

Cheltenham Borough Council Planning Committee

Meeting date: 23 July 2026

Meeting time: 6.00 pm

Meeting venue: Council Chamber - Municipal Offices

Membership:

Councillor Glenn Andrews, Councillor Adrian Bamford, Councillor Garth Barnes (Chair), Councillor Barbara Clark, Councillor Iain Dobie, Councillor Jan Foster, Councillor Richard Lawler, Councillor Tony Oliver (Vice-Chair), Councillor Arthur Snell, Councillor Dr Steve Steinhardt and Councillor Simon Wheeler

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Agenda

1 Apologies

2 Declarations of Interest

3 Declarations of independent site visits

4 Minutes of the last meeting (Pages 5 - 22)

To approve the minutes of the meeting held on 23 April 2026.

5 Public Questions

6 Planning Applications

6a 26/00647/FUL - 3 Byron Road, Cheltenham, GL51 7HE (Pages 23 - 30)

[Planning Application Documents](#)

6b 26/00754/LBC - The Wilson Art Gallery and Museum, Clarence Street, Cheltenham, GL50 3JT (Pages 31 - 34)

[Listed Building Application Documents](#)

6c 26/00763/FUL - 24 Alstone Avenue, Cheltenham, GL51 8EH (Pages 35 - 64)

[Planning Application Documents](#)

6d 25/01073/FUL - Land 1 Off Kidnappers Lane, Cheltenham (Pages 65 - 142)

[Planning Application Documents](#)

7 Appeal Update (Pages 143 - 152)

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



Cheltenham Borough Council Planning Committee Minutes

Meeting date: 23 April 2026

Meeting time: 6.00 pm - 8.39 pm

In attendance:

Councillors:

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

Also in attendance:

Tracey Birkinshaw (Director of Planning and Building Control), Chris Gomm (Head of Planning), Michelle Payne (Development Management Manager), Ben Warren (Senior Planning Officer), Lucy White (Principal Planning Officer), Cheryl Lester (Legal officer), Nigel Potter (Housing Enabling Officer) and Ewan Wright (Housing Strategy and Enabling Manager)

1 Apologies

Apologies were received from Councillors Tony Oliver and Suzanne Williams.

The Chair noted that the members of the committee were up for re-election and took a moment to thank the whole of the committee for the commitment and hard work they have put in over the years. They have had some very hard, difficult decision to make and have considered very significant applications, such as the Cyber Park and the Junction 10 area. He thanked them for how they had dealt with these matters in the past and expressed his hope that their example will continue. In particular he thanked his Vice Chair, Councillor Frank Allen, for his invaluable and incisive contributions to the committee, and his diligence. He offered him his deepest thanks for all the work he has done and the support he had given as Vice Chair, and wished him luck in his next venture.

2 Declarations of Interest

Councillor Simon Wheeler declared that he has been on a working group for the Neighbourhood Plan centred around the development in item 8. He noted that a member of the working group had independently submitted an objection, but that he himself was not pre-determined on the application.

3 Declarations of independent site visits

The following Councillors attended all sites during Planning View:

- TBC

4 Minutes of the last meeting

The minutes of the meeting held on 19 March 2026 were approved and signed as a correct record.

5 Public Questions

There were none.

6 Planning Applications

7 23/01874/OUT - Land at West Cheltenham, Northern Parcel, South of Old Gloucester Road

The Head of Planning introduced the report as published.

There was one public speakers on the item: the applicant's representative.

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

- The scheme forms part of the West Cheltenham strategic allocation and it follows on from two already approved schemes. Together they demonstrate real progress in delivering this important allocation, something that the council deserves great credit for particularly in the current economic and political climate.
- This is a really important enabling scheme. While the housing proposed is needed in its own right, it also plays a key role in unlocking the wider employment and infrastructure ambitions for Golden Valley.
- The principle of development is largely established through the allocation. What is before the committee is precisely what policy anticipates, a coordinated and sustainable urban extension, not piecemeal development. It comes forward as part of a comprehensive master plan for the whole allocation aligned with a clear infrastructure delivery strategy.
- It integrates effectively with the adjoining parcels, ensuring that growth is planned, coherent, and properly supported. It also provides land for a primary school and sports pitches, alongside contributions to education, and transport,

including improvements to junction 10, new bus services, and strong walking and cycling links. These aren't just aspirations. They are embedded and secured by the proposal.

