S106 Agreement.

9. CONDITIONS

1. Approved Plans and Documents

The development hereby permitted shall be carried out in accordance with the following drawings and documents:

- a) Site Location Plan – dwg no. 1003 dated January 2026
- b) Parameters Plan – dwg no. 3503 revA
- c) Proposed Compact Roundabout General Arrangement – dwg no. PD43 Rev A
- d) Pedestrian and Cycle Connectivity Plan (IDP plan) received 3rd of June 2025
- e) Road Connections Plan (IDP plan) received 3rd of June 2025

Reason: To clarify the permission and provide the comprehensive masterplan and delivery strategy expected by Policy A7 of the JCS.

Illustrative / Indicative Material

The development hereby permitted shall be carried out in broad accordance with the following drawings and documents:

- a) Illustrative Masterplan – dwg no. 4007 revB
- b) Illustrative Comprehensive Masterplan received 3rd of June 2025.

Reason: Whilst illustrative, future reserved matters applications should be in broad accordance with these plans to support the delivery of a high-quality development.

2. Design Code

The development shall be carried out in accordance with the Design Code (ref: West Cheltenham, Landscape and Built Form Design Code, January 2026, Rev D) and the accompanying Regulatory Plan (ref: Regulatory Plan on pages 6&7 of the same design code), and the Parameters set out (ref: Parameters Plan, Dwg no: 3503, rev A). For the avoidance of doubt, the Regulatory Plan is deemed to be mandatory in defining the overarching spatial structure, design intentions, and key parameters for the site. Notwithstanding the use of the term “indicative” within elements of the Regulatory Plan, any application for Reserved Matters shall demonstrate:

- i. Broad accordance with the illustrative arrangements shown on the Regulatory Plan, including but not limited to the disposition of land uses, block structure, movement framework, key frontages, and the location and hierarchy of public spaces; and
- ii. Full conformity with the design code’s mandatory requirements, overarching ethos, and controlling parameters as set out in the parameter plans and Design Code.

Any deviation from the illustrative elements of the Regulatory Plan shall only be permitted where it can be robustly demonstrated, through the Reserved Matters submission, and agreed with the Local Planning Authority, that the alternative approach delivers outcomes of equal or improved design quality, character, legibility, and placemaking intent, consistent with the Design Code as a whole.

Reason: To ensure that subsequent Reserved Matters proposals deliver a coherent and high-quality development that reflects the spatial structure, design intent and mandatory parameters established in the Design Code and its Regulatory Plan. This is necessary to secure well-designed places in accordance with Section 12 of the National Planning Policy Framework, the National Design Guide (2021), and Policies SD4 of the adopted Joint Core Strategy, 2011- 2031, which require development to demonstrate strong design vision, legibility, character and placemaking consistent with an agreed design code.

3. Quantum

In line with the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any statutory instrument revoking and reenacting that Order with or without modification), the maximum amount of development permitted comprises:

- a) Up to 443 dwellings (Use Class C3)
- b) Up to 500sqm Gross Internal Floorspace of Use Class E
- c) Flexible land as required within which the Primary School (Class F1) can be accommodated

Reason: To define the scope of the permission.

4. Phasing Plan

Prior to or alongside the submission of the first of the Reserved Matters, regarding layout, a phasing strategy, covering the full extent of the outline permission red line, including a timetable for delivery of development and associated infrastructure to be provided within each phase, shall be submitted to and approved in writing by the local planning authority. This shall include details of:

A) the sequence for the delivery of:

- I. Location of open spaces, (Suitable Alternative Green Space (SANG,) play areas, green infrastructure.
- II. Approximate number of market and affordable homes to be provided for each phase.
- III. The non-residential components.
- IV. Accesses for pedestrians, cyclists, buses, temporary bus turning facilities and other vehicles.
- V. Location for the bus stop facilities and mobility hub within the site.

B) The phasing strategy shall be accompanied by a statement demonstrating how the development proposal enables a comprehensive scheme to be delivered across the developable area and demonstrate that it would not prejudice the sustainable delivery of the entire allocation.

The Reserved Matters shall be submitted in accordance with the approved phasing strategy unless further changes are agreed to the strategy in writing by the Local Planning Authority.

Reason: To ensure there is a clear and phased framework for both the development and for the submission of applications for Reserved Matters approvals and so that the development is carried out in a sustainable and coherent manner.

5. Reserved Matters & Timing of Submission

No part of the development shall take place on a particular phase, subphase, or development parcel until full details of the layout, scale, appearance and landscaping within the phase, subphase, or development parcel (hereinafter called "the reserved matters") have been submitted to and approved in writing by the local planning authority.

With the exception of the 'school expansion land' (this being the land identified within Parameters Plan ref. 3503 Rev A as 'flexible land within which Primary School (class F) can be accommodated'), application for approval of the reserved matters for the first phase as identified by the phasing plan required under Condition 3 shall be made to the local planning authority no later than the expiration of TWO years from the date of this permission and the last application for reserved matters approval shall be made no later than SIX years beginning on the date of this permission unless there is a delay to the completion of the J10 Improvement Works Scheme. If the J10 Improvement Works Scheme is not completed by a date FOUR years from the date of this permission, then a further TWO years will be added to the deadline for the submission of the last reserved matter.

If the Expansion Review confirms that some or all of the school expansion land is not required for expansion of the primary school, application for the approval of all reserved matters relating to the 'school expansion land' as defined above, shall be submitted within 24 months of completion of the Expansion Review by the local education authority. Confirmation that that Expansion Review has been completed, together with its conclusions, shall be submitted in writing to the local planning authority with the first reserved matters submission relating to the 'school expansion land'.

Reason: To support the lack of a viability review mechanism and ensure timely delivery of housing.

6. Implementation Constraints

Each phase or sub-phase of the development hereby permitted as approved under condition 4, and which for the avoidance of doubt includes the 'school expansion land' shall be begun not later than two years from the date of approval of the last of the reserved matters to be approved for that phase or sub-phase.

Reason: To accord with Section 92 of the Town and Country Planning Act 1990 as this permission is outline.

7. Reserved Matters Applications

Reserved Matters applications shall accord with the relevant approved plans and documents listed in Condition 2 (Approved Plans and Documents). Applications shall include, where applicable, details of:

- I. Layout and scale
- II. Housing mix and/or quantum and type of non-residential uses in broad accordance with the most up to date evidence of the local housing market need
- III. Existing and proposed ground levels
- IV. Existing and proposed finished floor levels
- V. Design Code Compliance Statement
- VI. Compliance with nationally described space standards
- VII. Surface water drainage
- VIII. Foul water drainage
- IX. Access
- X. Car parking
- XI. Ecological mitigation measures
- XII. Appearance including elevational treatments and materials
- XIII. Boundary treatments
- XIV. Waste storage
- XV. External lighting
- XVI. Noise conditions and mitigation measures
- XVII. Odour emissions and mitigation measures
- XVIII. Electric Vehicle charging points and Solar Panels
- XIX. Employment skills plan for commercial uses
- XX. A copy of the Great Crested Newt license applicable to that site/phase.

Reason: To provide a satisfactory and well-planned development and to define the information required as part of future reserved matters applications.

8. Nationally Described Space Standards

Room sizes in all dwellings constructed as part of the development hereby approved must meet or exceed the Nationally Described Space Standards (March 2015).

Reason: to safeguard residential amenity of future occupiers. Sustainability

9. Sustainability Compliance Statement

Each reserved matters application shall include a Climate Change Compliance Statement that provides details of how energy saving measures will be incorporated into the design and how carbon dioxide emissions will be reduced in conformity with the Sustainability Statement received 25 June 2025, unless otherwise agreed in writing with the LPA.

No dwelling, apartment or commercial building hereby approved shall be occupied until their climate change features, such as PV and ASHP, have been fully installed in accordance with a specification approved by the reserved matters application.

Reason: Necessary to ensure that the proposal meets the requirements of the Golden Valley Development and Climate Change SPDs.

10. Open Space

Each application for the approval of reserved matters shall include the following details for each phase that includes open space provision within that application:

- a) Open spaces, including on-site SANG
- b) Locations, specifications and product literature relating to street furniture including signs, seats, bollards, planters and refuse bins
- c) Whether public access will be permitted to such land
- d) Details of measures to promote ecological interests and biodiversity; and
- e) An open space phasing plan showing how the delivery of the open space will be phased and completed as part of that phase of development.

The open space provision shall be implemented in accordance with the details agreed as part of the reserved matters approval for that phase. The open space shall be completed and available for use in accordance with the approved open space phasing plan and shall be permanently maintained and retained for such amenity purposes thereafter.

Reason: To ensure that appropriate measures to mitigate for any adverse effects to the Cotswold Beechwoods SAC that could potentially occur as a result of the development are suitably addressed

11. SANG Homeowner Pack

Prior to the first occupation of development within each phase, details of a Homeowner Information Pack providing information on recreation resources in the locality shall be submitted to and approved in writing by the local planning authority. The pack should present information describing informal recreation opportunities in the following sequence:

- a) Public Open Space (POS) on Your Doorstep: Information pertaining to both existing POS within the development and any future POS coming forward as part of the scheme. It should detail walking routes on site of different lengths, connections to offsite footpaths and locations of open POS and the facilities (play areas etc.).
- b) Public Open Space a Short Drive or Bus Ride.
- c) Visiting the Cotswolds: Provide information on local places to visit within the Cotswolds with car parks and visitor facilities at different scales, focusing on those areas that are most easily accessible and those further afield. Provide general information regarding the country code, keeping to footpaths, reading and following visitor information signs etc.
- d) Weekend and Day Visits: Provide several options for visits that are 30mins to 1 hour from Site, that offer scenic views and facilities.

Reason: To ensure that appropriate measures to mitigate for any adverse effects to the Cotswold Beechwoods SAC that could potentially occur as a result of the development are suitably addressed.

12. Play Spaces

Each application for the approval of reserved matters for any phase that includes play space shall include a detailed specification for the play space within that phase. Locations shall be in broad accordance with the Regulatory Plan 'indicative location of play surface' which forms part of the approved Tier 2 Design Code (January 2026, Revision D).

Each phase should seek to achieve a cumulative minimum standard of 0.04 Ha per 1,000 people. No development of any relevant phase shall be occupied until details of the play spaces for that phase have been approved in writing by the local planning authority.

No more than 50% of the dwellings in any relevant phase shall be occupied unless and until the play space in that phase has been implemented and completed in accordance with the approved details. The play space(s) shall be maintained and retained for such amenity purposes thereafter.

Reason: To ensure sufficient play provision for future residents.

13. Allotments

Each application for the approval of reserved matters for any phase that contains allotments shall include a detailed specification for the allotments within that phase. The specification shall include the following details:

- a) A minimum provision of 0.25 Ha per 1,000 people and as shown on the Regulatory Masterplan and as referred to as 'productive gardens and edible beds' within the approved Tier 2 Design Code (January 2026, Revision D)
- b) A plan to show the location and layout of the allotments.
- c) Access and parking arrangements to allow easy and safe access to the allotments. This should include vehicular access and a turning area, access for those with disabilities, cycle parking within the site and associated car parking
- d) Boundary treatment, including security arrangements
- e) Location of communal areas, toilets and water supply; and
- f) A programme of implementation and ongoing management.

No development of any relevant phase shall commence until details of the allotments for that phase have been approved in writing by the local planning authority. No more than 50% of the dwellings within a relevant phase (or any subsequent phase of the development) shall be occupied until the allotments have been completed in accordance with the approved specification. The allotments shall be retained and maintained for their intended use thereafter.

Reason: To ensure sufficient access to allotments for the future occupations.

14. Landscape Management Plan

No development within each phase shall be occupied until a Landscape Management Plan (LMP) for that phase, including a programme for implementation, addressing management responsibilities and maintenance schedules for upkeep of all landscaped areas, other than domestic gardens, has been submitted to and approved in writing by the local planning authority. The LMP shall be implemented in accordance with the details of the programme of implementation and shall be maintained and retained thereafter.

Reason: In the interests of the character and appearance of the area.

15. Tree Protection

No development within each phase shall commence until details of tree protection measures for that phase have been submitted to and approved by the local planning authority. The approved measures shall be carried out in accordance with the requirements of BS5837:2012 and retained in accordance with the approved details for the duration of the construction phase. If, within five years from the completion of the development within each phase, a retained tree, shrub or hedgerow is removed, destroyed, dies or becomes, in the opinion of the local planning authority, seriously damaged or defective, a replacement tree (as the case may be) shall be planted within the site of such species and size, and shall be planted at such time as specified in writing by the local planning authority.

Reason: To safeguard the existing tree(s) in the interests of visual amenity. Approval is required upfront to ensure that important trees are not permanently damaged or lost.

Commercial

16. Hours of Use

Any Reserved Matters containing non-residential building in Use Classes E or F shall provide details of the hours of use and/or of deliveries and collections to be submitted to and approved in writing by the local planning authority. The use of the premises and mobility hubs shall be implemented in accordance with the details as approved.

Reason: To safeguard the amenity of adjacent properties and the general locality

17. External Plant

No external plant or machinery shall be installed in any of the non-residential uses unless and until details of the ventilation and extraction equipment have been submitted to and approved in writing by the local planning authority. Any measures required by the local planning authority to reduce noise from the plant or equipment shall be completed prior to the ventilation and extraction equipment being brought into use in accordance with the details as approved and shall be retained and maintained as such thereafter.

Reason: To safeguard the amenity of adjacent properties and the general locality.

Archaeology

18. Archaeology

No development shall commence within each phase until a programme of archaeological evaluation for that phase has been secured and undertaken in accordance with a written scheme of investigation which has been first submitted to and approved in writing by the local planning authority. A mitigation strategy detailing the approach to excavation/preservation shall be submitted to and approved in writing by the local planning authority following the completion of the programme of archaeological evaluation.

No development shall commence on those areas of the site containing archaeological deposits until the satisfactory completion of any fieldwork and/or other requirements detailed in the mitigation strategy. Within six months of the completion of any fieldwork a post-excavation assessment shall be submitted to and approved in writing by the local planning authority. This will include a programme and timetable for completion of post excavation analysis and preparation of a full site archive. Any post-excavation analysis shall be carried out as approved.

Reason: It is important to agree a programme of archaeological work in advance of the commencement of development, so as to make provision for the investigation and recording of any archaeological remains which may be present.

Environment Management

19. Construction Environmental Management Plan (CEMP)

Prior to commencement of development in each phase, a Construction Environmental Management Plan (CEMP) for that phase shall be submitted to, and approved in writing, by the local planning authority. The plan/statement shall include but not be restricted to:

- Parking of vehicle of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction)

- Advisory routes for construction traffic
- Any temporary access to the site
- Locations for loading/unloading and storage of plant, waste and construction materials
- Method of preventing mud and dust being carried onto the highway
- Arrangements for turning vehicles
- Arrangements to receive abnormal loads or unusually large vehicles
- Highway Condition survey
- Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.

Provision shall be made within the CEMP for the appointment of an Ecological Clerk of Works (ECoW) to undertake site visits and to supervise ecologically sensitive operations.

Where considered to be required by the project ecologist, the CEMP shall be supplemented by a Method Statement for a Preliminary Method of Working (MSPMW) to avoid accidental harm being caused to any protected, priority or notable habitats or species.

The development shall be carried out in full accordance with the approved details or any amendments agreed in writing by the local planning authority.

Reason: To demonstrate compliance with the 1981 Wildlife & Countryside Act (as amended); the 1996 Wild Mammals Protection Act; the 2017 Habitats Regulations. the 2006 NERC Act; the 2006 Animal Welfare Act; and the 1992 Protection of Badgers Act

Biodiversity

20. Habitat Management and Monitoring Plan

No development within each phase shall commence until a 30-year Habitat Management and Monitoring Plan (HMMP) for that phase has been submitted to, and approved in writing by, the local planning authority. The plan shall include, but not necessarily be limited to, the following information:

- i. Description and evaluation of features to be managed, including locations shown on a site map
- ii. Landscape and ecological trends and constraints on site that might influence management
- iii. Aims and objectives of management, including ensuring the delivery of at least a 10% net gain in habitat and hedgerow units
- iv. Appropriate management options for achieving the aims and objectives
- v. Prescriptions for all management actions
- vi. A work schedule matrix (i.e. an annual work plan) capable of being rolled forward over 5 or 10 year-periods
- vii. Details of the body or organisation responsible for implementation of the plan;
- viii. Ongoing monitoring of delivery of the habitat enhancement and creation details to achieve net gain as well as details of possible remedial measures that might need to be put in place; and

The HMMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body (ies) responsible for its delivery. The HMMP shall be implemented in full in accordance with the approved details.

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.

21. Biodiversity Gain Plan

Prior to the commencement of the first phase of the development hereby approved, including all site clearance and vegetation removal, the applicant shall submit an "Overall" Biodiversity Gain Plan which includes the following:

- a) information about the steps taken or to be taken to minimise the adverse effect of the development on the biodiversity of the onsite habitat and any other habitat
- b) the pre-development biodiversity value of the onsite habitat
- c) the post-development biodiversity value of the onsite habitat
- d) the indicative pre- and post-development biodiversity value of the offsite habitat (as far as is possible to provide at the time of overall/phase biodiversity gain plan submission)
- e) name and address of the person completing the Plan, and (if different) the person submitting the Plan
- f) a description of the development and planning permission reference number (to which the plan relates)
- g) the relevant date, for the purposes of calculating the pre-development biodiversity value of onsite habitats and if proposing an earlier date, the reasons for using this earlier date
- h) the completed biodiversity metric calculation tool(s), stating the publication date of the tool(s), and showing the calculation of the pre-development onsite value on the relevant date, and onsite post-development biodiversity value, and indicative off-site post development biodiversity value (as far as is possible to provide at the time of overall/phase biodiversity gain plan submission)
- i) a description of arrangements for maintenance and monitoring of habitat enhancement to which paragraph 9(3) of Schedule 7A to the 1990 Act applies (habitat enhancement which must be maintained for at least 30 years after the development is completed) (as far as is possible to provide at the time of overall/phase biodiversity gain plan submission for offsite habitat)
- j) (except for onsite irreplaceable habitats) a description of how the biodiversity gain hierarchy will be followed and where to the extent any actions (in order of priority) in that hierarchy are not followed and the reason for that
- k) pre-development and post-development plans showing the location of onsite habitat (including any irreplaceable habitat) on the relevant date, and drawn to an identified scale and showing the direction of North
- l) l) indicative pre-development and post-development plans showing the location of offsite habitat (including any irreplaceable habitat) on the relevant date, and drawn to an identified scale and showing the direction of North (as far as is possible to provide at the time of overall/phase biodiversity gain plan submission)
- m) a description of any irreplaceable habitat on the land to which the plan relates which exist on the relevant date, and any part of the development for which planning permission is granted where the onsite habitat of that part is irreplaceable habitat arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat; and
- n) if habitat degradation has taken place:

- a statement to this effect,
- the date immediately before the degradation activity,
- the completed biodiversity tool showing the calculation of the biodiversity value of the onsite habitat on that date, and
- any available supporting evidence for the value.

An updated Biodiversity Gain Plan shall be submitted with each new phase of development showing progress against the agreed targets within the approved Overall Biodiversity Gain Plan.

Reason: The applicant has advised they will achieve biodiversity net gain, which is taken into account in the planning balance. The NPPF states "Planning policies and decisions should contribute to and enhance the natural and local environment by... minimising impacts on and providing net gains for biodiversity..." and "To protect and enhance biodiversity and geodiversity, plans should...identify and pursue opportunities for securing measurable net gains for biodiversity".

21. Ecological Mitigation & Enhancement Strategy

Prior to the commencement of the development on each phase hereby approved an Ecological Mitigation & Enhancement Strategy (EMES) shall be submitted to, and approved in writing by, the local planning authority. This shall include details of the provision of bird, bat, insect and hedgehog boxes plus all garden fences to be installed with a 13cm gap from the ground. The bird boxes must include bricks or tiles for swift and house sparrow. All species boxes should be integral to the building where possible. The location, specification, height and orientation of these features shall be shown on a site plan. The development shall be carried out in full accordance with the approved details or any amendments agreed in writing by the local planning authority.

Reason: (1) The Natural Environment and Rural Communities (NERC) Act 2006 (Section 40) obliges the LPA '... in exercising its functions, [to] have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity'. In order to discharge its biodiversity duty, the LPA must satisfy itself that all developments deliver ecological enhancement wherever reasonably possible; (2) Ecological enhancement is a requirement of the revised National Planning Policy Framework (2024) which states (in paragraph 180) that 'Planning policies and decisions should contribute to and enhance the natural and local environment...'. And (3) Policy SD9 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 20.11-2031 (2017) which encourages new development to: "contribute positively to biodiversity and geodiversity whilst linking with wider networks of green infrastructure. For example, by incorporating habitat features into the design to assist in the creation and enhancement of wildlife corridors and ecological steppingstones between sites

22. Precautionary Method of Working Statement

Prior to the commencement of development in each phase, including all site clearance and vegetation removal, a method statement for a Precautionary Method of Working (PMW) with respect to Technical Appendix 8.1 Ecological Baseline prepared by The Environmental Dimension Partnership Ltd (2023) shall be prepared by a suitably qualified ecological consultant and submitted to and approved in writing by the local planning authority. This shall include measures to avoid offences against legally protected species (e.g., Hazel Dormouse and Bats) The development shall be carried out in full accordance with the approved method statement.

Reason: To ensure the protection of legally protected and priority (Section 41) species which are a material planning consideration. And to demonstrate compliance with the 1981 Wildlife & Countryside Act (as amended) and the 2017 Habitats Regulations.

23. Ecological Survey Reports

Each application for the approval of reserved matters shall contain an updated Ecological Survey Report (ESR) carried out by a suitably qualified ecologist for approval in writing by the local

planning authority. The ESR shall include updated protected species surveys and details of any licensing arrangements that may be required. The ESR shall conclude whether the Ecological Mitigation & Enhancement Strategies (EMES) and/or Precautionary Working Method Statement (PWMS) should be updated, and if so, an updated EMES and/or PWMS shall be submitted to and approved in writing by the local planning authority prior to the commencement of works.

Reason: To ensure legal and policy compliance with regard to valued ecological species and habitats as well as to invasive plant species.

24. Compliance with Report including for EPS

The development shall be carried out in strict accordance with the recommendations in the consultancy report (Great Crested Newt Mitigation Strategy (Northern Parcel) Prepared by The Environmental Dimension Partnership Ltd, January 2026). All the recommendations shall be implemented in full according to the timescales laid out in the recommendations and thereafter permanently maintained for the stated purposes of biodiversity conservation.

Reason: To ensure that Great Crested Newts are protected in accordance with The Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 (as amended), , paragraphs 187, 192 and 193 of the National Planning Policy Framework 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

26. Living Walls and Roofs

Where living walls and / or roofs are proposed, applications for the approval of reserved matters shall contain a method statement prepared by a suitably qualified ecologist or landscape architect for the creation of living roofs and/or walls. This shall include management details (e.g. watering/care schedule, species/seed mix avoiding the sole use of sedum, provision of features for invertebrates) and details of the provision of new plants should the originals fail. The development shall be carried out in full accordance with the details submitted unless otherwise agreed in writing by the local planning authority.

Reason: To ensure appropriate management if living walls are used.

27. Nesting Birds

If works are proposed within the nesting bird period (March to August inclusive), nesting bird checks shall be completed by a suitably qualified ecologist to ensure that no breeding birds would be adversely affected including by disturbance by the works. Where checks for nesting birds are required, they shall be undertaken no more than 48 hours prior to the removal of vegetation. If nesting birds are found, a 5m buffer zone shall be implemented and works shall not be carried out in that area until the chicks have fledged.

Reason: To ensure that wild birds, building or using their nests are protected, to demonstrate compliance with the 1981 Wildlife & Countryside Act (as amended).

Environmental Health

28. Contaminated Land

Prior to the commencement of development for each phase, a Phase 1 desktop study shall be submitted to and approved in writing by the local planning authority in respect of potential ground contamination. Thereafter if further site investigations or remediation works are deemed to be required these shall be undertaken in full and validation reports submitted to the local planning authority for approval. The development shall take place in full accordance with any recommendations (including agreed timescales) set out within the approved remediation strategies. If during development, contamination not previously identified is found to be present

within a development parcel, then no further development shall be carried out in the affected area until a remediation strategy has been submitted to and approved in writing by the local planning authority, detailing how this contamination shall be dealt with. Thereafter the approved remediation strategy shall be implemented, and the development completed accordingly.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

29. Noise Residential

Noise levels within all dwellings hereby approved shall not exceed those set out in the prevailing British Standard guidance (currently BS8233:2014 "Sound Insulation and Noise Reduction for Buildings) applicable at the time of submission of reserved matters which include dwellings. Noise levels measured at enclosed outdoor private amenity areas (balconies and private rear gardens) shall attain the 50dB(A) desirable criteria where possible and not exceed the upper limit recommended in BS8233:2014 of 55dB(A). Details of glazing, barrier and ventilation systems including overheating assessments shall be submitted in writing and approved by the Local Planning Authority.

Reason: To safeguard the amenity of future occupiers and the general locality.

30. Hours of Construction

During the construction phase (including demolition and preparatory groundworks), no machinery shall be operated, no process shall be carried out, and no deliveries shall be taken at or dispatched from the site outside the following times:

- Monday-Friday 8.00-18.00
- Saturday 8.00-13.00

Nor at any time on Sundays, Bank or Public Holidays, unless otherwise agreed in advance in writing by the local planning authority.

Reason: To safeguard the amenity of future occupiers and the general locality.

31. Piling

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

Reason: To prevent nuisance being caused to residents of neighbouring property due to noise and vibration.

32. Noise from extract and odour treatment on commercial kitchens

No external plant or machinery shall be installed on any non-residential buildings unless and until details of the external plant and equipment have been submitted to and approved in writing by the local planning authority. The external plant and equipment shall be installed and operated in accordance with the approved details and maintained and operated in accordance with the approved scheme.

Reason: To safeguard the amenity of adjacent properties and the general locality

33. Noise from Commercial Premises

Prior to installation of any plant on any Class E Uses, a Noise Impact Assessment detailing noise from all fixed and mobile plant along with proposed mitigation measures shall be submitted in writing to the local planning authority. The noise assessment shall be in accordance with BS4142:2014+A1:2019 or any subsequent edition. The approved noise control scheme shall be implemented prior to the plant being brought into use and shall thereafter be maintained and operated in accordance with the approved scheme. Plant includes all air conditioning, heating, refrigeration and extraction equipment.

Reason: To safeguard the amenity of adjacent properties and the general locality

Flooding/Drainage

34. Flood Risk Analysis

No development in each phase shall commence until a detailed flood risk analysis has been submitted to, and approved in writing by, the local planning authority. The flood risk analysis shall include proposed finished floor levels of any buildings and proposed topographic landscaping to ensure that surface water and fluvial flood flows entering the site in a design flood/storm event, and any potential displacement of flood volumes, are appropriately managed with flood risk mitigated to both the proposed development and neighbouring property throughout its lifetime. This shall include floodplain compensation to a level for level, volume for volume standard, where such compensation is required. The flood risk analysis shall accord with the sustainable drainage and landscape strategies and shall be implemented in accordance with the approved details.

Reason: To ensure appropriate flood risk management having regard to adopted policy INF2 of the Joint Core Strategy (2017) and objectives A2 and C5 of the Golden Valley SPD.

35. Storage of Materials and Ground Works

There shall be no storage of any materials or raising of ground levels including soil within that part of the site liable to flood over the lifetime of the development as defined by the appropriate Design Flood Level which is the 1% Annual Exceedance Probability (AEP) including an appropriate allowance for the impacts of climate change.

Reason: To ensure that there will be no increased risk of flooding to other land/properties due to impedance of flood flows and/or reduction of flood storage capacity.

36. Sustainable Drainage System

No development shall commence on site until a detailed Sustainable Drainage System (SuDS) Strategy document has been submitted to and approved in writing by the Local Planning Authority, this should be in accordance with the proposal set out in the approved submission (Northern Package Drainage Design Sheet 1 of 2; NPR-BHE-XX-XX-SE-C-96300-P04 and Northern Package Drainage Design Sheet 2 of 2; NPR-BHE-XX-XX-SE-C-96302-P02). The SuDS Strategy must include a detailed design and a timetable for implementation. The SuDS Strategy must also demonstrate the technical feasibility/viability of the drainage system through the use of SuDS to manage the flood risk to the site and elsewhere and the measures taken to manage the water quality for the lifetime of the development. The approved scheme for the surface water drainage shall be implemented in accordance with the approved details before the development is first put in to use/occupied.

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

37. Management of Sustainable Drainage System

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

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

38. Construction Phase Surface Water Management Plan

No development in each phase shall commence on site until a Construction Phase Surface Water Management Plan has been submitted to and approved in writing by the local planning authority. The plan will outline what measures will be used throughout the period of the construction of the development to ensure surface water does not leave the site in an uncontrolled manner and put properties elsewhere at increased risk of flooding. The construction phase shall be implemented in accordance with the approved plans.

Reason: To ensure the construction phase of the development has a satisfactory means of drainage that does not increase the risk of flooding from the site.

39. Watercourses

Prior to the commencement of development in each phase, full details of all proposed watercourse enhancements (existing streams, ditches, and water bodies) including future management plans shall be submitted to and approved in writing by the local planning authority. The development shall be carried out and maintained in accordance with the approved details.

Reason: To positively integrate existing landscape assets, ensure a connective green blue network and enhance the existing water environment.

Highways

40. Local Road Network Capacity

No more than 200 dwellings and 500 sqm of commercial use hereby permitted (or any other combination of equal value) shall be occupied prior to the Main Works Contract for the 'M5 Junction 10 All Movements Improvement Scheme', or an alternative scheme that provides equal or greater benefit, has been signed and procured.

Reason: To manage and mitigate operational traffic impacts in the interest of the safe and efficient operation of the Local Road Network.

41. Strategic Road Network Capacity

No more than 382 dwellings and 500sqm of Class E floorspace hereby permitted shall be occupied unless or until the "M5 Junction 10 All Movements Improvement Scheme" is complete and is open to traffic.

Reason: To manage and mitigate operational traffic impacts in the interest of the safe and efficient operation of the Strategic Road.

42. Initial Site Access

Prior to the commencement of development, construction details of the indicative highway access works as shown on drawing PD43 Revision A – Proposed Compact Roundabout Site Access – Old Gloucester Road General Arrangement shall be submitted and approved in writing by the local planning authority. No part of the development shall be occupied until these Highways Works have been implemented in accordance with the approved drawings.

Reason: In the interest of highway safety and to encourage sustainable travel and healthy communities.

43. Active Travel

Prior to the commencement of development, construction details of the indicative active travel link works as shown on drawings:

- A. 205369-PD29 Rev I – Pilgrove Way and Grist Mill Close Improvements
- B. 205369-PD29.3 Rev I – Old Gloucester Road Pedestrian/Cycle Route (Viewport 2)
- C. 205369-PD29.4 Rev E – Old Gloucester Road Pedestrian/Cycle Route
- D. 205369-PD29.6 Rev B – Oldbury Road/ Princess Elizabeth Way Crossing
- E. 205369-PD29.7 Rev B – Hesters Way/ Princess Elizabeth Way Crossing
- F. 205369-PD31 Rev B – Hope Orchard Improvements
- G. 21185-009-P9 – Springbank Area Active Travel Measures (Site to Springbank Road and Ettington Close to Hesters Way Road Viewports)

shall be submitted and approved in writing by the local planning authority.

No part of Phase 2 (South) in the development shall be occupied until these Highways Works have been implemented in accordance with the approved drawings.

Reason: To encourage sustainable travel and healthy communities

44. Interim Bus Strategy

Alongside the submission of any reserved matters application involving the internal site layout, an Access and Movement strategy for bus movements and bus stop/shelter locations shall be submitted and approved in writing by the local planning authority in relation to the phased buildout. Prior to occupation of any dwelling in the development in any phase, the strategy will have been implemented for that phase in accordance with the approved document.

Reason: To encourage sustainable travel and healthy communities

45. Residential Travel Plan

Prior to first occupation in each phase, details of a residential travel plan shall be submitted to and approved in writing by the local planning authority. Prior to first occupation of each phase this travel plan shall be implemented in accordance with the approved details. The Travel Plan shall use Mode shift STARS residential to carry out this process and include mechanisms for monitoring and review over the life of the development and timescales for implementation.

Reason: To reduce vehicle movements and promote sustainable access.

46. TRO

Prior to the occupation of the development, the Traffic Regulation Order for amendments to speed limits along Old Gloucester Road as indicated on Drawing

PD44 shall be implemented in full.

Reason: To manage and mitigate operational traffic impacts in the interest of the safe and efficient operation of the Local Road Network

Odour

47. Implementation of Works

No more than 200 dwellings can be occupied within the development prior to the completion of the odour mitigation works (to be undertaken by a third party as per the Infrastructure Delivery Plan) which remove the primary school site from the 2.5 OU/m³ isopleth as shown in 'Odour impact assessment of Hayden WwTW' (Ref: WESTCHEL23A_Version_V6_FINAL). All such homes must fall outside of the 2.5 OU/m³ isopleth as shown in 'Odour impact assessment of Hayden WwTW' (Ref: WESTCHEL23A_Version_V6_FINAL).

Reason: To safeguard the future resident's amenity and health from current odour pollution.

48. Validation of Works

Upon completion of odour mitigation works at Hayden WwTW, and prior to the occupation of 201 dwellings, the 'Odour impact assessment of Hayden WwTW' (Ref: WESTCHEL23A_Version_V6_FINAL) must be updated to compare the assumptions made regarding odour mitigation works against monitored olfactometric sampling data. Providing the olfactometric sampling results do not change the conclusions of the odour impact assessment, further construction of the development(s) can commence, up to the post-mitigation (amended) 2.5 OU/m³ isopleth. The results of the new olfactometric sampling, alongside details of the completed odour mitigation works, must be submitted to and agreed by the local planning authority prior to occupation of dwellings, except those excluded by Condition 49 above. If olfactometric sampling results suggest that any development areas previously deemed acceptable for their end-uses are no longer acceptable (i.e. odour concentrations would remain above 2.5 OU/m³ following the odour mitigation works), a report detailing further odour assessment(s), further abatement at the WwTW, and/or the redesigning of the development shall be submitted to and agreed by the Local Planning Authority prior to occupation of dwellings, except those excluded by Condition 49 above.

Reason: To safeguard the future resident's amenity and health from current odour pollution.

49. Energy Supply

No dwelling or commercial building hereby permitted shall be connected to mains gas supplies.

Reason: To ensure that the development contributes towards the mitigation of climate change.

INFORMATIVES

Works on the Public Highway

The development hereby approved includes the carrying out of work on the adopted highway. You are advised that before undertaking work on the adopted highway you must enter into a highway agreement under Section 278 of the Highways Act 1980 with the County Council, which would specify the works and the terms and conditions under which they are to be carried out. Contact the Highway Authority's Legal Agreements Development Management Team at highwaylegalagreements@gloucestershire.gov.uk allowing sufficient time for the preparation and signing of the Agreement. You will be required to pay fees to cover the Councils costs in undertaking the following actions:

- i. Drafting the Agreement
- ii. A Monitoring Fee
- iii. Approving the highway details
- iv. Inspecting the highway works.

Planning permission is not permission to work in the highway. A Highway Agreement under Section 278 of the Highways Act 1980 must be completed, the bond secured and the Highway Authority's technical approval and inspection fees paid before any drawings will be considered and approved.

Traffic Regulation Order (TRO)

You are advised that multiple Traffic Regulation Orders (TRO) are required to introduce the development and off-site improvements proposed. You must submit a plan to scale of an indicative scheme for a TRO, along with timescales for commencement and completion of the development. Please be aware that the statutory TRO process is not straight forward, involving advertisement and consultation of the proposal(s). You should expect a minimum of six months to elapse between the Highway Authority's TRO Team confirming that it has all the information necessary to enable it to proceed and the TRO being advertised. You will not be permitted to implement the TRO measures until the TRO has been sealed, and we cannot always guarantee the outcome of the process. We cannot begin the TRO process until the appropriate fee has been received. To arrange for a TRO to be processed contact the Highway Authority's Legal Agreements Development Management at highwaylegalagreements@gloucestershire.gov.uk The cost of implementing any lining, Team signing or resurfacing required by the TRO is separate to the TRO fees, which solely cover the administration required to prepare, consult, amend and seal the TRO.

Highway to be adopted

The development hereby approved includes the construction of new highway. To be considered for adoption and ongoing maintenance at the public expense it must be constructed to the Highway Authority's standards and terms for the phasing of the development. You are advised that you must enter into a highway agreement under Section 38 of the Highways Act 1980. The development will be bound by Sections 219 to 225 (the Advance Payments Code) of the Highways Act 1980. Contact the Highway Authority's Legal Agreements Development Management Team at highwaylegalagreements@gloucestershire.gov.uk

You will be required to pay fees to cover the Councils cost's in undertaking the following actions: I. Drafting the Agreement II. Set up costs III. Approving the highway details IV. Inspecting the highway works You should enter into discussions with statutory undertakers as soon as possible to coordinate the laying of services under any new highways to be adopted by the Highway Authority. The Highway Authority's technical approval inspection fees must be paid before any drawings will be considered and approved. Once technical approval has been granted a Highway Agreement under Section 38 of the Highways Act 1980 must be completed and the bond secured.

Impact on the highway network during construction

The development hereby approved and any associated highway works required, is likely to impact on the operation of the highway network during its construction (and any demolition required). You are advised to contact the Highway Authorities Network Management Team at Network&TrafficManagement@gloucestershire.gov.uk before undertaking any work, to discuss any temporary traffic management measures required, such as footway, Public Right of Way, carriageway closures or temporary parking restrictions a minimum of eight weeks prior to any activity on site to enable Temporary Traffic Regulation Orders to be prepared and a programme of Temporary Traffic

Management measures to be agreed.

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>

General Protected Species

Please note that this consent does not override the statutory protection afforded to species protected under the terms of the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017 (as amended), the Protection of Badgers Act 1992 and the Wild Mammals Act 1996. If a protected species (such as any bat, great crested newt, dormouse, badger, reptile, barn owl or any nesting bird) is discovered using a feature on site that would be affected by the development or related works all activity which might affect the species at the locality should cease. You should then seek the advice of a suitably qualified and experienced ecologist and consider the need for a licence from Natural England prior to commencing works. This action is necessary to avoid possible prosecution and ensure compliance with the Wildlife & Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2017 (as amended), the Protection of Badgers Act 1992 and the Wild Mammals Act 1996. This advice note should be passed on to any persons or contractors carrying out the development/works.

Bat Advice Note

If a bat or evidence of bats using a feature on site is discovered prior to or during development all work should stop immediately. A licensed bat consultant or Natural England must be contacted and works implemented only in accordance with methods advised by them. This advice note should be provided to any persons/contractors carrying out the development along with the contact details of a relevant ecological consultant.

This action is necessary to avoid possible prosecution and ensure compliance with the Wildlife & Countryside Act 1981 (as amended), The Conservation of Habitats and Species Regulations 2017. This advice note should be passed on to any persons/contractors carrying out the development.

If bats or evidence of bats is found at any stage of development, the applicant is advised to follow the advice of a professional ecologist or to contact the UK Bat Helpline on 0345 1300 228 (homeowners and churches).

APPLICATION NO: 23/01874/OUT	OFFICER: Mr Chris Gomm
DATE REGISTERED: 7th November 2023	DATE OF EXPIRY : 6th February 2024
WARD: Springbank	PARISH:
APPLICANT:	HBD Golden Valley Limited
LOCATION:	Land At West Cheltenham Northern Parcel South Old Gloucester Road Cheltenham
PROPOSAL:	Outline planning permission (with all matters reserved except for access) for a severable and phased development to provide new homes (Use Class C3) and non-residential floorspace comprising flexible commercial and community uses (Use Class E), as well as land for potential primary education (Use Class F1) and other associated infrastructure.

REPRESENTATIONS

Number of contributors	4
Number of objections	2
Number of representations	2
Number of supporting	0

Westhaven
 Hope Orchard
 Springbank Road Cheltenham
 Gloucestershire
 GL51 0LT

Comments: 25th February 2026

Revised Planning Objection Statement

I write to formally object to the revised Illustrative Masterplan and the Landscape & Built Form Design Code (Revision D) insofar as they materially and unacceptably worsen the privacy, security and residential amenity of mine, and two properties on Hope Orchard, directly adjacent to the Northern parcel.

Grounds of objection

1. New footpath immediately adjacent to private garden - loss of privacy and security

The Illustrative Masterplan now shows a formal pedestrian/cycle route and recreational loop running directly alongside (Westhaven) garden and the privately maintained road (Illustrative Masterplan, pp. 8-9). This is a material change from earlier iterations and will significantly increase the risk of trespass, dog incursions, noise, and overlooking.

I note in section: 5.8.2 Dark corridors and mitigation for wildlife may include limited lux, directional lighting, time or sensor controlled smart lighting. This will draw attention to my property and is a safety concern, as the 'thin' existing hedge will not block out lighting, and if it is continuously going on and off die to sensors this will directly impact me.

The SUDS imagery (HBD101_4007B_January2026) presents a permanent water feature; whilst I appreciate this is an illustration, in practice the corridor will be dry for much of the year and therefore likely to attract informal use adjacent to private curtilage.

The Design Code stresses the need for safe, well defined boundaries, yet no secure fencing or defensible space is proposed against existing boundaries. This exposes residents to:

- Trespass and criminal activity
- Dogs or children entering private gardens
- Loss of privacy and increased overlooking
- Noise and disturbance
- Reduced sense of safety
- Light pollution directly impacting neighbouring properties

This conflicts with the Code's own principles on boundary treatments (p. 5, "boundary treatments and edge treatments") and with JCS SD4, SD14, and Cheltenham Plan Policy D1.

2. Intensification of Activity at the Site Edge

The Movement and Green Infrastructure strategies formalise a trim trail and recreational loop that will concentrate footfall along the northern boundary (Illustrative Masterplan, pp. 8-9; Landscape Framework, pp. 50-52). As mentioned in my above statement, the hedge is 'thin' and moreover, easy to gain access to my property. The proposed green corridor and SUDS are not sized or specified to absorb the level of use now shown; the result will be increased noise, potential for accessing existing properties (Westhaven), late evening use and reduced amenity for existing homes. This is contrary to JCS SD14 (health and environmental quality) and INF3 (green infrastructure).

The Design Code stresses the need for safe, well defined boundaries, yet no secure fencing or defensible space is proposed for existing boundaries. This exposes residents to:

- Trespass and criminal activity
- Dogs or children entering private gardens
- Loss of privacy and increased overlooking
- Noise and disturbance - Reduced sense of safety

3. Failure to provide effective, secure boundary

The revised plan places a high use route pressed against my existing private boundary with only a thin hedge shown as separation and omits any secure fencing. This is inadequate to prevent trespass I therefore request that the application be refused or that the council impose conditions requiring robust, permanent boundary treatments and a maintenance regime.