- There is a clear and pressing need for housing and this scheme will deliver a significant number of new homes including 31% affordable housing with a mix that responds to identified local needs. This is a significant public benefit of the scheme.
- A detailed design code will be secured as part of the application to give Members confidence about the quality of development that will be delivered. It is not leaving this to be resolved later.
- Environmentally, the proposal performs well. It delivers biodiversity net gains, extensive green infrastructure, and appropriate mitigation. Natural England has confirmed there will be no adverse effects on protected sites.
- Importantly there are no objections from statutory consultees on highways, drainage, ecology, or landscape subject to the recommended conditions within the report.
- In planning terms, this is a sustainable development. It delivers homes, infrastructure, and environmental enhancements while supporting the wider vision for Golden Valley. Officers are clear in their recommendation. The proposal accords with the development plan, and where the policies are out of date, the presumption in favour of sustainable development applies.

In response to Members' questions, officers confirmed that:

- The access to the application site from Hope Orchard Lane will be pedestrian and cycle only with no access by vehicular traffic. In the parameters plan it is identified as the indicative pedestrian access position. The existing properties in Hope Orchard will still be accessible by car, but there will not be access to the application site from this route by car.
- As with any housing development constructed on a field that has a public right of way through it, the public right of way will need to be diverted to follow the layout of the streets where it crosses the site so there is no interruption to the public right of way. There is a footpath that runs just beyond the eastern boundary of the application site within the existing residential development, and additional linkages will be created between existing developments and the new public open space. Any issues with potential footpath diversions will need to be resolved by the developer through a separate process to divert these routes in line with the rights of way legislation. The county council may have preferences about where footpaths should go but that will be part of a separate process with a public consultation.
- The designing out crime officer originally raised concerns based on the fact that as an outline application it does not contain the level of detail in terms of design that they would have liked. These elements will be brought forward through reserved matters applications, which will be consulted on with the police design liaison officer at that stage.
- It is expected that odour mitigation works will be undertaken and condition 47 of the planning application prevents occupation of more than 200 dwellings

before those works have been completed. Clause 48 includes a requirement for details of the work to be submitted to the council prior to occupation for approval.

- 31% of the housing will be affordable, with a split of 32% shared ownership, 39% affordable rent, 24% social rent, and 4% social supported rent units to help those with low-level mental health needs to help them move on into independence. This followed quite detailed comments for the affordable housing mix, which led to an iterative process between the applicant and council officers to find a mix that was viable and addressed housing need.

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

- Not a huge amount wrong with the application, but it is disappointing that only 24% of the affordable housing is for social rent given local housing need.
- The nice open green space will be a benefit for most of the sites throughout the Golden Valley.

The legal officer noted a cross-referencing error in the officer recommendation and recommended that part B be amended to read: “completion of a S106 obligation and/or other legal document to deliver the infrastructure and other mitigation, as set out in this report *as per the planning obligation*”.

The matter then went to the vote on the amended officer 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 as per the planning obligation, 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.

This resolution included, for the avoidance of doubt, that the final wording of Condition 43 be delegated to the Head of Planning as per the published update report dated 22 April 2026.

For: 9

Against: 0

Abstain: 0

Voted UNANIMOUSLY for the amended officer recommendation.

8 26/00001/REM - Land at West Cheltenham, Southern Parcel, Fiddlers Green Lane, Cheltenham

The Interim Development Management Manager introduced the report as published.

There was one public speakers on the item: the applicant's representative.

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

- Attended the committee last year to present the outline application for the southern parcel. A year later back with the first detailed phase, which delivers the innovation centre and first of the mobility hubs for the southern parcel. Together they will kickstart the Golden Valley and help position Cheltenham at the forefront of cyber security, national security and advanced technology.
- Crucially this is not a speculative development, there is clear demand from organisations in the sector for high-quality, flexible workspace. The scheme is designed to meet that demand from day one.
- The principal of development has already been established, so the application before the committee is about the detail and whether this phase lives up to the ambitions that they supported at the outline stage. In the applicant's and officers' views, it does. It is a high-quality scheme that follows the approved design code, respects the parameter plans, and sets a strong benchmark for future phases.
- It is more than just an office building, it is designed as a focal point for collaboration, investment, and innovation. The investment will create jobs both on site and across the wider supply chain, including high value roles that will strengthen Cheltenham's place in the UK's national security and technology economy.
- This is about long-term opportunities, supporting skills development, partnerships with education providers, and creating opportunities for local people.
- It also plays an important role by enabling sustainable travel, reducing reliance on cars and helping to unlock future phases.
- The scheme responds well to its setting with strong landscaping, retention of key trees, meaningful public green space and a commitment to 10% biodiversity net gain.
- Sustainability is also embedded throughout with efficient buildings, renewable energy technologies and a clear ambition towards net zero.
- There are no objections from statutory consultees and no unacceptable impacts on neighbouring residents have been identified. Importantly, the site will also become publicly accessible for the first time.
- Taken as a whole, this is more than just a first phase. It delivers jobs, skills, investment, and long-term economic resilience. It's high quality, policy compliant, and officers have recommended approval.

In response to Members' questions, officers confirmed that:

- The open spaces will be publicly accessible, not just for users of the buildings.
- It is not known whether the event spaces will be available for community use, but it is intended that commercial spaces will be accessible to the public.
- There have been discussions with the bus services, and the transport routes were agreed at the outline stage. So, this is not included as part of the current application. There will be bus gates and a bus stop is proposed on Fiddler's Green Lane. The highway authority has reviewed the transport detail and is satisfied that the associated trips will work.
- There is a requirement to provide electrical vehicle charging points within the car park.
- There will be 140 bike racks and facilities for changing on site. This cycle storage will be within the building, rather than separate.
- The council is not at this stage able to control any change in unit use through conditions, for example if it is decided later that this should be a private area. However, an application would need to be submitted for consideration for any change of use.
- The senior tree officer is currently not concerned with the condition of the retained trees.

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

- Whilst they would prefer to see green fields in the area, have to acknowledge they have been obscured by a 3-meter hedge until recently. The design of the innovation hub is really good, especially how it wraps around the trees. Whilst this is going to be closer than expected it is a very interesting building.
- The mobility hub will be a big, imposing building for those living nearby. However, as someone living locally believe that the benefits from the site will outweigh the cost. It is a good application that they are happy to support. Following enquiry from the legal officer the Member confirmed that he did not believe the application would affect him to a greater extent than the majority of other council taxpayer's living in the ward (as established within the Code of Conduct's rules on Members' interests).
- Supports the application, particularly the sloped roof design. It will provide open space for locals to use.
- Hopefully this development will bring magic to the area by generating employment, and providing security for the whole of Gloucestershire and beyond. As a county councillor this is the most important development for the county, and people with knowledge of cyber security will recognise its' importance as a national, and even international, development. The designs reflect this excitement, particularly how it fits within the environment and local ecology.
- This is a significant scheme that kickstarts Cheltenham's position at the forefront of cyber security in the UK. It will be watched as a standard for other developments across the country.

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

For: 9

Against: 0

Abstain: 0

Voted UNANIMOUSLY for the officer recommendation to grant.

9 25/01567/FUL - Broadlands Lodge, 56 The Park, Cheltenham, GL50 2SA

The Senior Planning Officer introduced the report as published.

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

The objector addressed the committee and made the following points:

- Speaking on behalf of the Civic Society and St. Philip and St. James Residence Association. He is a qualified planner (now retired) and a fellow of the Landscape Institute.
- He has lived in or near Cheltenham for 45 years, most of the time within a short walking distance of The Park. He walks in it at least once a week and, like many residents, he is grateful for the generous way in which the University has made this beautiful place available for all to enjoy.
- Council officers have worked hard with the developers to secure significant improvements in the plans for the development of this site since they were first published. So, he hesitated to maintain the initial objections, especially as they welcome the proposed conversion of Broadlands Lodge and Farmery Lodge. However, there are still issues of critical importance and the plans still do not meet the legal duty towards the conservation area.
- There are three main concerns that should encourage Members to reject these plans - failure to protect and enhance the conservation area, loss of public access, and the precedent that approval of this scheme could set.
- Any new buildings here should respect the specific guidance in the council's Park character area appraisal. They should also show how they protect and enhance the conservation area as required by law in section 72 of the 1990 Planning Act. The plans submitted do not do that, nor does the officer's report show how this new development will safeguard and enrich the character of the conservation area. The new buildings introduce alien features that respond neither to the fine regency buildings around The Park, nor to the character of the two Victorian buildings that are to be retained as part of the scheme. They are not asking for reproduction Regency or Victorian villas, but for contemporary structures that relate well to them. Flat roofs, projecting first floors and harsh rectangular shapes are not characteristic of this part of town. These highly visible buildings located in one of the most sensitive sites in Cheltenham could have been designed for anywhere. They do not do the job required by law. They do not protect and still less enhance the character of this part of the conservation area.
- Until the site was sold by the University early last year, the public could walk across it. There was no fence to the road, and many people used the gap between the Farmery and Broadlands as a way into and out of The Park. There is even a traffic island facing the opening that made it safe to cross the road there. What the sale of this site and the scheme have done is to destroy

what was a public asset. Surprised that an otherwise very thorough report by the planning officer does not refer to the loss of this de facto access.