The site also slopes upward away from existing homes. pp. 6-7 and pp. 14-15 show 2-3 storey dwellings positioned on higher ground overlooking existing properties.

Combined with minimal (instant) screening proposed (and removal of Tree H24 see below), this creates:

- Direct overlooking into gardens and habitable rooms
 - Loss of privacy
 - Long delays before new planting provides screening
- This is contrary to JCS SD4, SD14 and the Code's own tree/hedgerow retention commitments (Landscape Strategy, pp. 50-56).

4. Loss of Existing Screening - Tree H24 Partial Removal/Removal

The Design Code states that existing hedges and trees should be retained "where possible" (p. 8, key showing existing hedges/trees). However, the revised plan shows

partial removal of Tree H24 that currently provide essential screening and exposing this area will increase the risk of potential crime threat and trespassers as the removal of this tree is to allow to widen a current access to the field into a public footpath. I am not seeing any fencing or boundary plans, and the removal of the tree directly exposes the property.

This increases overlooking and reduces visual amenity, contrary to JCS INF3 and the Code's own landscape principles (pp. 50-52).

5. Insufficient Green Space Capacity

The Landscape Framework (pp. 50-52) and Key Spaces (pp. 72-85) show the SUDS corridor and central green spaces functioning as recreational destinations.

However, the revised masterplan now:

- Draws in residents from neighbouring developments via new connections (pp. 8-9)
- Concentrates activity along the northern boundary (adjacent to existing residents and infrastructure)
- The green space is not scaled to absorb this combined use without harming neighbouring amenity.

6. Unclear Boundary Treatment Along the Private Road

The Illustrative Masterplan (pp. 8-9) inaccurately shows hedge boundaries where barbed wire fencing currently exists along a privately maintained road. No detail is provided on:

- Future boundary treatment
- Ownership
- Maintenance responsibilities

This creates uncertainty and potential conflict.

7. Remedies sought (minimum requirements):

- Re route the footpath so it is not immediately adjacent to existing private boundaries and provide a minimum 8-10m planted defensible buffer with semi mature trees and a secure 1.8-2.0m boundary fence/gate (details and specification to be approved by the LPA).
- Retain Tree H24 in full; if removal is unavoidable, require on site replacement with mature screening (min. 10-12m height equivalent) and a binding timetable for planting and maintenance plan.
- Provide a detailed boundary and ownership plan showing existing and proposed fences, hedges, gates, ownership, and maintenance responsibilities for the hedge/ garden boundary as this is not currently maintained by Cheltenham Borough Council.
- Require compliance and a crime risk assessment for the northern edge, plus a lighting strategy that balances safety, with no detrimental impact on existing residents.
- Provide a planting timeline and proactive approach to planting to support residents on Hope Orchard. Trees/screening/fencing should be implemented at the earliest opportunity, especially as tree growth take many years to establish. Plant before build commences.
- Require a realistic SUDS management and maintenance plan (not illustrative imagery) that demonstrates how the corridor will function year round and how it will be managed to avoid becoming an attractor for anti social behaviour.
- Confirm Hope Orchard private road status in the Design Code and include a clause that no public access shall be created or implied; require prominent signage and legal protection (S106) and confirm that any access control measures (gates, bollards) required as a result of the development will be funded by the applicant.

Conclusion: Without the above measures the proposal will cause unacceptable harm to residential amenity and security and fails to meet the requirements of JCS SD4, SD14, INF3 and Cheltenham Plan D1. I therefore object to the revised masterplan and request that the council either refuse the application or impose the conditions and S106 obligations set out above.

Request to provide additional technical evidence:

- Arboricultural Impact Assessment (AIA) and Tree Protection Plan (showing RPZs and demonstrating retention of H24 or equivalent replacement).
- Boundary and Ownership Plan (legal title/plan) for the private road and adjacent land; solicitor's certificate of ownership/maintenance responsibilities.
- Crime Risk Assessment / Secured by Design statement and proposed mitigation (gates, signage, CCTV, lighting). Gloucester C...
- Noise and disturbance assessment for the new route and focal spaces (day/evening) and predicted footfall modelling for the trim trail/loop. Gloucester C...
- SUDS performance and management plan (showing seasonal water levels, planting schedules, maintenance regime and safety measures). Cheltenham B...
- Biodiversity Net Gain (BNG) calculation and planting establishment timetable (to ensure screening is delivered at a mature scale).

19 Leinster Close
Cheltenham
Gloucestershire
GL51 0ND

Comments: 29th January 2026

Will any provision been made to the deer families that live in the fields / trees / hedges on the field adjacent to Leinster Close ?

Could the allotment area on the other side of the hedge to Leinster Close be increased instead of the buildings placed next to the proposed allotment or ideally a wooded area instead for the local wildlife that would be forced out otherwise. Have plenty of pics of the deer that come to the hedges on other side of Leinster Close as proof that they are in the field daily. A few more wildlife corridors should be considered

Westhaven
Hope Orchard
Springbank Road
Cheltenham
Gloucestershire
GL51 0LT

Comments: 6th June 2025

Dear Head of Planning

Thank you for your letter dated 8 May 2025 regarding the additional information related to the above proposal reference. Following my call today, I would like to formally provide the comments below for your review:

I have previously emailed Ms. Nicole Golland with questions about the proposal; however, at this stage, the design was under review. I am attaching the relevant information for your reference only. I live at Westhaven on Hope Orchard, directly facing the 'Phase 2' land parcel shown in the documents. I have a few queries and comments that I would appreciate being reviewed. Below, I outline my property's location in relation to the proposed design:

1. ****Security, Dust Exposure, and Privacy Concerns:**** I have significant concerns regarding security, dust exposure to my property, and my privacy. I see that there are plans to plant deciduous trees, and I strongly prefer that these trees be as mature as planting allows to help shield my property from exposure. This is particularly important as my property uniquely includes the boundary hedge to the adjacent field.
2. ****Planting Adjacent to My Boundary Hedge:**** Regarding the indicative species palette proposed against my boundary hedge, I would like to emphasise the importance of ensuring that enough 'mature' trees are planted adjacent to my boundary hedge to maintain my security and privacy. Trees that take many years to mature are insufficient. They need to be well established.
3. ****Timing of Planting:**** The field adjacent to my property boundary falls within Phase 2 of the proposal. However, I would greatly appreciate it if the planting could begin at the start of the Phase 1 development. Since I understand that development will span a 5-10-year period, implementing planting early will help mitigate excessive dust and pollution once Phase 2 begins. The current boundary hedge is not substantial in height, and as my property is situated lower than the fields, once housing is built—including three-story buildings, standard homes, apartments, and mixed-use buildings—there will be a clear line of sight into my property, particularly into my bedroom and living room, unless measures are taken to protect my privacy and security. I ***** am concerned that my property will become exposed to potential crime threats, which currently is not an issue due to its private setting.
4. ****Formal Boundary Measures:**** I own 50% of the private road on Hope Orchard that leads to my property. Currently, there is a low open fence with barbed wire separating the road from the field. Please ensure that measures are put in place to create a formal boundary.

5. ****Managing Access to Private Road:**** As of now, there are no issues with pedestrians or cars accessing the private road because of the isolation of houses and lack of infrastructure. However, due to the development, more people will likely be walking, cycling, and attempting to drive into the access point at Hope Orchard, thereby increasing the volume of traffic on the private road. We need to ensure that the risk of unauthorised access remains at its current level and implement measures to clarify that this is not a public road.

6. ****Request for Tarmacking Hope Orchard Private Road:**** Hope Orchard main entrance road (which currently leads to the farm) is adopted by the council, and I can see from the plans that it will be resurfaced. Hope Orchard extends to the private road mentioned above. Would it be possible to consider tarmacking the private road (Hope Orchard) at the same time as the resurfacing of the adopted road? I understand that this would incur costs for the owners, but as a joint owner, I would appreciate the opportunity to have this road resurfaced to align with the surrounding road/landscaping improvements.

7. ****Day Work Timings:**** I would like to know the start and finish times for the work and whether it includes weekends. As a resident directly affected by the development, I understand that there will be significant disruption over a long period. I hope there is a plan in place to minimise disruption where possible, especially on weekends.

Thank you for considering my comments. I look forward to your response.

Regards

20 Mildenhall Way
Kingsway, Quedgeley
Gloucester
GL2 2DH

Comments: 27th November 2024

I make the observation that this outline application makes no allowance or reference to Self and Custom Build Housing.

Section 2.4 of the submitted Design and Access statement make reference to parts of the National Planning Policy Framework but doesn't mention Paragraph 62 of the NPPF which states:

"Within this context, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies ... including but not limited to... people wishing to commission or build their own homes-28"

Footnote 28 states:

... local authorities are required to keep a register of those seeking to acquire serviced plots in the area for their own self-build and custom house building. They are also subject to duties under sections 2 and 2A of the Act to have regard to this and to give enough suitable development permissions to meet the identified demand. Self and custom-build properties could provide market or affordable housing.

Further in section 2.5 the submitted Design and Access statement discusses the Joint Core Strategy, specifically SD7 but makes no mention of SD11, policy SD11 states:

"Policy SD11 establishes that development should provide an appropriate mix of dwelling sizes, types, and tenures; meet appropriate minimum space standards; and provide specialist accommodation where appropriate."

ii. Self-build housing and other innovative housing delivery models will be encouraged as part of an appropriate mix;

Finally the Design and Access statement discusses the Golden Valley SPD but again no mention of objective B3 which states "To support the concept of a small self-build community local self-build groups will be invited to support the developing planning and delivery strategy" Or section 7.2.4 which specifically mentions self-build opportunities.

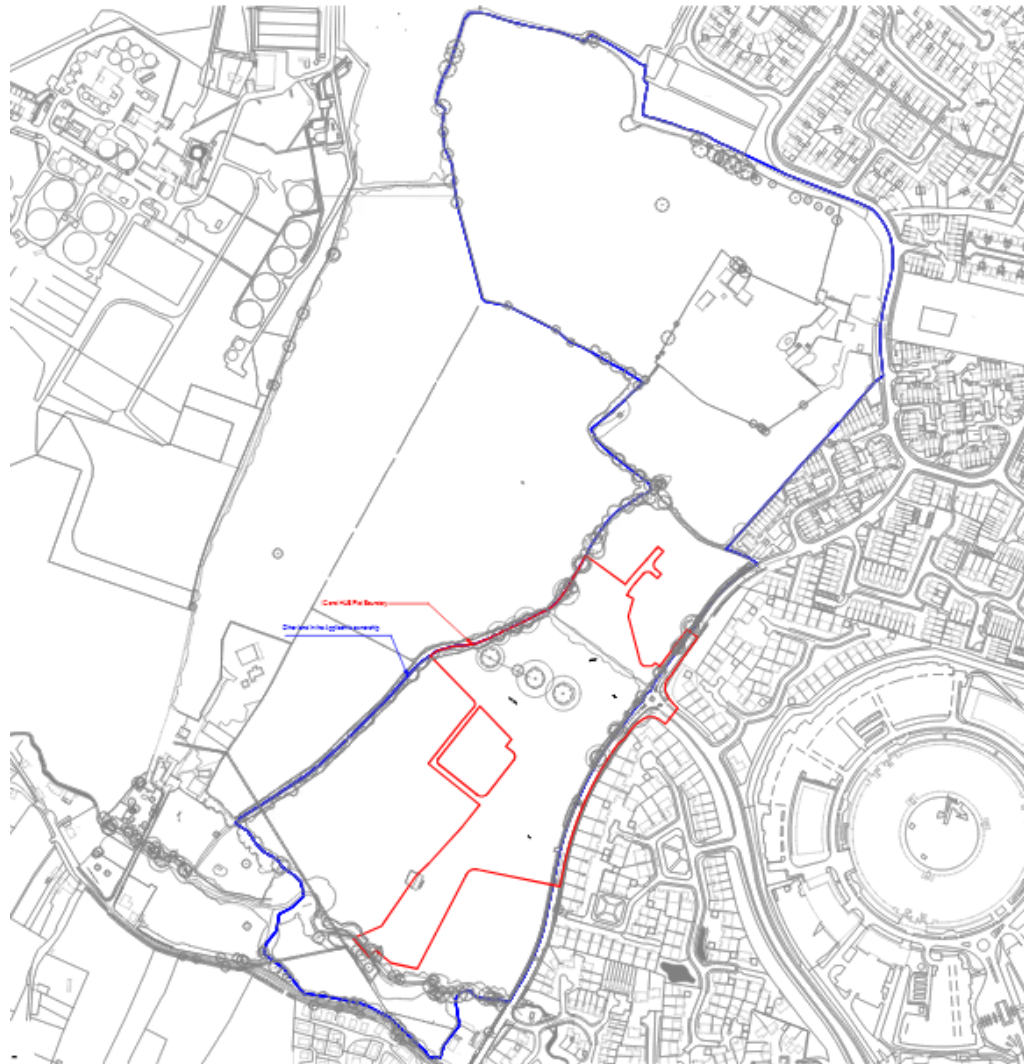
Self and custom housing plots are an appropriate part of the mix of housing within this scheme and there is significant demand identified on both parts of all JCS Councils Self and Custom Build registers.

Therefore the scheme as currently proposed does not align to the NPPF, JCS or SPD as detailed above.

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APPLICATION NO: 26/00001/REM		OFFICER: Michelle Payne
DATE REGISTERED: 2nd January 2026		DATE OF EXPIRY: 3rd April 2026 (extension of time agreed until 27th April 2026)
DATE VALIDATED: 2nd January 2026		DATE OF SITE VISIT:
WARD: Benhall / The Reddings and Fiddlers Green		PARISH:
APPLICANT:	HBD Golden Valley Limited	
AGENT:	hgh Consulting	
LOCATION:	Land At West Cheltenham Southern Parcel Fiddlers Green Lane Cheltenham	
PROPOSAL:	Application for the approval of Reserved Matters (layout, scale, appearance, landscaping and access) for Phase 1 of development pursuant to Outline Planning Permission 23/01875/OUT for an Innovation Centre with ancillary cafe and event spaces (Class E), a Mobility Hub (Sui Generis) with flexible retail (Class E) and community uses (Class F) on the ground and first floor, and all associated infrastructure and open spaces.	

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 The application site forms part of the wider 'West Cheltenham' Strategic Allocation (JCS policy A7).
- 1.2 The 'Southern Parcel' outline planning permission to which this reserved matters approval application relates covers a total area of 27.6ha and is shown with a blue line on the above map. The Southern Parcel is located within the administrative boundary of Cheltenham Borough Council (CBC); and crosses the wards of Benhall, the Reddings and Fiddlers Green, and Springbank. It comprises land within the ownership of CBC as well as public highway land on Fiddler's Green Lane required to achieve access, and is bounded by Fiddler's Green Lane to the east, Hatherley Brook to the south, and Springbank Road to the north. To the west, the site is bordered by agricultural land which forms part of the A7 allocation.
- 1.3 Following the resolution by the planning committee to grant outline planning permission (ref. 23/01875/OUT) in July 2025 for a severable and phased development on the Southern Parcel to provide non-residential floorspace comprising flexible commercial and community uses (Use Classes E and F), mobility hubs, new homes (Use Class C3) and other associated infrastructure (with all matters reserved except for access), the decision notice was subsequently issued in December last year (following completion of the necessary s106 legal agreements). The outline application granted permission for a maximum of 576 new homes and up to 125,698 sqm (GIA) of employment floorspace.
- 1.4 Through this application, the applicant, HBD Golden Valley Limited (HBD), the development partner of Cheltenham Borough Council (CBC) as landowner, now seeks the approval of reserved matters (layout, scale, appearance, landscaping and access) for Phase 1 of the development. Phase 1 (which lies wholly within the ward of Benhall, and the Reddings and Fiddlers Green) of the development covering a site area of approximately 5ha of land within the Southern Parcel, as outlined in red on the above map, and comprising the 'IDEA' Innovation Centre with ancillary cafe and event spaces (Class E), the 'ROUTER' Mobility Hub (Sui Generis) with flexible retail (Class E) and community uses (Class F) on the ground floor, and all associated infrastructure and open spaces. The principle of the proposed development having been established by the earlier grant of outline planning permission. It is therefore suggested that this report be read in conjunction with the officer report which accompanies the earlier decision.
- 1.5 Revised/additional plans and information have been submitted during the application and are discussed in the report below.
- 1.6 The application is to be determined by the planning committee due to CBC's interests in the application as landowner.
- 1.7 Members will have the opportunity to visit the site on planning view.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints

Airport safeguarding over 10m
Airport safeguarding over 15m
Hayden Water Odour Monitoring Zone
Strategic Allocations Red Line Boundary

Planning history relevant to this site

23/01875/OUT	PERMIT	23rd December 2025
Outline planning permission (with all matters reserved except for access) for a severable and phased development to provide non-residential floorspace comprising flexible commercial and community uses (Use Classes E and F), mobility hubs, new homes (Use Class C3) and other associated infrastructure		
25/02027/HED	NO OBJECTION	21st January 2026
Hedgerow removal notice, early site clearance works (Phase 1 Southern Parcel)		
25/02079/DISCON	DISCHARGED	2nd February 2026
Discharge of condition 28 (Contaminated Land) of planning permission 23/01875/OUT - Phase 1.		
26/00003/DISCON	DISCHARGED	4th February 2026
Discharge of condition 19 (Archaeological Exclusion Methodology) of planning permission 23/01875/OUT.		
26/00146/HED	NO OBJECTION	6th February 2026
Early site clearance works associated with Phase 1 of development on the Southern Parcel at Golden Valley (ref. 23/01875/OUT) in order to avoid the breeding bird season (see the Covering Letter for more details)		
25/02078/DISCON	DISCHARGED	10th February 2026
Discharge of condition 24 (Precautionary Method of Working Statement (PMWS)) of planning permission 23/01875/OUT.		
26/00005/DISCON	DISCHARGED	11th February 2026
Discharge of condition 22 (Habitat Management and Monitoring Plan) of planning permission 23/01875/OUT.		
25/02077/DISCON	DISCHARGED	16th February 2026
Discharge of condition 23 (Ecological Mitigation and Enhancement Strategy) of planning permission 23/01875/OUT.		
25/02075/DISCON	DISCHARGED	20th February 2026
Discharge of condition 15 (Tree Protection Measures) of planning permission 23/01875/OUT.		
26/00002/DISCON	WITHDRAWN	3rd March 2026
Discharge of condition 17 (ventilation and extraction equipment) of planning permission 23/01875/OUT.		
26/00004/DISCON	DISCHARGED	9th March 2026
Discharge of condition 20 (Construction Environmental Management Plan (CEMP)) of planning permission 23/01875/OUT.		
25/02076/DISCON	PENDING	
Discharge of condition 21 (Biodiversity Gain Plan) of planning permission 23/01875/OUT.		
25/02080/DISCON	PENDING	
Discharge of condition 34 (Sustainable Drainage System (SuDS) Strategy for Golden Valley Masterplan Phase 1) of planning permission 23/01875/OUT.		
25/02081/DISCON	PENDING	
Discharge of condition 36 (Flood Risk Analysis) of planning permission 23/01875/OUT.		

26/00310/DISCON

PENDING

Discharge of condition 46 ('Monitor and Manage' Strategy) of planning permission 23/01875/OUT.

Other relevant applications within the West Cheltenham Allocation (JCS Policy A7)

22/01817/OUT

PENDING

Outline planning application for phased residential development comprising a mixture of market and affordable housing (use class C3), which could include retirement/extra care accommodation (use class C2/C3) a flexible mixed use area with a community hub (including potentially use classes E, F1 and F2), a primary school and children's nursery, a convenience store (use class E), site clearance and preparation, green infrastructure (including Suitable Alternative Natural Greenspace), walking and cycling routes, formal and informal public open space, sports pitch provision, drainage and other associated works and infrastructure, including utilities and highways works, all matters reserved except partially for access.

NOTE: This is a cross-boundary application (Tewkesbury Borough Council ref. 22/01107/OUT). This application has a resolution to grant outline planning permission subject to conditions and completion of a s106 legal agreement.

23/01874/OUT

PENDING

Outline planning permission (with all matters reserved except for access) for a severable and phased development to provide new homes (Use Class C3) and non-residential floorspace comprising flexible commercial and community uses (Use Class E), as well as land for potential primary education (Use Class F1) and other associated infrastructure.

NOTE: This a separate live outline planning application which has also been submitted by the applicant HBD (as development partner of CBC as landowner) for development of the Northern Parcel of land; this application also appears on the April committee agenda.

24/01268/OUT

PENDING

Outline planning permission (with all matters reserved) for a severable development to provide the following severable elements: flexible commercial uses (Use Class E and Sui Generis); flexible community uses (Use Class F); new homes (Use Class C3); other associated infrastructure

NOTE: This is a live application submitted by NEMA Golden Valley Limited and relates to the parcel of land immediately west of the application site. Of relevance to this reserved matters application, the Comprehensive Masterplan shows a pedestrian/cycle connection to the NEMA land to the south of the Innovation Centre and a safeguarded strip of land to the north for a potential vehicular access (to be applied for separately by NEMA).

3. POLICIES AND GUIDANCE

Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The following planning guidance and policies are relevant to the consideration of this application:

National Planning Policy Framework 2024 (NPPF) (as amended February 2025) and National Planning Practice Guidance (nPPG)

Adopted Cheltenham Plan 2020 (CP) Policies

D1 Design

L1 Landscape and Setting

BG1 Cotswold Beechwoods Special Area of Conservation Recreation Pressure

BG2 Cotswold Beechwoods Special Area of Conservation Air Quality

SL1 Safe and Sustainable Living
GI2 Protection and replacement of trees
GI3 Trees and Development
CI1 Securing community infrastructure benefits
CI2 Sports and open space provision in new residential development
CI3 Statutory and Non-Statutory Allotments
CI4 Broadband provision

Saved policies from the Cheltenham Borough Local Plan 2006 (CBLP)

RT1 Location of Retail Development
RT4 Retail Development in Local Shopping Centres
RT8 Individual Convenience Shops

Adopted Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2017 (JCS) Policies

SP1 The Need for New Development
SP2 Distribution of New Development
SD3 Sustainable Design and Construction
SD4 Design Requirements
SD6 Landscape
SD7 The Cotswolds Area of Outstanding Natural Beauty
SD8 Historic Environment
SD9 Biodiversity and Geodiversity
SD10 Residential Development
SD11 Housing Mix and Standards
SD12 Affordable Housing
SD14 Health and Environmental Quality
INF1 Transport Network
INF2 Flood Risk Management
INF3 Green Infrastructure
INF4 Social and Community Infrastructure
INF5 Renewable Energy/Low Carbon Energy Development
INF6 Infrastructure Delivery
INF7 Developer Contributions
SA1 Strategic Allocations
A7 West Cheltenham

Minerals Local Plan for Gloucestershire 2020 (MLP)

MLP establishes designated Mineral Consultation Areas (MCAs) and Mineral Safeguarding Areas (MSAs) throughout the county.

Supplementary Planning Guidance/Documents

Golden Valley Development SPD (2020) (Golden Valley SPD)
Cheltenham Climate Change SPD (2022)
The Hesters Way Neighbourhood Plan - They have a designated area which includes Springbank Ward - Cabinet decision of 5 December 2017, but is unadopted currently.
Cheltenham Tree Strategy (February 2026)

Other Relevant Policies/Legislation

Town and Country Planning (Environmental Impact Assessment) (EIA) Regulations 2017
Human Rights Act 1998
Article 8 (Right of Respect for Private and Family Life)
Planning (Listed Buildings and Conservation Areas) Act 1990
Cotswolds National Landscape Management Plan 2025 - 2030
National Design Guide and National Design Code 2021

Gloucestershire's Local Transport Plan 2020-2041 - adopted 2021 (LTP)

Policy PD0.1 Reducing Transport Carbon Emissions and Adapting to Climate Change

Policy PD0.2 Local Environmental Protection

Policy PD0.3 Maximising Investment in a Sustainable Transport Network

Policy PD0.4 Integration with Land Use Planning and New Development

Policy PD0.5 Community Health and Wellbeing

Policy PD0.6 Thinktravel – Influencing Travel Behaviour Change

Policy PD1.1 Gloucestershire's Bus Network

Policy PD1.2 Improving the Quality of Road Based Public Transport

Policy PD1.6 Transport Interchange Hubs

Policy PD2.1 Gloucestershire's Cycle Network

Policy PD2.2 Cycle Asset Management

Policy PD2.3 Active Travel: Safety, Awareness and Confidence

Policy PD4.1 Gloucestershire's Highway Network

Policy PD4.4 Road Safety

Policy PD4.5 On-Street Parking

Policy PD6.1 Gloucestershire's Pedestrian Network

Policy PD6.2 Rights of Way

Policy PD6.4 Pedestrian Safety

4. CONSULTATIONS

All consultation responses are set out in full in the Appendix to this report or are available to view on Public Access. A summary of the comments is provided below:

Gloucestershire Wildlife Trust - The proposals represent a high-quality and well-integrated approach to green infrastructure, biodiversity and environmental design, responding positively to the parameters established at outline stage and the requirements of the Tier 2 Design Code. The submission represents a strong example of how commercial-led development can successfully integrate green infrastructure, biodiversity and sensitive lighting. The scheme could reasonably be regarded as an exemplar for future phases within the wider allocation.

Architects Panel - Application better suited to a more formal review possibly by the Gloucestershire Design Review Panel

Active Travel England - Standing advice should be considered as part of the assessment of the application.

Building Control - The application may require Building Regulations approval.

Cotswolds National Landscape Board - Due to current workloads, the Board have not provided a comprehensive response on this occasion. They point out that this does not imply support for, or objection to, the proposal.

Designing Out Crime Officer – Initially raised a number of concerns about the lack of crime prevention within the development but following review of the latest documents is pleased to see a section relating to crime prevention along with additional information relating to CCTV, lighting, landscaping and the need to create a safe place around the cycle store and changing rooms. They also acknowledge the inclusion of on-site security to address any issues identified via CCTV or panic alarm. Technical questions can be addressed outside of the planning application.

CBC Drainage and Flooding Engineer - The landscape strategy includes all the key features of the proposed surface water drainage scheme. The finished levels general arrangement plans submitted may require updating.

Consultant Ecologist - The results of the update walkover survey demonstrate that habitats have not significantly changed and there is no new potential for protected species to be present. The recommendations in the original report are still relevant for the site. A precautionary walkover for badgers is required prior to the start of works to confirm that no setts have been excavated. With respect to tree T30 which has several roosting features, further surveys will be required if pruning works remove multiple roost features; this is unlikely but will need to be confirmed with the project arborists at the time of pruning. The efforts made to ensure that 10% biodiversity net gain can be achieved through a combination of retention of ecologically valuable habitats wherever possible, plus habitat enhancement/creation both onsite and offsite is welcomed.

CBC Ecologist – The submitted proposals demonstrate a strong commitment to ecological integration. The layout incorporates well-connected habitats that have been carefully considered both within the site and in the context of the surrounding landscape. The inclusion of off-site connectivity is particularly welcomed, as it will support species movement and contribute positively to long-term ecological resilience. This represents a key strength of the scheme, and it is encouraged that this approach is maintained and further developed through subsequent phases.

As the application was submitted prior to the BNG regulations coming into force, there is no mandatory requirement to deliver 10% net gain; however, the applicant has demonstrated a clear and consistent commitment to delivering a minimum of 10% BNG throughout the planning process. The mitigation hierarchy has been appropriately applied through the design process, with efforts made to avoid and minimise impacts. The applicant has set out a clear mechanism for securing off-site units should Hill Farm not be delivered.

Natural England - No comments but the lack of comment does not imply that there are no impacts on the natural environment, only that the application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes.

Environment Agency – Initially objected due to lack of a flood risk assessment or further flood risk analysis, but objection subsequently removed as the detail is to be agreed separately by way of condition on the outline permission.

National Highways Agency – No objection in principle, noting that the quantum of development proposed falls within the development cap set out in an agreed Grampian condition imposed on the outline permission.

Hesters Way Neighbourhood Development Forum – No objection but make some comments and recommendations.

GCC Minerals and Waste Policy - Regarding waste minimisation for the occupation phase, the case officer should be satisfied that information in the submitted Operational Waste Strategy meets current guidelines. For the construction phase, recommend that this is carried out in line with the approved SWMP from the outline phase.

National Grid – There are no National Grid Electricity Transmission assets in the application area. National Grid Electricity Distribution (formerly WPD) and National Gas Transmission (formerly National Grid Gas) should be consulted separately where required.

GCC Lead Local Flood Authority (LLFA) - The Illustrative Plan for this phase shows a number of SuDS features that are consistent with the SuDS Strategy approved with application 23/01875/OUT. The LLFA has no objections to this application.

Tree Officer - Some reservations about the proposed landscaping around the innovation centre hub buildings. The species choices are appropriate and well considered, but the two oaks, a sweetgum and three cherries proposed in the atrium or courtyard of the building is

likely to detract from the existing oaks, give the area a dark and cramped feel, and potentially lead to unhelpful competition for light and water; recommended that these trees be removed from the planting proposal. Tree sizes should be specified; would normally recommend trees no larger than 10-12cm girth on major schemes as they tend to establish more quickly and require less water than larger trees.

Following conversation with the applicant's Tree Consultant, the Tree Section has confirmed that they are now happy with the new revised proposals for the scheme.

County Archaeology – Conditions on the outline planning permission deal with archaeological mitigation. I have checked the details submitted with this reserved matters application and I have no additional comments to make.

Health & Safety Executive - From the information you have provided for this planning application it does not appear to fall under the remit of planning gateway one because the purpose of a relevant building is not met.

Gloucestershire Airport - Initial examination revealed that the proposal required fuller investigation, but it was subsequently confirmed that no further comment.

Environmental Health – Proposed hours of operation seem suitable. Initial concerns in relation to servicing not upheld and servicing hours are ok.

Urban Design - In summary, the proposals accord with the key regulatory requirements of the design code. The code establishes the mandatory parameters governing the layout, form and character of the development in line with the wider site vision, and the submitted details satisfactorily comply with these requirements from a design perspective.

Support the latest revisions which improve the operational efficiency of the mobility hub and release additional floorspace, enabling two levels of new commercial space. The improvements support good urban design principles and accord with the Tier 2 Design Code.

GCC Highways Development Management - No objection subject to conditions.

5. PUBLICITY AND REPRESENTATIONS

- 5.1 On receipt of the application, letters of notification were sent to 126 neighbouring properties, three site notices were posted, and an advert published in the Gloucestershire Echo.
- 5.2 One representation was received in response to the publicity raising queries in relation to the proposed Mobility Hub in terms of noise and light pollution, and traffic flow.
- 5.3 Revised targeted consultation was carried out on receipt of the revised plans for the Mobility Hub; namely, letters to 14 residential properties backing onto Fiddlers Green Lane, and the posting of two revised site notices.
- 5.4 Two additional comments have been received in response to this second round of consultation raising concerns in relation to a loss of biodiversity in this area of Cheltenham, and its loss being compensated elsewhere.

6. OFFICER COMMENTS

6.1 Determining issues

- 6.1.1 The outline planning permission (hereinafter referred to as 'the permission') has established the principle of development on this parcel of land which forms part of the wider JCS policy A7 allocated site. The considerations in determining this application for the approval of

reserved matters for phase 1 therefore relate to layout, scale, appearance, landscaping and access.

6.1.2 The permission requires any detailed design proposals submitted as reserved matters applications to be in accordance with the following relevant documents which were agreed at outline stage:

205369-PD29.8 Rev. H	Proposed Access North
205369-PD29.9 Rev. H	Proposed Access South
GV-GRM-ZZZ-AG-DG-MP-PL0003 Rev. R8	Movement (Parameter Plan)
GV-GRM-ZZZ-AG-DG-MP-PL0004 Rev. R4	Open Spaces (Parameter Plan)
GV-GRM-ZZZ-AG-DG-MP-PL0006 Rev. R5	Land Uses (Parameter Plan)
GV-GRM-ZZZ-AG-DG-MP-PL0007 Rev. R7	Maximum Building Heights (Parameter Plan)
GV-GRM-ZZZ-AG-DG-MP-PL0005 Rev. R1	Existing and Proposed Site Levels
	Tier 2 Design Code
IDP Plan dated 03 June 2025	Pedestrian and Cycle Connectivity Plan
IDP Plan dated 03 June 2025	Road Connections Plan

6.1.3 Conditions on the permission also require some more specific details to be submitted with the reserved matters applications and these are discussed in the report below, where appropriate

6.2 Phasing

6.2.1 Condition 4 of the permission requires prior to or with submission of the first reserved matters regarding layout, the submission of a Phasing Strategy (PS) covering the full extent of the red line associated with the permission, including a timetable for sequencing of the development and the associated infrastructure to be provided within each phase. The condition also requires the submission of a statement to demonstrate how the development proposal enables a comprehensive scheme to be delivered across the developable area and demonstrate that it would not prejudice the sustainable delivery of the entire allocation.

6.2.2 The submitted PS confirms that the development of this southern parcel of the wider allocated site will be split into 15 distinct phases, but notes that the assumed phasing sequence may change subject to market conditions, and that some multiple phases may come forward at the same time. The document states that “*The strategy establishes a logical sequence of infrastructure, open space, mobility hubs, commercial uses and residential neighbourhoods, ensuring that no individual plot or phase is brought forward in isolation from the wider masterplan or in a way that would compromise the long-term delivery of the allocation.*” Officers are satisfied that the Phasing Strategy is appropriate and satisfies the requirements of condition 4.

6.2.3 In addition to the construction of the Innovation Centre and Mobility Hub, phase 1 includes new active travel measures along Telstar Way (including northern site access) and Fiddlers Green Lane (including southern site access, bus gates and bus stops) together with an internal pedestrian/cycle connection to the neighbouring NEMA site. Phase 1 also includes

four open spaces: the Innovation Courtyard, Innovation Trail Green Branch, Wellbeing Meadow Green Branch, and part of the Digital & Ecological Spine.

6.3 Design and layout

- 6.3.1 Section 12 of the NPPF sets out that good design is a key aspect to achieving sustainable development and creating better places in which to live. Similarly, policy SD4 and the relevant criteria of policy A7 of the JCS, require development to respond positively to, and respect the character of, the site and its surroundings including, in the case of policy A7, a layout and form of development that respects the landscape character and setting of the heritage assets and providing a landscape buffer; similar design objectives are reiterated in CP policy D1 which requires development to achieve a high standard of architectural design that complements neighbouring development.
- 6.3.2 As part of the outline planning application, a Tier 2 design code and four parameter plans were agreed. The parameter plans relate to Land Uses, Heights, Open Spaces, and Movement. A Tier 1 design code that focuses on overarching aspirational principles, building upon the Golden Valley SPD, having been established for the entire allocation.
- 6.3.3 The Tier 2 design code describes the vision for the development and provides a Regulatory Plan to show how it can be achieved. This plan fixes key elements on the site such as access points, green spaces, development areas and key frontages; and is a high-level summary of the code, capturing the key principles whilst providing flexibility where necessary. It is a material consideration in the determination of this application, and all future phases of the development.
- 6.3.4 Fixed elements in the code are clearly highlighted, and these are collated in a check list at the rear of the document to help future developers and planning officers appraise future applications. Code non-compliance will only be acceptable when a rationale for breaking it can clearly demonstrate place-making benefits or that it is necessary to respond to technical aspects. Guidance elements (not fixed but represent best practice) are also provided in the code with illustrative examples.
- 6.3.5 The Urban Design Officer (UDO) has reviewed the proposals and assessed them against the approved design code for the site, as well as relevant local and national good design practice. The UDO is satisfied that the proposals accord with the key regulatory requirements of the design code.
- 6.3.6 As the Innovation Centre and Mobility Hub will form the first phase of the development, and be the first buildings delivered on site, the quality and appearance of the buildings will set the tone for the remainder of the wider development. The Planning Statement submitted in support of the application recognising this, stating *“The Proposed Development has been designed in a holistic manner, recognising its role as the first detailed application made in respect of the development site, and aiming to set a clear benchmark for appearance and the standard of materials and detailing used.”*

Innovation Centre

- 6.3.7 The delivery of the Innovation Centre (IC) is a critical part of the West Cheltenham Strategic Allocation and of national importance. The IC comprises a four storey building designed as continuous form snaked around three veteran trees, the building's footprint wrapping around to form a landscaped courtyard area, which will be a key public space. The supporting Design and Access Statement (DAS) sets out that the IC *“is intended to be the landmark project in this development with the intention to create an ‘iconic focal point for the cyber technology industry globally, nationally and locally, helping to deliver a key component of the UK government’s industry strategy’.”*

- 6.3.8 The IC will comprise a total of 15,236sqm GIA and provide office floorspace complete with an ancillary café area, meeting rooms, together with ancillary and utility floorspace Use Class E).
- 6.3.9 A light buff coloured brick is proposed to the external elevations which is intended to complement the vernacular of the wider area. Further design enhancements would be provided by the use of bronze/brass-coloured accents throughout, including aluminium door and window frames. Some very minor amendments to the IC have been made during the application; these being limited to changes in the locations of some doors within the glazing at ground floor, and a slight lifting in the base level of the sawtooth brickwork in some places to have a consistent datum.
- 6.3.10 The UDO recognises the IC as *“a key marker pavilion building for the Golden Valley Development”* and considers that *“The elevations for this building present a strong contemporary architectural expression, making effective use of the building’s linear form through consistently proportioned horizontal window openings arranged across the façade”* and that the larger double height entrance voids, with a strong vertical emphasis reinforces the prominence of the building entrances. To the east, towards Fiddlers Green Lane, the building lowers in height with a sloping green roof which the UDO considers creates *“a refined contemporary form with the green roof clearly visible from the courtyard entrance - a striking visual cue of the proposal’s aspiration.”* The UDO is also satisfied that *“The interface between the internal uses and the public realm along the street and the large, landscaped courtyard have been carefully considered”* and that routes into and across the courtyard and to the building’s entrances are clear and easy to navigate.
- 6.3.11 As per the requirements of condition 26 of the permission, which requires that applications for the approval of reserved matters contain a method statement for the creation of living roofs and/or walls, the application is suitability accompanied by a detailed method statement.
- 6.3.12 The method statement proposes a native wildflower, visually attractive, green roof system, with a range of British wildflowers that have been selected to give a long flowering season and a diverse habitat for wildlife, particularly invertebrates. The statement includes suitable management details and sufficient controls for the provision of new planting should any original plants fail.

Mobility Hub

- 6.3.13 The Mobility Hub (MH) is a five storey building that adopts a linear arrangement in both shape and massing, with cladding treatments organised as a vertical proportioning system. The MH will act as an interchange between various modes of transport and is located at the principal entrance to the site; it has been designed to provide the parking and cycling facilities for the IC and for future phases of the masterplan.
- 6.3.14 The MH will comprise a total of 17,841sqm GIA and provide cycle storage for 140 cycles with associated changing facilities, showers and lockers, parking for 453 cars, and four commercial/community units (Use Classes E and F) with a net internal area of 2,005sqm. The provision of some commercial space at ground floor will ensure an active frontage and provide visual interaction and connectivity to the public square.
- 6.3.15 The covering letter in support of the revised plans sets out that amendments have been made to directly respond to the comments from the Tree Officer and Designing Out Crime Officer, and to incorporate design refinements into the MH. The changes also facilitate a system-build construction methodology for the MH, an approach which will shorten the construction timeframe by several weeks, thereby shortening the overall duration of on-site works, minimise construction related disturbance to neighbouring residents, and enable earlier activation and occupation of the site.

6.3.16 The MH has also been amended to internalise vehicular circulation within the building, the external ramp previously proposed to the eastern elevation facing Fiddlers Green Lane having been removed. This amendment being welcomed as it should help mitigate any potential noise and light spill to nearby properties.

6.3.17 Externally, as with the IC, the MH will be faced in buff coloured bricks and bronze aluminium in accordance with the design code. The ground and upper floor commercial areas are glazed with curtain walling. The upper floor levels will be clad in perforated aluminium panels designed to create a sawtooth style façade. The elevation to Fiddlers Green Way will also be clad in perforated, angled aluminium panels which have a smaller module than the cladding to the other elevations. The DAS sets out that these smaller panels have been incorporated to *“break the elevation up and provide opportunity for shadows and reflections to offer visual interest, more so than with flat or larger angled panels.”*

6.3.18 From a design perspective, the UDO fully supports the MH building. Whilst acknowledging that buildings like the MH inevitably create areas of limited activity along their outer edges, the UDO welcomes the active frontages at ground floor in three elevations that will provide animation and offer strong passive surveillance of the public realm. The UDO is also satisfied that *“These edges (frontages) accord with the commercial frontage requirements of the design code (p142) as they are presented along the ground floor, clear definition of lobbies to upper storeys and overlooking of the street (ground level and at lobby areas above)”* and that *“The vertically proportioned cladding system is composed to align with ground floor openings and window/mullion positions, resulting in a coherent and well resolved architectural expression.”* They also acknowledge that the changes to the MH which release additional commercial floor space are positive, and the *“Revisions to the southern elevation introduce additional openings, increasing visual activity and passive surveillance onto the public realm. These improvements support good urban design principles and accord with the Tier 2 Design Code approved under application 23/01875/OUT. The architectural detailing has been carefully refined, and the façade study within the Design & Access Statement demonstrates a coherent proportioning strategy and well-considered material composition, drawing on successful precedents.”*

6.3.19 The UDO also confirms that the Fiddlers Green elevation, whilst largely inactive in terms of openings *“meets the frontage requirements of the design code: commercial backs face Fiddler’s Green, with no more than 45% of the ground floor presenting inactive frontage, maintaining an appropriate street character.”* The building positioning within the site allows for sufficient planting along Fiddlers Green Lane, which over time will provide a natural, partial screening to the building.

6.3.20 Whilst the precedent studies, façade design treatment and material proposals are useful in setting out the approach to how key aspects of the building are to be constructed, the UDO recommends that the exact material choices including bricks, mortar mix colour, window and door frames, and cladding panels are constructed on a sample panel to be agreed on site; a condition has been attached in this regard.

6.3.21 Both buildings fall within the maximum building heights on the approved parameter plan, and the parameters set out in section 12 of the design code.

Open spaces

6.3.22 Condition 10 of the permission requires each application for the approval of reserved matters for phases that includes open space provision to include details of those open spaces. The open spaces in phase 1 will be delivered in a single phase and therefore under the condition are to be completed and made available for use prior to first occupation.

6.3.23 Officers are satisfied that this application is supported by sufficient detail to meet the requirements of the condition. Pre-application discussions in relation to phase 1 included discussion on landscaping to ensure that they function as useable and attractive spaces but also successfully interact and integrate with the IC and MH buildings.