- It is good that the view into The Park from the road will be retained in the scheme and some form of control is planned to keep it clear of obstructions like parked cars and play equipment. Though if this is to work, it must be made legally binding. It would be much better though if the land were to be returned to the University as an addition to the park area, thus restoring the position that existed until last year. Or, failing that, and at a minimum, a right of way should be created so that the public can once again access the centre of The Park this way.
- Approving the scheme in its present form, the first new residential development within the main area of The Park since it was created in the 1800s, would represent a dangerous precedent. The committee will probably be advised to dismiss this concern because each planning application should be considered on its own merits. This may be technically correct, but consent here will encourage the University, which is facing huge funding pressures, to see if there are other areas on the edge of The Park that they could sell off.
- The Park is a marvellous asset for the people of Cheltenham. While some development on this site would be acceptable, what is proposed does not fulfil the legal duty to protect and enhance the conservation area. It effectively privatises what was until recently a public asset and it creates a precedent the town may come to regret.

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

- The committee heard earlier this evening about the need and the importance of large-scale green field developments, the housing that they provide, and the benefits that can come about because of those. At the same time, planning policy still emphasises and places priority on the redevelopment of and reuse of brownfield sites within urban areas. Within that context, the applicant has had positive pre-application advice in respect of these proposals which confirm the site's suitability for redevelopment and the principle of contemporary design. These buildings will stand for the 21st century, not compete with historic neighbours.
- The pre-application advice particularly welcomed the removal of hazardous asbestos and the delivery of high-quality sustainable homes. In its current form and following extensive work in revising the scheme with the council, the proposal is supported by planning and heritage officers and all other statutory and technical consultees.
- Alongside energy efficient new build homes, the sympathetic renovation of two other rundown buildings, used as offices for around 20 years, will return them to family homes.
- Strong ecological benefits are delivered in including 13 new trees which represents an approximately 20% increase and over 100 meters of new hedge. A contribution to off-site ecology will overall provide a robust net gain

above policy requirements and the generous open space is retained to preserve views across The Park.

- Appreciate that opinion on design varies. With reference to the comments from the objector, the applicant is comfortable, and officers may confirm, that the committee's duties under the relevant act have been carefully considered and respected. The proposal significantly enhances visual amenity compared with the current dilapidated buildings and improves energy efficiency as demonstrated in the submitted materials.
- The application fully complies with local and national policy and the council's professional officers support the proposal.
- In summary, this development will deliver safe asbestos removal, site regeneration, additional well-designed and energy efficient family homes as an important contribution to overall supply, enhanced landscaping, ecology gains, protected views of The Park, and a new safer access to the University.

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

- Both Ward councillors of Park ward thought it was important to bring this application to committee because it has caused a lot of concern among residents and others.
- The application is situated in a historic and sensitive area of Cheltenham. Plans started for this area in 1833, and the area has gone through many stages of development, even being used briefly as a zoological garden, but most recently as a setting for the University of Gloucestershire. It is an area which is well loved by members of the public, containing several listed and significant buildings.
- Hopefully, Members will have had an opportunity to read the detailed and well-considered letters of objection from local residents.
- In recent times, the community has been very grateful because the University has allowed public access to The Park. It has become an important venue for sports such as the junior park run and also generally for mental health, providing a peaceful time spent watching wildlife around the lake.
- The planning officer has spent a great deal of time negotiating various changes to the application with the developer and several changes have been made for the better. Would like to thank the planning officer for all the time that she has put into this, and the developer for being open to making changes.
- The application site is situated in a privately owned area. Privately owned now because it was recently sold by the University, within the teardrop shape of the parkland which is so important to the character area of The Park. In the planning document, The Park character area appraisal and management plan of July 2008, says in TP11 that it's important to retain the openness and protect the views and Regency character of the area. Also, that development within the grounds should preserve or enhance this character and not erode any of the open space. Despite the welcome changes made to the original application, concerns still remain regarding some of the design features.

- Looking at the proposed street scene, the officer has shown the committee, would ask whether this design, particularly of the two new buildings, really preserve or enhance this area. Aware, as mentioned by the developer, that there are a lot of different opinions about what is or is not a good design. One local resident described the new buildings as concrete blocks, whereas another sees them as a modern design in keeping with other developments.
- Fears do remain around granting this application as many think it will be seen as setting a precedent for future development in the area and there are also concerns about the loss of public access.

In response to Members' questions, officers confirmed that:

- There will be new vehicular access to the University's car park as part of the scheme. Currently the public can walk into the university car park, but this could lead to pedestrian conflict with cars. If approved there will be no physical way of getting across the application site into the Park campus. There will be estate railings along the frontage and hedgerow with private access for the four new dwellings. It will be quite obvious that there is no public right of way through the site.
- The proposed University access is to the other side of the Farmery into the University campus. Need to bear in mind that there is no footpath on that side of the road, so people would be crossing the road without a footpath on the other side. There are many other points of access into the University around The Park, so this is not the only access point. The proposed university car park access point will be approximately 20-30 meters from the one that is being lost.
- The temporary bin storage marked on the plan is a bin collection point, offset from the road, which will be in use for bin collection day only. Each property will have on-plot bin storage areas. A condition requests details of the bin stores at a later stage. It will be partly screened from view by hedging but will need to be accessible for the bins to be collected.
- There will be a loss of 5 trees offset by the introduction of 13 new trees.
- Facing brick is proposed on the ground floor elevations of the new dwellings to match the facing brick of Farmery Lodge, so it will blend in and respond well with the existing red brick buildings on site
- Presume that the maintenance of the retained open space will be the responsibility of the owners of the four dwellings under a management agreement as the open space and remainder of the site will be privately owned and managed.

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

- This is a difficult decision, and the Member has sympathy with the concerns raised by the Ward Member and objector. There is a good argument to be made in terms of heritage, preservation, and not keeping to Regency standards. At the same time there is a very good counterargument to say that this actually does enhance the area as it could be argued that the Farmery

building as it currently exists is damaging the conservation area, given the significant alterations that have been made to it.

- Share concerns about artist impressions and feel it may have caused more concerns in this case than the actual building will do, as the render approach will be in keeping with the brick of the Victorian buildings. One of the beautiful things about Park ward is it is quite idiosyncratic in terms of buildings, with both Regency and Victorian developments, so contemporary buildings that are complimentary could enhance the area.
- Do not feel that concerns about future development, for example next to the lake, would treat this as a precedent. Especially as this is a rare brownfield site in the area, and in contrast future development in The Park would be encroachment.
- Access to The Park will still be available to the public, so comfortable that this will not have a significant impact on the mental health and wellbeing of residents.
- Understand the fears around the rest of Park Campus. Have applied for this to be local green space within the next Joint Core Strategy and are awaiting a response. However, conversations with the University provides assurance that there is no need for concern about the green space outside of this development. The University seems committed to retaining The Park, and have spoken about introducing a sculpture trail recently. Assured that this does not set a precedent for the rest of the teardrop or within the green area. It would be a travesty to lose that space.
- The development will not make a significant difference in terms of housing needs, but this is still a consideration for all applications.
- Firmly of the belief that will not be losing a huge amount in terms of trees.
- A Member used to live nearby and would regularly use the car park entrance to access The Park, which could feel dangerous.
- Would like to see more developments introduce green roofs, especially given the preference for flat roofs nowadays.
- There has been some criticism of these designs being contemporary and not fitting the area, however there are other contemporary properties nearby. Whilst the Member loves Cheltenham's Regency design, believes it is also important to embrace contemporary design in the right contexts. On this site, the buildings being removed are for the most part not very beautiful. The new designs are not outrageously contemporary, do fit into the site, and are an improvement on the current buildings.

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

For: 9

Against: 0

Abstain: 0

Voted UNANIMOUSLY for the officer recommendation to permit subject to a S106 obligation.

10 26/00240/FUL - Robert Harvey House, Winchombe Street, Cheltenham, GL52 2NL

The Planning Officer introduced the report as published.

There were no public speakers on the item.

In response to Members' questions, officers confirmed that:

- This item has come to the committee as the council owns the building.
- The defences are at a lower ground level and will be used during weather related flash flooding.
- Officers do not know whether the defences will be installed by building management or by residents.

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

- Disappointing that this needs to come to committee, feel that property owners should be able to install flood defences without permission, even in conservation areas.

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

For: 9

Against: 0

Abstain: 0

Voted UNANIMOUSLY for the officer recommendation to permit.