6.3.24 The approved Open Spaces parameter plan and the Tier 2 design code set out the key design principles for landscaping across the Southern Parcel; the Planning Statement sets out the key features of the landscaping strategy for phase 1 include:

a) A site layout which adheres to the Open Spaces Parameter Plan, through the creation of the green branch and ecological and digital spine which will form a network of landscaped routes through the Application Site with linkages beyond, to form part of a wider network which will be established through the development of the wider allocated land.

b) A building layout and design which features a unique 'wrap-around' design for the Innovation Centre which has been formulated to accommodate and frame the existing veteran oak trees as key focal points and landscape features, to provide an arrival sequence to the building and public square, and acting as one of the Green Branches which invite journeys further onwards and along the Digital and Ecological Spine.

c) A diverse palette of tree planting, at least 75% of which will be native planting. The mix has been selected including landmark specimens, street trees, woodland trees, and native hedgerow trees selected for wildlife value, climate resilience, and visual contribution. Crucially, this phase of development meets and exceeds the target for canopy cover, at 16% coverage.

d) General planting has again been selected to include at least 75% native species and has been selected to be suitable for local conditions in a manner which requires low maintenance but makes a strong contribution to the aims of biodiversity enhancement, habitat creation, and support for sustainable drainage systems.

e) The Innovation Centre includes a sloping green roof of wildflowers and grasses to reflect and visually extend the adjacent meadow.

f) The scheme includes an integrated network of rain gardens, swales, and an attenuation pond designed to work with the topography of the site to manage surface water runoff, and to create a combination of wet and dry habitats for local wildlife.

g) Habitat creation is also achieved through inclusion of bat and bird boxes, hibernaculum chambers and insect hotels.

h) The soft landscaping strategy is also complemented by a palette of hard landscaping materials, including resin-bound gravel, self-binding gravel, brick paving, as well as the use of natural materials where possible.

6.3.25 A detailed analysis, explanation and justification for the landscaping strategy is set out within the DAS.

6.3.26 The UDO is satisfied that *"the proposals put forward a robust landscape strategy for the public realm"* and that the strategies required by the design code across the site relating to landscape character areas, an ecological spine, green branches and open spaces, and physical and visual connection between the three veteran oak trees *"have been clearly delivered in the landscape proposals and provide a positive, functional and attractive interface with the proposed building uses where the soft and hard landscaping (public and semi-public realm) meet the building edge."*

6.3.27 Overall, officers are therefore satisfied that the proposed landscaping strategy adheres to the requirements of the design code and will deliver high quality open spaces which enhance the public realm and integrate well with both the IC and MH.

6.4 Trees and landscaping

6.4.1 JCS policies SD9 and INF3 require the retention and safeguarding of existing green infrastructure and trees where possible and, where impact cannot be avoided, to provide mitigation for any loss. Similarly, CP policies GI2 and GI3 seek to avoid the unnecessary felling of, or permanent damage to, trees and set out that the retention of trees, the planting of new trees, and tree protection measures during construction may be required.

6.4.2 JCS policy SD6 advises that all development proposals must consider the landscape and visual sensitivity of the area in which they are located or which they may affect; this is reiterated in CP policy L1. SD6 requires applications to be supported by a landscape and visual assessment.

6.4.3 Policy INF3 of the JCS also requires green infrastructure network of local and strategic importance to be conserved and enhanced in order to deliver a series of multifunctional, linked green corridors across the JCS area.

6.4.4 Additionally, JCS policy A7 requires a comprehensive network of accessible green infrastructure, including local green space. The network should incorporate and protect notable natural features, including the Hatherley Brook, the Fiddlers Green Key Wildlife Site and important trees and hedgerows, and contribute to water quality enhancements.

6.4.5 Several conditions of the permission require the submission of details for each phase of the development; of note here, is condition 15 which requires details of tree protection measures for each phase to be submitted and agreed. The tree protection measures for phase 1 have been discharged (25/02075/DISCON).

6.4.6 On 24th February 2026, Cabinet approved the Cheltenham Tree Strategy, which is a material consideration. Although this Strategy has been approved at the latter stage of considering this application, the principles of this strategy are addressed by the technical reports supporting this application. However, Trees Section (TS) raised some reservations about the proposed landscaping around the buildings, commenting that *“While the species choices are appropriate and well considered, the proposed planting of two oaks, a sweetgum and three cherries in the atrium or courtyard of the building is likely to detract from the existing oaks, give the area a dark and cramped feel and could lead to unhelpful competition for light and water.”*; they therefore recommended that these new trees be omitted from the planting proposals. The TS also commented on tree sizes, recommending trees no larger than 10-12cm girth on major scheme as they tend to establish more quickly and require less water than larger trees, and mean fewer failures.

6.4.7 In response, the applicant's Tree Consultant has provided additional justification and explanation of the proposed tree planting in liaison with the TS who are now happy to accept the revised proposals for this scheme. A condition has been attached which requires the formal submission of a revised tree strategy to align with the recent discussions.

6.5 Ecology and biodiversity

6.5.1 Policy SD9 of the JCS seeks the protection and enhancement of ecological networks across the JCS area, improved community access, and for new development to contribute positively to biodiversity and geodiversity whilst linking with wider networks of green infrastructure.

- 6.5.2 JCS policy A7 also states that the comprehensive masterplan and development strategy for the Strategic Allocation should integrate built form and a comprehensive network of accessible green infrastructure, including local green space, which incorporates and protects notable natural features, including the Hatherley Brook, the Fiddlers Green Key Wildlife Site, and important trees and hedgerows, and contributes to water quality enhancements. Condition 1 of the permission provides that the permitted development is to be in broad accordance with both an Illustrative Masterplan and an Illustrative Comprehensive Masterplan that were submitted as part of the application for the permission.
- 6.5.3 Additionally, NPPF paragraph 187(d) requires decisions to minimise impacts on, and provide net gains for, biodiversity, by establishing coherent ecological networks that are more resilient to current and future pressures, and incorporate features which support priority or threatened species such as swifts, bats and hedgehogs; with paragraph 188 setting out a mitigation hierarchy in terms of retained and enhanced environmental features that can be incorporated into a development proposal.
- 6.5.4 NPPF paragraph 193 goes on to state that when determining planning applications, local planning authorities should apply the following principles: a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused; and d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.
- 6.5.5 A number of conditions on the permission required the submission of information in relation to ecology and biodiversity net gain prior to the commencement of development of each phase; notably condition 20 (Construction Environmental Management Plan), 21 (Overall Biodiversity Gain Plan), 22 (Habitat Management and Monitoring Plan), 23 (Ecological Mitigation & Enhancement Strategy) and 24 (Precautionary Method of Working Statement).
- 6.5.6 Conditions 20, 22, 23 and 24 for the phase 1 proposals have been suitably discharged (applications 26/00004/DISCON, 26/00005/DISCON, 25/02077/DISCON and 25/02078/DISCON respectively). An additional application to discharge condition 21 is pending consideration.
- 6.5.7 Following review of this reserved matters application, the Council's Ecologist (EC) is satisfied that the proposals demonstrate a strong commitment to ecological integration, and that *"The layout incorporates well-connected habitats that have been carefully considered both within the site and in the context of the surrounding landscape."* They particularly welcome the inclusion of off-site connectivity to support species movement and contribute positively to long-term ecological resilience; and find this *"represents a key strength of the scheme, and it is encouraged that this approach is maintained and further developed through subsequent phases."*
- 6.5.8 As per the requirements of the outline permission, a phase 1 Biodiversity Gain Plan (BGP) has been submitted and agreed as part of this application. It should be noted that, whilst the site is not subject to mandatory Biodiversity Net Gain (BNG) requirements under the Environment Act 2021, the applicant has committed to deliver a minimum of 10% net gain.
- 6.5.9 The officer report for the permission acknowledges the submission of a revised BNG metric at outline stage, with reliance on Leckhampton Hill Farm to achieve off-site gains; Hill Farm being an off-site piece of land owned by CBC and used currently for agriculture. However, the Hill Farm site has not yet been established as a registered habitat bank with DEFRA, and additional detail was therefore sought, as an update to the BGP, as to how the off-site

gains would be secured should the Hill Farm site not come forward. As revised, the BGP now sets out a clear mechanism for securing off-site units via an alternative habitat bank, if necessary, and on this basis, given the voluntary nature of the BNG commitment, the EC has sufficient confidence in the proposed approach to biodiversity delivery.

6.6 Energy and sustainability

- 6.6.1 NPPF paragraph 163 states that the need to mitigate and adapt to climate change should be considered in assessing planning applications, taking into account the full range of potential climate change impacts. In addition, NPPF paragraph 166 states that local planning authorities should expect new development to comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant that this is not feasible or viable.
- 6.6.2 JCS policy SD3 requires all new development to be designed to contribute to the aims of sustainability by increasing energy efficiency and minimising waste and air pollution. Development proposals are also required to be adaptable to climate change in respect of the design, layout, siting, orientation and function of buildings. Similarly, JCS policy INF5 sets out that proposals for the generation of energy from renewable resources or low carbon energy development will be supported.
- 6.6.3 The adopted Cheltenham Climate Change SPD sets out a strategy for decarbonising buildings over the next decade. For non-domestic new build development, the SPD identifies various measures which can be included to improve the environmental performance of new buildings.
- 6.6.4 A set of targets were agreed at outline planning stage which supersede the guidance set out in the Climate Change SPD and Golden Valley SPD and set achievable benchmarks for the development.
- 6.6.5 Condition 9 of the permission requires the submission of a Climate Change Compliance Statement with each reserved matters application detailing how energy saving measures will be incorporated into the design and how carbon dioxide emissions will be reduced, and the application is suitably accompanied by such a statement; a revised statement having been submitted during the course of the application.
- 6.6.6 The statement, which has been submitted as an Energy and Sustainability Statement, sets out that *“The overarching ambition for the Golden Valley Development is to become a Net Zero Carbon community, and meeting this aim has been considered at every stage of the development”* and that *“Phase 1 aspires to be an exemplar sustainable development, setting the precedent for the masterplan”*.
- 6.6.7 In terms of energy, the proposed development adopts a low-carbon strategy, which includes highly insulated and airtight building fabric, energy efficient MEP (Mechanical, Electrical, and Plumbing) systems and the provision of on-site renewable sources of energy in the form of air source heat pumps and photovoltaics (PV) panels. A PV array of 600m² is proposed on the MH which the statement states *“is a key part of the scheme design to reduce energy demand from the grid and generate renewable energy onsite. The proposed system achieves a yield of 115,000 kWh/yr which meets ~39% of the forecast energy demand for the building (net of electric vehicle charging).”*
- 6.6.8 The scheme is also targeting key sustainability credentials, including BREEAM ‘Excellent’ certification, NABERS 5.5*, Wiredscore Platinum, EPC A and Building with Nature Design Award.
- 6.6.9 Notwithstanding the above, the covering letter that accompanies the revised plans sets out that due to programme constraints it has not been possible to re-run the embodied carbon modelling to reflect the revised structural approach prior to determination of this application.

It does, however, state that *“the current figures within the Energy and Sustainability Statement still provide a robust and precautionary baseline demonstrating compliance with the targets established at the outline stage, with the system-build approach expected to improve upon these performance metrics.”* The letter goes on to suggest that *“To ensure transparency and policy compliance, a pre-commencement condition can be attached to the reserved matters approval requiring submission and approval of updated embodied carbon calculations reflecting the final engineered design prior to construction of the Mobility Hub. This will ensure that the anticipated carbon betterment is formally verified and that the development remains aligned with the outline planning targets.”* Officers agree that this is a reasonable and pragmatic approach, and a condition is recommended accordingly.

6.7 Access and highway safety

6.7.1 Access to the site was approved as part of the permission and includes two primary points of access to the Southern Parcel; both of which are to be delivered as part of phase 1. Phase 1 therefore plays an important role in delivering the infrastructure needed to access the site and the wider allocated area.

6.7.2 The northern access will provide for a four-arm roundabout at the location of the existing mini-roundabout on Telstar Way/Fiddler’s Green Lane, and will serve the northern areas of the site (including the disabled parking area for the Centre); whilst the southern access will provide a realignment and change of priority on Fiddler’s Green Lane to provide a continuation of the road into the site to serve the southern areas (including the Hub).

6.7.3 Although access was approved at outline stage, some minor amendments are proposed as part of this application following pre-application discussions between the applicant and GCC. The main changes involve relocating an active mode along Fiddler’s Green Lane further south to avoid the archaeological mitigation area, and increased planting along the front of the Centre. Other amendments include revising the active mode crossings on the Fiddler’s Green Lane/Telstar Way roundabout to remove ramps and repositioning the pedestrian/cycleway on the eastern side of the northern access arm to allow for more landscaping.

6.7.4 The details have been duly considered by GCC, as the Local Highway Authority, who raise no objection subject to conditions. Their full comments can be found in the Appendix at the end of the report.

6.7.5 National Highways have also confirmed they have no objections to the approval of the reserved matters sought by this application.

6.8 Amenity

6.8.1 NPPF paragraph 135(f) requires that decisions create places that maintain a high standard of amenity for both existing and future users; in addition, paragraph 198 requires new development to be appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. CP policy SL1 also sets out that development will only be permitted where it will not cause unacceptable harm to the amenity of neighbouring land users or the locality. In assessing amenity impacts, CP paragraph 14.4. advises that various factors will be taken into consideration, including, but not limited to, loss of privacy, daylight, and outlook, and potential disturbance from noise, smells, dust, fumes, vibration, glare from artificial lighting, hours of operation, and traffic / travel patterns. Policy SL1 aligns with the requirements of JCS policy SD14.

6.8.2 The officer report in respect of the permission highlighted the need to support development that makes efficient use of land, but that the need for high density development must be

balanced against the amenity of neighbouring residential areas. The report goes on to state that whilst the detail would be secured at reserved matters stage, the illustrative masterplan indicated that residential amenity would not be harmed. The report also acknowledged that *“Further south on the site, the buildings become larger and taller, but low density is still largely maintained along the edge, with the exception of the Innovation Centre and Mobility Hub”* and that the height and scale of the Innovation Centre (noted as being up to 5 storeys) and the Mobility Hub (noted as being up to 4 storeys) would be examined at this reserved matters stage to ensure that the proposals do not result in substantial overshadowing or overlooking of the properties most vulnerable to harm along Fiddlers Green Lane.

- 6.8.3 The officer report also acknowledged that some existing residents who currently overlook an empty field will soon see very high buildings and high-density development, but that *“the right to a view is not a material planning consideration; therefore, the loss of existing views over the greenfield is not deemed a reason to refuse the proposal, given the overriding policy supporting high-density development in this location.”*
- 6.8.4 The DAS includes a daylight study which uses the well-established 25 degree daylight test (BRE document ‘Site Layout Planning for Daylight and Sunlight: A guide to good practice (2022)’) to assess the impact on the buildings on the nearest neighbouring properties on Fiddlers Green Lane. The impact has been assessed as a worst case scenario; and the test demonstrates that both the IC and MH will have only minimal impacts on the properties’ right to light and are unlikely to have any substantial impact in terms of daylight and sunlight.
- 6.8.5 From an overlooking and privacy perspective, there are no significant amenity concerns. The MH which will sit closest to residential properties backing on Fiddlers Green Lane (but not less than 16 metres from the rear boundary and some 33 metres from the rear elevation of the property at its closest point) having no glazing in this elevation. Furthermore, as previously noted, as a result of the revisions to the MH building, the external ramp to the Fiddlers Green elevation is now integral to the building, thereby helping to mitigate any potential noise and light spill to nearby properties. The IC building, whilst having glazing facing nearby residential properties, will be in excess of 30 metres from any residential curtilage.
- 6.8.6 That said, with respect to noise, in order to safeguard the amenity of adjacent properties and the general locality, condition 16 of the permission requires any reserved matters application for phases containing non-residential buildings in Use Classes E and F or mobility hubs to include details of the hours of use and/or of deliveries and collections.
- 6.8.7 The IC and MH would operate 24 hours a day, to allow for continued access for office users, with servicing (deliveries and bin collections) limited to 6am to 8pm. The three ground floor commercial units within the MH would operate between the hours of 7am to 10 or 11pm, with servicing again limited to the hours of 6am to 8pm. The additional commercial unit at first floor, potentially for use as a gym or similar, would operate up to 24 hours a day. The proposed hours have been reviewed by Environmental Health (EH) who raise no objection. Although, the servicing hours were initially queried, EH are satisfied that, as the servicing for the MH is located towards the IC and therefore away from the existing residential properties, the proposed hours for deliveries and bin collections are suitable.
- 6.8.8 As such, whilst the proposed development will undoubtedly have an impact on neighbouring land users, the amenity impacts of the phase 1 proposals are considered acceptable.
- 6.8.9 Some noise, vibration and disturbance during the construction phase is inevitable; however, mitigation of any significant adverse effects can be effectively managed through measures detailed in a Construction Environmental Management Plan (CEMP). The detailed CEMP for phase 1 has already been agreed through the discharge of condition 20 of the permission (26/00004/DISCON). The contractor will be responsible for implementing the mitigation measures identified in the CEMP.

6.8.10 Suitable mitigation measures for pollution control and dust emissions for this phase of development have also been agreed as part of the approved CEMP.

6.9 Flood risk and drainage

6.9.1 JCS policy INF2 and section 14 of the NPPF, specifically paragraph 181, seek to ensure that flood risk is not increased elsewhere when determining planning applications. Additionally, where appropriate, applications should be supported by a site-specific flood risk assessment. Policy INF2 and NPPF paragraph 182 also requires applications to incorporate sustainable drainage systems.

Flood risk

6.9.2 Condition 36 of the permission requires a detailed flood risk analysis to be submitted and agreed prior to the commencement of development within each phase; and although the condition suggests that the information be submitted with each reserved matters application, it is not a prerequisite. As such, notwithstanding the Environment Agency's (EA) original holding objection to this application due to the lack of detail in relation to flood risk, they have subsequently removed their objection, accepting that the information will still need to be submitted and agreed through the discharge of aforementioned condition 36 prior to the commencement of any works taking place.

6.9.3 An application (25/02081/DISCON) to discharge condition 36 is currently pending consideration, the applicant having submitted a Flood Risk Technical Note setting out the work being undertaken in relation to condition 36, and the EA's comments in response to the discharge of the condition. The works include hydraulic modelling in line with that required by the EA, and subsequent analysis, reporting and detailing.

6.9.4 Therefore, whilst the detail in relation to flood risk is not yet agreed, officers are satisfied that there are suitable and robust safeguards in place in relation to flood risk, and that any minor refinements to the compensatory flood storage can be achieved without affecting the siting or appearance of the proposed IC. There are no grounds for refusing this application on flood risk. No works can commence on site until such time as condition 36 of the permission has been discharged. As noted above, this approach has been agreed with EA.

Drainage

6.9.5 As previously noted, sustainable drainage systems (SuDS) should be incorporated into to all new development proposals, and condition 34 of the permission requires the submission and approval of a detailed SuDS Strategy prior to the commencement of development in each phase. An application (25/02080/DISCON) to discharge condition 34 is similarly still pending consideration, the Lead Local Flood Authority are seeking amendments and further information before they can recommend that the condition be discharged. However, whilst the detail is not yet agreed, it does not prejudice the determination of this reserved matters application in the meantime.

6.10 Other considerations

Crime prevention

6.10.1 On initial review of the application the Designing Out Crime Officer (DOCO) raised several concerns about the lack of crime prevention within the development, and their full and detailed comments can be found in the Consultations Appendix below. The applicant has therefore sought to address the concerns by adding a section to the Design and Access Statement which clarifies how the phase 1 proposals have been developed with careful regard to crime prevention and community safety. The roof level of the Hub has also been

amended to incorporate perimeter parapets and balustrades to discourage climbing and restrict access to the PV maintenance area. In addition, plans relating to proposed external lighting and CCTV have been submitted for information.

6.10.2 In their updated response, the DOCO welcomes the additional information provided and confirms that any technical questions can be addressed outside of the planning application. An informative has been added in the regard.

Waste storage and collection

6.10.3 JCS policy SD3 requires development proposals to demonstrate how they minimise waste and avoid unnecessary pollution. In this regard, the application is supported by an Operation Waste Management Strategy (OWMS) which builds on a strategy set out as part of the permission.

6.10.4 The OWMS sets out that:

- Waste will be segregated at the source into a minimum of four streams: residual, organics (food waste), dry mixed recycling, and paper/cardboard, which aligns with the national "Simpler Recycling" policy. Other streams like bulky waste, hazardous waste, and Waste Electrical and Electronic Equipment (WEEE) will also be segregated and managed separately on an ad-hoc basis.
- The development has been designed with sufficient capacity to provide a contingency against any missed waste collections; although collections are expected to take place on a daily basis.
- All storage areas meet the relevant design standards, aiming for bin drag distances of no more than 10m; with even surfaces between storage areas and collection vehicles, and a minimum pathway width of 2 metres throughout.

6.10.5 The GCC Minerals & Waste Policy team, having been consulted on the application, note that they previously reviewed the environmental constraints for the wider outline application and, in relation to this application, officers should be satisfied that the OWMS meets current guidelines. They do not raise any objection. For the construction phase, they recommend that waste minimisation is carried out in line with the Site Waste Management Plan submitted at outline stage.

6.10.6 Officers are satisfied that the submitted OWMS is acceptable and demonstrates a commitment to ensuring that adequate storage and collection facilities for waste is provided, with an emphasis on segregation and recycling.

Public Sector Equality Duty (PSED)

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

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

6.10.8 In this case, having considered the merits of the application, this authority is satisfied that the proposed development meets the requirements of the PSED.

6.10.9 Due regard has been had to the nine protected characteristics recognised within the PSED, and officers are satisfied that no-one has been discriminated against in the determination

of this application. The representations received in response to the publicity exercise have been noted and considered.

7. CONCLUSION AND RECOMMENDATION

- 7.1 Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. In this case, the principle of development has already been established by the grant of outline planning permission ref. 23/01875/OUT.
- 7.2 Officers are satisfied that the details submitted in relation to phase 1 as part of this reserved matters accord with the documents approved at outline stage and that all the information required by conditions imposed on the permission has been submitted, where appropriate.
- 7.3 The phase 1 proposals are of a high design quality and will set the tone for the remainder of the development moving forwards; and the delivery of the Innovation Centre (IC) is a critical part of the West Cheltenham Strategic Allocation.
- 7.4 The officer recommendation therefore is to grant approval of the reserved matters subject to the following conditions:

8. CONDITIONS

- 1 The development shall be begun not later than the expiration of two years from the date of this decision.

Reason: To accord with the provisions of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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

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

- 3 Prior to the commencement of development of the Mobility Hub (excluding site clearance and enabling works), a revised Embodied Carbon Assessment for the Mobility Hub shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall:

- a) Reflect the final system-build structural design;
- b) Quantify upfront embodied carbon (A1–A5) and whole life carbon (A1–C) emissions using a recognised methodology;
- c) Demonstrate the level of betterment achieved compared to the figures presented within the approved Energy and Sustainability Statement (Revision P03); and
- d) Confirm how the final design aligns with the embodied carbon objectives established by the outline planning permission (ref. 23/01875/OUT).

The development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure that the development delivers the anticipated embodied carbon improvements arising from the system-build approach, in accordance with the outline planning permission.

- 4 The development shall not be carried out unless in accordance with a sample panel(s) which shall have first been constructed on site and inspected and approved in writing by the Local Planning Authority.

The sample panel(s) shall show the specific external material choices and finishes, including bricks, mortar mix colour, window and door frames, and cladding panels.

The approved sample panel(s) shall be retained on site and made available for inspection by the Local Planning Authority for the duration of the construction works.

Reason: To ensure a high-quality finish to the development in the interests of the character and appearance of the area, having regard to adopted policy D1 of the Cheltenham Plan (2020) and adopted policy SD4 of the Joint Core Strategy (2017).

- 5 The development hereby granted shall not be brought into use until the means of access for vehicles, pedestrians and cyclists have been constructed and completed in accordance with the following plans as included within the Transport Statement dated 6th March 2026 (Revision: V1) Appendix H:
- PD01 (Rev. A) General Arrangement of Proposed Pedestrian/Cycle Improvements at Telstar Way;
 - PD01.1 (Rev. A) General Arrangement of Proposed Shared Pedestrian/Cycle Route Along Fiddler's Green Lane; and
 - PD01.2 (Rev. A) General Arrangement of Proposed Pedestrian/Cycle Link to Mobility Hub.

Reason: To ensure conformity with the submitted details and in the interests of highway safety.

- 6 In the event that the access road is to remain private, a Streets Management Plan (SMP) shall be submitted to and approved in writing by the Local Planning Authority prior to its construction. The SMP shall include:
- a) details of the construction and maintenance of all roads, footways, cycleways and associated infrastructure which will be open to the public and be the sole responsibility of the owner; and
 - b) details of the proposed drainage, street lighting, vertical and horizontal alignment including long and cross section detailing proposed gradients, construction specifications and any other technical elements necessary to support Technical Approval for future adoption options.

Reason: To ensure the roads, footways, cycleways and associated infrastructure will be constructed and maintained in perpetuity, in a suitable condition for all users.

- 7 The development hereby granted shall not be brought into use until visibility splays are provided from a point 0.6m above carriageway level at the centre of the access to the application site and 2.4 metres back from the near side edge of the adjoining carriageway, (measured perpendicularly), for a distance of 34 metres in each direction measured along the nearside edge of the adjoining carriageway and offset a distance of 0.6 metres from the edge of the carriageway. These splays shall thereafter be permanently kept free of all obstructions to visibility over 0.6m in height above carriageway level.

Reason: In the interests of highway safety.

- 8 The development hereby granted shall not be brought into use until pedestrian visibility splays of 2m x 2m measured perpendicularly back from the edge of carriageway shall be provided on both sides of the access. These splays shall thereafter be permanently kept free of all obstructions to visibility over 0.6m in height above the adjoining ground level.

Reason: To ensure motorists have clear and unrestricted views of approaching pedestrians when pulling out onto the adopted highway, in the interest of highway safety.

- 9 The development hereby permitted shall be carried out in full accordance with the submitted Phase Biodiversity Gain Plan: Form for Individual Phases of a Phased

Development (Ref: 26/00001/REM, prepared by Rob Forbes, dated 01/04/2026), including the associated biodiversity metric calculations and supporting documentation.

All on-site habitat creation, enhancement, and protection measures identified within the approved documents shall be implemented in accordance with the approved details and retained thereafter.

Where the approved Biodiversity Gain Plan identifies the need for off-site biodiversity units to achieve the stated biodiversity outcomes, these units shall be secured through an appropriate mechanism prior to completion of the final phase of the development, and evidence of such securing shall be submitted to and approved in writing by the Local Planning Authority.

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

Reason: To ensure that biodiversity impacts arising from the development are appropriately mitigated and compensated for, and to secure the delivery of biodiversity enhancements in accordance with the submitted Biodiversity Gain Plan.

Whilst the development is not subject to the mandatory biodiversity gain condition as set out in Schedule 7A of the Town and Country Planning Act 1990 (as inserted by the Environment Act 2021), the applicant has made a voluntary commitment to deliver biodiversity net gain. This condition ensures that the proposed ecological measures, which form part of the basis for the acceptability of the scheme, are secured and implemented.

This is in accordance with Paragraphs 180 and 186 of the National Planning Policy Framework, which require planning decisions to minimise impacts on and provide net gains for biodiversity, and with Section 40 of the Natural Environment and Rural Communities Act 2006 (as amended), which places a duty on public authorities to have regard to the purpose of conserving biodiversity.

- 10 Notwithstanding the submitted Tree Strategy, an updated Tree Strategy shall be submitted to and approved in writing by the Local Planning Authority prior to the implementation of any tree planting. All tree planting shall thereafter be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

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

- 11 Servicing (deliveries and bin collections) for the Innovation Centre and Mobility Hub shall be carried out only between the hours of 6am and 8pm.

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

INFORMATIVES

- 1 The applicant/developer should liaise with the Designing Out Crime Officer at Gloucestershire Constabulary in the design of the CCTV system. Any audible alarms or panic buttons will need to be designed and managed to prevent false activation and subsequent deactivation and removal.

- 2 The development hereby granted includes the carrying out of work on the adopted highway. You are advised that before undertaking work on the adopted highway you must enter into a highway agreement under Section 278 of the Highways Act 1980 with the County Council, which would specify the works and the terms and conditions under which they are to be carried out.

Contact the Highway Authority's Legal Agreements Development Management Team at highwaylegalagreements@gloucestershire.gov.uk allowing sufficient time for the preparation and signing of the Agreement. You will be required to pay fees to cover the Council's costs in undertaking the following actions:

- Drafting the Agreement
- A Monitoring Fee
- Approving the highway details Inspecting the highway works

Planning permission is not permission to work in the highway. A Highway Agreement under Section 278 of the Highways Act 1980 must be completed, the bond secured and the Highway Authority's technical approval and inspection fees paid before any drawings will be considered and approved.

- 3 The development hereby granted includes the construction of new highway. To be considered for adoption and ongoing maintenance at the public expense it must be constructed to the Highway Authority's standards and terms for the phasing of the development. You are advised that you must enter into a highway agreement under Section 38 of the Highways Act 1980. The development will be bound by Sections 219 to 225 (the Advance Payments Code) of the Highways Act 1980.

Contact the Highway Authority's Legal Agreements Development Management Team at highwaylegalagreements@gloucestershire.gov.uk. You will be required to pay fees to cover the Council's costs in undertaking the following actions:

- Drafting the Agreement
- Set up costs
- Approving the highway details
- Inspecting the highway works

You should enter into discussions with statutory undertakers as soon as possible to coordinate the laying of services under any new highways to be adopted by the Highway Authority.

The Highway Authority's technical approval inspection fees must be paid before any drawings will be considered and approved. Once technical approval has been granted a Highway Agreement under Section 38 of the Highways Act 1980 must be completed and the bond secured.

- 4 All new streets must be tree lined as required in the National Planning Policy Framework. All proposed street trees must be suitable for transport corridors as defined by Trees and Design Action Group (TDAG). Details should be provided of what management systems are to be included, this includes root protections, watering and ongoing management. Street trees are likely to be subject to a commuted sum. Reference should be made to the Cheltenham Tree Strategy - this has management policies with it; <https://democracy.cheltenham.gov.uk/documents/s53274/Appendix+1+-+Draft+Tree+Strategy.pdf>

- 5 The development hereby approved and any associated highway works required, is likely to impact on the operation of the highway network during its construction (and any demolition required). You are advised to contact the Highway Authorities Network

Management Team at Network&TrafficManagement@gloucestershire.gov.uk before undertaking any work, to discuss any temporary traffic management measures required, such as footway, Public Right of Way, carriageway closures or temporary parking restrictions a minimum of eight weeks prior to any activity on site to enable Temporary Traffic Regulation Orders to be prepared and a programme of Temporary Traffic Management measures to be agreed.

- 6 Drainage arrangements shall be provided to ensure that surface water from the driveway and/or vehicular turning area does not discharge onto the public highway. No drainage or effluent from the proposed development shall be allowed to discharge into any highway drain or over any part of the public highway.
- 7 The applicant's attention is drawn to the need to ensure that the provision of the visibility splay(s) required by this consent is safeguarded in any sale of the application site or part(s) thereof.
- 8 It is expected that contractors are registered with the Considerate Constructors Scheme and comply with the code of conduct in full, but particular reference is made to "respecting the community" which requires constructors to give utmost consideration to their impact on neighbours and the public by:
 - Informing, respecting and showing courtesy to those affected by the work;
 - Minimising the impact of deliveries, parking and work on the public highway;
 - Contributing to and supporting the local community and economy; and
 - Working to create a positive and enduring impression, and promoting the Code.

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

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

- 9 The attention of the applicant is drawn to Section 59 of the Highways Act 1980 which allows the Highway Authority to recover additional costs of road maintenance due to damage by extraordinary traffic.

Before any work is commenced upon the development hereby approved representatives of Gloucestershire County Council, as the Highway Authority and the applicant, shall carry out a joint road survey/inspection on the roads leading to this site. Any highlighted defects shall be rectified to the specification and satisfaction of the Highway Authority before work is commenced on the development hereby approved. A further joint survey/inspection shall be undertaken following completion of development hereby approved and any necessary remedial works shall be completed to the specification and satisfaction of the Highway Authority within 1 month or other agreed timescale.

Gloucestershire Wildlife Trust*19th January 2026*

The submitted Reserved Matters proposals for Phase 1 of the Southern Parcel represent a high-quality and well-integrated approach to green infrastructure, biodiversity and environmental design, responding positively to the parameters established at outline stage and the requirements of the Tier 2 Design Code.

Green infrastructure and nature recovery are clearly embedded within the layout and design, rather than treated as residual elements. The integration of the ecological and digital spine, native-led landscape strategy, SuDS designed to function as habitat, and a biodiverse green roof provides a robust on-site approach to biodiversity delivery. The proposals exceed the minimum tree canopy cover requirement, retain all veteran and TPO trees, and include a wide range of biodiversity features.

This integrated approach should be carried forward into subsequent phases, ensuring that later stages connect into and reinforce the green infrastructure framework established at Phase 1, so that the wider site functions as a coherent and connected ecological network.

Overall, this Reserved Matters submission represents a strong example of how commercial-led development can successfully integrate green infrastructure, biodiversity and sensitive lighting. Subject to appropriate conditions securing detailed delivery and long-term management, no objection is raised on ecological or green infrastructure grounds, and the scheme could reasonably be regarded as an exemplar for future phases within the wider allocation.

Architects Panel*16th February 2026*

The panel had a conversation about this application when we last met and the feeling was that an application of this scale was better suited to a more formal review possibly by the Gloucestershire Design Review Panel who we believe were consulted on the scheme at the outline stage.

Active Travel England*28th January 2026*

Following a high-level review of the above planning consultation, Active Travel England has determined that standing advice should be issued and would encourage the local planning authority to consider this as part of its assessment of the application.

Our standing advice can be found here:

<https://www.gov.uk/government/publications/active-travel-england-sustainable-development-advice-notes>

ATE would like to be notified of the outcome of the application through the receipt of a copy of the decision notice, in addition to being notified of committee dates for this application.

Building Control*12th January 2026*

This application may require Building Regulations approval. Please contact the office on 01242 264321 or buildingcontrol@cheltenham.gov.uk for further information.

Cotswolds National Landscape Board

27th January 2026

Thank you for consulting the Cotswolds National Landscape Board¹ ('the Board') on this proposed development, which would be located within the setting of the Cotswolds National Landscape.

In reaching its planning decision, the local planning authority ('LPA') has a statutory duty to seek to further the statutory purpose of conserving and enhancing the natural beauty of the National Landscape. This duty should be explicitly addressed within the decision including an explanation of how the LPA considers the duty has been discharged. Further information on this new duty is provided in Appendix 1 below and the Board recommends that, in fulfilling this 'duty to seek to further the purpose', the LPA should: (i) ensure that planning decisions are consistent with relevant national and local planning policy and guidance; and (ii) take into account the following Board publications:

- Cotswolds National Landscape Management Plan 2025-2030;
- Cotswolds AONB Landscape Character Assessment ([link](#)) particularly, in this instance, with regards to Landscape Character Types (LCT) 2 (Escarpment) and 7 (High Wold) from which the site may be visible;
- Cotswolds AONB Landscape Strategy and Guidelines particularly, in this instance, regards to LCT 2 ([link](#)), including Section 2.1 and LCT 7, including Section 7.1;
- Cotswolds AONB Local Distinctiveness and Landscape Change;
- Cotswolds National Landscape Board Position Statements particularly, in this instance, the Development in the Setting of the AONB, Tranquillity Position Statement and the Dark Skies and Artificial Light Position Statement and its appendices.

Due to the current development management consultation workload, the Board will not be providing a more comprehensive response on this occasion. This does not imply support for, or objection to, the proposal.

If you have any queries regarding the information provided in this response, please do not hesitate to get in touch.

(Appendix 1 available to view online in Documents tab)

Designing Out Crime Officer

17th February 2026

In my capacity as Designing out Crime Officer (DOCO) for Gloucestershire Constabulary I would like to raise concerns about this application and the lack of crime prevention within this proposed development.

Cheltenham Innovation Centre

The Security Strategy listed in Section 21.0 of the Design and Access Statement focuses heavily on the need for counterterrorism features to prevent hostile vehicles, but the strategy fails to address the day-to-day security features required to prevent ASB, crime or the perceived fear of crime.

Since 2022, the surrounding residential areas have been experiencing an annual increase in ASB, while crime has maintained a consistent average through each year.

As security has only received a single line of text within the Design and Access Statement, it is important that security is considered a key feature within the design

and construction of this proposed development. It's a shame the RIBA Security Overlay listed below hasn't been documented throughout the design stage.

The Planning Statement would have been a good opportunity to document how the design adhered to the various planning documents and legislation, but instead there has been no mention of security or crime prevention for this development.

Car park/ mobility hub

The current design for the car park possesses a serious concern due to the arrangement of the PV array on the top floor and the way it provides a connection with the Stair and lift structure. The layout of the building will offer easy access to the top parking level; from there they could climb up the supporting structure for the PV panels and walk to the edge of the building.

Suicide and attempted suicide pose a serious concern across the county; to limit these opportunities the design should carefully consider the possible access points. Design guidance to prevent suicide for high buildings or car parks have been attached to the email.

Bicycle store

The transport hub proposes to have a section of the ground floor allocated for cyclists which will provide a central bicycle store, changing rooms and drying room. These features would all work nicely in a private building or office setting, but the open access will create a security risk for everyone using this facility.

As no security has been described throughout the scheme, it's unclear how the cycle store will be secured, without it every bicycle and all personal belongings stored in lockers is at risk of theft, anyone using the changing facilities or showers are at risk of physical or sexual assault, and the rooms subject to criminal damage or misused for drug use or rough sleeping.

Security is going to be an important factor to the design of this mobility hub, without it uncontrolled access into this area will remove any sense of safety for those using the facilities or leaving their bicycles.

To reduce the risk of theft and criminal damage, it would be best to avoid installing any lockers or offering a drying room as this will create a perception of security and safety. An unsuspecting individual will hang their belonging to dry without considering the open access to this facility, they may even start to leave various items overnight for convenience.

The changing rooms would normally be associated with an office building or place of work, somewhere that's secure and populated with co-workers. Other public changing rooms generally have a constant flow of customers and staff, each providing natural surveillance. However, this mobility hub offers none of those reassurances, instead the design will encourage individuals to undress and shower in an open public building.

Without proper management and maintenance practices in place, this type of facility could quickly become associated as a public sex environment, further increasing the fear of crime or assault.

Future design considerations should consider the safety and security of those using this building, the access control to compartmentalise the secure areas where the bicycles are stored, the design of the building to reduce the risk of theft and criminal damage in an effort to steal from lockers, or the personal safety of those in a vulnerable situation as they shower.

Landscaping

Considerable effort has been shown regarding the Landscaping with gabion baskets used in the landscape design to provide structure and height, but in other areas of Cheltenham where gabion baskets have been used, they are frequently filled with litter and other items of rubbish.

The amount of public open space combined with the proposed neighbouring residential properties will act as an active place for groups to exercise or households walking their dog. To maintain the cleanliness of these public spaces and enable people to comply with the Public Space Protection Order (PSPO) covering Cheltenham Borough, it seems strange that refuse bins haven't been included.

Lighting

Finding a balance between ecology and safety is a delicate process but the design still needs to provide sufficient lighting to reduce the fear of crime. It is worth considering that external lighting will offer benefits during the winter months when most nocturnal animals are hibernating and insects are dormant.

Most of the lighting used across the site is based on low level bollard lighting, this form of lighting may assist in identifying a route through an area, but it has a negative impact on people's ability to recognise or identify others in the area. Poor lighting design can increase the perceived fear of crime within a development.

The selection of luminaire can also contribute to the ASB and littering within the development. The lighting plan shows a series of 'L' shaped bollards fitted with downlighters.

As they are less than 650mm high, there is a good possibility they will be used as ad-hoc seating, a challenge for local children to stand on them or a convenient place to leave paper cups or other rubbish from the nearby proposed cafe.

CCTV

The section listing the CCTV design mentions the technical specifications but offers no indication of the areas being monitored or how the design has been developed to work in conjunction with the lighting and landscaping schemes.

Each of the following documents detail how crime prevention should be included in greater depth with every planning application.

- Section 5: Design Requirements of the Cheltenham Borough Council's Local Plan
- Security and Crime Prevention Supplementary Planning Guidance, Cheltenham Borough Council
- Policy SD4: Design Requirements of the Joint Core Strategy for Cheltenham, Gloucester and Tewkesbury, specifically sub paragraph v. Safety and Security
- CIHT Residential Parking Design guidance note
- ParkMark - New Build Car Park design guidance
- Security Overlay to the RIBA Plan of Work
- Chief Planning Officer's letter in July 2017 reminding Authorities of the importance to include crime prevention and counter terrorism security measures
- Section 4.6 detailing Layout and connectivity in Manual for Street, Department of Transport

- Paragraph 135 (f) of the National Planning Policy Framework (NPPF), Department for Levelling Up, Housing and Communities
- Paragraph P2 of the Public Spaces section in the Ministry of Housing, Communities and Local Government's National Design Guide
- Paragraph 12 of the Healthy and Safe Communities section of the Practical Planning Guidance (PPG) which replaced Safer places: the planning system and crime prevention in 2014
- Section 17 of the Crime and Disorder Act 1998

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

In addition to the requirements to design out crime and remove any opportunity to commit crime or anti-social behaviour, my colleague Mandy Gibbs will be submitting a S106 request on behalf of the Police and Crime Commissioner.

(Design guidance available to view in Documents tab)

1st April 2026

I have had the opportunity to review the latest documents linked with this application; it was good to see a section relating to crime prevention along with the additional information relating to CCTV, lighting, landscaping and the need to create a safe place around the cycle store and changing rooms.

The inclusion of on-site security addressing any issues identified via CCTV or panic alarm, adds another important element of security.

There are a few technical questions which can be addressed outside of the planning application, so liaising with the architects and developers will be vital in the design of the CCTV system. And any audible alarms or panic buttons need to be design and managed to prevent false activation and subsequent deactivation and removal.

CBC Drainage and Flooding Engineer

27th January 2026

The landscape strategy includes all the key features of the proposed surface water drainage scheme, which is being reviewed separately under condition 34.

The finished levels general arrangement plans submitted here may require updating with the proposed flood compensation zone (condition 36) and any modification to ground levels to ensure surface water exceedance flow paths (to be reviewed as part of condition 34) do not cause danger to people and property.

Consultant Ecologist

27th January 2026

I have reviewed the Ecology report by EDP (Aug25) and note that update Extended Phase 1/UK Habitat, Badger and Great Crested Newt Surveys have been undertaken for the first phase of the development.

The results of the update walkover survey demonstrated that the habitats had not significantly changed and thus there was no new potential for protected species to be present. Therefore the recommendations in the original report are still relevant for the Site.

The great crested newt surveys of the ponds were consistent with the historic surveys and as the risk of great crested newts being encountered during site works was still considered to be sufficiently low that it still did not warrant licensing. Therefore, the non-licenced precautionary details set out in the Great Crested New Mitigation Strategy are still considered to be appropriate for this Site.

Trees were inspected from the ground and also through undertaking an aerial tree climbing survey for bat roosts, which reduced the potential of the one tree (T28) with notable bat roosting potential that will be removed. With respect to the tree (T30) with several roosting features, it was noted that further surveys would be required if the pruning works remove multiple roost features, however, this was considered unlikely but would need to be confirmed with the project arborists at the time of pruning.