11 26/00257/FUL - 10 Halland Road, Cheltenham, GL53 0DJ

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:

- Lives at 9 Halland Road and as a consequence of correcting errors in the architect's original plans, they are not contesting the rear extension to the adjoining semi at 10 Halland Road.
- With regard to the roof alterations, they are contesting the proposed roof conversion from hip to gable which alters the appearance of the whole building to a detrimental, lopsided effect. Which will affect them.
- They are grateful to planners for giving the proposed dormer windows due consideration and accept their recommendations.
- The planning report itself states and acknowledges that the development will result in an imbalanced building. It will lose symmetry.
- The report describes the site sensitive position in the conservation area. Halland Road is a historic street in Cheltenham's central conservation area

and falls within the character area. Numbers 9 and 10 are currently identified as important buildings. The pair of semis are over 100 years old and have remained largely unaltered.

- Both semis together were constructed with a hip roof for considered aesthetic reasons in the 1920s. The elegance and strength of the hip roof comes from all four sides sloping forward towards the walls like a pyramid. The symmetrical shape of a hip roof gives a balanced and cohesive appearance to the whole building and elegant architectural character. For the record, hip roofs are self-racing and more stable in high winds than a gable end. Putting a gable roof on one semi will destroy the beauty of the sloping pyramid form by creating a flat vertical side at one end making the building as a whole lopsided. Not what was intended.
- The report states the works may not be considered to enhance the character of the conservation area. It describes them as neutral and says the changes will have negligible impact. The objector disputes this. How can a major change resulting in lopsidedness be neutral or negligible? It does not preserve the character of the building as it should.
- They do not agree that the resulting imbalance to the building is “unlikely to be particularly visible from the street”. This doesn't inspire confidence, it reveals uncertainty. The imbalance certainly will be visible. Indeed, this part of the report directly acknowledges losing symmetry, which is contrary to planning guidelines.
- According to the report, concerns were raised at the pre-planning stage over the change from hip to gable. These concerns were quashed because the western end of Halland Road is considered to be quite different. The objector strongly contests this subjective view. It is a very short road, so making a distinction between one end and the other is unconvincing. In fact, 9 and 10 Halland Road are part of a set of four similar buildings, all in keeping with each other on the south side of the road, each with matching box bay window frontages and hip roofs. The front street view has a consistent architectural rhythm.
- Will other similar buildings be permitted to change from hip to gable, as they know this is now being considered by other residents? Will the decision for approval provide leverage for other property developments that will result in incremental harm?
- The report says the parish council requested a conservation officer should be consulted on these plans for them to go ahead. They are concerned this part of the procedure has not been followed. There is no evidence of it.
- In summary, the proposals do not meet the requirements of or adhere to the guidelines of the 1990 Conservation Act. Key to the objection is loss of intended symmetry. The development was called into question at pre-application and should have been rejected. Conservation guidelines should be followed, not abandoned or what is the point of them?

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

- Homeowner of 10 Halland Road. He and his wife have been residents of Cheltenham for many years and both work in the community as a solicitor and a police officer. They have two young children, one at the local primary school and one at the nursery. They are a family, not developers and they intend to

live in their home for many years. They purchased the property in 2024 from the previous owners who lived there for about 35 years, and bought it with the intention of modernising it to suit their growing family.

- Currently, the house has two large bedrooms and two small bedrooms. The proposal is to convert the loft space to two equal bedrooms for their children and to improve the ground floor layout to create a more practical, open plan living space. There is already a modest extension across part of the rear of the house, and the proposal simply extends this across the full width along with a narrow side extension to improve the kitchen space. Overall, the aim is to create a functional family home and not to overdevelop the property.
- From the outset, they have made every effort to be open and considerate. Nearly a year ago, they spoke to all their surrounding neighbours about their intention to submit a planning application. They always made it very clear and were happy to discuss the plans and take on feedback as they thought it was important to maintain good relationships with their neighbours.
- They engaged with an architect and specifically asked for a design that would minimize impact on the adjoining properties. The resulting plans reflect that and the rear extension roof which is pitched in the middle kept the sides either side as low as possible for the neighbours. Before submitting the application, they shared the plans with neighbours and had no objections raised.
- They sought pre-application advice and then made changes to address any concerns raised by the planning team. Following submission, there was one objection.
- It is important to understand the context of Halland Road. As you enter the road there are large Edwardian houses, ornate features, front gable projections, sash windows, and originally they would have had iron railings and gates across the front of each garden. However, further along there is a clear change in character. Their home is part of a pair of semi-detached houses built approximately 20 years or so later. These properties are distinct from the earlier Edwardian houses with a render on the top half, less ornate features, no original railings or gates across the front and, being built much later, they also have driveways. These houses are by definition not period homes as they were built after the First World War. While they mimic the earlier houses with the sash windows and gable projection to the front, they are fundamentally different. There are also on the street two pairs of semi-detached 1930's style houses. Several of these have already been significantly extended and altered. Number 13, opposite number 10, has recently undergone a substantial two-story side extension and a change from hip to gable roof similar to this proposal.
- Locally, this type of type of alteration is very common. On Old Bath Road, which is just a short distance away, there are a number of similar 1920's properties. Many have had the hip to gable roof conversion done. There are ten pairs of semis, and five of them have had the conversion done to at least one or both of the houses. These changes do not detract from the character of the houses. They simply make the internal space more usable. Unless you were specifically looking for it, you would be hard pushed to notice the change in roof on these properties.
- Halland Road is a private dead-end road with no through access for vehicles or people. Only residents and visitors to the houses at the bottom of the street come as far as this property. None of the neighbours who would directly see

or be affected by the proposed changes have objected. In fact, they have only received positive feedback in person from them.

- The sole objection is from the adjoining neighbour. Despite efforts to address their concerns and make multiple amendments to the plans at significant cost, they have been unable to reach an agreement. Despite their efforts, the neighbour objected on the basis of every conceivable point from the size of the extension, position of the extension, windows, roof, solar panels, symmetry, skylights, and drainage. It is now their genuine belief that the concern is not with the specific details of the proposal or with the conservation area. It is with the principle of any building work taking place whatsoever.
- Whilst he fully respects their right to object, he would ask that the application be considered on its planning merits alone. They have worked very hard to ensure that the proposal is modest in keeping with the area and designed to minimise impact on neighbours. Ultimately, they are simply trying to create a suitable long-term home for their family.

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

- For complete transparency, wish to declare a coincidental and non-material connection to one of the objectors as they are both voluntary directors of the Daisy Bank Community Interest Company, which is also declared as a non-pecuniary interest on the public register.
- Wish to thank the applicants for modifications which mean that the rear extension is now uncontroversial. The issue that remains controversial is the attic enlargement which dramatically changes the profile of the top of the house from the angled hip at the side to a much larger square gable end. Different to all the other buildings in this group of 1920s houses, not symmetrical and clearly visible from the street. They are surprised that the architects in their rather skimpy design and access statement offer no defence of this change at all. This is particularly surprising because it is in the Leckhampton zone of the conservation area which is known as an area of special architectural historic interest and has special protection under planning law and guidance.
- One of the specific issues in the conservation area management plan for Leckhampton is the risk of loss of traditional architectural features on historic buildings. Page 12, figure 1 of that plan clearly marks number 10 Halland Road as what is called a positive building, which the plan explains are those buildings which make a positive contribution to the character and appearance of each character area. They often have a collective group value, and are not to be treated in isolation, but for their role as part of the historic street scene. Groups of buildings exactly like those in Halland Road. The plan waxes poetic about the importance of these grand historic houses. It talks about large Victorian and Edwardian villas which have a striking visual impact upon the street scene. Their presence enhances Leckhampton's historic character and creates a sense of atmosphere and architectural splendour.
- Joint Core Strategy (JCS) policy SD8 talks about the built natural and cultural heritage of Cheltenham which must continue to be valued and promoted for its important contribution to local identity, quality of life and the economy. It specifically says that designated heritage assets and their settings will be conserved and enhanced and explains that designated heritage assets

include conservation areas. The Cheltenham Plan 2020 reinforces that JCS policy in numerous places and says that we must conserve and enhance Cheltenham's architectural townscape and landscape heritage within the town's conservation areas. Chapter nine on the historic environment which includes architectural heritage protected by conservation area designations and says these need to be carefully managed, including to protect buildings and the essential character of each street or place. Chapter five and policy D1 on design says that extensions or alterations of existing buildings are required to avoid causing harm to the architectural integrity of the building or group of buildings. Chapter 7 on landscape, which again includes architectural heritage, warns against small incremental alterations and says these need to be carefully managed to protect buildings.

- In summary, 10 Halland Road is specifically marked as a positive building within the Leckhampton zone of the conservation area which places particular value on these grand Edwardian houses and is itself one of the key heritage assets protected by policy SD8 of the JCS and must not be damaged but must be conserved and enhanced. It is not clear how this change does that. Secondly, positive buildings like this are not to be treated in isolation. The character area management plan is clear that they often have a collective value as a group of buildings, and this is clearly the case in the dramatic sequence of Edwardian villas in Halland Road. And Cheltenham policy D1 is clear that the architectural integrity of buildings should be considered when looking at extensions. Whilst chapter seven is clear that you should be wary of incremental change. Even if that change in itself does not seem to be earth shatteringly important, there does seem to be a real risk of this setting a precedent that could be repeated again and again on dozens more of these Edwardian and Victorian houses, eventually undermining that precious architectural integrity and heritage.