No badger setts or latrines were recorded during the update walkover, with results consistent with historic surveys. As a badger footprint was recorded along the bank of Hatherley Brook, badgers were considered to be present within the Site. Therefore, a precautionary walkover for badgers is to be undertaken prior to the start of works to confirm that no setts have been excavated.

A review of the Planning Statement (Dec2025) highlights that this first phase of the development is to proceed in accordance with Building With Nature requirements and that efforts have been made to ensure that 10% biodiversity net gain can be achieved through a combination of retention of ecologically valuable habitats wherever possible, plus habitat enhancement/creation both onsite and offsite (via arable land at Hill Farm, Leckhampton), which is welcomed.

CBC Ecologist

25th March 2026

The submitted proposals demonstrate a strong commitment to ecological integration. The layout incorporates well-connected habitats that have been carefully considered both within the site and in the context of the surrounding landscape. The inclusion of off-site connectivity is particularly welcomed, as it will support species movement and contribute positively to long-term ecological resilience. This represents a key strength of the scheme, and it is encouraged that this approach is maintained and further developed through subsequent phases.

In principle, the ecological strategy for the development is supported. While the site is not subject to mandatory Biodiversity Net Gain (BNG) requirements under the Environment Act 2021, the applicant's commitment to deliver a minimum of 10% net gain is welcomed.

However, it is not currently clear that this commitment has been secured. The proposed delivery of BNG relies in part on off-site provision at Hill Farm, which is understood to be within the ownership of the Local Planning Authority. At present, this site has not been established as a registered habitat bank with DEFRA, and therefore the allocation of biodiversity units cannot yet be confirmed or secured.

The Biodiversity Gain Plan (BGP) acknowledges that certain areas within Phase 1, including land required for temporary infrastructure and compounding, will be subject to future phases of development. As such, the detailed landscaping proposals for these areas remain unknown, with BNG implications deferred to future reserved matters applications. While it is noted that this approach was agreed in principle with the Council's Ecologist in May and June 2025, the current application seeks approval of reserved matters, and sufficient detail is therefore required at this stage to enable proper assessment.

The BGP also confirms that significant on-site enhancements are proposed, including the creation of neutral grassland, scrub, Sustainable Drainage Systems (SuDS), and hedgerows. These measures are supported. It is noted that a Section 106 agreement will be required to secure monitoring and management of on-site BNG, although it is unclear whether this has already been addressed at outline stage.

In relation to off-site provision, the BGP identifies Hill Farm, Leckhampton, as the intended delivery location, with the expectation that this site will be entered onto the biodiversity gain site register and allocated to the development. It is also acknowledged that, should this site not come forward, alternative off-site units would need to be secured from another provider within the relevant area.

At present, however, Hill Farm is not registered as a habitat bank nor agreed formally with the relevant authority (Tewkesbury Borough Council), and there is no mechanism in place to secure the allocation of biodiversity units. Consequently, there is insufficient certainty that the proposed 10% net gain can be achieved.

Given the above, it is considered that the level of information provided would typically be acceptable at outline stage. However, for the approval of reserved matters, the Local Planning Authority requires a greater degree of certainty and detail regarding BNG delivery.

Habitats Regulations Assessment

This phase of development is none residential and is not subject to HRA for the Cotswold Beechwoods SAC.

Conclusion

Ecology does not object to the application in principle and supports the proposed on-site landscaping and ecological enhancements. However, this support should be conditional upon the applicant demonstrating that off-site biodiversity units are secured, through a legally binding mechanism (e.g. Section 106 agreement), prior to commencement of development as the mandatory BNG condition is not applicable to this application.

In the absence of such assurance, it is recommended that the applicant either provides the necessary evidence to secure BNG or considers postponing the application until such time as the habitat bank is established and units can be formally allocated.

9th April 2026

The proposed development is not exempt from Biodiversity Net Gain (BNG); however, as the application was submitted prior to the BNG regulations coming into force, there is no mandatory requirement to deliver 10% net gain.

Notwithstanding this, the applicant has demonstrated a clear and consistent commitment to delivering a minimum of 10% BNG throughout the planning process. The submitted Biodiversity Net Gain Assessment (ref: edp3132_r052), alongside the Statutory Biodiversity Metric and Phase Biodiversity Gain Plan, provides sufficient information to understand the biodiversity impacts of Phase 1 and the wider site.

The mitigation hierarchy has been appropriately applied through the design process, with efforts made to avoid and minimise impacts. Losses are largely limited to lower distinctiveness habitats, while higher-value habitats are retained and protected. The proposed on-site enhancements, including habitat creation and buffering, are supported.

It is acknowledged that Phase 1 will result in a net loss of habitat units, with overall net gain intended to be delivered across the wider site through off-site provision at Hill Farm or, if necessary, via an alternative habitat bank. The applicant has set out a clear mechanism for securing off-site units should Hill Farm not be deliverable.

On this basis, and given the voluntary nature of the BNG commitment, there is now sufficient confidence in the proposed approach to biodiversity delivery.

Conclusion

No objection is raised on ecological grounds. The proposed ecological strategy and commitment to delivering biodiversity net gain are supported.

I would note that this application is not subject to the mandatory BNG requirement. The applicant's commitment to deliver BNG is therefore voluntary and welcomed. This approach should not be taken to set a precedent for developments that are subject to the statutory BNG framework, where full compliance with relevant legislation and guidance will be required.

Condition – Biodiversity Net Gain (Compliance with Approved Plan)

The development hereby permitted shall be carried out in full accordance with the submitted Phase Biodiversity Gain Plan: Form for Individual Phases of a Phased Development (Ref: 26/00001/REM, prepared by Rob Forbes, dated 01/04/2026), including the associated biodiversity metric calculations and supporting documentation.

All on-site habitat creation, enhancement, and protection measures identified within the approved documents shall be implemented in accordance with the approved details and retained thereafter.

Where the approved Biodiversity Gain Plan identifies the need for off-site biodiversity units to achieve the stated biodiversity outcomes, these units shall be secured through an appropriate mechanism prior to completion of the final phase of the development, and evidence of such securing shall be submitted to and approved in writing by the Local Planning Authority.

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

Reason:

To ensure that biodiversity impacts arising from the development are appropriately mitigated and compensated for, and to secure the delivery of biodiversity enhancements in accordance with the submitted Biodiversity Gain Plan.

Whilst the development is not subject to the mandatory biodiversity gain condition as set out in Schedule 7A of the Town and Country Planning Act 1990 (as inserted by the Environment Act 2021), the applicant has made a voluntary commitment to deliver biodiversity net gain. This condition ensures that the proposed ecological measures, which form part of the basis for the acceptability of the scheme, are secured and implemented.

This is in accordance with Paragraphs 180 and 186 of the National Planning Policy Framework, which require planning decisions to minimise impacts on and provide net gains for biodiversity, and with Section 40 of the Natural Environment and Rural

Communities Act 2006 (as amended), which places a duty on public authorities to have regard to the purpose of conserving biodiversity.

Natural England

13th January 2026

Thank you for your consultation.

Natural England has no comments to make on this reserved matters application.

Natural England has not assessed this application for impacts on protected species. Natural England has published Standing Advice which you can use to assess impacts on protected species or you may wish to consult your own ecology services for advice.

Natural England and the Forestry Commission have also published standing advice on ancient woodland, ancient and veteran trees which you can use to assess any impacts on ancient woodland or trees.

The lack of comment from Natural England does not imply that there are no impacts on the natural environment, but only that the application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes. It is for the local planning authority to determine whether or not this application is consistent with national and local policies on the natural environment. Other bodies and individuals may be able to provide information and advice on the environmental value of this site and the impacts of the proposal to assist the decision making process. We advise local planning authorities to obtain specialist ecological or other environmental advice when determining the environmental impacts of development.

We recommend referring to our Site of Special Scientific Interest Impact Risk Zones (available on Magic and as a downloadable dataset) prior to consultation with Natural England. Further guidance on when to consult Natural England on planning and development proposals is available on gov.uk at <https://www.gov.uk/guidance/local-planning-authorities-get-environmental-advice>

Environment Agency

28th January 2026

Thank you for consulting us on the above application which was received on 06 January 2026. We have the following comments for your consideration at this time:

We refer you to the comments we provided in response to the Outline planning application reference 23/01875/OUT, in our letter dated 2 June 2025 (our reference SV/2023/112091/03-L01). Please also read our previous letters for context, dated 29 December 2023, our reference SV/2023/112091/01-L01 and 27 September 2024, our reference SV/2023/112091/02- L01.

We note that a flood risk assessment, or further flood risk analysis, has not been submitted for the Reserved Matters planning stage. This was set out as a recommended condition in our response dated 2 June 2025, and included in the Decision Notice (condition no. 36) of Outline planning permission ref 23/01875/OUT. We are therefore unable to support the proposals until this condition has been met, and any associated necessary changes to the detailed design are incorporated into this reserved matters planning application.

The flood risk assessment should take into account the changes to the Flood Map for Planning (Rivers and Sea) (FMFP), which came into effect in 2025. Prior to these changes, all built development was located within Flood Zone 1. However, the updated

FMFP now indicates that the western site boundary is at risk of flooding from an ordinary watercourse, and part of the proposed built development is now located in Flood Zones 2 and 3.

We have recently (23 January 2026) been consulted on planning application ref 25/02081/DISCON which is for Discharge of condition 36 (Flood Risk Analysis) of planning permission 23/01875/OUT. We appreciate this pertains to the matters we have raised above. We will respond to that application in due course once we have reviewed the information submitted in support of it. We will notify you if our response to that application (25/02081/DISCON) alters our position on this application (26/00001/REM). Until such time however, we must register an objection at this stage on flood risk grounds.

I trust the above will assist at this time. Please do not hesitate to contact me if you have any queries. If you are minded to approve the application we would request notification of this so as to make further representation. If you refuse the application at this time based on our advice we would be prepared to support you in any subsequent appeal. If a determination is made, a copy of the subsequent decision notice would be appreciated.

27th March 2026

Further to our previous response (dated 27 January 2026, our reference SV/2026/113404/01-L01), we have reviewed the additional information submitted in support of the above proposed development following your consultant letter dated 09 March 2026. We have the following comments for your consideration at this time:

We acknowledge receipt and note the contents of the Flood Risk Technical Note by Hexa (reference 65826-HEX-XX-XX-TN-C-00001, dated February 2026) submitted in support of the Reserved Matters planning application reference 26/00001/REM.

We refer you to previous comments we provided in response to consultations on planning applications at this and the wider site, including at Outline planning stage (reference 23/01875/OUT).

In our previous response we objected on the basis that Condition 36, set as a condition of Outline planning permission, had not been met.

The purpose of the condition is to ensure that an appropriate assessment of flood risk is undertaken to inform the planning application and ensure the development will be safe from flooding and not increase flood risk to third parties.

The above referenced Technical Note sets out the requirements of Condition 36, and provides details on how it is being addressed, including the undertaking of detailed hydraulic modelling to inform an assessment of flood risk.

In view of the comments provided in the Technical Note, we are prepared to remove our current objection on the basis that the meeting of Condition 36 is not necessarily a pre-requisite to the determination of the reserved matters planning application, provided that Condition 36 is satisfied prior to the commencement of development.

However, it will be the responsibility of the applicant to resolve any flood risk related issues that arise as a result of the hydraulic modelling outputs. It is important that all parties are aware of any potential risk with the desire to delay the submission of this information to a separate Discharge of Conditions stage rather than submitting the information as part of Reserved Matters. If for example the modelling work later

indicates that a higher flood level is present and that in turn has an impact on design or layout of the buildings after a Reserved Matters permission has been granted, this could mean the Reserved Matters permission would need to be varied to ensure the necessary mitigation measures are implemented.

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

National Highways Agency

27th January 2026

National Highways Ref: NH/26/14399

Referring to the consultation on the above referenced planning application received on 6 January 2026, in the vicinity of M5 Junction 10 and 11 and the A40 trunk road that form part of the Strategic Road Network, notice is hereby given that National Highways' formal recommendation is as follows: a) offer no objection (see reasons at Annex A).

Highways Act 1980 Section 175B is not relevant to this application.

This represents National Highways' formal recommendation and is copied to the Department for Transport as per the terms of our Licence.

Should the Local Planning Authority not propose to determine the application in accordance with this recommendation they are required to consult the Secretary of State for Transport, as set out in the Town and Country Planning (Development Affecting Trunk Roads) Direction 2018, via transportplanning@dft.gov.uk and may not determine the application until the consultation process is complete.

The Local Planning Authority must also copy any consultation under the 2018 Direction to PlanningSW@nationalhighways.co.uk

This response and all comments outlined herein are made in respect of planning matters only in National Highways' position as a statutory planning consultee, and does not confer any proprietary rights nor amount to the giving or refusal of consent, assent, approval, or awareness of or by National Highways in or of any other aspects or matters (including, but not limited to, the use of property belonging to National Highways). If anyone wishes for National Highways to consider any aspects which do not relate to planning submissions, they should call our contact centre on 0300 123 5000.

Annex A National Highways' recommended No Objections

National Highways has been appointed by the Secretary of State for Transport as a strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

We have undertaken a review of the relevant documents supporting the planning application to ensure compliance with the current policies of the Secretary of State as set out in DfT Circular 01/2022 "The Strategic Road Network and the Delivery of

Sustainable Development” and the National Planning Policy Framework (NPPF). This response represents our formal recommendations with regards to planning application reference 26/00001/REM.

Statement of Reasons

The application seeks approval of Reserved Matters (layout, scale, appearance, landscaping and access) for Phase 1, comprising 15,247sqm of employment floorspace a 19,434sqm Mobility Hub, 452 car parking spaces and 140 cycle parking spaces, pursuant to outline permission 23/01875/OUT for an Innovation Centre with ancillary café and event spaces (Class E), a Mobility Hub (Sui Generis) with flexible retail (Class E) and community uses (Class F) at ground floor, together with associated infrastructure and open space, at Land at West Cheltenham, Southern Parcel, Fiddlers Green Lane, Cheltenham, Gloucestershire.

The Southern Parcel is located approximately 1km east of M5 Junction 11 and the A40 Trunk Road. M5 Junction 10 is located approximately 4.8km driving distance to the north west.

National Highways raised no objection to outline planning application 23/01875/OUT, subject to a Grampian condition restricting occupation of the site beyond 497 dwellings and 43,400sqm of Class E floorspace until the “M5 Junction 10 All Movements Improvement Scheme” (Housing Infrastructure Fund major improvement scheme) is completed and open to traffic. Further details are provided in our response to application 23/01875/OUT dated 8 May 2025.

Impact on the Strategic Road Network

National Highways has no objection in principle to the approval of the Reserved Matters relating to layout, scale, appearance, landscaping and access for Phase 1, noting that the quantum of development proposed falls within the development cap set out in the above agreed Grampian condition.

Paragraph 3.15 of the submitted Transport Statement makes reference to a sensitivity test which identifies the potential need for highway mitigation works at both Arle Court Roundabout and M5 Junction 11. Indicative drawings of these potential schemes have been submitted by the applicant, and paragraph 3.16 confirms that such works would be implemented should agreed commercial trip thresholds be consistently exceeded. This would be identified through a Monitor and Manage strategy, to be agreed with the Local Planning Authority and the local highway authority as part of the discharge of Condition 47 of the outline planning consent.

Whilst National Highways has no objection to this approach in principle, given the interaction of any such schemes with the Strategic Road Network, including the need to coordinate construction traffic management, National Highways must be consulted on detailed technical approvals for any mitigation schemes that come forward.

Any mitigation schemes brought forward will be required to be reassessed against the prevailing network operating conditions at the time, to ensure that they deliver the required capacity and do not compromise the safe and efficient operation of the SRN.

Recommendation

National Highways offers no objections to the approval of reserved matters sought by application 26/00001/REM.

Standing advice to the local planning authority

The Climate Change Committee's 2022 Report to Parliament notes that for the UK to achieve net zero carbon status by 2050, action is needed to support a modal shift away from car travel. The NPPF supports this position, with paragraphs 77 and 110 prescribing that significant development should offer a genuine choice of transport modes, while paragraphs 109 and 115 advise that appropriate opportunities to promote walking, cycling and public transport should be taken up as part of a vision-led approach.

Moreover, the carbon reduction hierarchy (avoid-switch-improve) as set out in clause 4.3 of PAS2080:2023 promotes approaches and measures to minimise resource consumption and thereby reduce carbon emissions.

These considerations should be weighed alongside any relevant Local Plan policies to ensure that planning decisions are in line with the necessary transition to net zero carbon.

Hesters Way Neighbourhood Development Forum (HW NDF)

28th January 2026

The HW NDF steering group has studied the reserved matters proposals for the Innovation Centre and Mobility Hub of Golden Valley Development and has some comments and recommendations as listed below.

1. Construction Traffic Access

HW NDF recommend a speed limit of 20mph on Fiddlers Green Road between Telstar Way and the main site entrance to improve safety and reduce noise pollution.

2. Bus Gate

HW NDF recommend the bus gate on Fiddlers Green Lane should be installed prior to the development commencing to negate any potential use by construction traffic.

3. Cycle Path Construction Materials.

HW NDF recommend a single consistent colour on asphalt as the preferred cycle route material rather than bound gravel as potentially proposed (PT07 surface options)

4. Mobility Hub top deck

HW NDF recommend a minimum parapet height of 2m to reduce light and noise pollution

5. Public Art Options

HW NDF recommend potential public art solutions for the street furniture (FF01 - FF17)

6. Biodiversity Net Gain

HW NDF recommend that if off site biodiversity improvements are necessary to meet obligations that local parks be considered as sites as well as Hill Farm in Leckhampton e.g. at KGV, Springfield and Hesters Way Parks

7. Sustainability What measures will be taken to minimise upfront embodied carbon and what

monitoring will ensure that the project meets the SPD LETI guidance: Office – 350 kgCO₂e/m²/yr o Retail – 300 kgCO₂e/m²/yr

GCC Minerals and Waste Policy

29th January 2026

Thank you for consulting the Minerals & Waste Policy team. On this occasion we have no comments to make.

2nd April 2026

We note that we have previously reviewed the environmental constraints for the wider outline application.

Concerning this application, an Operational Waste Strategy has been provided. Regarding waste minimisation for the occupation phase, the case officer should be satisfied that information meets current guidelines.

For Waste minimisation for the construction phase, we recommend that this is carried out in line with the approved SWMP from the outline phase, which specified spoil quantity from the outline application, along with anticipated waste tonnages; and states that "the use of reclaimed or recycled materials should be maximised where possible".

National Grid

26th January 2026

Regarding planning application 26/00001/REM, there are no National Grid Electricity Transmission assets in the application area.

If you would like to view if there are any other affected assets in this area, please raise an enquiry with <https://lsbud.co.uk/>. Additionally, if the location or works type changes, please raise an enquiry.

Please note this response is only in reference to National Grid Electricity Transmission assets only. National Grid Electricity Distribution (formerly WPD) and National Gas Transmission (formerly National Grid Gas) should be consulted separately where required.

GCC Lead Local Flood Authority (LLFA)

5th February 2026

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

The Illustrative Plan (GVC650-GRA-01-DR-L-0102-P-03) for this phase shows a number of SuDS features that are consistent with the SuDS Strategy approved with application 23/01875/OUT. The details of the surface water drainage for this phase will be dealt with through the discharge of Condition 34.

The LLFA has no objections to this application.

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

NOTE 2: Any revised documentation will only be considered by the LLFA when resubmitted through suds@gloucestershire.gov.uk e-mail address. Please quote the planning application number in the subject field.

Tree Officer

23rd January 2026

The Trees Section has some reservations about the proposed landscaping around the innovation centre hub buildings. While the species choices are appropriate and well considered, the proposed planting of two oaks, a sweetgum and three cherries in the atrium or courtyard of the building is likely to detract from the existing oaks, give the area a dark and cramped feel and could lead to unhelpful competition for light and water. The Trees Section would recommend removing these new trees from the planting proposal.

It is noted that the sizes of the new trees are not specified, although reference to a planting schedule is made - but this document does not appear to have been submitted yet. Tree sizes should be specified. The Trees Section would normally recommend trees no larger than 10-12cm girth on major schemes. They tend to establish more quickly and require less water than larger trees which on larger sites can mean fewer failures.

8th April 2026

Given the Rev 6 Soft Landscaping Strategy (received 9/3/26), the CBC tree section still has some concerns.

Whilst the scale and ease of maintenance of the proposed hazel trees north of the courtyard is appropriate, the proposed 3 groups of 3 multi-stemmed hazel trees could be overbearing and visual amenity-wise, underwhelming.

Trees Officers consider perhaps one group of 3 hazels could be complimented with two groups of 3 *Acer palmatum* or *Acer davidii* -small and delicate ornamental Japanese maples-aesthetically pleasing at all times of year and will not detract (in terms of water demand or light etc) from the existing large oaks. These trees are shade/partial shade tolerant.

South of the courtyard are the new proposed crab apples. Again, these trees frequently have a tendency to look "threadbare" and thirsty. Similarly, the proposed *Ginkgo biloba* can grow large quickly and may detract from the oak. *Parrotia persica* 'Vanessa' (an more upright form of Persian ironwood), and *Cornus kousa* (flowering dogwood) would compliment each other at this location and again, not detract from the oaks.

The *Ginkgo* by the Fiddlers Green Lane by the bus stop is welcome.

The *Quercus robur* (Common oak) to the south east is a welcome legacy value tree. This location is closest to the oak where there is a possible decline in biological decline but not so close as to compete for water, light etc for many years.

Whilst it is understood that indeed there is an "instant visual landscape amenity value in planting semi-mature trees, some of the proposed new trees will be huge at the time of planting (8 metres) and take a really long time to establish. They will require onerous aftercare and watering for many years. Trees Officers consider that trees of 18-20 (6 metres) should be planted.

Trees Officers consider that a generous, watering regime during dry periods as well as a high-spec and generous tree planting pit (involving eg bio-char, mulch and BS 3882 (2015) top soil) should aid prompt establishment and growth. It is recommended a local tree planting, aftercare and maintenance specialist (Bali registered) is engaged. A local contractor will be better able to respond to drought and other unexpected tree related matters.

County Archaeology

28th January 2026

Thank you for consulting the archaeology department on this application. As Section 7.8 of the document titled "Environmental Statement of Compliance" states, Condition 19 A and B of the outline planning permission deals with archaeological mitigation. This includes an exclusion methodology and a programme of archaeological mitigation to be approved prior to development, including enabling works. I have checked the details submitted with this reserved matters application and I have no additional comments to make.

Health & Safety Executive

21st January 2026

Thank you for your email in relation to the above application.

HSE is the statutory consultee for planning applications that involve or may involve a relevant building .

Relevant building is defined as:

- o contains two or more dwellings or educational accommodation and
- o meets the height condition of 18m or more in height, or 7 or more storeys

"Dwellings" includes flats, and "educational accommodation" means residential accommodation for the use of students boarding at a boarding school or in later stages of education (for definitions see article 9A (9) of the Town and Country Planning Development Management (England) Procedure Order 2015 as amended by article 4 of the 2021 Order.

However, from the information you have provided for this planning application it does not appear to fall under the remit of planning gateway one because the purpose of a relevant building is not met. (Phase 1 of the Southern Parcel does not appear to involve any relevant buildings for this Reserved Matters Application).

Once again thank you for your email, if you require further advice with regards to this application, please do not hesitate to contact the planning gateway one team quoting our reference number in all future correspondence.

Gloucestershire Airport

27th January 2026

Initial examination reveals that this proposal requires fuller investigation.

Whilst every effort will be made to reply as soon as possible, we may not be able to reply within 21 days of receipt of your letter. I would, therefore, ask that your Council defers making a decision on this application until we are able to advise you of the results of our investigations.

3rd March 2026

No further comment from Gloucestershire Airport.

Environmental Health

27th January 2026

I have reviewed the submitted documents, and don't believe there is anything EP related that is not covered by the conditions attached to the outline permission: 23/01875/OUT. Please could I just confirm that these conditions will then be discharged later down the line? For example, this application includes some plant equipment on the plans but the BS4142 condition would require them to assess the noise level and provide spec detail etc.

8th April 2026

I have reviewed the provided timing information, and thus the department would not be satisfied with the proposed times of servicing for each component being from 06:00, due to the proximity to existing residential premises. The department would be seeking for deliveries and waste collections to be from 07:30am during weekdays and from 08:00 during weekends and bank/public holidays.

Additionally, just to note that at this stage the hours of operation seem suitable, but that other conditions may restrict these hours, such as the BS4142 assessment.

9th April 2026

Thanks for providing this further detail. As previously noted, at this stage the hours of operation seem suitable, but that other conditions may restrict these hours, such as the BS4142 assessment.

In regards to the response to the timings of servicing, my initial comment was mainly regarding the servicing of the mobility hub due to the proximity to existing residential premises, but looking at the plans, it seems that the servicing is designated towards the innovation centre and thus further away from the existing residential premises. Therefore, the department are satisfied with the proposed servicing timings.

Additionally, I am unsure whether we are able to add conditions at this stage, but a noise impact assessment would be required to ensure nearby premises (including commercial) are not impacted from the noise of the gym, including music and structure-borne noise from weights dropping on a floor etc.

Urban Design

25th February 2026

Thank you for consulting me on this application. I have reviewed the information submitted as part of this reserved matters application and assessed it from an urban design perspective against the approved design code* for the site, as well as relevant local and national good design practice.

In summary, the proposals accord with the key regulatory requirements of the design code. The code establishes the mandatory parameters governing the layout, form and character of the development in line with the wider site vision, and the submitted details satisfactorily comply with these requirements from a design perspective.

*The Golden Valley Development, West Cheltenham: Southern Parcel Outline Planning Application, January 2025, Tier 2 Design Code.

Design comments

Innovation Centre - a key marker pavilion building for the Golden Valley Development - designed to establish a strong sense of identity and place. It is arranged in a form that encloses a semi-public landscaped courtyard garden. The elevations for this building present a strong contemporary architectural expression, making effective use of the building's linear form through consistently proportioned horizontal window openings arranged across the façade. This rhythm is punctuated by larger double height entrance voids, where the strong vertical emphasis of the columns and upper level openings reinforces the prominence of the building entrances. To the east, the wing steps down so that the sloped green roof meets first floor level, creating a refined contemporary form with the green roof clearly visible from the courtyard entrance - a striking visual cue of the proposal's aspiration.

The building height for the innovation hub is proposed at ~60m AOD which is at the lower end of the height parameters set in the code of 60-65m AOD.

The interface between the internal uses and the public realm along the street and the large, landscaped courtyard have been carefully considered. Routes into and across the courtyard and to the building's 4 entrances are clear and easy to navigate.

The design code requirement for connected green branches (east-west) across the southern area of the site have been articulated through the use of a connected SuDS

strategy mimicking the natural flow of water through the site. This is realised through the proposed rain gardens, swales and detention pond that visually connect the SuDS train creating a strong placemaking aspect to the scheme that form part of the public realm.

Mobility Hub, as with similar building types, such uses inevitably create areas of limited activity along their outer edges of the built form and therefore rely on ground floor uses to provide animation. Edge onto Fiddler's Green - the building meets the frontage requirements of the design code: commercial backs face Fiddler's Green, with no more than 45% of the ground floor presenting inactive frontage, maintaining an appropriate street character. The building's siting allows for sufficient planting to soften its edge along Fiddlers Green Lane, and although the elevations are largely inactive in terms of openings along this edge, this accords with the design code for this interface.

The built form adopts a linear arrangement in both shape and massing, with cladding treatments organised as a vertical proportioning system. Over time, the proposed tree planting will provide a natural, partial screening to the building when viewed from Fiddlers Green Lane.

The remaining three edges of the building have been deliberately designed to provide active frontages, incorporating retail uses, bicycle facilities and multiple access points. Extensive glazing offers strong passive surveillance of the public realm. The vertically proportioned cladding system is composed to align with ground floor openings and window/mullion positions, resulting in a coherent and well resolved architectural expression.

These edges (frontages) accord with the commercial frontage requirements of the design code (p142) as they are presented along the ground floor, clear definition of lobbies to upper storeys and overlooking of the street (ground level and at lobby areas above).

The building height for the mobility hub is proposed at ~56,5m AOD - at the lower end of the height parameters set in the code of 55-60m AOD.

Soft landscape strategy - the proposals put forward a robust landscape strategy for the public realm. The design code requires a number of strategies across the site relating to: landscape character areas, an ecological spine, green branches and open spaces, physical and visual connection between the 3 veteran oak trees, these have been clearly delivered in the landscape proposals and provide a positive, functional and attractive interface with the proposed building uses where the soft and hard landscaping (public and semi-public realm) meet the building edge.

Materials - the precedent studies and the façade design treatment and material implementation pages are useful in setting out the approach to how key aspects of the building are to be constructed. Materials and colours are mentioned and generally align with the broad requirements of the code, achieving a complimentary palette, however we should assess these more specifically on site. I suggest that the exact material choices including bricks, mortar mix colour, window and door frames and cladding panels are constructed on a sample panel to be agreed on site.

18th March 2026

I support these latest revisions and have provided some brief comments below in light of that support.

The updates include structural changes to the mobility hub that improve its operational efficiency and release additional floorspace, enabling two levels of new commercial space. The proposed gym use over the upper floors will help activate the façade and also extend activity beyond the typical operating hours of other ground floor uses, which is positive.

Revisions to the southern elevation introduce additional openings, increasing visual activity and passive surveillance onto the public realm. These improvements support good urban design principles and accord with the Tier 2 Design Code approved under application 23/01875/OUT.

The architectural detailing has been carefully refined, and the façade study within the Design & Access Statement demonstrates a coherent proportioning strategy and well-considered material composition, drawing on successful precedents.

GCC Highways Development Management

4th March 2026

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

The justification for this decision is provided below.

We thank the applicant for their extensive pre-application on this application. GCC are in the position to provide a no objection on the proviso that amendments previously identified, will be needed for the Highway Authority to adopt or connect to the Public Highway under Section 38 and Section 278 works required as proposed by the Transport Statement for:

Land North West of Cheltenham: RMA. HBD Golden Valley Limited (SLR Project No.: 425.001051.00002 24 November 2025 Revision: V1.)

The applicant's transport statement includes our Pre-Application comments shown in Appendix A. Despite officers' efforts to work towards a more defined application, it is noted that a number of the plans submitted in this application are the same as those reviewed last year with no changes offered to date. GCC urge the applicant to address this before submission for the required Technical Approval (TA) with the Highways Legal agreement Team.

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

Conditions

Conformity with Submitted Details (Multiple Buildings)

The Development hereby approved shall not be brought into use until the access, parking and turning facilities that that individual building to the nearest public highway has been provided as shown on drawings: 1. GVC650-GRA-01-DR-L-1104-P rev03 2. GVC650-GRA-01-DR-L-1102-P rev10 Please note These plans and associated plans

will require amendments to be technically approved as acknowledged in the Transport Statement. Reason: To ensure conformity with submitted details.

Provision of Vehicular Visibility Splays

The development hereby approved shall not be brought into use until visibility splays are provided from a point 0.6m above carriageway level at the centre of the access to the application site and 2.4 metres back from the near side edge of the adjoining carriageway, (measured perpendicularly), for a distance of 34 metres in each direction measured along the nearside edge of the adjoining carriageway and offset a distance of 0.6 metres from the edge of the carriageway. These splays shall thereafter be permanently kept free of all obstructions to visibility over 0.6m in height above carriageway level.

Reason: In the interests of highway safety.

Provision of Pedestrian Visibility Splays

The Development hereby approved shall not be brought into use until pedestrian visibility splays of 2m x 2m measured perpendicularly back from the edge of carriageway shall be provided on both sides of the access. These splays shall thereafter be permanently kept free of all obstructions to visibility over 0.6m in height above the adjoining ground level.

Reason: To ensure motorists have clear and unrestricted views of approaching pedestrians when pulling out onto the adopted highway, in the interest of highway safety.

Highway improvements / offsite works / site access (Details Provided)

The Development hereby approved shall not be brought into use until the highway improvements, offsite works, site access works as set out in the applicant's Transport Statement Transport Statement Land North West of Cheltenham: HBD Golden Valley Limited (SLR Project No.: 425.001051.00002 24 November 2025 Revision: V1):

- 205369-PD29.1 – Springbank / Henley Road Connection
- 205369-PD29.2 – Fiddler's Green Lane Narrowing
- 205369-PD29.5 – Fiddler's Green Lane/ Marsland Road
- 205369-PD29.6 – Oldbury Road/ Princess Elizabeth Way
- 205369-PD29.8 – Telstar Way (approved access drawing)
- 205369-PD29.9 – Fiddler's Green Lane (approved access drawing)

Have been constructed and completed.

Please note These plans and associated plans will require amendments to be technically approved as acknowledged in the Transport Statement.

REASON: To ensure the safe and free flow of traffic onto the highway.

Completion of Vehicular Access – Shown on the approved plans

The development hereby approved shall not be brought into use until the means of access for vehicles, pedestrians and cyclists have been constructed and completed as shown on drawing.

Reason: In the interest of highway safety.

Combined Parking Details (For RM Applications)

Vehicle and cycle parking shall be provided prior to first occupation of each dwelling in accordance with details to be contained within the approval of any reserved matters permission. Such details shall include a scheme for enabling charging of electric plug-in and other ultra-low emission vehicles. Parking and charging points shall be maintained for this purpose thereafter.

REASON: To promote sustainable travel and healthy communities.

Bicycle Parking

The Development hereby approved shall not be brought into use until sheltered, secure and accessible bicycle parking has been provided in accordance with details which shall first be submitted to and approved in writing by the Local Planning Authority. The storage area shall be maintained for this purpose thereafter.

REASON: To promote sustainable travel and healthy communities.

Electric Vehicle Charging Points (Commercial)

An electric vehicle infrastructure strategy and implementation plan shall be submitted to and approved in writing by the Local Planning Authority prior to the first use of any building hereby permitted. The plan shall contain details of the number and location of all electric vehicle charging points shall comply with BS EN 62196 Mode 3 or 4 charging and BS EN 61851, and Manual for Gloucestershire Streets. Buildings and parking spaces that are to be provided with charging points shall not be brought into use until associated charging points are installed in strict accordance with approved details and are operational. The charging point installed shall be retained thereafter unless replaced or upgraded to an equal or higher specification.

Reason: To promote sustainable travel and healthy communities.

Accessible Parking Provision (Commercial)

The development hereby approved shall not be brought into use until accessible car parking spaces have been provided in quantity and in a location to be agreed in writing by the Local Planning Authority and thereafter shall be kept available for disabled users as approved at Technical Approval.

Reason: To provide safe and suitable access for all users.

Motorcycle Parking Provision (Commercial)

The development hereby approved shall not be brought into use until at least until a number of secure motorcycle parking spaces have been provided in a location to be agreed in writing by the Local Planning Authority and thereafter shall be kept available for motorcycle parking as approved.

Reason: To provide safe and suitable access for all users.

Active Travel Facilities (Commercial)

Notwithstanding the details submitted the development hereby approved shall not be brought into use until showers and lockers have been installed in each building in accordance with details which shall first be submitted to and approved in writing by the Local Planning Authority.

REASON: To reduce vehicle movements and promote sustainable access.

Construction Management Plan

Prior to commencement of the development hereby permitted details of a construction management plan shall be submitted to and approved in writing by the Local Planning Authority. The approved plan shall be adhered to throughout the clearance and construction period. The plan/statement shall include but not be restricted to:

- Parking of vehicle of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
- Advisory routes for construction traffic;
- Any temporary access to the site;
- Locations for loading/unloading and storage of plant, waste and construction materials;
- Method of preventing mud and dust being carried onto the highway;

- Arrangements for turning vehicles;
- Arrangements to receive abnormal loads or unusually large vehicles;
- Highway Condition survey;
- Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.

Reason: In the interests of safe operation of the adopted highway in the lead into development both during the demolition and construction phase of the development.

Provision for street tree planting

No works or development shall take place until full details of all proposed street tree planting, root protection systems, future management plan, and the proposed times of planting, have been approved in writing by the local planning authority, and all tree planting shall be carried out in accordance with those details and at those times.

Reason: To ensure the continued wellbeing of the trees in the interests of the amenity and environmental quality of the locality.

Informatives

Works on the Public Highway

The development hereby approved includes the carrying out of work on the adopted highway. You are advised that before undertaking work on the adopted highway you must enter into a highway agreement under Section 278 of the Highways Act 1980 with the County Council, which would specify the works and the terms and conditions under which they are to be carried out.

Contact the Highway Authority's Legal Agreements Development Management Team at highwaylegalagreements@gloucestershire.gov.uk allowing sufficient time for the preparation and signing of the Agreement. You will be required to pay fees to cover the Councils costs in undertaking the following actions:

Drafting the Agreement

A Monitoring Fee

Approving the highway details

Inspecting the highway works

Planning permission is not permission to work in the highway. A Highway Agreement under Section 278 of the Highways Act 1980 must be completed, the bond secured and the Highway Authority's technical approval and inspection fees paid before any drawings will be considered and approved.

Traffic Regulation Order (TRO)

You are advised that a Traffic Regulation Order (TRO) is required. You must submit a plan to scale of an indicative scheme for a TRO, along with timescales for commencement and completion of the development. Please be aware that the statutory TRO process is not straightforward; involving advertisement and consultation of the proposal(s).

You should expect a minimum of six months to elapse between the Highway Authority's TRO Team confirming that it has all the information necessary to enable it to proceed and the TRO being advertised. You will not be permitted to implement the TRO measures until the TRO has been sealed, and we cannot always guarantee the outcome of the process.

We cannot begin the TRO process until the appropriate fee has been received. To arrange for a TRO to be processed contact the Highway Authority's Legal Agreements Development Management Team at highwaylegalagreements@gloucestershire.gov.

The cost of implementing any lining, signing or resurfacing required by the TRO is separate to the TRO fees, which solely cover the administration required to prepare, consult, amend and seal the TRO.

Highway to be adopted

The development hereby approved includes the construction of new highway. To be considered for adoption and ongoing maintenance at the public expense it must be constructed to the Highway Authority's standards and terms for the phasing of the development. You are advised that you must enter into a highway agreement under Section 38 of the Highways Act 1980. The development will be bound by Sections 219 to 225 (the Advance Payments Code) of the Highways Act 1980.

Contact the Highway Authority's Legal Agreements Development Management Team at highwaylegalagreements@gloucestershire.gov.uk. You will be required to pay fees to cover the Councils cost's in undertaking the following actions:

- Drafting the Agreement
- Set up costs
- Approving the highway details
- Inspecting the highway works

You should enter into discussions with statutory undertakers as soon as possible to co-ordinate the laying of services under any new highways to be adopted by the Highway Authority.

The Highway Authority's technical approval inspection fees must be paid before any drawings will be considered and approved. Once technical approval has been granted a Highway Agreement under Section 38 of the Highways Act 1980 must be completed and the bond secured.

Street Trees

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

Impact on the highway network during construction

The development hereby approved and any associated highway works required, is likely to impact on the operation of the highway network during its construction (and any demolition required). You are advised to contact the Highway Authorities Network Management Team at Network&TrafficManagement@gloucestershire.gov.uk before undertaking any work, to discuss any temporary traffic management measures required, such as footway, Public Right of Way, carriageway closures or temporary parking restrictions a minimum of eight weeks prior to any activity on site to enable Temporary Traffic Regulation Orders to be prepared and a programme of Temporary Traffic Management measures to be agreed.

No Drainage to Discharge to Highway

Drainage arrangements shall be provided to ensure that surface water from the driveway and/or vehicular turning area does not discharge onto the public highway. No

drainage or effluent from the proposed development shall be allowed to discharge into any highway drain or over any part of the public highway.

Protection of Visibility Splays

The applicant's attention is drawn to the need to ensure that the provision of the visibility splay(s) required by this consent is safeguarded in any sale of the application site or part(s) thereof.

Construction Management Plan (CMP)

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

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

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

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

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

Extraordinary Maintenance

The attention of the applicant is drawn to Section 59 of the Highways Act 1980 which allows the Highway Authority to recover additional costs of road maintenance due to damage by extraordinary traffic.

Before any work is commenced upon the development hereby approved representatives of Gloucestershire County Council, as the Highway Authority and the applicant, shall carry out a joint road survey/inspection on the roads leading to this site. Any highlighted defects shall be rectified to the specification and satisfaction of the Highway Authority before work is commenced on the development hereby approved. A further joint survey/inspection shall be undertaken following completion of development hereby approved and any necessary remedial works shall be completed to the specification and satisfaction of the Highway Authority within 1 month or other agreed timescale.

Delivery Management Plan

The Development hereby approved shall not be brought into use until a delivery plan has been submitted to and approved in writing by the Local Planning Authority. The measures shall thereafter be implemented in accordance with the approved delivery plan for the lifetime of the development.

Reason: In the interests of highway safety and to minimise the impact of vehicles servicing the development upon congestion.

Car Park Management Plan

The Development hereby approved shall not be brought into use until a car park management plan has been submitted to and approved in writing by the Local Planning

Authority. The measures shall thereafter be implemented in accordance with the approved car park management plan for the lifetime of the development.

Reason: To ensure the safe operation of approved car parks.

24th March 2026

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

The justification for this decision is provided below.

Further to resubmission by the applicant, GCC HDM continue to offer No Objection (subject to conditions). We thank the applicant for addressing GCC previous concerns and welcome the Applicant's intention to follow the S38 and S278 process to offer the access road for adoption.

In the event of the Applicant deciding to keep the access road private, GCC have placed a Streets Management Plan condition to address this and inform the applicant that should the applicant go on to offer the access road for adoption we would support the removal of this condition, at the time that is decided. We remind the applicant that GCC will not be able to adopt the access road after construction if it hasn't been supervised throughout the construction period and checked by GCC supervision without extensive review of the as-built plans and utilising "invasive" checks i.e.: to include bore holes or strip trenches to identify road construction depths and materials.

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

Conditions

Conformity with Submitted Details

The development hereby approved shall not be brought into use until the means of access for vehicles, pedestrians and cyclists have been constructed and completed in accordance with the following plans as included within the Transport Statement dated 6 March 2026 (Revision: V1) Appendix H: - PD01 (Rev. A) General Arrangement of Proposed Pedestrian/Cycle Improvements at Telstar Way - PD01.1 (Rev. A) General Arrangement of Proposed Shared Pedestrian/Cycle Route Along Fiddler's Green Lane - PD01.2 (Rev. A) General Arrangement of Proposed Pedestrian/Cycle Link to Mobility Hub

Reason: To ensure conformity with submitted details and in the interests of highway safety.

STREETS MANAGEMENT PLAN CONDITION

In the event that the Access road is to remain private a Streets Management Plan must be submitted and approved by the LPA prior to construction.

The Streets Management Plan will include details of the construction and maintenance of all roads, footways, cycleways and associated infrastructure which will be open to the public and be the sole responsibility of the owner.

Along with the SMP, GCC will require details of the proposed Drainage, Street Lighting, Vertical and Horizontal alignment including long and cross section detailing proposed gradients, Construction Specifications and any other technical elements necessary to support Technical Approval for future adoption options.

Reason: To ensure the roads, footways, cycleways and associated infrastructure will be constructed and maintained in perpetuity, in a suitable condition for all users.

Provision of Vehicular Visibility Splays

The development hereby approved shall not be brought into use until visibility splays are provided from a point 0.6m above carriageway level at the centre of the access to the application site and 2.4 metres back from the near side edge of the adjoining carriageway, (measured perpendicularly), for a distance of 34 metres in each direction measured along the nearside edge of the adjoining carriageway and offset a distance of 0.6 metres from the edge of the carriageway. These splays shall thereafter be permanently kept free of all obstructions to visibility over 0.6m in height above carriageway level.

Reason: In the interests of highway safety.

Provision of Pedestrian Visibility Splays

The Development hereby approved shall not be brought into use until pedestrian visibility splays of 2m x 2m measured perpendicularly back from the edge of carriageway shall be provided on both sides of the access. These splays shall thereafter be permanently kept free of all obstructions to visibility over 0.6m in height above the adjoining ground level.

Reason: To ensure motorists have clear and unrestricted views of approaching pedestrians when pulling out onto the adopted highway, in the interest of highway safety.

Informatives

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APPLICATION NO: 26/00001/REM		OFFICER: Ms Michelle Payne
DATE REGISTERED: 2nd January 2026		DATE OF EXPIRY : 3rd April 2026
WARD: Benhall/The Reddings/Fiddlers Green		PARISH:
APPLICANT:	HBD Golden Valley Limited	
LOCATION:	Land At West Cheltenham Southern Parcel Fiddlers Green Lane Cheltenham	
PROPOSAL:	Application for the approval of Reserved Matters (layout, scale, appearance, landscaping and access) for Phase 1 of development pursuant to Outline Planning Permission 23/01875/OUT for an Innovation Centre with ancillary cafe and event spaces (Class E), a Mobility Hub (Sui Generis) with flexible retail (Class E) and community uses (Class F) on the ground and first floor, and all associated infrastructure and open spaces.	

REPRESENTATIONS

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

12 Niven Courtyard
Cheltenham
Gloucestershire
GL51 0GG

Comments: 4th February 2026

Regarding 23/01875/OUT 26/00001/REM Phase 1 Development of Innovation Centre and Mobility Hub

The plans show the Mobility Hub to be a 24-hour facility. Has due consideration been given to sound and light pollution and the associated impact on local residential areas? This includes Operational noise and lighting, Engine noise and acoustic vehicle alert systems (e.g. beeping when reversing) and also any additional impact if the top floor is open air.

Changes are proposed to Caine Square / Galileo Gardens junctions to Telstar Way. Since traffic flow is expected to increase substantially on Telstar Way, are additional changes required to these junctions to enable free flowing entrance to and exit from the existing residential estates leading off Caine Square and Galilee Gardens?

Comments: 27th January 2026

Planning comments from 12 Niven Courtyard

Regarding 23/01875/OUT 26/00001/REM Phase 1 Development of Innovation Centre and Mobility Hub

The plans show the Mobility Hub to be a 24-hour facility. Has due consideration been given to sound and light pollution and the associated impact on local residential areas? This includes Operational noise and lighting, Engine noise and acoustic vehicle alert systems (e.g. beeping when reversing) and also any additional impact if the top floor is open air.

Changes are proposed to Caine Square / Galileo Gardens junctions to Telstar Way. Since traffic flow is expected to increase substantially on Telstar Way, have additional changes been considered to enable free flowing entrance to and exit from the existing residential estates?

38 Falkland Place
Cheltenham
Gloucestershire
GL51 0RP

Comments: 13th April 2026

Further to my email sent yesterday, I'd like to add another reason for my objection. Please see below.

Contradiction with the Council's own 2018 Cheltenham West Vision Masterplan

I attach two pages from the official Cheltenham West Vision document (Nash, 2018), which was funded by a government grant of over £300,000 and was intended to guide regeneration in West Cheltenham, including Hesters Way.

The document explicitly promised:

"Improve connections to existing areas of open and green space" and "Create new public spaces and improve the landscaping and play facilities in existing ones"

"Increased biodiversity and wildlife opportunities" through wildlife-friendly planting, improved surface treatments, shared SUDS, and colour and interest in land form

Enhancing the "wildlife network" and public open space benefits for health and wellbeing, particularly in areas of deprivation.

These commitments were made specifically for the communities directly affected by development in West Cheltenham. Yet the current BNG for application 26/00001/REM proposes to deliver the entire 10% BNG requirement several miles away at Hill Farm in

Leckhampton, ignoring the very local green-space and biodiversity improvements that the Council's own 2018 masterplan identified as priorities.

This is not only contrary to the spirit of the National Planning Policy Framework but also represents a clear failure to deliver on the Council's previous public commitments to West Cheltenham residents.

Letter attached.

Comments: 13th April 2026

Objection to Planning Application 26/00001/REM

Land at West Cheltenham Southern Parcel, Fiddlers Green Lane
Phase 1 Reserved Matters (Innovation Centre, Mobility Hub etc.)

I wish to register a strong objection to the approval of reserved matters application 26/00001/REM on the grounds that the proposed Biodiversity Net Gain (BNG) strategy is wholly inadequate and fails to deliver meaningful benefits for the communities most directly affected.

1. The core flaw: Biodiversity gain is being exported miles away

The submitted Phase 1 Biodiversity Gain Plan and the Council's own Ecology Response are explicit:

Phase 1 will cause a net loss of -6.93 habitat units (29.63% loss).

The entire Golden Valley outline scheme will still show an overall net loss of -4.17 habitat units.

To achieve the developer's voluntary 10% BNG target, all required off-site units will be delivered at Hill Farm, Leckhampton, several miles away in south-east Cheltenham. Hill Farm is also being used for SANG (Suitable Alternative Natural Greenspace) and is CBC owned land.

This means the open countryside and wildlife corridors right on the boundary of Hesters Way are being permanently lost, while the promised "net gain" for nature is provided somewhere else that Hesters Way residents will rarely, if ever, visit.

2. This directly harms a deprived community

Hesters Way is one of Cheltenham's most deprived wards, with high levels of multiple deprivation including environmental deprivation. Local people already have limited access to quality green space. The Fiddlers Green Lane site is one of the few remaining areas of open countryside accessible on foot or by bike for thousands of residents. Removing it and exporting the BNG gain to Leckhampton is not mitigation, it is environmental injustice.

The National Planning Policy Framework and BNG statutory guidance are clear that gains should be delivered as close as possible to the site of impact, following the mitigation hierarchy. Shipping biodiversity units to the other side of Cheltenham does not comply with the spirit (or the practical intent) of these policies.

3. Lib Dem-controlled Council hypocrisy

As both landowner and local planning authority, Cheltenham Borough Council (currently Lib Dem controlled) has repeatedly passed motions and made public commitments to biodiversity and to tackling inequalities in West Cheltenham. Yet they are now proposing to approve a scheme on their own land that takes green space from a deprived area while delivering the environmental compensation elsewhere. This is textbook greenwash.

4. How 10% BNG could, and should, be delivered locally in West Cheltenham

There is no technical or policy reason why the required biodiversity units cannot be created within West Cheltenham itself. Practical, deliverable options include:

Enhancing existing parks and green spaces in Hesters Way and Springbank (e.g. creating species-rich neutral grassland, new scrub, wetlands and wildflower meadows). Biodiverse grass verges and street greening along key routes such as Fiddlers Green Lane, Hesters Way Road, and the A40 corridor.

SUDS and blue-green infrastructure integrated into the Golden Valley development itself and on adjacent CBC-owned land, designed to create genuine habitat rather than just amenity grass.

Under-used or low-value Council land in the west of the borough (including smaller parcels near the development site) for targeted habitat creation - exactly the same habitats (neutral grassland, hedgerows, scrub) that the Hill Farm proposal claims to deliver.

Community-led schemes on verges, roundabouts, school grounds and social housing green space, secured through a revised Section 106 agreement with long-term management by local groups.

All of these options would keep the biodiversity benefits where the harm is occurring and give Hesters Way residents actual, tangible improvements to their local environment.

I therefore ask the Council to refuse the current reserved matters application (or defer it) unless and until the applicant demonstrates a revised BNG strategy that delivers the full 10% net gain on-site or within West Cheltenham. The off-site Hill Farm solution is unacceptable for a deprived community that is already losing its local countryside.

The voluntary nature of the BNG commitment in this pre-mandatory application gives the Council even more flexibility to insist on a better, locally focused solution. As landowner, CBC has full control to require this.

I would be happy to meet with officers or the Committee to discuss practical ways of delivering genuine local BNG in West Cheltenham.

If officers are minded to recommend approval, I formally request that the application be referred to the Planning Committee for determination. This would allow elected Members the opportunity to scrutinise the clear environmental justice implications for Hesters Way residents.

Thank you,

Regards,

38 Falkland Place
Cheltenham
GL510RP

Garlands
34 Cudnall Street
Charlton Kings Cheltenham
Gloucestershire
GL53 8HG

Comments: 13th April 2026

Loss of biodiversity in an area of Cheltenham that is already has a lack.

This area is one of the most deprived in Cheltenham, particularly in terms of access to nature.

The loss not being compensated in the area itself, but on the other side of town, which is already well provided.

So the people in the area to be developed will lose their access to nature and have no meaningful compensation.

Additionally, no amount of biodiversity loss should be tolerated.

The Vision

Landscape Vision

^{10.7} There are a number of strengths to the existing landscape around the site, including the avenue of Acer trees along Princess Elizabeth Way which provide a strong sense of place, and wonderful autumn colour. However, the landscape is very one-dimensional and provides limited offering for education, play, reflection, or foraging and habitat opportunities for wildlife.

^{10.8} There are a number of areas which can be improved upon, and some unintended uses of the landscape which create a sometimes messy and cluttered appearance, including rutted grass verges which are often parked on. The current approach to landscape across the sites, which often includes large areas of lawn, require high maintenance to be kept in good condition, and it is therefore quite obvious if maintenance standards aren't followed.

^{10.9} An inconsistent use of boundary treatments and large shared lawn areas in front of apartments also make for uncomfortable gardens, which are rarely used due to a lack of privacy and defined edge.

^{10.10} This project provides an opportunity to bring more interest and biodiversity into the landscape, using wildlife friendly planning. A more colourful and interesting landscape approach will be applied to encourage users of the spaces to interact with it, and allow the residents to take pride in the landscape around them. The images below provide a sense of what could be achievable here in terms of improvements to the public realm.

- 1** Increased biodiversity and wildlife opportunities
- 2** Improved surface treatments for pedestrians and cyclists
- 3** Shared surface treatment to key junctions
- 4** Opportunity to incorporate SUDS at strategic locations
- 5** Add colour and interest to land form



Th
10.11 T

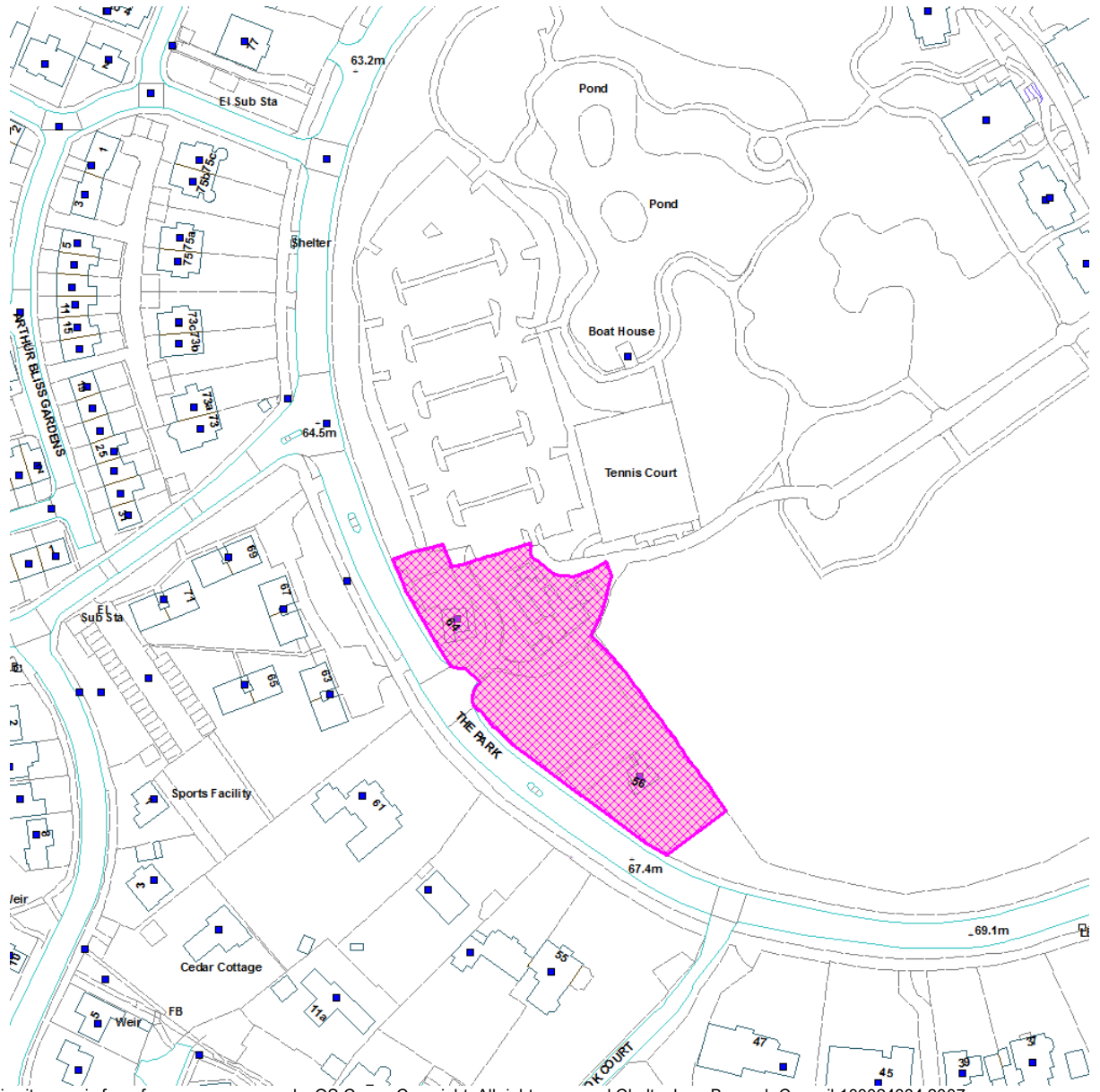
Analysis of Existing Open Space

- 6.1 There is generally a good provision of green space around the site, although there is a lack of biodiversity in many of the public open spaces which often consist of areas of amenity grassland and ornamental tree planting. There is an opportunity to improve the green connections between many of these spaces, whilst enhancing the wildlife network, and also health and well-being benefits for people using the spaces.

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APPLICATION NO: 25/01567/FUL		OFFICER: Mrs Lucy White
DATE REGISTERED: 15th October 2025		DATE OF EXPIRY: 10th December 2025/Extension of Time Agreed Until 27 th April 2026
DATE VALIDATED: 15th October 2025		DATE OF SITE VISIT:
WARD: Park		PARISH:
APPLICANT:	Robert Deacon Builders Ltd	
AGENT:	SF Planning Limited	
LOCATION:	Broadlands Lodge 56 The Park Cheltenham	
PROPOSAL:	Creation of new vehicular access to the university car park. Demolition of The Farmery buildings and erection of 2no. dwellings. Change of use of Broadlands Lodge and the Farmery Lodge to residential with associated extensions, access and landscaping.	

RECOMMENDATION: Permit subject to a 106 Obligation



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site comprises of a parcel of land and buildings formerly owned by and located within the University of Gloucestershire (UoG) Park campus. There are three buildings currently on site: the Farmery Lodge, The Farmery and Broadlands Lodge (56 The Park). All are brick built, predominantly two storeys in height and period properties. The exact current/last use of the existing buildings is unknown, but it is understood that the Farmery buildings were last used for purposes ancillary to the UoG with Broadlands used for university office/administrative purposes. Currently, all existing buildings are unoccupied.
- 1.2 Pedestrian and vehicular access to all three buildings is via the existing UoG access off The Park. This access also serves the main car park of the UoG Park campus. There is an additional vehicular rear access only to Broadlands Lodge running along the northeast boundary of the application site; accessed via the existing main site access.
- 1.3 A large open area separates the two Farmery buildings from Broadlands Lodge. This land includes a number of large, mature trees and mature boundary hedging. The site boundary to the north is otherwise open and there are views from this green space to the University campus buildings, tennis courts and wider University grounds. Surrounding development to the south of the site consists primarily of large detached residential properties and apartment buildings of varying age and architectural style.
- 1.4 There is no public footpath on the north side of this section of The Park, although there is evidence of informal pedestrian use of the narrow grass verge in front of the open space. Frontage areas to the west and east of the site, including the front boundary of Broadlands Lodge, are heavily landscaped with trees and mature hedging, such that any buildings set behind are partly obscured from view. This landscaped, natural boundary treatment is evident along the majority of the Park campus road frontage, in addition to the tree lined street itself.
- 1.5 The application site is located wholly within The Park Character Area of Cheltenham's Central Conservation Area. Broadlands Lodge is identified as 'a positive building' in The Park Character Appraisal and Management Plan SPD (2008). These buildings therefore make a positive contribution to the character and appearance of the conservation area. There are 3 no. grade II listed buildings located opposite the site and several grade II listed and 'key unlisted' buildings within or adjacent the campus grounds.
- 1.6 The site is also located within Flood Zone 1 and therefore at low risk of fluvial flooding.
- 1.7 The application proposes the creation of a new vehicular access to the university car park, the demolition of The Farmery buildings and the erection of 2 no. new dwellings. The change of use of Broadlands Lodge and the Farmery Lodge to residential with associated extensions, access and landscaping is also proposed, resulting in four new dwellings across the site in total.
- 1.8 The application follows the submission of a pre-application enquiry in March 2025 for the re-development of the site and demolition of all existing buildings to provide 7 no. dwellings and the construction of an apartment block for 4 units.
- 1.9 In response to various concerns raised by officers and consultees, the current proposal has been substantially revised during the course of the application. The revised drawings show a reduction in the height/scale of the proposed two new-build dwellings and alterations to their layout and footprint. An additional drawing indicating the proposed residential curtilages of each dwelling/plot has also been submitted alongside minor revisions to the proposed conversion works to Farmery Lodge and Broadlands. A slight adjustment to the alignment of the proposed new vehicular access to the University Car

Park, to avoid the Root Protection Area of retained trees, is also included. Some of the supporting documents have been updated in response to the scheme revisions.

- 1.10** The application is being determined by the Planning Committee at the request of Councillors Barrell and Chelin. The reasons given for the referral are as follows: -

Concerns as expressed by the Civic Society about the effect of the design and scale of the development on the character area of The Park. Residents have mentioned concerns about this.

Although the height has been reduced there are still concerns about the “out of keeping” design of the buildings and the precedent this sets, and also loss of public access.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Airport Safeguarding over 45m
Conservation Area
Central Conservation Area
Principal Urban Area

Relevant Planning History:

25/00432/PREAPP 31st July 2025 CLO

Demolition of existing buildings and redevelopment to provide 7no. houses and 4no. apartments.

25/01301/CACN 13th October 2025 TPO

Remove three western red cedars (Ts 39, 40, 41)

3. POLICIES AND GUIDANCE

National Planning Policy Framework

Section 2 Achieving sustainable development
Section 4 Decision-making
Section 5 Delivering a sufficient supply of homes
Section 8 Promoting healthy and safe communities
Section 9 Promoting sustainable transport
Section 11 Making effective use of land
Section 12 Achieving well-designed places
Section 14 Meeting the challenge of climate change, flooding and coastal change
Section 15 Conserving and enhancing the natural environment
Section 16 Conserving and enhancing the historic environment

Adopted Cheltenham Plan Policies

EM2 Safeguarding Non-Designated Existing Employment Land and Buildings
D1 Design
D3 Private Green Space
BG1 Cotswold Beechwoods Special Area Of Conservation Recreation Pressure
SL1 Safe and Sustainable Living
GI2 Protection and replacement of trees
GI3 Trees and Development

Adopted Joint Core Strategy Policies

SP1 The Need for New Development
SD4 Design Requirements
SD8 Historic Environment

SD9 Biodiversity and Geodiversity
 SD10 Residential Development
 SD11 Housing Mix and Standards
 SD14 Health and Environmental Quality
 INF1 Transport Network
 INF2 Flood Risk Management

Supplementary Planning Guidance/Documents

Development on garden land and infill sites in Cheltenham (2009)
 Central conservation area: The Park Character Area and Management Plan (July 2008)
 Cheltenham Climate Change (2022)

4. CONSULTATIONS

See appendix at end of report

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	23
Total comments received	17
Number of objections	15
Number of supporting	2
General comment	0

5.1 Letters were sent to 23 neighbouring properties. In addition, site notices were displayed within the vicinity of the site and advert was placed in the Gloucestershire Echo. A total of 17 representations were received, the majority of which objected to the proposed development. The comments and concerns raised, summarised (but not limited to), are as follows:

- Harmful impact on the character and appearance and historic importance of The Park Character Area/Conservation Area and its Regency heritage value. Proposals fail to preserve and/or enhance the character of the Conservation Area.
- Encroachment and loss of characteristic openness of the Park and impact on important views within and across The Park/university campus
- Size and scale of development should not be significantly bigger than the existing
- Mass and scale of a three-storey development is inappropriate in this context
- Contemporary design and materiality are in stark contrast to surrounding development
- Risk of setting a precedence for further inappropriate development within The Park
- New University access is not needed
- Loss of trees and hedgerows
- No proposed pedestrian access to university campus resulting in pedestrian safety implications
- University should not be selling off land in a conservation area

- Conversion of Broadbands and Farmery Lodge to residential use is considered acceptable and would re-purpose underutilised buildings
- Design of new dwellings is in keeping with surrounding development, particularly with the recently built flats at No 81 The Park

5.2 The Civic Society and the St Phillips And St James Area Association have also objected to the proposals. Their comments are set out in full in the Consultations section of the report.

6. OFFICER COMMENTS

6.1 Determining Issues

6.2 The issues to consider are

- (i) the principle of the demolition of the existing buildings
- (ii) the principle of the redevelopment of the site for residential purposes
- (iii) design, scale, layout and massing of the proposed development and their impact upon the character and appearance of the conservation area and locality in general
- (iv) the potential effects on the amenities of neighbouring land users and future occupiers of the development
- (v) parking, access and highway safety issues
- (vi) drainage and flood risk
- (vii) ecology and biodiversity net gain
- (viii) impact on existing trees and landscaping
- (ix) sustainability and climate change
- (x) recreational pressure on the Beechwoods Special Area of Conservation (SAC).

6.3 The extent to which the current proposals address the concerns raised by officers at pre-application stage must also be considered.

6.4 Although not a material consideration of this application, Members should note that the application site/buildings are no longer occupied by the University of Gloucestershire and are now under separate ownership.

6.5 Principle of Development/Policy Context

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

6.7 Policies D1, D3, SL1, GI2 and GI3 of the CP and policies INF1, SD4, SD8, SD9, SD10 and SD14 of the JCS are most relevant.

6.8 The application site is located within the Principal Urban Area (PUA) of Cheltenham and partly within the Central Conservation Area. The Environment Agency's (EA) Flood Map

indicates that the site is at low risk of flooding (Flood Zone 1). The site is within reasonable walking distance of the town centre and Central Shopping Area. The site can therefore be considered a sustainable location for new residential development, in the context of the NPPF.

- 6.9** JCS policy SD10 advises that housing development will be permitted at sites allocated for housing through the development plan, including Strategic Allocations and allocations in district and neighbourhood plans. On sites that are not allocated, housing development will be permitted on previously developed land within the Principal Urban Area of Cheltenham except where otherwise restricted by policies within the District Plans. The application site constitutes previously developed land and is located within the PUA. Therefore, the general principle of residential development on this site must be considered acceptable.
- 6.10** Paragraph 11 of the NPPF states '*Plans and decisions should apply a presumption in favour of sustainable development....and for decision making this means approving development proposals that accord with an up-to-date development plan*'. Where policies which are most important for determining the application are out-of-date, the NPPF at paragraph 11(d) advises that planning permission should be granted '(i) unless the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination'. This is referred to as the 'tilted balance' in favour of sustainable development.
- 6.11** The protected areas or assets referred to at (i) above are, in this case, the Central Conservation Area and nearby listed buildings.
- 6.12** Footnote 7 of paragraph 11 of the NPPF explains further that for applications involving the provision of housing, relevant policies must be considered out of date in situations where the local planning authority cannot demonstrate a five-year supply of deliverable housing.
- 6.13** Cheltenham Borough Council is currently unable to demonstrate a five-year supply of housing land. As such, the contribution of 4 dwellings towards alleviating the housing land supply shortfall carries weight and is a material consideration in the determination of this planning application.
- 6.14** Both Broadlands Lodge and Farmery Lodge were originally constructed as dwelling houses, although more recently, have been used for office/administration purposes associated with the University. Given that the buildings were originally intended as dwellinghouses, the proposal to change their use is therefore welcomed and considered acceptable in principle. The proposals therefore also satisfy the exemption criteria of Policy EM2 which otherwise seeks to retain land or buildings currently in employment use.
- 6.15** Notwithstanding the above, the proposed design, layout and scale of the proposed development and their impacts upon the character and appearance of the conservation area, setting of nearby listed buildings, trees and landscaping, highway safety and the amenities of neighbouring and future land users, all require careful consideration to determine whether the scheme overall is acceptable.
- 6.16 Demolition/Retention of Existing Buildings**
- 6.17** At pre-application stage, officers advised that the existing buildings on the site appear to be structurally sound and in good condition and make a positive contribution to the character and appearance of the conservation area. Broadlands Lodge is identified as a

key positive building within The Park Character Area Appraisal. Collectively, the existing buildings were therefore considered to contribute positively to the significance of the conservation area.

- 6.18** Officers therefore advised that the buildings should be retained where possible and that their conversion and/or extension should be fully explored and ruled out first, before any demolition was contemplated. This advice applied in particular to Farmery Lodge and Broadlands Lodge, which are considered to make the greatest contribution to the character and appearance of this part of the conservation area. Officers further advised that any replacement building(s) would need to be appropriate in terms of quantum, layout, scale and massing, and be of a high standard of architectural design that responds positively to the character and distinctiveness of this part of the conservation area.
- 6.19** Whilst the proposed retention and conversion of Broadlands Lodge and Farmery Lodge is a welcomed element of the current proposals, clear and convincing justification is required for the proposed removal of The Farmery structures, which constitutes relevant demolition within a conservation area. The submitted Planning Statement/Heritage Impact Statement includes an assessment of the historic significance of the existing buildings on site which has been reviewed by the Conservation officer (CO).
- 6.20** The CO concludes that there are no significant heritage concerns arising from the proposed demolition of The Farmery, either in terms of the building's heritage value or the wider significance of the conservation area. Their comments are as follows: -

The Farmery has been heavily altered and retains limited original form. Its demolition, therefore, could be considered acceptable on heritage grounds, provided that its removal does not precipitate harm through the introduction of inappropriate replacement structures. Crucially, the test is not simply whether what is removed is of low significance; it is whether what is proposed in its place preserves or enhances the character and appearance of the conservation area.

- 6.21** In light of the above, the proposed demolition of The Farmery and its associated structures is considered acceptable in principle.

6.22 Design and layout

- 6.23** Section 12 of the NPPF sets out that good design is a key aspect to achieving sustainable development and creating better places in which to live. Similarly, Policy SD4 of the JCS requires development to respond positively to and respect the character of the site and its surroundings. These objectives are reiterated in Policy D1 of the Cheltenham Plan which requires development to achieve a high standard of architectural design that complements neighbouring development.
- 6.24** Although the application involves demolition works and new, replacement residential development, the application site has characteristics of an infill plot. As such, consideration of the general principles and guidance set out within Cheltenham's Supplementary Planning Document, '*Development on Garden Land and Infill Sites*', is relevant. This document sets out the various elements that are considered to create the character of an area and includes grain, type of building, location of buildings, plot widths and building lines.
- 6.25** When determining planning applications, the local planning authority must also take account of the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess. The surrounding historic environment contains a number of listed buildings, including the listed buildings of the adjacent University campus. Similarly, section 72(1) of

the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of conservation areas.

- 6.26** Section 16 of the NPPF (2024) sets out the importance of conserving and enhancing heritage assets. This is reflected in Policy SD8 of the Joint Core Strategy which requires development to make a positive contribution to local character and distinctiveness, having regard to the valued elements of the historic environment.
- 6.27** NPPF paragraph 212 advises 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 the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Paragraph 213 advises that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.
- 6.28** Paragraph 215 advises that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 6.29** As set out in the introduction, the proposed development (as revised) includes the conversion of two existing buildings, Farmery Lodge and Broadlands, into residential dwellings. The proposed works comprise a first-floor side and rear extension to Farmery Lodge together with other internal and external alterations to both buildings. The existing, two storey Farmery structures would be demolished and replaced with two new, two storey dwellings. The area of open space separating Broadlands from the remainder of the site would be retained, along with the existing vehicular access to Broadlands, which runs across the rear of this open space. Existing hedging would be retained, with new railings erected along the south-west boundary of the open space facing The Park. Additional railings would be installed along a section of the roadside boundary of Farmery Lodge.
- 6.30** The retained open space would not form part of the curtilage of any dwelling, nor would it be publicly accessible. It would be privately maintained, and the submitted residential curtilage plan clearly identifies the extent of curtilage for each plot, none of which encroaches onto the open space.
- 6.31** The existing vehicular access currently serving the University car park would be retained and would provide pedestrian and vehicular access to all four proposed dwellings. A new replacement vehicular access to the University car park is proposed to the north-west of Farmery Lodge.
- 6.32** All proposed dwellings would be provided with off-road parking for at least two vehicles, with a detached double garage proposed for Plot 2. Each dwelling would also benefit from adequate private amenity space in the form of gardens, along with dedicated refuse and cycle storage areas and appropriately located bin collection points.
- 6.33** The design approach for the new build element is contemporary in form and appearance, whilst incorporating traditional external materials. Plots 2 and 3 would comprise two storey, flat roofed buildings, with brick faced elevations at ground floor level and rendered finishes to the first floors. Both buildings would feature first floor overhangs and full height aluminium windows. A two storey glazed link would separate the accommodation within Plot 3, helping to break up the mass and bulk of the building, whilst also providing additional architectural interest. Internally, the ground floor accommodation would be

largely open plan in layout, with three at first floor level in Plot 2 and four bedrooms in Plot 3, which is the slightly larger of the two dwellings.

6.34 Plots 2 and 3 (new build) would be located within the footprint of the existing Farmery buildings, extending only marginally beyond this footprint to the west, east and south.

6.35 The proposed first floor extension to Farmery Lodge reflects the roof forms of the existing building and would be faced in red brickwork to match the existing building. Although a minimum set back of at least 1 metre from the principal elevation is typically required for first floor side extensions, this is not considered necessary or appropriate in this case. This is due to the extent and form of the existing ground floor accommodation to the side of the main two storey element. The extension would enhance the roadside and public-facing elevation of this retained, period property, adding architectural interest whilst respecting its original character.

6.36 Heritage/Impact on Conservation Area

6.37 As set out in the introduction, the application site is located within The Park Character Area of Cheltenham's Central Conservation Area and Broadlands Lodge is identified as 'a positive building' in The Park Character Appraisal and Management Plan SPD (2008). These buildings make a positive contribution to the character and appearance of the conservation area. There are 3 no. grade II listed buildings located opposite the site and several grade II listed and 'key unlisted' buildings within or adjacent the campus grounds.

6.38 All three existing buildings on site are of some historic interest. Farmery Lodge dates from the late 19th century to early 20th century whilst Broadlands Lodge dates from the early 20th century. Parts of the Farmery may date from as early as the late 19th century.

6.39 The Park is an historically significant planned development, noted for its tear-drop layout, tree-lined streets, and extensive green space, which contribute to its grandeur and spacious character.

6.40 The Character Appraisal provides a summary of the special interest of The Park, which includes: -

b) The pattern and layout of streets, the spaces between buildings, the form of the buildings and use of quality building materials complement each other. They combine together to give the area grandeur, elegance and spaciousness.

c) The extensive green space within the Park itself "makes the single greatest contribution to (establishing) the spacious character of the area;"

d) The well-established tree-lined streets, particularly in and around the Park, greatly enhance the area's character and appearance and the setting of its buildings. The trees create a leafy character for many of the residential streets.

e) The character area contains large numbers of Georgian and early Victorian formally laid out villas and terraces. The villas particularly contribute to the form and the distinct and impressive character of the area.

f) This character area is an area of rich architectural and historic interest. It contains over 100 statutory listed buildings (some of which are grouped under the same listing) and structures...

6.41 The open space within the Park itself is also described as 'a particularly striking feature' and 'provides a highly attractive setting for the University buildings and the surrounding villas'. Public and private spaces, together with views out of, into and within the Park character area are a major component in establishing its character which overall has a

sense of spaciousness. The appraisal also comments that the detached villas at the southern end of the tear drop are set out on an increased radius and distance back from the road when compared to the detached villas and semi-detached villas at the northern end; the building line not being uniform. Whilst there is variety in architectural style, the Park's architectural character is strongly characterised by Georgian and Victorian buildings (including Broadlands Lodge) and generally the newer, modern buildings added are complement historic buildings in terms of their size, scale, form and positioning within plots.

- 6.42** The Conservation officer (CO) has reviewed the application details and Heritage Impact Assessment. Their comments can be read in full in the Consultations section at the end of the report and include a detailed description of The Park's characteristic features and its significance in heritage terms. Matters relating specifically to the demolition of the Farmery and the CO's conclusions on this aspect of the proposals are discussed at paragraphs 6.16-20.
- 6.43** Whilst the CO did not object to the principle of the contemporary design approach, significant concerns were raised in relation to the scale and massing of the two proposed new dwellings, as originally submitted. In particular, their height and overall massing were considered dominant and disruptive to the established roofline and visual hierarchy of the site, rather than complementary and respectful additions. These concerns were exacerbated by the choice of external facing materials. The proposed use of timber and metal cladding, applied in modular fashion, was considered to be at odds with the prevailing palette of brick and stucco/render within The Park. Furthermore, the size and scale of the new dwellings, together with the increased enclosure of the site, were considered to result in harm to the openness of the site and wider conservation area. This would adversely affect views that extend across The Park towards the university grounds beyond.
- 6.44** The CO therefore concluded that the proposals would result in harm to the special character and appearance of the conservation area. This harm was assessed as *less than substantial* but would nevertheless lead to a reduction in the significance of the conservation area.
- 6.45** Following discussions with officers, a revised scheme was submitted which sought to address the concerns outlined. The amendments include the following:
- Reduction in height of the two new-build dwellings from three to two storey dwellings
 - Adjustment to the plot layouts and parking arrangements so that parking does not encroach onto the retained open space
 - Removal of the internal access road/driveway across the open space. Existing rear vehicular access to Broadlands retained.
 - Removal of metal and timber cladding and its replacement with a rendered finish
 - Removal of main residential entrance gates/piers. Installation of estate railings, plus retained hedgerow along roadside boundary
 - Removal of car port to Farmery Lodge and re-positioning of on-plot refuse and cycle storage facilities on all plots
- 6.46** With the exception of the external facing materials proposed for the two new-build dwellings, the CO considered that the revised scheme satisfactorily addressed the concerns previously raised. Given the prevailing use of brick within the surrounding

context, it was advised that a combination of brick and render would be more appropriate and better suited to this sensitive location.

6.47 The proposals were therefore amended again to incorporate a mixed materials palette for the new build dwellings, comprising facing brick to all ground floor elevations and render to the first-floor elevations.

6.48 A further adjustment was also made to the alignment of the new university access to allow construction of the road outside of the Root Protection Areas of retained trees.

6.49 Conclusion

6.50 The latest revised scheme is considered to satisfactorily address the concerns of officers, and, when compared with the pre-application proposals, represents a significant reduction in both the quantum and scale of development and retains the important open space and majority of the trees within the site. Farmery Lodge and Broadlands would be retained and converted back to their original use as dwelling houses, with the proposed alterations to these buildings being limited in scope and sympathetic to the architectural character and historic interest of the buildings.

6.51 The two proposed new dwellings would be constructed on the footprint of the existing Farmery structures and would not exceed two storeys in height. The revised contemporary design and materials palette, together with the layout and the proposed new and retained access arrangements serving all four dwellings, are considered acceptable in heritage terms.

6.52 The trees and land separating Farmery Lodge and Broadlands would be retained as private open space, maintaining views from The Park across the site towards the University grounds beyond. The proposed residential curtilages would not encroach into this open space. A condition has been added to secure the long-term protection of this area, restricting the erection of any structures and preventing its use for car parking, ancillary or recreational purposes associated with the proposed dwellings.

6.53 From a design and layout perspective, the proposed development would not result in harm to the significance of designated heritage assets and is therefore considered to accord with the objectives of Policy D1 of the Cheltenham Plan and policies SD4 and SD8 of the JCS.

6.54 Impact on neighbouring property

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

6.56 Residential properties are located within the vicinity of the application site, notably the detached houses and apartment buildings on the west side of The Park, opposite the application site. The properties considered to be most impacted by the proposed development are

6.57 The front elevations of the nearest residential properties to the site are approximately 37 and 54 metres from the proposed west elevations of Farmery Lodge and Broadlands, respectively. Given these distances and the fact that Farmery Lodge and Broadlands are existing buildings, there should be no significant harm to the amenities of occupiers of

these neighbouring properties in terms of overlooking and loss of privacy. Furthermore, the proposed new dwellings would be located behind Farmery Lodge and would be partly screened from view.

- 6.58** No objections or concerns have been raised regarding loss of amenity (overlooking/loss of privacy) from neighbouring land users.
- 6.59** In assessing the impact of the development on future occupiers, the separation distance between Farmery Lodge and the front elevations of the two proposed new dwellings is approximately 16.5 and 11.3 metres respectively, measured at a slight angle due to the positioning of the dwellings within the site. The two first floor windows in the east (rear) elevation of Farmery Lodge serve a bedroom and a bathroom. The bedroom window is proposed to be an obscurely glazed opening, and the introduction of two new roof lights would provide additional light and outlook. It reasonable to assume that the bathroom window would also be obscurely glazed.
- 6.60** At ground floor level, the windows serve a kitchen and living room. However, in this instance, it is not considered necessary to secure obscure glazing to these openings. The ground floor windows on the front elevations of Plots 2 and 3 are narrow secondary openings to a home office and a living room, respectively, and there would be intervening boundary treatment and a driveway separating the three plots, further reducing the potential for harmful overlooking or loss of privacy.
- 6.61** Taking all of the above into account, and subject to conditions securing obscure glazed openings as discussed, the proposed development is considered to comply with adopted CP policy SL1 and adopted JCS policy SD1. These policies seek to ensure that development safeguards the amenity of existing and future occupiers and is considered to have been achieved in this instance.

6.62 Access and highway issues

- 6.63** Paragraph 116 of the NPPF states that development should only be refused on highways grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe.
- 6.64** Policy INF1 of the JCS reiterates the stance of the NPPF and advises that all development proposals should provide for safe and efficient access to the highway network for all transport needs.
- 6.65** Each of the proposed dwellings would be provided with a minimum of two off-road parking spaces. Plot 2 would also have a detached double garage within its front curtilage. Access to the four proposed dwellings would be taken from the existing University access from The Park. Broadlands Lodge would continue to use its existing vehicular access which runs along the rear edge of the open space. A new, replacement access from the Park is proposed to serve the University car park.
- 6.66** Commentary on transport matters is set out within the Planning Statement.
- 6.67** Gloucestershire County Council, acting as Local Highway Authority (HA), has reviewed the proposals alongside the submitted transport related information and relevant planning history. The HA raised initial concerns regarding the proposed new university access which did not meet the standards of design/geometry and visibility splay requirements. An updated speed survey and details of the extent of potential hedge removal was also requested. The drawings also did not include a swept path analysis, provision for pedestrian access and refuse bin collection points.
- 6.68** The revised scheme, with accompanying Transport Note, address the above concerns and missing information. No objection is raised by the HA, subject to conditions. These

include a requirement to submit full engineering, constructional and visibility splay details for the proposed site access and a highway construction management plan.

6.69 The impact of the proposed university car park access on trees is discussed elsewhere within this report.

6.70 Sustainability

6.71 The Cheltenham Climate Change SPD (2022), sets out a detailed strategy for decarbonising buildings over the next decade. When considering proposals for alterations and extensions there is an opportunity to improve the environmental performance of a building through the inclusion of technologies and features such as photovoltaics, replacement windows, heat recovery, permeable (or minimal) hard surfaces, works to chimneys, insulation, replacement heating systems (heat pump) and thoughtful kitchen design. This is reflected in Policy SD3 of the JCS.

6.72 The applicant has provided a Sustainable Construction Checklist which assesses the feasibility of suitable low to zero carbon (LZC) technologies, high-efficiency alternative systems, and other energy saving measures. The measures proposed include the following:

- Fabric led approach to technical design and detailing - in line with current Building Regulations
- Installation of air source heat pumps (ASHPs)
- Low energy lighting and fittings and heat and wastewater recovery systems
- Natural and trickle ventilation systems to all habitable spaces and good levels of cross ventilation
- Significant use of timber, including the framework, partitions, roof structures, stairs and finishes
- Aluminium window systems to prevent heat loss and reduce maintenance
- Permeable hard surfacing and retention of majority of existing green spaces

6.73 The flat roofs of the new build element and pitched roofs of the retained buildings are also suitable to accommodate solar/photovoltaic panels in the future.

6.74 Given the scale of the development proposed, the energy efficient technologies proposed are considered an appropriate response to climate change and sustainability and align with the guidance set out in the SPD. The proposals would also need to meet the latest Part L building regulations standards.

6.75 Ecology, BNG, Environmental Impact and Protected Species

6.76 Policy SD9 of the JCS seeks the protection and enhancement of ecological networks and across the JCS area, improved community access and for new development to contribute positively to biodiversity and geodiversity whilst linking with wider networks of green infrastructure. Similarly, NPPF paragraph 193 seeks through development, the protection and enhancement of valued landscapes and sites of biodiversity value and the need to minimise and provide net gains for biodiversity and coherent and resilient ecological networks. Opportunities to improve biodiversity in and around developments should be integrated into design, especially where this can secure measurable net gains for biodiversity.

- 6.77** The requirements for a 10% biodiversity net gain for all new development (excluding householder development) is now mandatory, unless the applicant considers (and can evidence) that the proposed development would fall under one of the BNG exemption criteria.
- 6.78** The application site is within the Zone of Influence of Cotswold Beechwoods Special Area of Conservation (SAC) and the Impact Risk Zone (IRZ) of Cleeve Common Site of Special Scientific Interest (SSSI). There are no other statutory or non-statutory designated sites within 1 km of the site.
- 6.79** The Council's Ecologist (EO) has reviewed the submitted Ecological reports, including bat surveys. There was no evidence of bat roosting in the existing buildings on site and no potential bat roosting opportunities in trees marked for removal were identified. As such, sensitive lighting, installation of bat boxes and compliance with the mitigation and enhancement recommendations of the Bat Survey report and for other protected species are required to be detailed in a Construction and Ecological Management Plan (CEMP-B).
- 6.80** The site falls within the red zone for Great Crested Newts (GCN) and, in addition to nearby watercourses, contains some suitable terrestrial habitat for amphibians. In order for the LPA to be satisfied that the three derogation tests set out under the Conservation of Habitats and Species Regulations 2017 (as amended) are met, the applicant was therefore required to either carry out GCN surveys of the off-site ponds, or alternatively, the site could be registered under the NatureSpace District Licensing Scheme.
- 6.81** The applicant for the above planning application has now been granted a NatureSpace Certificate for district level licensing for the protection of Great Crested Newts. The use of the council's licence requires mandatory conditions and informatives which can be found within the Certificate (on page 2) that must be used in verbatim on the decision notice. This is in order to comply specifically with conditions in the council's district licence. Therefore, the following conditions have been added to the officers report:

Planning condition: No development hereby permitted shall take place except in accordance with the terms and conditions of the Council's Organisational Licence (WML-OR138, or a 'Further Licence') and with the proposals detailed on plan "Broadlands Lodge: Impact plan for great crested newt District Licensing (Version 1)" dated 12th March 2026.

Reason: In order to ensure that adverse impacts on great crested newts are adequately mitigated and to ensure that site works are delivered in full compliance with the organisational licence (WML-OR138, or a 'Further Licence'), section 15 of the National Planning Policy Framework, Circular 06/2005 and the Natural Environment and Rural Communities Act 2006.

Informative: It is recommended that the NatureSpace Best Practice Principles are taken into account and implemented where possible and appropriate.

Informative: It is essential to note that any works or activities whatsoever undertaken on site (including ground investigations, site preparatory works or ground clearance) prior to receipt of the written authorisation from the planning authority which permits the development to proceed under the District Licence (WML-OR138, or a 'Further Licence') are not licensed under the great crested newt District Licence. Any such works or activities have no legal protection under the great crested newt District Licence and if offences against great crested newt are thereby committed then criminal investigation and prosecution by the police may follow.

Please note : Formal Authorisation for the site to act under the Council's District Licence must be granted after determination.

6.82 Biodiversity Net Gain

6.83 The submitted Biodiversity Net Gain (BNG) report notes that the development as proposed will not achieve the necessary 10% net gain for hedgerows or habitat areas. Further habitat enhancement/creation to obtain the 10% net gain was recommended, Should this not be possible an additional 1.1146 off-site habitat units and 0.0266 off-site hedgerow units would need to be purchased to achieve 10% net gain, or statutory credits could be purchased.

6.84 In respect of Biodiversity Net Gain (BNG), the applicant has confirmed that the required minimum 10% net gain will be achieved through the purchase of off-site biodiversity units via an approved provider. While on-site provision is limited due to site constraints, the EO considers this approach acceptable in principle, and can be secured via conditions.

6.85 The EO has also reviewed the revised layout and landscaping plans, including the Tree officer's recommendation for replacement tree planting within the private garden of Plot 2. No further information is required prior to determination, however the EO has provided the following informative to the applicant.

The BNG metric user guide is clear that newly planted trees sited within private gardens cannot be counted towards a net gain in the metric. Further, habitat creation generally cannot be counted within residential curtilage towards a net gain. As a result, it is highly likely the applicant will need to secure off-site provisions to deliver a net gain, either on land within the applicants ownership or through an off-site provider, the applicant has confirmed they will be using the purchase of offsite units to meet the minimum 10% BNG requirement.

6.86 Habitats Regulations Assessment/ Cotswolds Commons and Beechwoods Site of Special Scientific Interest (SSSI) and Special Area of Conservation (SAC)

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

6.88 Policy BG1 of the Cheltenham Plan relates to the Cotswold Beechwoods Special Area of Conservation (SAC) – recreation pressure. It states that development will not be permitted where it would be likely to lead directly or indirectly to an adverse effect upon the integrity of the European Site network (alone or in combination), and the effects cannot be mitigated.

6.89 Therefore, in order to retain the integrity of the Cotswold Beechwoods Special Area of Conservation (SAC) all development within the borough that leads to a net increase in dwellings will be required to mitigate any adverse effects.

6.90 Natural England (NE) were consulted on the proposals. NE advised that the application could, in combination with other new residential development in the authority area, have potential significant effects on the Cotswold Beechwoods SAC. An appropriate assessment in recognition of the application site's location relative to the SAC should therefore be undertaken.

6.91 The Council, as the responsible authority, has undertaken an Appropriate Assessment (under the Habitats Regulations 2017 and concludes that without appropriate mitigation, the proposed development is likely to have a significant effect on the Cotswold Beechwoods SAC (either alone or in combination with other development) through increased recreational pressure. The authority concludes that the adverse effects arising from the proposal are consistent with those detailed in the Cotswolds Beechwoods SAC

Recreation Mitigation Strategy (2022). The proposal complies with this strategy and it can therefore be concluded that there will be no adverse effect on the integrity of the designated site, subject to securing the required mitigation.

6.92 The applicant can therefore either enter into a s106 contribution of £673 per new dwelling to contribute to the measures in the Strategy or propose on or off-site mitigation. Given that there are no opportunities for on-site mitigation the applicant had opted to make the £673 per dwelling contribution through a section 106 agreement. Subject to completion to the agreement, the proposal would not adversely affect the integrity of the Cotswold Beechwoods SAC.

6.93 A draft Unilateral Undertaking has been submitted and, at the time of writing, is being reviewed by the Council's legal team.

6.94 Other considerations

6.95 Trees and Landscaping

6.96 There are a number of trees within the site, the majority of which are located within the open space separating Farmery Lodge from Broadlands Lodge. Trees are also present within the curtilages of the existing buildings and within the vicinity of the proposed university access. The application proposes the retention of the majority of these trees, as well as the existing boundary hedgerows. However, some tree and hedge removal is required to facilitate the (revised) proposed development. This would be limited to an elm of low arboricultural value, two cypress trees exhibiting low vitality and thinning crowns, and a twin stemmed yew tree.

6.97 The Council's Trees Officer (TO) has reviewed the submitted tree and soft landscaping proposals, including the Arboricultural Impact/Method Statement, Arb Watching Brief, their subsequent revisions, and all other tree related documentation. A site meeting was also held with the applicant's Arboricultural consultant to specifically consider the proposed new university access and its impact on the root protection areas (RPAs) of retained trees. The TO's detailed comments on the original and revised proposals are set out in full within the consultations section of this report.

6.98 In summary, and in response to the latest revised documents, the TO has no overriding objections. The revised layout and landscaping plans demonstrate that the proposed new university access road would be located outside of the RPAs of the three retained yew trees (T2), in accordance with BS5837 (2012) standards. These trees form a single canopy and are located north of the proposed new access.

6.99 The yew tree proposed to be removed (T4) has been given a category B grading, and its retention would ordinarily be sought. However, the TO concludes that its amenity value derives largely from its contribution to the wider group of surrounding woody vegetation. Therefore, given its relatively small size, its removal is considered acceptable, provided suitable replacement evergreen tree planting is secured within the private garden of the adjacent proposed dwelling. Details of the replacement planting can be adequately secured by planning condition.

6.100 The revised Arboricultural Watching Brief would ensure that no inadvertent damage occurs to this group of trees, or to the adjacent lime tree (T1), during the construction phase.

6.101 All other previous identified concerns and queries have been satisfactorily addressed, including matters relating to access facilitation pruning, potential tree root severance during construction, removal of the (TPO) Thuja hedge/trees, and the removal of the

previously proposed new access route across the retained open space and RPAs of retained trees.

6.102 Drainage and Flooding

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

6.104 The application site is located in Flood Zone 1 (lowest flood risk) and is shown to be at low risk of surface water flooding. The application is accompanied by a Flood Risk Assessment (FRA) and Sustainable Drainage Strategy.

6.105 The Council's Drainage officer has reviewed the application details and no objection is raised, provided that a condition for a sustainable drainage system (SuDS) is attached to mitigate the impact of impermeable surfaces. The suggested condition has been added accordingly.

6.106 Public Sector Equality Duty (PSED)

6.107 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.

6.108 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.

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

7. CONCLUSION AND RECOMMENDATION

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

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

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

Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination’.

- 7.4** In light of the Council’s shortfall in a 5-year supply of deliverable housing land, officers have therefore assessed the proposals, in accordance with paragraph 11(d). This has involved weighing any potential adverse impacts resulting from the development, against the benefits the scheme may deliver.
- 7.5** In this case, the benefits include the provision of 4 dwellings in a sustainable location, which would contribute positively towards the Council’s current housing supply shortfall. This carries weight in the overall planning balance.
- 7.6** The proposals also deliver other clear benefits. These include the re-use and refurbishment of existing buildings that have been unoccupied for a prolonged period, alongside wider economic or social benefits associated with employment opportunities during the construction phase.
- 7.7** There are no overriding concerns relating to highway safety, neighbour residential amenity, ecology, BNG, trees or flood risk. In addition, the implementation of the proposed energy demand reduction measures should achieve improvements over the minimum standards set out in Part L1 (2021) of the Building Regulations.
- 7.8** The heritage impacts of the proposed development have been assessed very carefully, including the effect on the character and appearance of the conservation area and the setting of nearby listed buildings. Particular attention has been paid to the effects of the proposals on the defining characteristics of The Park Character Area.
- 7.9** Paragraph 212 of the NPPF requires that great weight be given to the conservation of designated heritage assets when assessing the impact of development on their significance. Paragraph 219 encourages local planning authorities to seek opportunities within conservation areas, and within the setting of heritage assets, ‘to enhance or better reveal their significance’. Proposals that preserve those elements of the setting that make a positive contribution, or which better reveal the significance of the asset, should be treated favourably.
- 7.10** As set out in this report, the proposed development is considered to meet these objectives. The works comprise acceptable alterations and additions to the existing buildings, together with new residential development that is considered to preserve the significance of the conservation area as a designated heritage asset.
- 7.11** Farmery Lodge and Broadlands would be retained and converted back to their original use as dwelling houses, with the proposed alterations to these buildings being limited in scope and sympathetic to the architectural character and historic interest of the buildings. The two proposed new dwellings would be constructed on the footprint of the existing Farmery structures and would not exceed two storeys in height. The revised contemporary design and materials palette, together with the layout and the proposed new and retained access arrangements serving all four dwellings, are considered acceptable in heritage terms. Similarly, the proposed new vehicular access serving the University is acceptable, subject to the approval of its detailed design.
- 7.12** Furthermore, the trees and land separating Farmery Lodge and Broadlands would be retained as private open space, maintaining views from The Park across the site towards the University grounds beyond. The proposed residential curtilages would not encroach into this open space. A condition has been added to secure the long-term protection of this area, restricting the erection of any structures and preventing its use for car parking, ancillary or recreational purposes associated with the proposed dwellings.

- 7.13** In accordance with paragraph 11(d) (i) and (ii) of the NPPF and having assessed the policies that protect assets of particular importance, no strong or defensible reasons have been identified to refuse the application. It is not considered that the proposals would give rise to any adverse impacts that would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework taken as a whole.
- 7.14** The recommendation is therefore to grant planning permission, subject to the conditions set out below and the completion of the s106/Unilateral Undertaking in relation to the Beechwoods SAC.
- 7.15** The applicant's agreement to the pre-commencement conditions would be sought prior to issuing the planning permission.

8. CONDITIONS / INFORMATIVES

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

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

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

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

- 3 Prior to the commencement of development a Construction Traffic Environmental Management Plan (CTEMP) shall be submitted to and approved in writing by the Local Planning Authority. The approved CTEMP shall be adhered to throughout the site preparation, demolition and construction periods unless the Local Planning Authority gives prior written permission for any variation. The plan shall include but shall not be restricted to:

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

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

Monday to Friday - 8am to 6pm

Saturday - 8am to 1pm

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

Reason: In the interests of highway safety and to safeguard the amenity of occupiers of neighbouring properties, having regard to adopted policies INF1 and SD14 of the Joint Core Strategy (2017) and adopted policy SL1 of the Cheltenham Plan (2020). Approval is required upfront because without proper mitigation the works could have an unacceptable highway and amenity impact during construction.

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

(a) a full site survey showing:

i) the datum used to calibrate the site levels.

ii) levels along all site boundaries at regular intervals.

iii) levels across the site at regular intervals.

iv) finished floor levels or other datum of adjacent buildings; and

v) cross section drawings clearly showing existing ground levels in relationship with the finished floor and eaves levels of adjacent buildings

(b) full details showing:

i) the proposed finished floor level of all buildings and ground levels including hard surfaces; and

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

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

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

- 5 Prior to the commencement of development, a surface water drainage scheme, which shall incorporate Sustainable Drainage System (SUDS) principles and appropriate flood risk management, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include a programme for implementation of the works, and proposals for maintenance and management. The development shall not be carried out unless in accordance with the approved surface water drainage scheme.

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

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

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

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

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

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

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

Reason: To ensure that safe and suitable access is provided and maintained in the interests of highway safety, having regard to adopted policy INF1 of the Joint Core Strategy (2017), and paragraphs 115 and 117 of the National Planning Policy Framework (2024).

- 9 Prior to commencement, full engineering and constructional details of the proposed site access, shown indicatively on approved drawing 1450.02B, shall be submitted to and approved in writing by the local planning authority. No new dwelling hereby approved shall be occupied until the access works have been completed in accordance with the approved details.

Reason: To ensure that safe and suitable access is provided and maintained in the interests of highway safety, having regard to adopted policy INF1 of the Joint Core Strategy (2017), and paragraphs 115 and 117 of the National Planning Policy Framework (2024).

- 10 Prior to first occupation of the development, secure covered cycle storage shall be provided on site in accordance with details which shall have first been submitted to and approved in writing by the Local Planning Authority. The cycle storage shall thereafter be retained available for such use in accordance with the approved details at all times.

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

- 11 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and/or re-enacting that order with or without modification), no gates or other means of enclosure shall be erected across the approved accesses unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To ensure that the highway is not obstructed in the interests of highway safety, having regard to adopted policy INF1 of the Joint Core Strategy (2017).

- 12 The development shall be carried out in strict accordance with the recommendations contained within Preliminary Ecological Appraisal Report (Smart Ecology, 2025). All the recommendations shall be implemented in full according to the timescales specified in the report and thereafter permanently maintained for the stated purposes of biodiversity conservation.

Reason: To ensure that species and habitats are protected in accordance with adopted Policy SD9 of the Joint Core Strategy (2017), 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, 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.

- 13 A Landscape and Ecological Management Plan (LEMP) covering a ten year period shall be submitted to and approved in writing by the Local Planning Authority prior to any above ground works of the development hereby permitted. The plan shall include, but not necessarily limited to, the following information:

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

The LEMP shall be implemented in accordance with the approved details and all habitats shall be retained in that manner thereafter.

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

- 14 The Biodiversity Gain Plan shall be prepared in accordance with the Biodiversity Net Gain Design Stage Report dated February 2026 and prepared by All Ecology.

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.

- 15 Notwithstanding the submitted details, before above ground works commence a scheme for biodiversity enhancements in line with the recommendations in section 5.3.2 table 5-2 of the Preliminary Ecological Appraisal Report dated October 2025 by Smart Ecology, 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 species as a biodiversity enhancement, in accordance with the objectives of Policy SD9 of the Joint Core Strategy (2017), 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.

- 16 Prior to occupation of the development hereby approved, the applicant shall submit evidence that:-

- ecological enhancements such as the bird, bat and hedgehog boxes, or bee/bug bricks have been installed as outlined in the applicant's Ecological Mitigation and Enhancement Strategy (EMES), to the local planning authority in order that the LPA may verify that the agreed ecological enhancement/mitigation measures proposed are in place when the development is complete. Evidence can be submitted as photographs.

Reason: To provide additional opportunities for species as a biodiversity enhancement, in accordance with the objectives of Policy INF9 of the Joint Core Strategy (2017), 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.

- 17 No development hereby permitted shall take place except in accordance with the terms and conditions of the Council's Organisational Licence (WML-OR138, or a 'Further

Licence') and with the proposals detailed on plan "Broadlands Lodge: Impact plan for great crested newt District Licensing (Version 1)" dated 12th March 2026.

Reason: In order to ensure that adverse impacts on great crested newts are adequately mitigated and to ensure that site works are delivered in full compliance with the organisational licence (WML-OR138, or a 'Further Licence'), section 15 of the National Planning Policy Framework, Circular 06/2005 and the Natural Environment and Rural Communities Act 2006.

- 18 Prior to the implementation of any landscaping, full details of a hard and/or soft landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be produced in accordance with the Biodiversity Gain Plan and identify all trees, hedgerows and other planting which are to be retained, and a planting specification to include [species, size, position and method of planting of all new trees and shrubs]; and a programme of implementation.

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

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

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

- 19 Prior to the implementation of any hard surfaces within the site, including driveways, parking and turning areas, footways and patios, details shall be submitted to and approved in writing by the Local Planning Authority. All new hard surfacing areas shall be permeable or drain to a permeable area and shall be carried out in accordance with the approved details prior to first occupation of any part of the development.

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

- 20 Prior to the implementation of any new boundary treatments, including boundary walls, fences or other means of enclosure, details shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatments shall thereafter be implemented in accordance with the approved details prior to first occupation of the development hereby permitted.

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

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

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

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

1. External doors and windows (including design elevation drawings, materials, finish, sills, heads and reveals, glazing specification and opening mechanism)
2. Garage doors
3. Refuse/recycling stores (inc. location and elevation/floor plan details)
4. Porch canopy details
5. External lighting (including security lighting and sensitive lighting design for protected ecological species)
6. Internal access road gate to Plots 2 and 3

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

- 23 The development shall be carried out in accordance with the proposed measures set out in the Sustainable Construction Checklist received on 14th October 2025.

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

- 24 Notwithstanding the submitted details, the Air Source Heat Pumps (ASHPs) shall be installed in accordance with Schedule 2, Part 14, Class G of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), unless in accordance with details which shall have first been submitted to and approved in writing by the local planning authority. The details shall include acoustic information relating to the operation of the ASHP(s) and should relate to the closest noise receptors, in line with MCS020 assessment. An ASHP(s) shall be installed prior to first occupation of each dwelling hereby approved and in accordance with details approved. The ASHPs shall be retained as such thereafter unless otherwise first agreed in writing by the Local Planning Authority.

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

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

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

- 26 The development shall be carried out in strict accordance with the (revised) Arb Watching Brief and (revised) Arboricultural Reports prepared by Daniel Mogridge, dated Tuesday 20th January 2026 and received on 10th April 2026. Tree protective measures shall be installed prior to the commencement of development and in accordance with

the details outlined in the Arboricultural Reports, as updated by approved Tree Protection Plan (DMC-25/3 TPP Rev E 10/04/2026) and shall remain in place until the completion of the construction process.

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

All service runs shall fall outside the tree Root Protection Area(s) shown on the approved drawings, unless otherwise first agreed in writing by the Local Planning Authority. Any such works shall be carried out in accordance with the National Joint Utilities Group; Volume 4 (2007) (or any standard that reproduces or replaces this standard).

Reason: To safeguard the existing tree(s) in the interests of visual amenity, having regard to adopted policies GI2 and GI3 of the Cheltenham Plan (2020). Approval is required upfront to ensure that important trees are not permanently damaged or lost.

- 27 All trees and planting within the site shall be retained unless shown on the approved drawings as being removed. Any trees or planting indicated on the approved drawings which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season (October to March inclusive) with other trees or plants of a location, species and size to be first approved in writing by the Local Planning Authority. Any pruning works within the five year period shall be carried out in accordance with BS 3998:2010 (or any standard that reproduces or replaces this standard).

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

- 28 Following the removal of the trees as permitted by this decision, the trees shall be replaced in accordance with replacement tree planting details which shall be submitted to and approved in writing by the Local Planning Authority. The replacement trees shall be planted during the planting season current at the time of felling (end October - end March) or during the next immediately available planting season. The size of the trees shall be at least a Selected Standard as per BS 3936-1:1992 (or any standard that reproduces or replaces this standard). The trees shall be maintained for 10 years after planting and should they be removed, die, be severely damaged or become seriously diseased within this period they shall be replaced with another tree as originally required to be planted by this condition.

Reason: In the interests of visual amenity, having regard to adopted policy GI2 of the Cheltenham Plan (2020).

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

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

- 30 Prior to first occupation of the development, refuse and recycling storage facilities shall be provided in accordance with the approved plans and shall be retained as such thereafter.

Reason: In the interests of sustainable waste management and recycling, having regard to Policy W36 of the Gloucestershire Waste Local Plan.

- 31 The areas of the site shown as open space and falling outside the residential curtilages of the dwellings hereby approved, as identified on approved drawing Nos 1450.02E and 1450.03, shall be permanently retained as open space. These areas shall not be used for any purposes ancillary to the four approved dwellings, including (but not limited to) vehicular or cycle parking, refuse storage or private recreation/amenity use.

At no time shall any buildings, structures, enclosures, garden furniture or play equipment be erected or placed on the open space areas.

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

- 32 Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and/or re-enacting that order), the first floor rear (east) elevation windows of Plot 1 (Farmery Lodge) shall at all times be glazed with obscure glass to at least Pilkington Level 3 (or equivalent).

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

INFORMATIVES

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

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

In this instance, the authority sought revisions to the design, scale and layout of the proposed development, in the interests of the character and appearance of the conservation area and to protect trees.

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

- 2 Works on the Public Highway

The development hereby approved includes the carrying out of work on the adopted highway. You are advised that before undertaking work on the adopted highway you must enter into a highway agreement under Section 278 of the Highways Act 1980 with

the County Council, which would specify the works and the terms and condition under which they are to be carried out.

Contact the Highway Authority's Legal Agreements Development Management Team at highwaylegalagreements@gloucestershire.gov.uk allowing sufficient time for the preparation and signing of the Agreement. You will be required to pay fees to cover the Councils costs in undertaking the following actions:

- o Drafting the Agreement
- o A Monitoring Fee
- o Approving the highway details
- o Inspecting the highway works

Planning permission is not permission to work in the highway. A Highway Agreement under Section 278 of the Highways Act 1980 must be completed, the bond secured and the Highway Authority's technical approval and inspection fees paid before any drawings will be considered and approved.

- 3 **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.

- 4 It is recommended that the NatureSpace Best Practice Principles are taken into account and implemented where possible and appropriate.
- 5 It is essential to note that any works or activities whatsoever undertaken on site (including ground investigations, site preparatory works or ground clearance) prior to receipt of the written authorisation from the planning authority which permits the development to proceed under the District Licence (WML-OR138, or a 'Further Licence') are not licensed under the great crested newt District Licence. Any such

works or activities have no legal protection under the great crested newt District Licence and if offences against great crested newt are thereby committed then criminal investigation and prosecution by the police may follow.

Consultations Appendix

Natural England

24th March 2026 - Response in documents.

Newt Officer

1st April 2026 -

The applicant for the above planning application has now been sent their NatureSpace Certificate which they have submitted to yourself. Should you be minded to approve planning for the above application there are mandatory conditions and informatives within the Certificate (on page 2) that must be used in verbatim on the decision notice. This is in order to comply specifically with conditions in the council's district licence.

For reference the District Licence conditions and informatives for this application are:

Planning condition: No development hereby permitted shall take place except in accordance with the terms and conditions of the Council's Organisational Licence (WML-OR138, or a 'Further Licence') and with the proposals detailed on plan "Broadlands Lodge: Impact plan for great crested newt District Licensing (Version 1)" dated 12th March 2026.

Reason: In order to ensure that adverse impacts on great crested newts are adequately mitigated and to ensure that site works are delivered in full compliance with the organisational licence (WML-OR138, or a 'Further Licence'), section 15 of the National Planning Policy Framework, Circular 06/2005 and the Natural Environment and Rural Communities Act 2006.

Informative: It is recommended that the NatureSpace Best Practice Principles are taken into account and implemented where possible and appropriate.

Informative: It is essential to note that any works or activities whatsoever undertaken on site (including ground investigations, site preparatory works or ground clearance) prior to receipt of the written authorisation from the planning authority which permits the development to proceed under the District Licence (WML-OR138, or a 'Further Licence') are not licensed under the great crested newt District Licence. Any such works or activities have no legal protection under the great crested newt District Licence and if offences against great crested newt are thereby committed then criminal investigation and prosecution by the police may follow.

Formal Authorisation for the site to act under the Council's District Licence can then be issued shortly after determination.

Tree Officer 1

27th October 2025 -

Please could the following be submitted so a full assessment of this planning application can be made:

- 1) Description of access road type to Broadlands. This should include a detailed method statement of the removal of any surfaces as well as the construction method of the new surface,
- 2) Tree retention and removals plan,
- 3) Access facilitation and any other tree and hedge pruning plan,
- 4) Underground and overground service runs,
- 5) Site materials storage area,
- 6) Details of any arb monitoring proposals.

Tree Officer 2

13th November 2025 –

The CBC Tree Section objects to the removal of the Thuja hedge as detailed in para 2.1.5 of the AIA. This "hedge" is composed of 3 TPO protected Thuja trees.

There is no objection to other tree or hedge removals documented in the Arb Report of 31/10/2025.

There appears to be no access facilitation pruning required to any of the TPO protected trees.

Existing underground services should be able to be utilised. Any changes to this must first gain prior approval and on no account should any service runs go through the Root Protection Areas of retained trees.

CBC Tree Section considers that the existing access road to Broadlands could still be utilised and it is unclear why such a new road (through the Root Protection Area) of several TPO protected trees is suggested. Similarly, the new access road to the College will require the removal of several existing trees which are of reasonable quality. CBC considers their classification by the applicant's arboriculturist as "C" grade trees (as per BS5837), is harsh- CBC considers them "B" grade. They have been marked as having a smaller dimension than the recorded in the arb report. Similarly, T1 -the large lime tree adjacent to the proposed new entrance would have an apparent 14% of its root protection area dug into for the new proposed access.

It would be much preferable if the existing roads and access drives were utilised.

It is assumed that the existing hard standing area as marked on the Tree Protection Plan will be sufficient for the build. On no account should any materials be stored within any root protection area.

The trees to be planted as detailed within the landscape plan 11/8/25 are too large. At best they will take several years to establish and grow. It would take many years aftercare to achieve this, otherwise the trees will lose vitality and decline. It would be better if all trees were no larger than Selected Standard size (10-12) and all be container grown. Money saved on reduced size trees could be spent on increased aftercare and maintenance. Please could this detail be adjusted and also for tree pit details be submitted as a condition attached to any planning permission.

There is a proposed new Liquidambar tree to be planted immediately under the crown of a large sycamore tree T33. This tree will not grow in such an environment and as such should be moved several meters south east to the location of T35 (which is to be removed).

No arb monitoring proposals have been described (as requested 27/10/25). Arb monitoring should take place during the construction of the new access road as well as off the public road adjacent to large lime tree T1 of the tree survey. Please could details be supplied (to include attendance at the pre-commencement site visit with CBC Trees Officers

As per para 3.3, please could a pre-commencement site visit be conditioned as a part of any planning permission to be issued.

Tree Officer 3

17th March 2026 –

The Arb Watching Brief specifies photos submitted to CBC as a substitute for the attendance of a Trees Officer. On such a locally sensitive site, a site meeting with a TO should be mandated. The Arb Watching Brief should also specify when the retained arborist is to supervise works.

On none of the arborist's drawings are trees to be removed clearly shown. This is an unconventional omission that should be rectified.

The Trees Section remains opposed to the installation of a new access that would remove fair trees when an existing access already exists.

Tree Officer 4

9th April 2026-

Following a site meeting with R Deacon and his arboriculturist Dan Mogridge 9.4.26, the following was discussed:

T2 is in fact 3 yew trees forming one larger crown. The largest tree is the closest to the proposed new University access road. RD and DM agreed to see if the proposed new route into the University car park could be incorporated (in line with BS5837 (2012)).

CC agreed that the proposed removal of T3 (elm, not alder as per the report), T4 (twin stemmed yew), T5 + 6 cypress (of low vitality and thinning crowns), was acceptable. However, it was recognised that this would reduce some visual amenity and as such RD said that this could be reflected in new tree planting within the proposed new adjacent domestic garden. CC recommended evergreen trees so as to help screen the road from the dwelling all year round.

DM to undertake calculations asap with a view to submitting in time for Planning Committee. A bespoke plan showing tree retention, removal, RPAs and access road development proposals for this area should be submitted.

CC said that should this be found to be acceptable, then detailed Access Facilitation Pruning plan should also be agreed. Such AFP could be detailed on this plan. Similarly, it would be anticipated that this delicate stage creation of a new University access road should fall within the Arb Watching Brief.

CC also suggested that parts of the Arb Method Statement should be adjusted:

3.2.1 -It is imperative that no vehicular activity can take place within the RPA of retained trees. The RPA is a permanent total exclusion zone with no access unless agreed by this Council (via the project arboriculturist).

3.2.10 All access Facilitation Pruning should be agreed with this Council prior to the start of works. Similarly, there should be no other pruning of other retained tree unless there is prior agreement with this Council

3.2.12 -should be re-phrased so as to provide more concise information.

3.2.13 No roots within RPAs should be severed unless there is prior agreement with this Council.

Tree Officer 5

13th April 2026 –

Documents and drawings received 10.4.25 demonstrate that the new access road is outside of the root protection area (as per BS5837 (2012)) of the trio of yew trees (forming one canopy) to the north of the proposed new university entrance. These trees have been named T2a, b, & c within the newly adjusted arb report. Similarly, no access facilitation of these trees is deemed necessary. A watching brief by a suitably experienced and qualified has been submitted. This should help ensure that no inadvertent and harmful damage is done to this group of small-medium sized trees and that due protection to the large lime(T1) is afforded during this part of any permitted construction process.

Similarly, the arb report also now states that no retained roots can be severed at this without prior approval of this Council.

The trees to be removed are T2-self sown elm of low value, Ts 5+6 are 12-13 metre high cypress trees. These trees have a low vitality and thinning crown and are not likely to recover and revert to fine trees.

T4 is a twin stemmed 6 metre yew tree. It has a B grading (as per BS5837) and as such would therefore normally be retained in the development process. However, in this instance, it is considered that it's primary amenity is of a collective value (taking other woody vegetation into account) and, given it's relative small size, could be removed if suitably mitigated for in proposed new evergreen tree planting adjacent. As agreed on site, this planting could be undertaken in the garden of the adjacent plot which will reduced traffic noise, foster a sense of privacy and return soft landscaping amenity. Details of such new planting to mitigate for the loses of Ts 3,4,5+ 6 have not been submitted.

Ecologist 1

7th January 2026 –

I have reviewed the Ecological reports and my response with regards to Ecology is provided below.

New residential development within the zone of influence of the Cotswold Beechwoods SAC could lead to increased recreational pressure. Therefore, a financial contribution should be made to the local planning authority to offset the impact of the development as outlined at https://www.cheltenham.gov.uk/info/52/conservation/1810/cotswold_beechwoods_sac Bat emergence surveys of buildings to be either redeveloped to residential use - Broadlands Lodge, Farmery Lodge or demolished - The Farmery, confirmed that no bats were roosting, however foraging bats were noted on the Site and thus bat sensitive lighting is recommended on site along with installation of bat boxes to retained buildings (Broadlands Lodge and the Farmery Lodge). Mitigation and enhancement recommendations are outlined in section 5.1 of the Bat Survey Report by Smart Ecology and to be detailed in a Construction and Ecological Management Plan (CEMP-B).

No potential bat roost features were identified in the trees that are proposed to be felled (ET02, ET03, ET04, ET05, ET06 in the arboricultural report). As other on-site trees could potentially be used by roosting bats, should it become necessary to fell any additional trees then these should be inspected for bat roost potential/evidence by a bat licensed ecologist and the findings and mitigation recommendations submitted to the LPA for review prior to works.

The site was identified to fall in a red zone for GCN and to contain some suitable terrestrial habitat for amphibians and nearby waterbodies off site were also identified. Therefore, either GCN surveys of the offsite ponds were recommended to confirm presence/absence of GCN, or instead of further GCN surveys, the site could be registered under the NatureSpace District Licence scheme. The approach needs to be clarified.

The site provided a small area of suitable habitat for reptiles, particularly slow-worm. The site also provided suitable habitat for badgers, hedgehogs and nesting birds. Mitigation for these species is recommended in the Preliminary Ecological Appraisal, which needs to be elaborated on in the form of Construction Ecological Management Plan, that should also detail mitigation for amphibians.

The Biodiversity Net Gain (BNG) report notes that the development as proposed will not achieve the necessary 10% net gain for hedgerows or habitat areas. Further efforts could be made on site through habitat enhancement/creation to try and obtain the 10% net gain, which would be the favoured approach. Should this not be possible then the BNG report estimates that an additional 1.1146 off-site habitat units and 0.0266 off-site hedgerow units would need to be purchased to achieve 10% net gain, or statutory credits could be purchased as a last resort. The approach to be taken to achieve the 10% net gain needs clarification.

National Planning Policy Framework (NPPF) and Local Plan Policy (Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011 - 2031) (adopted December 2017)) Context:
• NPPF Para 187 - 194 (Conserving and Enhancing the Natural Environment), National

Planning Policy Framework1

- SD9 Biodiversity and Geobiodiversity
- INF3 Green Infrastructure

In England, biodiversity net gain (BNG) is mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021).

Developers must deliver a biodiversity net gain of 10%. For significant on-site gains, and all off-site gains, the BNG must be maintained for at least 30 years. Responsibilities should be set out in a legal agreement. Further guidance can be found at <https://www.gov.uk/guidance/understanding-biodiversity-net-gain>

Wildlife legislation context:

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

Requirements prior to determination:

1. Habitat Suitability Index Assessment of nearby ponds (not separated from site by major dispersal barriers) and GCN surveys of any that are suitable for GCN (either eDNA or presence/absence GCN surveys). The survey results and updated GCN mitigation should be submitted to the LPA prior to determination. Alternatively, the site could be registered under the District Licence scheme and evidence of such (i.e. District Level Licence Report from NatureSpace) should be provided to the LPA prior to determination.

2. Clarification as to how the development is to achieve the 10% net gain is required, either through revising the landscape plan to allow for additional habitat enhancement/creation on site (which would be the favoured route) or through purchasing offsite credits or as last resort purchasing statutory credits.

Informatives:

1. Biodiversity Net Gain

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 CHELTENHAM BOROUGH COUNCIL.

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.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Cheltenham Borough Council. There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. 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 applicant will need to apply to approve the details reserved by the 30-year Habitat Management and Monitoring Plan and the Biodiversity Gain Plan at the same time.

2. Wildlife Protection

The applicant is advised that planning permission does not override the statutory protection afforded to plants and animals protected under the terms of the Wildlife and Countryside Act 1981 (as amended). If a protected species (such as any bat, great crested newt, dormouse, badger, reptile, barn owl or any nesting bird) is discovered using a feature on site that would be affected by the development or related works all activity which might affect the species at the locality should cease. If the discovery can be dealt with satisfactorily by the implementation of biodiversity mitigation measures that have already been drawn up by your ecological advisor and approved by the Local Planning Authority then these should be implemented. Otherwise a suitably experienced ecologist should be contacted and the situation assessed before works can proceed. This action is necessary to avoid possible prosecution and ensure compliance with the Wildlife & Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2017 (as amended), the Protection of Badgers Act 1992 and the Wild Mammals Act 1996. This advice note should be passed on to any persons or contractors carrying out the development/works.

Bats

Please note that this consent does not override the statutory protection afforded to bats and nesting birds. All British bat species are protected under The Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended). This protection extends to individuals of the species and their roost features, whether occupied or not. A derogation licence from Natural England would be required before any works affecting bats or their roosts are carried out. If a bat or evidence of bats using a feature on site is discovered prior to or during development all work must stop immediately. A licensed bat consultant or Natural England must be contacted and works implemented only in accordance with methods advised by them. This advice note must be provided to any persons/contractors carrying out the development along with the contact details of a relevant ecological consultant. This action is necessary to avoid possible prosecution and ensure compliance with the Wildlife & Countryside Act 1981 (as amended), The Conservation of Habitats and Species Regulations 2017 (as amended). This advice note should be passed on to any persons/contractors carrying out the development.

Birds

All British birds (while nesting, building nests, sitting on eggs and feeding chicks), their nests and eggs (with certain limited exceptions) are protected by law under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000. Works that will impact upon active birds' nests should be undertaken outside the breeding season to ensure their protection, i.e. works should only be undertaken between September and February, or only after the chicks have fledged from the nest.

General Wildlife Advice

Any trenches dug shall either be covered overnight or fitted with a means of escape (such as a plank of wood) so that badgers and other wildlife do not become trapped.

Any close board fencing shall be installed with gaps (13 cm x 13 cm) to allow free movement of hedgehogs and other small mammals across the site.

All mammals are protected under the Wild Mammals (Protection) Act 1996 and, therefore, prior to any site works a check should be made to make sure there are no active fox earths present on the site. The use of an animal repellent, such as Scoot, can be used to facilitate this.

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

1. Cotswold Beechwoods SAC Mitigation Strategy

New residential development within the zone of influence of the Cotswold Beechwoods SAC could lead to increased recreational pressure. Therefore, a financial contribution should be made to the local planning authority to offset the impact of the development as outlined at https://www.cheltenham.gov.uk/info/52/conservation/1810/cotswold_beechwoods_sac

2. Construction Ecological Management Plan - Biodiversity (CEMP-B)

No development shall take place (including demolition, ground works and vegetation clearance) until a Construction Environmental Management Plan - Biodiversity (CEMP-B) has been submitted to and approved in writing by the local planning authority. The CEMP should be kept in the site office for reference for site workers. The CEMP-B shall be based on the recommendations in Section 5.1 of the Preliminary Ecological Appraisal by Smart Ecology and include, but not necessarily be limited to, the following:

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

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

Reason: To ensure biodiversity is protected 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 180, 185 and 186 of the National Planning Policy Framework (Chapter 15), the Protection of Badgers Act 1992, Policy SD9 of the Joint Core Strategy Gloucester, Cheltenham and Tewkesbury 2011 – 2031 and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006. It is important that these details are agreed prior to the commencement of development as any on-site works could have implications for biodiversity.

3. Biodiversity Enhancements

Notwithstanding the submitted details, before above ground works commence a scheme for biodiversity enhancement, including the incorporation of permanent bat roosting features on retained buildings and trees, hedgehog homes plus hedgehog passes under fencing and nesting opportunities for birds, shall be submitted to and agreed in writing with the Local

Planning Authority. The approved details shall be implemented prior to the occupation of any of the buildings, and thereafter retained and maintained for the lifetime of the development;

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

The enhancement plan could be incorporated into the Landscape and Ecological Management Plan if desired.

Reason: To provide net gains for biodiversity in accordance with Section 40 of the NERC Act 2006, NPPF Chapter 15, the 25-year Environment plan, Policy SD9 of the Joint Core Strategy Gloucester, Cheltenham and Tewkesbury 2011 – 2031. The National Planning Policy is clear that in pursuing sustainable development a core principle for planning is achieving net gains for biodiversity.

4. Lighting Strategy

A bat sensitive lighting strategy scheme covering both construction and operational phases should be submitted to the local authority detailing location and specification of the lighting supported by contouring plans demonstrating any light spill into adjacent habitats. This plan should be completed following the recommendations of the Preliminary Ecological Appraisal of Smart Ecology and in conjunction with advice from the project ecologist (as required).

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 180, 185 and 186 of the National Planning Policy Framework (Chapter 15), Policy SD9 of the Joint Core Strategy Gloucester, Cheltenham and Tewkesbury 2011 – 2031, and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

Landscape and Ecological Management Plan (LEMP)

A 10 year Landscape and Ecological Management Plan (LEMP) shall be submitted to, and approved in writing by, the Local Planning Authority prior to any above ground works of the development hereby approved being undertaken. The plan shall be prepared in accordance with the principles set out in the Biodiversity Gain Plan plus Biodiversity Enhancements plan (if this forms a separate document) and must include, but not necessarily be limited to, the following information:

- i. Description and evaluation of features to be managed, including locations shown on a site map;
- ii. Establishment details, including preparation of the land;
- iii. Landscape and ecological trends and constraints on site that might influence management;
- iv. Aims and objectives of management, including ensuring the delivery of at least a 10% net gain in habitat units;
- v. Appropriate management options for achieving the aims and objectives;
- vi. Prescriptions for all management actions;
- vii. A work schedule matrix (i.e. an annual work plan) capable of being rolled forward over 5 or 10 year periods;

- viii. Details of the body or organisation responsible for the implementation of the plan;
- ix. Ongoing monitoring of delivery of the habitat enhancement and creation details to achieve net gain as well as details of possible remedial measures that might need to be put in place; and
- x. Timeframe for reviewing the plan.

The LEMP shall be implemented in accordance with the approved details and all habitats shall be retained in that manner thereafter. Notice in writing shall be given to the Council when the habitat creation and enhancement works as set out in the Biodiversity Gain Plan have commenced and once all habitat creation and enhancements have been completed.

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), paragraph 180, 185 and 186 of the NPPF, Policy SD9 of the Joint Core Strategy Gloucester, Cheltenham and Tewkesbury 2011 – 2031.

Ecologist 2

10th March 2026 –

Thank you for consulting ecology on planning application 25/01567/FUL.

The submitted information has been reviewed, and the following is outstanding and required prior to a determinative decision being made:

- Clarification of the method of achieving a minimum of 10% Biodiversity Net Gain is required.
- As stated in our previous response and the ecology report submitted (Preliminary Ecological Appraisal, Smart Ecology, 2025) Environmental DNA (eDNA) surveys of waterbodies within 500m of the site (mid- April – end of June) or join for the applicant to join the district level licence via NatureSpace is required prior to any permission being granted.

Habitat Regulations Assessment Cotswolds Beechwoods SAC

The authority has concluded that the adverse effects arising from the proposal are wholly consistent with effects detailed in Cotswold Beechwoods SAC Recreation Mitigation Strategy (2022). The authority's assessment is that the application complies with this strategy and that it can therefore be concluded that there will be no adverse effect on the integrity of the designated site identified subject to securing the required mitigation.

Three Derogation Tests

The proposed development has the potential to impact on habitat suitable for Great Crested Newt, a European Protected Species protected under the Conservation of Habitats and Species Regulations 2017.

In order for development affecting a European Protected Species to proceed, the Local Planning Authority must have regard to the three derogation tests set out in Regulation 55 of the Regulations. These tests require that:

1. The development must be for imperative reasons of overriding public interest;
2. There must be no satisfactory alternative; and
3. The action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.

Based on the information submitted, the Local Planning Authority is not satisfied that

the proposal meets these three derogation tests. In particular, insufficient information has been provided to demonstrate that there are no satisfactory alternatives to the proposed development and that the development would not be detrimental to the maintenance of the local population of Great Crested Newts at a favourable conservation status.

In the absence of sufficient evidence to demonstrate compliance with the three derogation tests, the Local Planning Authority cannot be confident that a licence could be granted by Natural England. The proposal therefore fails to demonstrate compliance with the requirements of the Conservation of Habitats and Species Regulations 2017 and is contrary to national policy in National Planning Policy Framework which requires planning authorities to protect European Protected Species.

If the above can not be achieved the following refusal reasons are suggested: Insufficient information has been submitted to demonstrate the biodiversity gain objective can be met and the biodiversity gain condition can be discharged successfully in accordance with Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021).

And

Insufficient information has been submitted to enable the Local Planning Authority to fully assess the extent to which great crested newts, that are protected under the Wildlife and Countryside Act 1981 (as amended), and the Conservation of Habitats and Species Regulations 2017 (as amended) may be affected by the proposed development. The Local Planning Authority is therefore unable to fully assess the development in respect of the requirements of the National Planning Policy Framework, The Planning Practice Guidance, ODPM Circular 06/2005. Furthermore, the Local Planning Authority is also unable to fully assess the proposals in the light of the three derogation tests, as described in the ODPM Circular 06/2005 and The Conservation of Habitats and Species Regulations 2017 (as amended), preventing the Local Planning Authority from discharging its statutory duty with regards to European protected species.

Ecologist 3

19th March 2026-

The additional information submitted by the agent has been reviewed. The applicant has confirmed that they have joined the Great Crested Newt District Level Licensing (DLL) scheme via NatureSpace, which is considered sufficient to address potential impacts to great crested newts. On this basis, the Local Planning Authority can be satisfied that the proposals are capable of meeting the three derogation tests set out under the Conservation of Habitats and Species Regulations 2017 (as amended), subject to adherence to the requirements of the licensing scheme.

In respect of Biodiversity Net Gain (BNG), the applicant has confirmed that the required minimum 10% net gain will be achieved through the purchase of off-site biodiversity units via an approved provider. While on-site provision is limited due to site constraints, this approach is acceptable in principle and will be secured via condition.

Habitat Regulations Assessment – Cotswolds Beechwoods SAC

The authority has previously concluded that the adverse effects arising from the proposal are consistent with those detailed in the Cotswolds Beechwoods SAC Recreation Mitigation Strategy (2022). The proposal complies with this strategy and it can therefore be concluded that there will be no adverse effect on the integrity of the designated site, subject to securing the required mitigation.

Conclusion

Ecology raises no objection to the proposed development subject to the imposition of conditions.

Recommended Conditions:

LEMP- onsite small scale

- A Landscape and Ecological Management Plan (LEMP) covering a ten year period shall be submitted to and approved in writing by the Local Planning Authority prior to any above ground works of the development hereby permitted. The plan shall include, but not necessarily limited to, the following information:
- I. Description and evaluation of features to be managed, including locations shown on a site map;
 - II. Establishment details, including preparation of the land;
 - III. Landscape and ecological trends and constraints on site that might influence management;
 - IV. Aims and objectives of management, including ensuring the delivery of at least a 10% net gain in habitat units;
 - V. Appropriate management options for achieving the aims and objectives;
 - VI. Prescriptions for all management actions;
 - VII. A work schedule matrix (i.e. an annual work plan) capable of being rolled forward over 5 or 10 year periods;
 - VIII. Details of the body or organisation responsible for the implementation of the plan;
 - IX. Ongoing monitoring of delivery of the habitat enhancement and creation details to achieve net gain as well as details of remedial measures that may need to be put in place; and
 - X. Timeframe for reviewing the plan.

The LEMP shall be implemented in accordance with the approved details and all habitats shall be retained in that manner thereafter.

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

The Biodiversity Gain Plan shall be prepared in accordance with the Biodiversity Net Gain Design Stage Report dated February 2026 and prepared by All Ecology.

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.

Biodiversity Enhancement

Notwithstanding the submitted details, before above ground works commence a scheme for biodiversity enhancements in line with the recommendations in section 5.3.2 table 5-2 of the Preliminary Ecological Appraisal Report dated October 2025 by Smart Ecology, 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 species 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.

Ecological Enhancement Strategy (EMES) compliance

Prior to occupation of the development hereby approved, the applicant shall submit evidence that;

- ecological enhancements such as the bird, bat and hedgehog boxes, or bee/bug bricks have been installed as outlined in the applicant's Ecological Mitigation and Enhancement Strategy (EMES), to Cheltenham Borough Council in order that the council may verify that the agreed ecological enhancement/mitigation measures proposed are in place when the development is complete. Evidence can be submitted as photos.

Reason: (1) In order to discharge its biodiversity duty, the LPA must satisfy itself that all developments deliver ecological enhancement wherever reasonably possible; (2) Ecological enhancement is a requirement of the revised National Planning Policy Framework (2021) which states (in paragraph 174) that 'Planning policies and decisions should contribute to and enhance the natural and local environment...'. And (3) Policy SD9 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011-2031 (2017) which encourages new development to: "contribute positively to biodiversity and geodiversity whilst linking with wider networks of green infrastructure. For example, by incorporating habitat features into the design to assist in the creation and enhancement of wildlife corridors and ecological steppingstones between sites".

Compliance with Report including for EPS (with options for PWMS and EPS statement)

The development shall be carried out in strict accordance with the recommendations in the consultancy report (Preliminary Ecological Appraisal Report, Smart Ecology, 2025) All the recommendations shall be implemented in full according to the timescales specified in the report and thereafter permanently maintained for the stated purposes of biodiversity conservation.

Reason: To ensure that species and habitats are protected 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, 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.

Informative:

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.

GCC Highways Development Management 1

12th 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 proposed new access to the car park should meet standards in terms of geometry and visibility. The local highway authority has concerns over both these aspects.

No speed survey has been submitted with this application although reference is made to one carried out for the previous owners. Please request this survey and the calculations of the resultant visibility splay requirements – even though a drawing (1450.03) has been produced. The vehicular visibility splays should be shown with an X distance of 2.4m back from the carriageway edge into the centre of the proposed access and a Y distance based on the 85th percentile 7-day average speed from the speed survey measured along the nearside kerblin in each direction. For example, the Y distance at 30mph is 43m. The submitted drawing shows visibility splays but they do not terminate on the carriageway edge.

It is contended that a significantly greater amount of hedge will need to be cut back or removed to provide compliant visibility splays for the new access. Please request a more detailed assessment of this than what is shown on the drawing.

At pre-app the LHA requested evidence that vehicles could pass in the new car park access. Whilst a 5.5m width may be acceptable, no swept paths are shown for 2 vehicles meeting and passing one another at the new access.

The existing access makes no provision for pedestrian access. The new proposals should consider this requirement based on pedestrian demand in the area to use the car park as a way into the university.

Please request information as to where the new dwellings' bins will be presented for collection. The containers cannot be left on the verge as this will obscure visibility along the road for approaching traffic and those exiting the accesses.

The Highway Authority therefore submits a response of deferral until the required information has been provided and considered.

GCC Highways Development Management 2

3rd December 2025 –

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

The applicant has addressed the points made in the LHA's formal response dated 12 November 2025. As such the proposals are now accepted.

Conditions

Site Access – please approve the Block Plan 1450.02B, showing the site access arrangements and bin collection point.

Prior to commencement, full engineering and constructional details of the proposed site access shown indicatively on approved drawing 1450.02B shall be submitted to and approved in writing by the local planning authority and none of the new dwellings hereby approved shall be occupied until the approved works have been completed to the satisfaction of the local planning authority.

Reason: In the interests of highway safety.

Construction Management Plan

Prior to commencement of the development hereby permitted details of a construction management plan shall be submitted to and approved in writing by the Local Planning Authority. The approved plan shall be adhered to throughout the demolition/construction period. The plan/statement shall include but not be restricted to:

- Parking of vehicle of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
- Advisory routes for construction traffic;
- Any temporary access to the site;
- Locations for loading/unloading and storage of plant, waste and construction materials;
- Method of preventing mud and dust being carried onto the highway;
- Arrangements for turning vehicles;
- Arrangements to receive abnormal loads or unusually large vehicles;
- Highway Condition survey;
- Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.

Reason: In the interests of safe operation of the adopted highway in the lead into development both during the demolition and construction phase of the development.

Informatives

Works on the Public Highway

The development hereby approved includes the carrying out of work on the adopted highway. You are advised that before undertaking work on the adopted highway you must enter into a highway agreement under Section 278 of the Highways Act 1980 with the County Council, which would specify the works and the terms and conditions under which they are to be carried out.

Contact the Highway Authority's Legal Agreements Development Management Team at highwaylegalagreements@gloucestershire.gov.uk allowing sufficient time for the preparation and signing of the Agreement. You will be required to pay fees to cover the Council's costs in undertaking the following actions:

- Drafting the Agreement
- A Monitoring Fee
- Approving the highway details
- Inspecting the highway works

Planning permission is not permission to work in the highway. A Highway Agreement under Section 278 of the Highways Act 1980 must be completed, the bond secured and the Highway Authority's technical approval and inspection fees paid before any drawings will be considered and approved.

GCC Highways Development Management 3

23rd February 2026-

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 further comments to make.

Cheltenham Civic Society 1

12th November 2025 -

OBJECT

Impact on the Conservation Area

The starting point for our objection is the requirement in Section 72 of the 1990 Planning Act requiring special attention be paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area. There is no evidence in the application papers or the design proposals that the applicant has understood this Duty, or the importance of the

Conservation Area setting.

As The Park Conservation Area Assessment and Management Plan (CAAMP) (extant policy) sets out in the summary of special interest: This Character Appraisal of the Park Character Area within Cheltenham's Central Conservation Area concludes that the special interest of the area derives from the following key characteristics:

- The tear-drop shaped plan form of the Park is a distinctive feature within the town and sets a basis for the other special qualities of the area;
- The extensive green space within the Park itself "...makes the single greatest contribution to (establishing) the spacious character of the area;"

The CAAMP specifically identifies the need to control new development, like this application, as well as boundary enclosures, setting and views and enhancement of existing buildings and land, all of which this application threatens instead of improving.

The proposal would have a very significant negative impact on the Conservation Area. As we warned in our letter to Tracey Birkinshaw on 16 September 2025, there are specific

characteristics that must be taken into account on this sensitive site within the teardrop of the Park itself:

- New residential buildings on the 'inside' of the Park have never previously been permitted, only ancillary service buildings for the University or – exceptionally – those within the curtilage of existing properties.
- The existing buildings are low level, with no more than 2 storeys under pitched roofs. About 45% of 64 The Park is single storey. The Farmery is almost entirely single storey, with the second storey accounting for only about 15% of the built site.
- The existing buildings are humble in design, subservient to all buildings in the immediate vicinity and very obviously subservient to the principal buildings that they served at the northern and eastern ends of the Park.
- The buildings are well spaced in clear plots, the dispersal of which contribute to their low visual impact on the Park's setting.

The National Planning Policy Framework (NPPF) attaches 'great weight' to the conservation of heritage assets and their significance, including Conservation Areas. As para 202 states: These [heritage] assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations. The proposals will result in damage to the Conservation Area such that future enjoyment of it will be significantly diminished.

These character elements have been ignored by the applicant. The proposals actually go against the grain of the Conservation Area and its preservation or enhancement, contrary to s72 as well as NPPF paras 203 (f) and (g), 214 and 219.

As NPPF para 220 states, not all elements of a Conservation Area will necessarily contribute to its significance. In this case, though, the development of the space itself will have a severe impact on the setting, requiring CBC to demonstrate the level of resulting harm and to manage it accordingly.

JCS Policy SD8 para 3 states: Designated and undesignated heritage assets and their settings will be conserved and enhanced as appropriate to their significance, and for their important contribution to local character, distinctiveness and sense of place. Consideration will also be given to the contribution made by heritage assets to supporting sustainable communities and the local economy. Development should aim to sustain and enhance the significance of heritage assets and put them to viable uses consistent with their conservation whilst improving accessibility where appropriate.

Precedent

This application should be refused for its damaging impact on the Park's setting. The precedent this would also set for future development on the inside of the Park's 'teardrop' would be difficult to resist if this proposal is permitted.

If consent is granted, the consequence would not only be the unwelcome it itself but could create a precedent for wider development in the Park itself. Even though each planning application must be considered on its merits, approval of these proposals will undoubtedly embolden those who would like to see more of the Park sold off and built on. If this were to happen, the character of the Park would be destroyed and Cheltenham would lose one of its finest pieces of townscape.

Public Amenity

The Park has provided publicly accessible recreation space with uninterrupted access for almost 2 centuries. Custom and practice of public use of this area over more than a century demands careful consideration under NPPF para 215 to weigh the development against the public benefits of the proposal. We believe the application would cause harm to the

conservation area's character so the applicant must clearly explain why the harm is necessary and whether there are design alternatives or mitigations.

JCS Policy SD8 para 1 states: The built, natural and cultural heritage of Gloucester City, Cheltenham town, Tewkesbury town, smaller historic settlements and the wider countryside will continue to be valued and promoted for their important contribution to local identity, quality of life and the economy. This application undermines that intent, especially as it relates to the quality of life of those who have enjoyed and continue to enjoy this important amenity area that shapes the conservation area.

Harms must be assessed against the NPPF/Historic England guidance and given appropriate weight in the balance. Substantial harm should lead to refusal but less-than-substantial harm still requires clear public benefits to justify approval. Case law emphasises that the statutory duty requires decision-makers to give considerable weight to conservation but there appears to be no real consideration or demonstration of this in the application.

Design of proposed new buildings

It is not good enough just to presume that a new building is automatically of sufficiently high quality to enhance the character of the conservation area. In this case, it is not. Indeed the design is wholly inappropriate – see below.

We appreciate the proposed reuse and adaptation of some of the existing buildings. We support the change of use of Broadlands Lodge and Farmery Lodge to residential use and the retention of these structures. However, as they are to be restored, it is all the more important that any new buildings should reflect their architectural style, materials and palette.

That means new structures should be restricted to no more than 2 storeys high, be designed with pitched roofs and use materials and a palette that relates to those older buildings. This is why we object to the proposed designs for the buildings on plot 2 and plot 3. They are too high and bulky, and the design does not contribute to preserving or enhancing the character or appearance of the Conservation Area.

Consequently, the application fails to comply with Cheltenham Plan Policy D1 paras b, c and d, SD10 paras 5 and 6, SD14 paras 2i and vii, National Design Guide (NDG) policies NDG C1: Understand and relate well to the site, its local and wider context; NDG I1: Respond to existing local character and identity; NDG I2: Well-designed, high quality and attractive places and buildings; NDG I3: Create character and identity; NDG B1: Compact form of development; NDG B2: Appropriate building types and forms.

Green link between the road and the Park

The 'tongue' of green space between the Farmery Lodge and The Farmery at the north and Broadlands Lodge at the south, connects the road to the playing fields and University grounds. It is an essential visual link and contains a number of interesting trees. Until recently this area has provided a well-used, informal public access from the road to the playing fields. It should be kept entirely free of development and made open for public access. At very least, a public right of way should be created across it, so that people can continue to walk or cycle to and from the university grounds this way. Instead, the plans propose that the area be closed off, and it is not clear who will be responsible for managing this area.

The Proposed Street Scene submitted appears to show a heavy solid gate across the entrance. The effective privatisation of an area that has previously been seen as open for public use why we object to the scheme.

The CAAMP states: The central space of the Park is the essence of the area's uniqueness despite the fact that it now contains a considerable number of buildings and paraphernalia

as part function and of its University. In seeking to improve the area, the negative impact of these service buildings should be enhanced or removed to improve the setting, not made even more incongruous by inappropriate and massive design with inappropriate forms such as flat roofs. These designs show a fundamental misunderstanding of the Park's characteristic architectural styles and forms.

NDG N1 Provide a network of high quality, green open spaces with a variety of landscapes and activities, including play. NDG H1: Healthy, comfortable and safe internal and external environment. NDG H2: Well-related to external amenity and public spaces.

Other matters

As per the bat report, we support the request that external lighting is kept to a minimum. There is a lack of information on proposed boundary treatments.

We are concerned that both the arboricultural reports submitted refer to plans for "nine private residential dwellings". If indeed there are plans for further development here, that would be wholly unacceptable. We trust that the planning authority would resist this to the fullest extent possible. Meanwhile we support local efforts to designate the Park (including the green link referred to above), as Local Green Space.

Summary

CBC should not need to be told how important the teardrop shaped greenspace of The Park is to Cheltenham and the Conservation Area and its fundamental role as a much-valued open space that the University, and its predecessors, have generously shared with local residents for over a century. Some change is unavoidable but this application fails to preserve or enhance the character or appearance of this part of the Conservation Area. The Civic Society has no choice but to object to this proposal in the strongest terms.

Cheltenham Civic Society 2

19th February 2026 –

25/01567/FUL Creation of new vehicular access to the university car park. Demolition of The Farmery buildings and erection of 2no. dwellings. Change of use of Broadlands Lodge and the Farmery Lodge to residential with associated extensions, access and landscaping. Broadlands Lodge 56 The Park Cheltenham Gloucestershire GL50 2RN

Revised plans submitted 29 January.

Comments of the Cheltenham Civic Society in response to the revised plans submitted 29/01/2026 (submitted 13/2/26)

We are surprised that this has not been submitted as a new application.

The revised scheme has responded to some of our earlier concerns and to those of the Heritage and Conservation officer. The buildings have been reduced in height from three to two storeys, which we welcome, and appear to have been moved back a little on to the Farmery site.

However, we still have three concerns:

i) The design of the proposed new buildings is still completely out of keeping with their two brick built, Victorian neighbours, and bears no relation to the many fine listed buildings elsewhere in the Park. The materials, shape and volume are all at variance with those of the buildings nearby. The planning authority has a duty under s.72 of the Planning (listed buildings and conservation areas) Act (1990) to preserve and enhance the conservation area. One of the positive qualities of the Park Character Area is that "the form of the buildings and use of quality building materials complement each other. They combine together to give the area a grandeur, elegance and spaciousness". These proposed new

buildings do not do that, and would have a negative impact on the character area. It is perfectly possible to design a couple of buildings on this very sensitive site which respect and complement the character of those around, and which would then be in accordance with national legislation and local planning policies regarding conservation areas.

ii) The revised proposals have opened up the view through from the road into the inside of The Park. This is welcomed as "the extensive green space within The Park itself makes the single greatest contribution to (establishing) the spacious character of the area." However, we object to the way that this greenspace, to which residents previously had de facto public access for many decades, has effectively been privatised and fenced off. Ideally this space should be returned to the University as a connecting green link. Failing that, and as a minimum, there should be a) a right of way created through it for pedestrians to walk between the road and the playing fields, and b) a legally enforceable covenant put in place to ensure that the entire area is kept clear of any obstructions (e.g. play equipment, sheds, parked cars, caravans).

iii) We know that it is a principle of planning that each case will be decided on its own merits, but there can be little doubt that if this scheme goes ahead, the University will be tempted to try to sell off other areas, eg the parking space to the west of Fullwood Lodge. And others will point to it as a precedent to justify more new building in The Park and perhaps in other green spaces in Cheltenham.

Heritage And Conservation 1

16th December 2025 -

Relevant legislation and policies

- Planning (Listed Buildings and Conservation Areas) Act 1990
- The National Planning Policy Framework (DLUHC: December 2024)
- Policy SD8 (Historic Environment) of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011-2013 (adopted December 2017)
- The Park Character Area Appraisal and Management Plan (2008) (CAAMP)

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."

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.

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 Park Character Area Appraisal and Management Plan (CAAMP) further identify the area's defining attributes, spaciousness, landscaped quality, and coherent streetscape. The CAAMP includes actions to retain openness and protect views (Action TP11).

Site Context

The application site relates to a parcel of land and buildings formally located within the University of Gloucestershire Park campus. There are three buildings on the site: Broadlands Lodge (56 The Park), Farmery Lodge and The Farmery. Both Broadlands Lodge and Farmery Lodge appear unoccupied having previously been used as offices/administration purposes associated with the university whilst The Farmery buildings were used as ancillary

to the university. The application site/buildings are no longer owned by the University having been sold earlier this year.

The buildings are constructed of brick and are predominantly two storeys in height. Farmery Lodge dates from the late 19th century to early 20th century whilst Broadlands Lodge dates from the early 20th century. Parts of the Farmery may date from as early as the late 19th century.

An area of open green space separates Broadlands Lodge from the two Farmery buildings. This land includes several mature trees and boundary hedging. The boundary to the north is open with views over the open green space and University campus.

The application site lies within the Park Character Area of the Central Conservation Area. Broadlands Lodge is identified as a 'positive building' in the Park CAAMP (2008). 'Positive buildings' are considered to make a positive contribution to the character and appearance of the conservation area.

There are three Grade II listed buildings located on the opposite side of the road to the site: Chalfont House and associated railings, Oakley and Little Oakley and two pairs of gate piers with wall (adjoining Oakley and Little Oakley). There is a further grade II listed building to the north of the site, the Boathouse, also located within the Park.

Proposal

This application seeks planning permission for the conversion of Broadlands Lodge and Farmery Lodge into two dwellings, and the construction of two dwellings following the demolition of The Farmery buildings.

The application follows the submission of a pre-application enquiry for the development of 7 no. dwellings and the construction of an apartment block for 4 units. The conservation officer commented at the time that the principle of development was acceptable subject to further details and assessments.

Heritage Significance

The Park was laid out by 1833 by its owner Thomas Billings as an oval tree-lined drive with a central park. For a short period in the mid-C19 the Park became a zoological garden and in 1839 the development was bought by Samuel Daukes who continued building. The Park is thought to be one of the principal developments influenced by White's and Nash's design for Regent's Park in London (1809-11).

The Park is recognised for its tear-drop layout, generous plots, mature trees, and expansive greenspace which collectively confer a distinguished and serene character. The interplay between buildings and green space is central to its significance; it is an environment where architecture is subservient to The Park and where positive buildings support, rather than dominate, the setting.

The CAAMP recognises that the Park character area has a distinct identity. It includes a summary of the special interest of the Park, including:

- The tear-drop shaped plan form of the Park is a distinctive feature within the town and sets a basis for the other special qualities of the area.
- The pattern and layout of streets, the spaces between buildings, the form of the buildings and use of quality building materials complement each other. They combine to give the area grandeur, elegance and spaciousness.
- The extensive green space within the Park itself "makes the single greatest contribution to (establishing) the spacious character of the area;"
- The well-established tree-lined streets, particularly in and around the Park, greatly

enhance the area's character and appearance and the setting of its buildings. The trees create a leafy character for many of the residential streets.

- The character area contains large numbers of Georgian and early Victorian formally laid out villas and terraces. The villas particularly contribute to the form and the distinct and impressive character of the area.
- This character area is an area of rich architectural and historic interest. It contains over 100 statutory listed buildings (some of which are grouped under the same listing) and structures and some buildings and structures which are included on the Local Index.
- There are a large number of surviving gate piers fronting the Georgian and Victorian villas. These structures form an attractive and historic boundary treatment and enhance the setting of buildings.

The CAAMP describes the open space within the Park itself as 'a particularly striking feature', providing a 'highly attractive setting for the university buildings and the surrounding villas'. The CAAMP recognises that the green open space of the Park is a particularly important historic feature within the character area and 'makes the single greatest contribution to the spacious character of the area'.

Action TP11 of the CAAMP states that 'the Council will ensure the retention of the spacious character of this important central space within the Park through ensuring that any future development or redevelopment within the grounds does not erode any of the open space. This will ensure the retention of this area of green open space which makes an essentially important contribution to the character area'.

Change of Use

Both Broadlands Lodge and Farmery Lodge were originally built as dwellinghouses, however, they have since been used for office/administration purposes associated with the University.

Given that the buildings were originally intended as dwellinghouses the proposal to change their use is welcomed and is therefore supported.

Demolition of the Farmery

The Farmery has been heavily altered and retains limited original form. Its demolition, therefore, could be considered acceptable on heritage grounds, provided that its removal does not precipitate harm through the introduction of inappropriate replacement structures. Crucially, the test is not simply whether what is removed is of low significance; it is whether what is proposed in its place preserves or enhances the character and appearance of the conservation area.

Assessment of the proposed new build dwellings

The two new build dwellings proposed are of a contemporary design and three storeys in height, taller than the structures they replace. Their massing and height appear dominant, disrupting the established roofline and visual hierarchy of the site. Set against Broadlands Lodge and Farmery Lodge and within proximity to listed buildings across The Park, the new houses would read as dominant insertions rather than respectful additions.

Materiality compounds this issue. The use of metal and timber cladding, applied in a modular fashion, introduces tones and textures that are at odds with the prevailing palette of brick, stucco, and traditional detailing characteristic of the area. Contemporary design is not inherently unacceptable in conservation areas; indeed, sensitive contemporary additions can be positive, but success is dependent on design and its response to the site and its surroundings, including scale, proportion, materially and landscape setting. Here, the

proposal appears to prioritise architectural statement over contextual harmony, resulting in a discordant presence within a highly sensitive environment.

Perhaps most critical is the erosion of openness. The Park's identity relies upon large areas of greenspace, vegetation and views that extend across The Park, creating a sense of space and light that is integral to its significance. The proposed dwellings, by virtue of their scale, massing and enclosure, would diminish the sites characteristics. The additions would narrow visual corridors, reduce permeability, and introduce a feeling of enclosure that conflicts with the CAAMP's aspiration to retain spacious character (Action TP11).

Beyond the buildings themselves, the proposed gates and boundary hedging would obstruct views into and out of the site, undermining the openness and permeability that define The Park's character. Excessive enclosure, tall hedging, and solid gates would fragment visual continuity and erode the legibility of historic layouts. In this case, the new boundary features would seal off portions of the landscape, diminish its character and weaken the aesthetic relationship between buildings and open space.

The conservation area's character is founded on a relationship between built form and greenspace that benefits openness and shared views. Introducing visually heavy boundary treatments shifts that balance toward privatisation of space in a setting that has historically emphasised collective landscape amenity. The proposed modular forms of the new dwellings, coupled with such boundary changes, would have an adverse impact on the special character of the conservation area.

Conclusion and Recommendations

The Park is a historically significant planned development, noted for its tear-drop layout, tree-lined streets, and extensive green space, which contribute to its grandeur and spacious character. The current proposal, while containing acceptable elements in the conversion of Broadlands Lodge and Farmery Lodge, introduces two new dwellings whose scale, massing, and materials, would cause harm to the special character and appearance of the conservation area. Whilst it is recognised that the level of harm would be less than substantial, it is considered that the proposals would reduce the significance of the conservation area.

Under the NPPF, where harm to a designated heritage asset is identified, the decision-maker must consider whether the harm is justified by public benefits that are clear, convincing, and sufficiently outweigh that harm or loss. The harm in this case is multifaceted: The scale and massing of the new dwellings, their incongruent materials, and the enclosure of green space that comprises the wider setting.

The scheme does not preserve or enhance the conservation area, contrary to the 1990 Act, the NPPF, policy SD8 and the CAAMP. Therefore, refusal is recommended as detailed below unless substantial amendments are made to reduce the height and massing of the new dwellings, retain openness, adopt materials that harmonise with local precedent, and provide additional street scene (whole site) and evidencing minimal impact.

Heritage And Conservation 2

4th March 2026 -

Heritage and Conservation Comments

This is a re-consultation following the submission of amended plans. The following comments are made in respect of the amendments.

oThe reduction in height of the two new-build dwellings is welcomed and represents a positive step toward reducing their visual impact.

o The removal of the metal and timber cladding is also welcomed. However, given the prevailing use of brick within the surrounding context, it is considered that brick should form a key part of the revised palette. A combination of brick and render would be more appropriate and better suited to this sensitive location.

o The proposed revisions to the layouts of Plot 3 and the access drive to Broadlands are an improvement. Relocating the parking spaces for Plot 3 to the west of the dwelling results in a more coherent arrangement within the plot. In addition, moving the Broadlands access drive to the edge of the greenspace would help maintain the openness of this area and preserve important views into and out of the Park.

o The proposed estate fencing is considered acceptable. It would be in keeping with the character of the area and would help retain the site's permeability.

The proposed revisions are considered acceptable; therefore, no objection is raised against the proposals subject to the materials palette being amended, as suggested.

If minded to approve the application, the following conditions are recommended to be applied to the approval of planning permission:

1. Material samples
2. Details of the estate fencing
3. Protection of the open space

Drainage And Flooding

7th November 2025 –

There are no objections to the application provided that a condition for a sustainable drainage system (SuDS) is attached to mitigate the impact of impermeable surfaces. It's noted that a soakaway is currently proposed and BRE 365 testing will be required as part of the condition submission including evidence that the winter groundwater level is 1m below the invert of the proposed soakaway. The SuDS will need to follow and will be reviewed against the National standards for sustainable drainage systems (<https://www.gov.uk/government/publications/national-standards-for-sustainable-drainage-systems>)

If planning permission is granted, please request the following condition:

Prior to the commencement of development, a surface water drainage scheme, which shall incorporate Sustainable Drainage System (SUDS) principles and appropriate flood risk management, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include a programme for implementation of the works, and proposals for maintenance and management. The development shall not be carried out unless in accordance with the approved surface water drainage scheme.

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

St Phillips And St James Area Residents Association

12th November 2025 –

Comments: The land affected by this application is outside our SPJARA area, but The Park is an important local amenity for all our residents and we wish therefore to comment on a proposal that is bound to affect it.

Page 208

The University of Gloucestershire grants free public access to people to use their grounds in The Park, and we appreciate their generosity in this respect. We understand, too, the financial pressures that the university is under at present and why they have sold off this part of The Park.

Nonetheless, we are opposed to several aspects of this development which we think would seriously detract from the public amenity that The Park provides.

Until some temporary fencing was erected recently, the public has had de facto access to the central part of this site affected by the plantings, between Broadlands Lodge and the Farmery Lodge. This 'large central area given over to a lawn and a collection of early mature and mature trees' (quoted from the arboricultural report) provides a green link from the road into the grounds of the university, and the public have walked freely across it for many years. The current plans will close this off and effectively privatise a piece of de facto public space.

As well as losing access, it is clear that the public will lose the visual access that the green link currently provides, and that views into The Park from the road, which forms part of the original scheme when it was laid out nearly 200 years ago, will be heavily compromised. The photograph and photomontage that compare the existing and proposed street views illustrate what will be lost. Instead of the present welcome view into The Park, those outside will in future see a heavy gate that says - in effect - Keep Out!

Ideally this central part of the site, the green link, should not be enclosed at all as private space but dedicated as public open space. At very least, i) a public right of way should be created so that people can walk or cycle safely between the road and central park of the University grounds; and ii) planning conditions should be imposed that would prohibit any structure, planting or parking in the area that would obscure the current views into and out of The Park.

Furthermore, although every planning application must be decided on its own merits, this development, if approved, will establish a precedent that could be used to argue for the development of other areas on the edge of The Park.

To summarise: we object to this proposal as it will destroy the public benefit that this area currently provides to people living in and around The Park; and - if approved - it would set a precedent that puts other parts of The Park at risk of development.

Building Control

13th November 2025 - This application will require Building Regulations approval. Please contact the office on 01242 264321 or buildingcontrol@cheltenham.gov.uk for further information.

APPLICATION NO: 25/01567/FUL		OFFICER: Mrs Lucy White
DATE REGISTERED: 15th October 2025		DATE OF EXPIRY : 10th December 2025
WARD: Park		PARISH:
APPLICANT:	Robert Deacon Builders Ltd	
LOCATION:	Broadlands Lodge 56 The Park Cheltenham	
PROPOSAL:	Creation of new vehicular access to the university car park. Demolition of The Farmery buildings and erection of 2no. dwellings. Change of use of Broadlands Lodge and the Farmery Lodge to residential with associated extensions, access and landscaping.	

REPRESENTATIONS

Number of contributors	17
Number of objections	15
Number of representations	0
Number of supporting	2

23 Charles Street
Cheltenham
Gloucestershire
GL51 9HH

Comments: 13th February 2026

NONE GIVEN

1 Barberry Close
Cheltenham
Gloucestershire
GL50 2RB

Comments: 13th February 2026

Planning Application 25/01567/FUL - Broadlands Lodge 56 The Park Cheltenham
Gloucestershire GL50 2RN

I would like to object to the proposals for the redevelopment of Broadlands Lodge 56 The Park in particular with reference to the developers Plots 2 & 3 relating to the site at present occupied by The Farmery. I have no great issue with the plans for Plot 1 Farmery Lodge, or Plot 4 Broadlands Lodge as I consider the plans have recognised the character of the building as lodges and also removed an unsympathetic extension added in the latter part of 20th century to Farmery Lodge and represent recognition of the building character in the surrounding area. My grounds for objection are as follows:

1) Historic Importance of the Park and further loss of Cheltenham Regency Heritage
A key feature of Cheltenham's attractiveness to both residents and tourists is its architectural heritage specifically it's Regency heritage which forms a substantial part of Cheltenham's history. Whilst in the past the importance of this has not always been

recognised and unsympathetic development of the area has occurred we are now in an age where our architectural history is recognised both by academics and the general public as an important part of our identity and it is important we protect this to ensure a continued interest in the town for both those wishing to live here and those visiting as well as protect it for future generations.

The Park is a part of this history and the parkland at the centre of The Park is a defining feature of the original design to set off the large villas surrounding the central open space reflecting many similar developments of the time in London, Bristol and Bath. It is not just the listed properties that line the perimeter of the Park but the parkland itself that is The Park. It is important when considering this development, the whole is considered rather than the part and it is for this reason the Park became part of The Park Character Area and Appraisal Plan (CAAMP) which includes under Action TP11 actions to retain openness and protect views.

In considering the proposals, as per Section 72(1) of Planning (Listed Buildings & Conservation Areas) Act 1990 it is important that special attention to the desirability of preserving or enhancing the character of a conservation area. The proposed development particularly Plots 2 & 3 would detract from preserving or enhancing the character of the Park area and be a further erosion of the Park's Regency character as well as that of Cheltenham as a whole and furthermore act as a precedent for further developments in this location and encroachment of this open area to the detriment of the character of the Park. In addition, such a development would undoubtedly be used to support future applications on similarly sensitive areas in the town.

2) The lack of consideration in the design of the proposed development to the Regency Character of the specific locality and over development of the site:

a) Loss of characteristic openness of The Park - The site itself is on the southwest side of the Park an area which is, in the majority, open park land and this proposal should not be considered an infill site. The present buildings are ancillary to the villa and university buildings to the northeast of the Park. The majority is single storey with a small area of low rise two storey buildings. In support of the scheme, it is suggested the overall size of the development is not significantly bigger than what is already present. This does not consider that the new development (Plots 2 & 3) is not only two storey in height but is flat roofed, developing the dwelling area to its full extent at a height of 7.15m & 6.8m respectively with no variation in design to lessen the impact. This will have significantly increase the visual mass and impact compared to the present Farmery Buildings where only in a small part does it reach a ridge height of 6.275m. This visually will have a significant impact on the view across the Park from both the Merestones Road and Moorend Park Road directions as well as impact on the nature of the Park in this location eroding the openness of the location.

b) The developer suggests the contemporary design proposed would provide an 'interesting contrasting architectural approach' and has in support of this style referred to other modern developments in the Park area. This is not a reason for allowing the proposals. As per Section 72(1) special attention to the desirability of preserving or enhancing the character of a conservation area needs to be considered. Two wrongs do not make a right and what has been done in the past should not be slavishly followed if it does not uphold the principle set down in the 1990 Act.

c) With regard to the design of Plots 2 & 3 itself, the style of the development neither reflects or complements the architectural nature of the Park and rather than reflect this appear to reflect the architectural style of many institutional buildings built in the latter half of 20th century. Whilst this may be acceptable in other less architecturally sensitive areas this does not suit the present location the proposals do not sympathetically reflect the character of the area and do not add to the surrounding landscape of this area and history. A building of such a stark contradictory style is not appropriate here. It neither

reflects or compliments the locality. The present design would significantly detract from the nature of the Park in this location and would be a further erosion of the Regency character of Cheltenham, this will directly contradict "special attention to the desirability of preserving or enhancing the character of a conservation area".

d) The developer refers to specific other modern developments in support of their proposals. Whilst there are modern developments in the adjacent locality of Merestones Road and around the Park these are found on the perimeter side not on the parkland and in many cases do reflect the overall character of the Park development. Furthermore, I would highlight the properties making up part of the Rowena Cade/Arthur Bliss development referred to in support of the proposals whilst modern, do reflect the Regency style of the Park and in fact replaced the late 20th century Gloucester Technical College buildings support the case that we do not follow slavishly the decisions of previous recent developments in the area.

e) Reference is also made to the recent development at Cornerways in support of the proposed 'contemporary design. This is a very different location to the site in question, Cornerways is an area which is more significantly developed over the past and can be considered an infill site however this is not the case for this location where, as stated before, the buildings which are the subject of this application, are ancillary in purpose and set within parkland. Furthermore, the contemporary design is single storey set within an area of other residential and institutional buildings lessening its impact on the locality.

3) Summary

a) The development site is part of the CAAMP. The proposed development does not add or enhance the historic character of the Park and is located in the Parkland area of The Park not the perimeter and therefore stands out in the locality and undermines the openness and visibility in the area.

b) The allowance of such a development is likely to act as precedence for other proposals in similar sensitive localities. This is not an infill site.

c) The proposed development neither compliments nor enhances this area of the Park and detracts from the park landscape in this locality.

d) The scale of the Proposals for Plot 2 & 3 will significantly impact on the visual mass from both the Merestones Road and Moorend Park Road direction.

e) The 'contemporary design is not in keeping with the locality and will be a contrary to the rest of the site development as well as the overall nature of residential property in the Park.

f) Modern evidence cited in the Park area should not be used as justification for ignoring the importance of preserving or enhancing the conservation area. There are equally examples in the Park where modern development have worked to enhance and strengthen this character. What is the point of having such designated areas if we do not adhere to them to protect our town for future generations?

164 Hewlett Road
Cheltenham
Gloucestershire
GL52 6TT

Comments: 13th February 2026

Not in keeping with Cheltenham. An atrocious design

4 The Park
Cheltenham
Gloucestershire
GL50 2SG

Comments: 10th November 2025

I write to object to this development. As others have commented, development per se is a positive, however, the poorly considered design presented, lacks any thought to the environment within which they are going to sit. Both from material choices, size, height, and position.

The Borough plan requires that any development enhances the character of the area. It will be clear from our address, we are such a development. We thought carefully about how to achieve modernity in an area where there is both grandeur, classicism, and multiple occupancy, are all part of the community. Things that all areas need to thrive. I note that this development seeks to apply a very unimaginative use of modern rendered boxes, amongst a mix of Regency buildings and green space. In particular, I feel that the three storey height in this environment over shadows the surrounds and dominates the scene. My objection is not to the modern architecture approach, indeed I think a faux Regency would be worse. Given the amount of greenery, etc that the plot allows, 'hiding' any replacements for the buildings that currently sit there, would be a really interesting use of creativity. In addition, it seems that squeezing two large houses into that space is borne out of a development investment need and not the environmental need. This scheme is a blunt force and a blot on the landscape.

51 Merestones Drive
Cheltenham
Gloucestershire
GL50 2SU

Comments: 13th February 2026

I would like to comment on the plans (ref: 25/0567/FUL) for new dwellings at the University of Gloucestershire Park Campus.

In the planning documents GCC Highways requested provision of pedestrian access to the area where there is currently only vehicular access available. The developer

response rejected this on the basis that the access point is not well-used by people on foot.

This assertion is wrong and I object to the plans in their current form. This is a very popular access point to the Park with locals and visitors arriving on foot and bicycle. It is already dangerous with pedestrians (including children attending Junior Parkrun and other sporting activities) having no alternative but to share the vehicle access point with cars. Additional dwellings with additional car movements will only make this more dangerous.

Maintaining vehicle only access builds in car dependency and puts vulnerable road users at risk. It is unacceptable to proceed with this develop without provision for pedestrian movements.

4 Alexandra Street
Tivoli
Cheltenham
GL50 2UQ

Comments: 26th February 2026

Letter attached.

The Rosary
Gretton
Cheltenham
GL54 5EP

Comments: 4th March 2026

I OBJECT to the planning application ref 25/01567/FUL on the following grounds:

1. I fully endorse the comments on the previous iteration by CBC's Conservation Officer and Cheltenham Civic Society, which I believe to apply still to the latest iteration. The latest application amendment fails to address and of these concerns just by cynically knocking off the top storey. That lazy attitude in itself demonstrates the applicant's apathy towards the Conservation Area and their duty towards it.
2. The application fails to address the primary consideration, which is the DUTY under s72 of the Planning (Listed Buildings & Conservation Areas) Act 1990 to preserve or enhance the Conservation Area.
3. The proposal is ugly and fails to comply with any design provisions in NPPF, the National Design Guide, the JCS or the Cheltenham Plan. It is hard to pick out any planning policy which would support such an ugly building. It is also not sufficient to hide behind the cliché that beauty is in the eye of the beholder. My 7 year old niece called this scheme ugly, even though she doesn't have 7 years' architectural training or an art GCSE to her name!
4. The proposal develops land that was never intended to be developed as primary residences (just for low level service buildings) and fails to relate appropriately to this important character area.

5. While you cannot suppose to tell the future, this proposal creates a threatening precedent for wholesale redevelopment of the inside of the teardrop of the Park. That threat is likely to become more real with the steady sell-off of University assets as the establishment shrinks and moves to Gloucester. CBC must be mindful of this threat and its potential impacts.

Yours sincerely,

2 Arthur Bliss Gardens
Cheltenham
Gloucestershire
GL50 2LN

Comments: 9th February 2026

Thank you for giving me a chance to follow up on my original objection to this application back in October. I see know reason to change those views but I would like to add the following points.

1. I note that the University is selling off other existing buildings around this campus so it is obviously in serious financial trouble, like many other universities. The political atmosphere is changing and the evolution of AI will change the need for many courses, and indeed so many universities.
2. I cannot remember how The University of Gloucestershire came by The Park Campus in the first place but surely it was seen as a safe custodian of this historic jewel in the middle of Cheltenham. If the only way for it to exist is to sell off the estate piecemeal, then this is truly the thin of the wedge: allowing a new build on green land. What will follow if this is allowed to go through?
3. Why was Robert Deacon allowed to buy the land in the first place? Who approved that? Did they have an assurance that planning permission would be granted? I am afraid it sounds a bit fishy to many of us who live close by.
4. I can understand the need to upgrade the existing buildings to modern standards for staff or student quarters or offices but not for new build. There are plenty of new build houses round the corner off the Shurdington Road, no more are needed on precious historic open space.
5. There is no need for a new entrance. It will mean chopping down precious trees and demolishing hedgerows that are a precious haven for wildlife. I know because I walk there most days in all weathers.
6. The road round The Park is a speed track and the construction of a new entrance will cause chaos and be dangerous. A simple gravel track for access to Broadlands from the existing gate is perfectly possible without causing tree felling and digging up the daffodil field.
7. It looks as though the work at The Farmery and Broadlands has already started. Much of the interior fittings have just been dumped outside and have now been there for several months. What a mess on the entrance for visitors using the car park to view the University. An example of how little the University cares for its environment.

Thank you for the opportunity to comment again. I do hope our precious heritage can be preserved.

Yours sincerely

2 Arthur Bliss Gardens
GL50 2LN

Comments: 10th November 2025

The Park

Reference 25/01567/FUL

Address Broadlands Lodge 56 The Park Cheltenham Gloucestershire GL50 2RN

Description Creation of new vehicular access to the university car park. Demolition of The Farmery buildings and erection of 2no. dwellings. Change of use of Broadlands Lodge and the Farmery Lodge to residential with associated extensions, access and landscaping.

Objection to Planning Application

I object to the new buildings proposed on The Park. It is a conservation area and it fulfils a much needed green space for both students and local inhabitants to enjoy. There is no need for more housing in this area. Several hundred new houses within walking distance of the University are in an advanced state of construction just round the corner off the Shurdington Road. The application to cut down trees has already been defeated so I do not understand why an area has been fenced off with notices stating : ' Keep Out Tree Preservation Area.' ! This area which has always been open is awash with daffodils in the spring and has been enjoyed by all passers by for years. What right do Robert Deacon have to fence it off when they do not have planning permission and when they intend to cut down more trees and mature hedges. Or were they in fact assured of planning permission before they acquired the land?

It was a surprise to find that the University of Gloucestershire is selling off land in a conservation area. Presumably they have financial difficulties but this desperate measure is unjustified. It was all done rather secretly. During my early morning walk earlier in the year I found some surveyors at work near the car park entrance. When I asked them what they were doing they smiled, looked guilty and said something along the lines of it was just a routine survey. I rang the Estates Office at the University and was assured that there was no intention to build there. Why the secrecy and the lies?

There are further anomalies in the planning application . The average speed of 27 to 29 miles per hour is misleading. As a resident who regularly crosses the road there are a large number of vehicles driving well in excess of this speed. Every day I observe cars and vans doing well over 40 and some at least 60 mph. It can be a race track at busy times, as any local resident will endorse.

Making another car park exit further down the road will mean significant trees, hedges and scrubland will have to be destroyed to give decent views and access for turning vehicles as it becomes a far more pronounced bend.

In summary this application should be refused. It is unnecessary in housing terms and will spoil the environment. There should also be an enquiry into how the University was allowed to sell this land and why Robert Deacon was allowed to buy it without planning permission and fence it off.

8 Montpellier House
Suffolk Square
Cheltenham
Gloucestershire
GL50 2DY

Comments: 14th February 2026

Internally the houses look fine but externally they are simply ugly. Cheltenham is a very attractive town and new buildings should be harmonious. The architects need to go back to their office and give this a great deal more thought to make the houses fit in and make the new owners proud to live there.

17 Sarah Siddons Walk
Cheltenham
Gloucestershire
GL50 2LW

Comments: 13th February 2026

We confirm our agreement with the assessment and objections submitted by Cheltenham Civic Society and the Conservation Officer. This is an insensitive and inappropriate proposal for The Park Conservation Area. There is no connection between what is proposed and the unique heritage and environment of this important area within this beautiful town.

14 Westal Park
Cheltenham
Gloucestershire
GL51 3BL

Comments: 16th February 2026

I fully support this planning application.

It will repurpose the underutilized buildings of Broadlands Lodge and Farmery Lodge.

The additional dwellings are of a modern design much in keeping with the flats at 81, The Park which were built recently.

I understand Robert Deacon is a very experienced developer and am excited to see the work begin.

24 Fairfield Avenue
Cheltenham
Gloucestershire
GL53 7PN

Comments: 13th February 2026

I am adding my objection to this development and join those voices already on record. I am not objecting to the return of Broadlands Lodge and Farmery Lodge to residential use, but to the proposed two new buildings. Even if the proposed height has been reduced from three storeys to two, these buildings as shown do not "preserve or enhance" the character of this important conservation area. In style they do not look right in this area, as has been explained in detail by other commenters. It is not a question of being against modern buildings per se; but rather a question of the requirement to "enhance and preserve" this particular conservation area as a whole, which is a unique combination of green space, mature trees, and important historic architecture. I also wonder if the comments of the CBC Tree Officer have been taken on board, especially the suggestion that existing driveways/access are used, rather than building new, with the removal of trees that would require.

143 Hewlett Road
Cheltenham
Gloucestershire
GL52 6TS

Comments: 13th February 2026

Ref 25/01567/FUL

I am writing to give my objection to the planning proposal, above. These "monstrous carbuncles" are quite out of place and should not proceed.

15 Upper Bath Street
Cheltenham
Gloucestershire
GL50 2BD

Comments: 13th February 2026

My previous comment update does not seem to have worked.

Object.

As previous, the proposed development in no way adds to the character of the conservation area. Cheap "developer friendly" materials are not in keeping nor do they enhance the Park .

Comments: 10th November 2025

I write to object this development. Whilst I am not against the development of the site and change of use to residential, the proposed metal and timber clad 3 storey houses are not in keeping with the surrounding area.

THE PARK CHARACTER AREA APPRAISAL AND MANAGEMENT JULY 2008

PLAN - "Action TP1: The Cheltenham Borough Local Plan states that new development shall preserve or enhance the character of the conservation area." the proposed buildings do not preserve or enhance the character of the area. The use of cheap, modern materials such as concrete effect render will have an obvious negative effect and damage rather than preserve the character.

"Action TP7: The Council will ensure that all development respects the important views within, into and from the Park character area" the proposed buildings do not respect the view within the area as they will be clearly visible from the road due to their height and the amount of glazing.

"Action TP11: The Council will ensure the retention of the spacious character of this important central space within the Park through ensuring that any future development or redevelopment within the grounds does not erode any of the open space. This will ensure the retention of this area of green open space which makes an essentially important contribution to the character area" placing four dwellings on this site, does not ensure the retention of the spacious character.

As stated, a key characteristic: "The pattern and layout of streets, the spaces between buildings, the form of the buildings and use of quality building materials complement each other. They combine together to give the area grandeur, elegance and spaciousness;" the use of render, timber and metal cladding on this style of modular box type building with black R8019 projecting framing, does not give the area grandeur or elegance.

"5.39 Due to high levels of development modern changes and intrusions have, to a degree, negatively impacted on the area's overall character" again, 3 storeys of concrete effect render, timber cladding and metal standing seam cladding negatively impact the character of the area.

The plot of land currently offers enough foliage to obstruct the view of the proposed buildings if they were to be 2 storey instead of the proposed 3 storey.

Permitting the building of 3 storey dwellings in the central area of The Park would set a precedent for the university to sell more of its service buildings to be redeveloped into residential dwellings.

A smaller scale development, using sympathetic materials and a architectural design in keeping with the character area would be supported.

32 Clearwell Gardens
Cheltenham
Gloucestershire
GL52 5GH

Comments: 16th February 2026

I am writing to express my objection to the proposed development at Broadlands Lodge 56, The Park, Cheltenham.

Aside from the obvious damage to local wildlife in this green space, which does not need to be explained, I believe the buildings proposed are clearly very far out of keeping from the high-quality architecture of the area.

Recent developments in the area have already detracted from its appeal (flat roofed, badly proportioned, inappropriate materials etc), and the proposed buildings will do further damage as they are clearly emulate this inappropriate.

I believe Cheltenham is currently making grave planning errors are causing irreparable damage to nature and spoiling important historic parts the town. This application is one such error that will contribute if it is allowed to pass.

The s72 Duty requires applicants and the local planning authority (CBC) to pay special attention to preserving or enhancing the character or appearance of conservation areas. I believe this application fails to do that.

The extant Conservation Area Assessment and Management Plan for The Park Character Area identifies the open space of this part of the Park, which forms part of its character. It has never been built on, except for the low level service buildings that are to be replaced by this application.

Please reconsider this proposal so as not to look back in regret in the years to come.

Flat B
17 Lypiatt Terrace
Cheltenham
Gloucestershire
GL50 2SX

Comments: 13th February 2026

We confirm our agreement with the assessments and objections raised by Cheltenham Civic Society and the Conservation Officer.
This is an inappropriate and insensitive proposal for The Park Conservation Area.

The Old Coach House Tivoli
Road
Cheltenham
Gloucestershire
GL50 2TD

Comments: 10th November 2025

We live very close to the proposed development and, whilst we do not object to there being any development there, we do object to the plans as submitted for the following reasons:

- Our understanding of the local plan calls for any new development to preserve or enhance the character of the conservation area - this proposed development does neither
- The proposed materials do nothing to complement the style and elegance of the surrounding properties
- The proposed buildings, being three storeys high, are clearly visible from the Park, which is against the stated intention of them to blend in and not intrude on the eyeline
- Acceptance of this proposed development without alterations to height and style of the buildings sets a precedent for further similar out of keeping development on adjacent university land

from 4 Alexandra St. Tivoli. Chelt
GL502UP.

Regarding the plans to convert/rebuild/
knock down/existing red brick buildings on
THE PARK [UNL. GROUNDS] & put modern
houses.

NO. The design for luxury, expensive
'Block houses' of a design that is
SITE INAPPROPRIATE — is not acceptable.
It would be fine at Battledown or elsewhere,
NOT on such an important historical site
in the PARK.

Also — access — not safe. Accident
waiting to happen. It is ironic that planning
is refused elsewhere for drives — modern windows
that imitate the originals, door alterations on
existing houses, but plans can be submitted
for these houses, which are quite frankly
MEDIocre



REF:

25/01567/FUL

ALT REF:

PP-14318194

SITE

ADDRESS:

BROADLANDS LODGE

56 THE PARK

CHELTENHAM

GL50

2RN

APPLICATION NO: 26/00240/FUL	OFFICER: Nidhi Modi
DATE REGISTERED: 19th February 2026	DATE OF EXPIRY: 16th April 2026
DATE VALIDATED: 19th February 2026	DATE OF SITE VISIT: NA
WARD: Pittville	PARISH: NA
APPLICANT:	Cheltenham Borough Council
AGENT:	NA
LOCATION:	Robert Harvey House Winchcombe Street Cheltenham
PROPOSAL:	Install rail fixings and groundwork for demountable flood barriers in the 3x lower ground floor doorway porch areas.

RECOMMENDATION: Permit



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

1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site refers to a five-storey rendered building that accommodates flats for retirement housing. It is situated within the residential area of Pittville ward and falls within the Old Town Character Area of the Cheltenham Central Conservation Area.
- 1.2 Robert Harvey House is a Sheltered Accommodation building of 37 self-contained flats located on Winchcombe Street, close to the town centre. The building is owned and managed by Cheltenham Borough Council (CBC) Housing services.
- 1.3 CBC is the applicant for the planning application and is seeking planning permission for the installation of flood barriers and supporting railings at the lower ground floor of the building.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Airport Safeguarding over 45m
Conservation Area
Principal Urban Area
Residents Associations
Smoke Control Order

Relevant Planning History:

06/01339/CACN 25th September 2006 NOOBJ

Fell lime tree in front of property

08/01691/FUL 2nd March 2009 PER

Replacement roof over communal landings

08/01732/CAC 19th January 2009 NOTREQ

Removal of existing powder coated aluminium dome roof lights to roof over communal landings and replace with powder coated aluminium ridge and hipped roof over communal landings

3. POLICIES AND GUIDANCE

National Planning Policy Framework

Section 2 Achieving sustainable development
Section 4 Decision-making
Section 8 Promoting healthy and safe communities
Section 12 Achieving well-designed places
Section 16 Conserving and enhancing the historic environment

Adopted Cheltenham Plan Policies

D1 Design
SL1 Safe and sustainable living

Adopted Joint Core Strategy Policies

SD3 Sustainable Design and Construction
SD4 Design Requirements
SD8 Historic Environment
SD14 Health and Environmental Quality
INF2 Flood Risk Management
HE1 Buildings of Local Importance and Non-Designated Heritage Assets

Supplementary Planning Guidance/Documents

Residential Alterations and Extensions (2008)
Climate Change (2022)

4. CONSULTATIONS

See appendix at end of report

5. PUBLICITY AND REPRESENTATIONS

- 5.1** Notification letters were sent to 55 neighbouring land users, along with a site notice and a publication in the local newspaper. No response has been received from the publicity process.

6. OFFICER COMMENTS

6.1 Determining Issues

- 6.2** The key planning considerations in relation to this application are design and impact on neighbouring amenities and designated heritage assets and risk of flooding. Consideration will also be given to climate change and sustainability.

6.3 Design, impact on conservation area and risk of flooding

- 6.4** Section 12 of the NPPF sets out that good design is a key aspect to achieving sustainable development and creating better places in which to live. Similarly, Policies SD4 of the JCS and D1 of the Cheltenham Plan require development to respond positively to and respect the character of the site and its surroundings and achieve a high standard of architectural design.

- 6.5** Section 16 of the NPPF (2024) sets out the importance of conserving and enhancing heritage assets. This is reflected in policy SD8 of the Joint Core Strategy which requires development to make a positive contribution to local character and distinctiveness, having regard to the valued elements of the historic environment.

- 6.6** NPPF paragraphs 212 and 213 advise that when considering the impact of proposed development on the significance of designated heritage assets, great weight should be given to the assets' conservation and that any harm to, or loss of the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Paragraph 215 advises that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.

- 6.7** Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of conservation areas.

- 6.8** The proposal includes the installation of three units of demountable flood barriers and supporting rail fixings at the doorway and porch areas of the lower ground floor of the building. The development will be supported by ancillary ground and drainage work.

- 6.9** The property is observed to suffer from surface water flooding from the adjacent highway. The flood barriers are identified as a solution for flood resilience that mitigates the risk of potential flooding and enables positive drainage.

- 6.10** As mentioned in the planning statement submitted alongside the application, the design of the barriers has been informed by the flood survey and further developed in collaboration

between the CBC flood risk and drainage engineer, Housing staff, and Emergency planning staff.

- 6.11** The proposal includes the permanent fixing of 0.7m-high slots at the walls of the lower ground floor porches. The barriers can be mounted into these slots when required. It is not seen to affect access or restrict the movement of the land users.
- 6.12** Alternative access is provided for disabled users through the communal rear doorways to the lower ground floor when the barriers are in operation.
- 6.13** As the barriers are located below surrounding ground level, they will not impact flood risk around the site as well. Flood water will drain out through the channels situated around the building. The application includes improvements to these drainage channels to facilitate positive drainage and mitigate any possibilities of backflow.
- 6.14** The fixings and drainage work will have a negligible impact on the appearance of the lower ground floor porch areas. Whilst the works will be visible from the street scene, it is to be largely hidden by the external stairs, thereby not impacting the street scene in any harmful ways.
- 6.15** The proposal is also not considered to alter or impact the setting, general character and appearance of the dwelling, wider conservation area or other heritage assets.
- 6.16** As such, the development is considered to be acceptable in principle. It is seen as an improvement to current conditions and will provide a positive solution to the flooding situation.
- 6.17** Overall, the resulting form, scale and design of the proposed development is considered to be appropriate and acceptable. It stands in compliance with the relevant planning policies and guidelines.

6.18 Impact on neighbouring property

- 6.19** Section 12 of the NPPF highlights that development should promote a high standard of amenity for existing and future users. This is further emphasised in policy SD14 of the JCS and Cheltenham Plan SL1 which set out the requirement for development not to cause unacceptable harm to the amenity of adjoining land users and the locality.
- 6.20** Given the location and positioning of the proposed development, in respect to its relationship with the neighbouring dwellings, it is not considered to have a harmful impact on neighbouring amenities in terms of loss of light, privacy and outlook.
- 6.21** No letters of objection or concerns regarding the proposed development have been received in response to the neighbour consultation process.
- 6.22** The proposed development is considered to be compliant with Adopted Cheltenham Plan (2020) policy SL1 and adopted JCS policy SD14 which requires development to protect the existing amenity of neighbouring land users and the locality.

6.23 Sustainability

6.24 Climate Change

Section 14 The NPPF prescribes that the planning system should support the transition to a low carbon future in a changing climate. This is a key theme and objective of the Cheltenham Local Plan. This aim is recognised in Policy SD3 of the JCS, which sets out an expectation that all development should be adaptable to climate change.

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

Given the nature and scale of development, the planning statement, submitted alongside the application, is considered to be acceptable in response to climate change and flooding.

6.25 Other considerations

6.26 Public Sector Equality Duty (PSED)

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. 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.

6.27 In the context of the above PSED duties, this proposal is acceptable.

7. CONCLUSION AND RECOMMENDATION

7.1 For the reasons discussed above, the recommendation is to grant planning permission subject to the conditions set out below.

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.

INFORMATIVES

In accordance with the requirements of The Town and Country Planning (Development Management Procedure) (England) Order 2015 and the provisions of the NPPF, the Local Planning Authority adopts a positive and proactive approach to dealing with

planning applications and where possible, will seek solutions to any problems that arise when dealing with a planning application with the aim of fostering the delivery of sustainable development.

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

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

Consultations Appendix

Building Control

16th March 2026 - No comment.

Cheltenham Civic Society

24th March 2026 - 26/00240/FUL|Install rail fixings and groundwork for demountable flood barriers in the 3x lower ground floor doorway porch areas.|Robert Harvey House Winchcombe Street Cheltenham Gloucestershire GL52 2NL

<https://publicaccess.cheltenham.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=TAAH79EL08300>

No comment submitted on this application.

Instead submit an additional comment on the application 25/02051/FUL for 86-90 Winchcombe Street <https://publicaccess.cheltenham.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=T7O6SQELJ6W00>

The recent application for the installation of flood barriers in the lower ground floor flats of Robert Harvey House on the opposite side of Winchcombe St (26/00240/FUL) demonstrates the flooding potential of this site, and illustrates why 86-90 Winchcombe Street should not be approved with lower ground floor flats.

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APPLICATION NO: 26/00257/FUL	OFFICER: Mr Ben Warren
DATE REGISTERED: 14th February 2026	DATE OF EXPIRY: EoT 24th April 2026
DATE VALIDATED: 14th February 2026	DATE OF SITE VISIT:
WARD: Leckhampton	PARISH: Leckhampton With Warden Hill
APPLICANT:	Mr And Mrs Charlotte And Anthony Mee
AGENT:	AJ Architects Ltd
LOCATION:	10 Halland Road Cheltenham Gloucestershire
PROPOSAL:	Rear and side single storey extension, new gable end to attic and 2no. dormers.

RECOMMENDATION: Permit



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

1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site relates to a two storey semi-detached property located within a residential area on Halland Road. The existing building is finished in red brick and render, with slate roof tiles and white windows and doors. The main part of the existing roof is hipped, but there is a projecting gable feature to the front elevation. The property has been previously extended to the rear with a modest single storey addition.
- 1.2 The property is not a listed or locally listed building, and is not in close proximity to other listed buildings. The site is however located within Cheltenham's Central Conservation Area, a designated heritage asset, and falls within the Leckhampton Character Area.
- 1.3 The applicant is seeking planning permission for a single storey side and rear extension, hip to gable roof extension and rear dormer windows.
- 1.4 The application is at planning committee at the request of Councillor Horwood due to concerns regarding the impact of the works on the conservation area.
- 1.5 An extension of time has been agreed to enable the application to be considered at planning committee.
- 1.6 During the course of the application, the applicant has submitted revised plans in response to some of the concerns raised by the attached neighbour; this relates to the proximity of the single storey extension to the shared boundary and drainage. It should however be noted that officers did not require these revisions to be made to make the application acceptable in policy terms but was the applicants response to the neighbours' concerns.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Airport Safeguarding over 45m
Conservation Area
Principal Urban Area
Smoke Control Order

Relevant Planning History:

26/00085/PREAPP 29th January 2026 CLO

Proposed side and rear extension, new dormer and gable end to loft.

3. POLICIES AND GUIDANCE

National Planning Policy Framework

Section 2 Achieving sustainable development
Section 4 Decision-making
Section 12 Achieving well-designed places
Section 16 Conserving and enhancing the historic environment

Adopted Cheltenham Plan Policies

D1 Design
SL1 Safe and sustainable living

Adopted Joint Core Strategy Policies

SD3 Sustainable Design and Construction
SD4 Design Requirements
SD8 Historic Environment

SD14 Health and Environmental Quality

Supplementary Planning Guidance/Documents

Residential Alterations and Extensions (2008)

Climate Change (2022)

4. CONSULTATIONS

Parish Council

2nd March 2026 - The Parish Council has no objection to this application provided the conservation officer is content with the proposal

5. PUBLICITY AND REPRESENTATIONS

5.1 Letters have been sent to three neighbouring land users, a site notice displayed and an advert published in the Gloucestershire Echo. One letter of objection has been received from the neighbouring land user at 9 Halland Road in response to this public consultation process. The concerns raised are summarised but not limited to the following:

- Impact on amenity – loss of light, overbearing impact and loss of privacy
- Impact on design and character of the properties and conservation area
- Access, maintenance and drainage matters

The first two points of concern are addressed in the officer comments below. Matters of access for maintenance purposes is not a material planning consideration for this application. In addition, matters of drainage and their acceptability would be dealt with at building regulations stage and is therefore not a matter for consideration in this planning application.

Revised plans have been submitted which show the single storey extension stepped in further away from the boundary with number 9 Halland Road. In addition, the plans show the retention of a downpipe from the main roof to deal with water runoff.

6. OFFICER COMMENTS

6.1 Determining Issues

6.2 The main considerations in relation to this application are the design, impact on the conservation area and the impact of the proposal on neighbouring amenity. Sustainability and Climate Change is also a matter for consideration.

6.3 Pre-application

6.4 This formal application follows a pre-application submission where the Local Planning Authority (LPA) were asked for their views on the acceptability of similar proposals to that within this submission. Overall, the LPA's response considered the principle of works to be acceptable but amendments to the rear dormer to be necessary.

6.5 Design and impact on the conservation area.

6.6 Policy SD4 of the JCS notes how development should "respond positively to, and respect the character of, the site and its surroundings, enhancing local distinctiveness, and addressing the urban structure and grain of the locality". Furthermore, development "should be of a scale, type, density and materials appropriate to the site and its surroundings". This is supported through adopted Cheltenham Plan Policy D1 which requires development to 'complement and respect neighbouring development and the character of the locality.'

- 6.7 Policy SD8 of the JCS relates to the historic environment and states how 'Designated and undesignated heritage assets and their settings will be conserved and enhanced as appropriate to their significance'. Furthermore, Section 16 of the NPPF also echoes the importance of conserving and enhancing heritage assets. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 require the LPA to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.
- 6.8 The proposed single storey extension is largely to the rear with a gable roof form, but also partially wraps around the side elevation of the existing building. The side addition is generously set back from the front elevation of the existing building. The extension would sit comfortably within the plot and will read clearly as a subservient addition. The form and design of the extension is considered to be acceptable, and the proposed materials are to match existing, which will ensure an in-keeping addition. Officers raise no concerns with regards to the scale, form, design of this proposal, nor are any concerns raised with regards to a harmful impact on the conservation area as a result of this single storey addition.
- 6.9 With regards to the proposed hip to gable roof extension and rear dormers, A concern has been raised by the neighbour at 9 Halland Road in terms of the impact of these works on the conservation area; a concern also shared by Councillor Horwood.

As already mentioned, at pre-application stage, initial concerns were raised by officers with regards to these elements. The main areas of concern related to the change in roof form from hip to gable and the size of the proposed rear dormer. However, having visited the site, it is quite clear that the western end of Halland Road is quite different to the eastern end. The properties further west of the application site and opposite (to the north) differ in form and design and have also been the subject of various alterations and extensions and therefore result in a very different overall context. Given the sites context, and the property's design, which includes a projecting gable feature to the front, officers are of the view that a hip to gable roof alteration for this property is acceptable and would not result in harm to the design or character of the existing building. Furthermore, whilst it is accepted that the works would result in an imbalance in the form of the pair of semi-detached properties, due to the sites position, it is unlikely that this alteration would be particularly visible in the street scene or acknowledged in the wider context of the conservation area. As such officers are of the view that any impact on the conservation area would be negligible in this case. As such, the hip to gable roof extension is considered to be acceptable.

- 6.10 In terms of the dormer proposal, this element has changed from that seen at pre-application; instead of one large dormer, two smaller flat roof dormers are now proposed. The dormers are of a modest size, would sit well within the roof slope and would not appear as an additional storey. The proposed dormers have a more contemporary appearance using a standing seam zinc cladding. The plans within this submission have addressed the concerns raised by officers at pre-application. The dormers are considered to be of an acceptable scale, form and design and are not considered to be harmful to the conservation area.
- 6.11 The proposed works are considered to be acceptable in design terms and therefore are considered to comply with the requirements of the Adopted Cheltenham Plan (2020) policy D1, adopted JCS policies SD4, and the Supplementary Planning Document – Residential Alterations and Extensions (adopted 2008).
- 6.12 With regards to impact on designated heritage assets, which in this case relates to the conservation area, whilst officers duly acknowledge that the works to the roof will result in visual change, for the reasons discussed, the works are not considered to be harmful to conservation area. Furthermore, whilst the works may not be considered to 'enhance'

the character of the conservation area, they are considered to be neutral in terms of their impact on the conservation area and therefore can be considered to 'conserve' the character of the conservation area, complying with JCS policy SD8, section 16 of the NPPF, and Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 6.13 Due to the sites sensitive position within the conservation area, officers consider it necessary for the dormer facing materials to be submitted for approval, a condition has therefore been recommended.
- 6.14 **Impact on neighbouring property**
- 6.15 It is necessary to consider the impact of development on neighbouring amenity. JCS Policy SD14 and Cheltenham Plan Policy SL1 state how development should not cause unacceptable harm to the amenity of neighbouring properties. Matters such as a potential loss of light, loss of privacy, loss of outlook, noise disturbances and overbearing impact will therefore be considered.
- 6.16 As noted above, concerns are raised by the adjoining land user at 9 Halland Road. In terms of impact on amenity, their concerns relate to loss of light, overbearing impact and loss of privacy.
- 6.17 The proposed single storey extension has the potential to impact on both neighbouring land users. The attached neighbour at number 9 Halland Road, has a set of ground floor rear elevation doors that could be impacted; the light test has been carried out, and the proposal passes this test, as such, no unacceptable loss of light would occur. Furthermore, given the single storey nature of the extension, the size of the gardens, and their orientation facing south, officers are not of the view that this addition would result in an unacceptable overbearing impact or result in unacceptable overshadowing of this neighbours garden. With regards to the non-attached neighbour at number 11, this property has a number of ground floor side elevation openings that could be impacted, however, as seen on site, all of these windows are obscurely glazed and therefore are unlikely to serve habitable rooms. Furthermore, given the limited projection of this extension to the side, and its single storey form, any impact on these openings would be limited. As such, officers do not consider any unacceptable loss of light or outlook to this neighbour would occur. In addition, no concerns from this neighbour have been raised.
- 6.18 Officers raise no concerns regarding any unacceptable loss of privacy as a result of the single storey addition.
- 6.19 The proposed works at roof level will have no harmful impact on neighbouring amenity in terms of a loss of light, loss of outlook or overbearing impact. In terms of privacy, the new dormer windows will overlook the applicant's private rear garden and exceed the minimum separation distances required by policy. As such, no unacceptable overlooking will occur.
- 6.20 The proposal is considered to be compliant with Adopted Cheltenham Plan (2020) policy SL1 and adopted JCS policy SD14.

Other considerations

6.21 *Climate change*

The Cheltenham Climate Change SPD (adopted June 2022), sets out a strategy for decarbonising homes over the next decade. For residential alterations and extensions there is an opportunity to improve the environmental performance of a home through the inclusion of technologies and features such as photovoltaics, replacement windows, heat

recovery, permeable (or minimal) hard surfaces, works to chimneys, insulation, replacement heating systems (heat pump) and thoughtful kitchen design.

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

6.22 *Public Sector Equality Duty (PSED)*

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.

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

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

7. CONCLUSION AND RECOMMENDATION

- 7.1 Having considered all of the above, officer recommendation is to permit the application, subject to the conditions set out below;

8. CONDITIONS / INFORMATIVES

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

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

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

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

- 3 All external facing and roofing materials of the single storey side and rear extension shall match those of the existing building unless otherwise first agreed in writing by the Local Planning Authority.

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

- 4 All external facing and roofing materials for the hip to gable roof extension shall match those of the existing building unless otherwise first agreed in writing by the Local Planning Authority.

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

- 5 No facing material shall be applied to the dormers unless in accordance with material details that shall have first been submitted to and approved in writing by the local planning Authority.

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

INFORMATIVES

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

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

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

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APPLICATION NO: 26/00257/FUL	OFFICER: Mr Ben Warren
DATE REGISTERED: 14th February 2026	DATE OF EXPIRY : 11th April 2026
WARD: Leckhampton	PARISH: LECKH
APPLICANT:	Mr And Mrs Charlotte And Anthony Mee
LOCATION:	10 Halland Road Cheltenham Gloucestershire
PROPOSAL:	Rear and side single storey extension, new gable end to attic and 2no. dormers.

REPRESENTATIONS

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

9 Halland Road
Cheltenham
Gloucestershire
GL53 0DJ

Comments: 10th March 2026

Letter attached.

9 Halland Road
Cheltenham
Gloucestershire
GL53 0DJ

Comments: 11th March 2026

The plans by Aj Architects Ltd need to be corrected:

EXISTING_REAR_SIDE_2_ELEVATIONS-1711798

PROPOSED_REAR_SIDE_2_ELEVATIONS-1711804

Both plans should show the central drainage hoppers and down pipes. The partial presentation of these is probably the result of a mistaken erasure. These down pipes are a material planning matter.

It would be more straight forward if the boundary line was shown on rear elevations and not an arbitrary line through number 9 property. This certainly led to me believing that there was a gap between the properties to provide for no 10 maintenance.

Dear Ben Warren, Planning Officer, Cheltenham Borough Council,

We wish to object to the above planning application.

We live at No 9 Halland Road which is adjacent to the proposed development.

Our objection is based on the following planning concerns:

Conservation Area & Keeping the Character of the Houses & Visual Amenity Impact

The property is in a Cheltenham Conservation Area and any changes have to *preserve or enhance* the area's appearance and special character. Cheltenham Borough Council's policy says new extensions must be well designed, in keeping and must not harm the area.

Losing the symmetry of the pair of semi-detached houses is a problem for our property in terms of retaining its character in the conservation area, where the Council is required to protect the character of buildings and rooflines. As we have a converted loft space we know that the proposals could be amended to retain symmetry and still provide a significant size of valuable space in the attic.

Raising the sill and reducing the size of the rear east window on the south elevation to allow a higher pitched roof to the extension alters the symmetry and character of the period pair of semis.

So, while we appreciate that No 10 developer does not see a major issue with the change in appearance, it is a material planning concern.

Scale, Massing and How Close the Build Is

The proposed extension is very large, and from No 9 side feels overbearing. The planning rules expect developments to fit sensitively with neighbouring homes and avoid dominating the boundary. This comes under design policies like JCS SD4 and Cheltenham Plan D1, which set out expectations on respecting context, scale and massing. The plans on the south elevation have a very misleading party wall line, which we only discovered from careful examination. It would have been much more helpful to ourselves, planners and councillors for the boundary to be clearly demonstrated.

We also note the drainage, and rainwater goods proposals are not clarified on the plans, particularly the ones for the rear elevation, which are in the centre of the property. These are the ones which would reveal and clarify the true impact on our property.

Having the wall within about 10cm of our fence is extremely close. It does not give either party enough room for maintenance, managing gutters and managing fencing. It will be difficult to ensure water does not run onto our side. It also means the full height and mass of the building would be imposing when we are in the garden.

There is planting along our east facing border. The proposed boundary will be disruptive to the mature fig tree on our side.

A setback of around 75cm to 1 metre would make a massive difference and be a much more neighbourly approach. It is what the Council's extension guidance generally expects—extensions should avoid creating "unneighbourly" boundary conditions.

Drainage & Structural Concerns

This is the part we are very concerned about.

The Sustainability Statement states:

a soak away will be provided to service surface water drainage collected from the roof of the garage/dwelling. Hard standing surfaces will be constructed with a fall in order to drain water naturally

away from the property. The above will be in order to eliminate additional demand on the existing drainage infrastructure in the locality.

In correspondence to us the neighbour at No 10 states that all run-off water will be connected to the existing drainage. The Parish Council advised us that soak ways do not work in the Leckhampton area. This has left us very confused.

The soil type here (sandy base) and the fact the extension would sit so close to our boundary means we are really concerned about longterm water movement and what that could mean for the stability of our foundations.

Cheltenham's planning rules say drainage must *not* increase flood risk or affect neighbours, and must have a proper plan to show water is managed safely (JCS INF2). [\[gloucester.gov.uk\]](http://gloucester.gov.uk)

Right now, there's no drainage plan showing:

- how the extra roof area will drain,
- how the existing roof will drain since central outlet will be covered by new extension
- where water will go during storms,
- how overflow or gutter failure (which does happen) will be controlled, or
- how run-off will be prevented from moving toward our property.

In sandy soil water can shift and erode the ground faster than in clay. This means even small changes in water flow can put foundations at risk over time. This fact cannot be ignored especially where the new wall is essentially right on the boundary.

We would like to formally request that the Council require a full drainage strategy before anything can be approved. This is a normal expectation in planning terms when a development is close to a boundary and increases roof area or impermeable surface.

We're not drainage engineers—but this is exactly why the burden is on the applicant to provide the proper calculations.

We will need to appoint a party wall surveyor to ensure that the work is done fairly and safely for us,

LongTerm Maintenance Problems

Another issue with being so close to the boundary is the practical reality of:

- maintaining gutters,
- checking downpipes,
- preventing damp and splashback,
- and avoiding rainwater spilling directly onto our side.

Even with the best builder, gutters move over time with weather and building movement. If the extension is right up against the boundary, *any* problem with guttering instantly becomes *our* problem too.

A setback of 75 to 100cm does not eliminate the need for maintenance, but it does prevent the extension from becoming a permanent maintenance nuisance to us and allows both owners to maintain their property properly.

Privacy & Roof-lights

The roof-lights may give angled views into our neighbouring garden. Frosting them would reduce this and does at least provide compromise.

Solar panels increase glare compared to a standard roof tile. As we love to be in our garden this is a concern for us.

This is again part of the amenity issues that planning policies (JCS SD14) say must be protected.

Summary

We understand why No 10 wants to extend, but we are objecting to the proposed extension for the reasons we have outlined. We cannot support the current version of the plans because of:

- The size, scale and proximity of the extension
- The loss of symmetry and negative impact on visual amenity
- The new attic windows overlook the property
- The lack of a proper drainage plan (in sandy soil)
- The extremely tight boundary relationship
- The longterm maintenance and water run-off risks

A design set back 75cm–1m and with a fully thoughtthrough drainage plan would go a long way to addressing a lot of what worries us.

For these reasons we respectfully request that the council refuse this application, or require significant changes to address these concerns.



9 Halland Road, Cheltenham GL53 0DJ

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				Dismissed	27.03.2026			
24/02067/TPO	26/00004/TP1	189 - 191 London Road	Written	06.03.2026	20.03.2026							

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Appeal Decision

Site visit made on 3 March 2026

by **J J Evans BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 27 March 2026

Appeal Ref: APP/TPO/P1045/10830

Pittville Court, Albert Road, Cheltenham, Gloucestershire GL52 3JA

- The appeal is made under regulation 19 of the Town and Country Planning (Tree Preservation) (England) Regulations 2012 against a refusal to grant consent to undertake work to a tree protected by a Tree Preservation Order.
 - The appeal is made by Ms Christine White against the decision of Cheltenham Borough Council.
 - The application Ref is 25/00983/TPO.
 - The work proposed is T1 – Leyland Cypress. Remove to ground level and grind out stump.
 - The relevant Tree Preservation Order is Cheltenham Borough Council, Pittville Court, Albert Road, Tree Preservation Order 2003, which was confirmed on 4 September 2003.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The Tree Preservation Order (TPO) identifies the tree as a Lawson Cypress, although both the appellant and the Council refer to the tree as a Leyland Cypress. There is a cypress growing in the grounds of Pittville Court in the exact position as shown on the TPO location plan, and it shows several species traits of a mature Leyland Cypress. Consequently, the appeal will be considered on the basis that this cypress tree is protected.
3. The tree is within the Cheltenham Central Conservation Area. As required by the Planning (Listed Buildings and Conservation Areas) Act 1990, special regard has been paid to the desirability of preserving or enhancing the character or appearance of a conservation area.

Main Issue

4. The main issue is the effect of the proposed felling of a protected tree upon the character and appearance of the area, and whether sufficient justification has been demonstrated for the works.

Reasons

5. The cypress is growing within the communal gardens of Pittville Court, near to the boundary of these flats with Pittville Park. These gardens are mostly laid to lawns within which there are a few individual trees of both deciduous and evergreen species. There are other tall trees in the gardens of nearby residential properties, some of which are of a large size.
6. The area has a deliberately planned appearance, with numerous grand and imposing high status historic houses surrounding Pittville Park and Pittville Pump Room. The extensive nature of the public park which comprises landscaped grounds, lakes, and formal recreational facilities, is a visual and community focus in the area. Within the park and

around it there are a variety of trees, many of which are substantial in size. The impressive heights and sizes of many of these trees, both those in private gardens and within the park, reflects the historic nature of the area, and they make individual focal points as well as leafy skylines and backdrops to the buildings. There is a diverse range of deciduous and evergreen species present, and this rich diversity along with the impressive sizes and shapes of the trees creates a mature, verdant tapestry that is a distinct element of the significance of the conservation area.

7. The cypress is a large, tall tree, and it forms part of a group of three cypress, with the other two being much smaller and growing within the park. It is the cypress in Pittville Court that draws the eye as it is one of the tallest trees in the area, and due to its height, size, and evergreen nature, it is a distinctive tree. It can be seen from long distances away, including throughout the park and from the Pittville Pump Room, and it forms part of the leafy skylines and settings to the buildings that are a distinct feature of the area. In addition, it is one of several mature cypress specimens growing in and around the park, and it thereby contributes to the diversity of species present. As such the tree is an important one, including because it makes a positive contribution to the character and appearance of the conservation area. Consequently, the reasons for its felling need to be conclusive and convincing.
8. The cypress has a multi-stemmed form with one stem being dominant. The tree has a broad conical shaped crown, part of which spreads out beyond the property boundaries into the garden of the neighbouring flats and into the park. Partial crown raising has occurred, including to provide clearance above the fences and walls, and a failed limb has been removed. There is deadwood and dieback evident in the crown, albeit much of it appears to be of a normal colour, with cones developing. As is often the case with cypress, tight forks are present, and there are multiple crossing and entangled limbs, with some that have fused. Within the crown there is extensive congestion from numerous dead twigs and limbs some of which are of a wide diameter, and from a ground level inspection it is apparent that some of the dead foliage coincides with these limbs.
9. Although the appellant considers the tree to be deteriorating and reaching the end of its useful lifespan, even with the presence of deadwood and dieback, its imposing evergreen crown makes a positive contribution to the area. Apart from the stated loss of vigour and vitality and tight forks, the appellant has not identified any disease or structural issues with the tree. Much of the crown has a foliage colour, size and distribution that appears normal for a mature specimen, with the leader appearing healthy. The densely congested nature of the crown when combined with several tight forks would result in deadwood and this in turn could result in a patchy canopy, particularly so in this case given the excessive level of internal congestion.
10. What has not been provided is any monitoring of the tree over time to ascertain whether it is deteriorating, and if it is, for how long. Cypress can experience dieback for several reasons, including for those cited above and because of prolonged periods of dry weather. Whether any management works would be suitable has not been explored in any detail. Cypress have live foliage only at the ends of limbs, and as identified by the appellant, these trees poorly tolerate extensive pruning because they cannot regenerate from bare wood. Nevertheless, what has not been established in this instance is whether other works rather than felling would be appropriate, including the removal of deadwood and congestion management.
11. Felling the cypress would result in the loss of one of the tallest trees within the locality, and the impact of such a loss would erode the character and appearance of the area and the verdant maturity of the conservation area. Whilst the appellant would be willing to plant a replacement tree of a species more suitable for the location and in keeping with the character of the conservation area, what this species would be has not been provided.

Given the impact of the cypress, even a similar species would take many years, if ever to have a comparable impact.

12. The Planning Practice Guidance (the Guidance) advises that where relevant, development plan policies are material considerations in the assessment of works to protected trees. In this case, the main parties have referred to Policy G12 of the Cheltenham Plan (2020) (CP), which seeks amongst other things, to resist the unnecessary felling of trees. Having regard to the findings above, the works would conflict with this policy.

Other Matters

13. The appellant has raised concerns regarding the Council's consideration of the original application. Apart from the information provided in the decision notice, the Council has not assessed the reasons for the works nor the amenity value of the tree, as is advised in the Guidance. Notwithstanding this, the appeal has been considered upon the basis of the evidence provided by the main parties. Whilst the Council's handling of the original application would be frustrating for the appellant, such matters fall to be pursued by other means and have no bearing on the consideration of the merits of the appeal.

Conclusion

14. With any proposal to fell a protected tree, the effect of the felling needs to be weighed against the resultant loss of amenity to an area and any potential harm to property and people. In this instance the cypress makes an important contribution to the character and appearance of the area and also to that of the conservation area and its significance, but there is insufficient technical evidence and insufficient conclusive justification for felling the tree. Thus, for the reasons given above and having considered all other matters raised, the appeal is dismissed.

J J Evans

INSPECTOR

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REPORT OF THE HEAD OF PLANNING ON PLANNING APPEALS

OVERVIEW

The purpose of this report is to provide Members of the Planning Committee with an overview of all planning appeals that have been received by the Council since the previous meeting of the Planning Committee. It further provides information on appeals that are being processed with the Planning Inspectorate and decisions that have been received.

RECOMMENDATION

To note the contents of the report.

Appeals Received

March/APRIL 2026

Address	Proposal	Delegated or Committee Decision	Appeal Type	Anticipated Appeal Determination Date	Reference

Appeals being processed

Address	Proposal	Delegated/Committee Decision	Appeal Type	Outcome	Reference
The Langton Horse 189 - 191 London Road Charlton Kings Cheltenham Gloucestershire	T1 Beech (nearest hotel building)- Reduce one branch to 2m; T2 Beech (further from building) -Fell and replant	Delegated Decision	Written	n/a	Planning Ref: 24/02067/TPO Appeal Ref: 26/00004/TP1

Appeals Decided

Address	Proposal	Delegated/Committee Decision	Appeal Type	Outcome	Reference
Pittville Court Albert Road Cheltenham Gloucestershire	T1- Leyland Cypress. Remove to ground level and grind out stump.	Delegated Decision	Written Reps	Appeal Dismissed	Planning ref: 25/00983/TPO Appeal ref: 26/00003/TP1

Authorised By: Chris Gomm 14th April 2026