In response to Members' questions, officers confirmed that:

- The pair of semi-detached houses on Halland Road are not exactly the same as the properties further down the street. They have similar design features and if you were not looking closely, you would assume they were the same. They are from a slightly later period, and properties further down the road are from a different time period again.
- Details of the finish material used for the dormer windows will need to be detailed later as part of a condition; however the size, shape and form of the windows will be as indicated in the application. This will enable officers to ensure that materials are appropriate.
- The property on the street that has already completed a hip to gable alteration is a different style and age of property to the one in the current application. It was formerly a hipped roof, but it has been extended with a two-story extension to the side, so it is not just the roof form that has been changed. The property styles and designs are not comparable to the application.

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

- Sympathise with the views that have been expressed about these four houses being built as a group. But personally feels that a group of houses can still be coherent even with minor changes to them. Beauty is in the eye of the beholder to a certain extent and thinks there is an element of subjectivity here.

- Does feel that a hipped roof for these very large buildings do make them less imposing. Whereas a gable does the opposite and starts to make the building both imposing and off-balance. However, does not know whether that is a strong enough reason to reject the application.

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

For: 7

Against: 1

Abstain: 1

Voted for the officer recommendation to permit.

12 Appeal Update

The appeal updates were noted.

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

There were none.

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APPLICATION NO: 26/00647/FUL	OFFICER: Ms Ebba Carling
DATE REGISTERED: 15th May 2026	DATE OF EXPIRY: 10th July 2026
DATE VALIDATED: 15th May 2026	DATE OF SITE VISIT:
WARD: St Marks	PARISH:
APPLICANT:	Cheltenham Borough Council
AGENT:	Adapt Architects Ltd
LOCATION:	3 Byron Road Cheltenham Gloucestershire
PROPOSAL:	Change of render type to smooth from roughcast, PV solar panels to south facing roofs and new entrance canopy at numbers 3, 11, 29, 31 and 35 Byron Road.

RECOMMENDATION: Permit



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site relates to no. 3, 11, 29, 31 and 35 Byron Road, which are residential dwellings located within St Marks ward. The dwellings are located within The Poets Conservation Area and are finished in a roughcast white render.
- 1.2 The applicant is seeking planning permission for the change of render type to smooth from roughcast, the installation of solar panels and new entrance canopies.
- 1.3 The application is at planning committee as the applicant is Cheltenham Borough Council.
- 1.4 Planning permission for similar works within Cheltenham Borough Council have recently been granted permission

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Airport Safeguarding All Developments
Conservation Area
Principal Urban Area

Relevant Planning History:

3. POLICIES AND GUIDANCE

National Planning Policy Framework

Section 2 Achieving sustainable development
Section 4 Decision-making
Section 8 Promoting healthy and safe communities
Section 12 Achieving well-designed places
Section 14 Meeting the challenge of climate change, flooding and coastal change
Section 16 Conserving and enhancing the historic environment

Adopted Cheltenham Plan Policies

D1 Design
SL1 Safe and Sustainable Living

Adopted Joint Core Strategy Policies

SD4 Design Requirements
SD8 Historic Environment
SD14 Health and Environmental Quality
INF5 Renewable Energy/Low Carbon Energy Development

Supplementary Planning Guidance/Documents

Cheltenham Climate Change (2022)
Residential Alterations and Extensions (2008)
The Poets conservation area character appraisal and management plan (June 2009)

4. CONSULTATIONS

Building Control

21st May 2026 - No comment.

Ward Councillors

20th May 2026 - Neighbours are justifiable concerned about the effect on their properties at the junction of the 10cm cladding and their rough-render. Will the junction be sealed? How will the installer prevent water ingress at the join? They would like clarification and a guarantee if possible. There is no mention of this joint in the application, could the officer please seek clarification and evidence and post the documentation here.

5. PUBLICITY AND REPRESENTATIONS

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

- 5.1 Notification letters were sent to 17 neighbouring properties; a site notice was displayed and an advert published in the Gloucestershire Echo. One representation was received in objection; raising concerns that the proposed render would cause the dwellings to stand out within the street scene. The remaining issues raised are not material planning consideration and can therefore not be considered in the determination of this application.

5.2 Comments Received

13 Byron Road Cheltenham Gloucestershire GL51 7HE

Comments: 1st June 2026

Whilst I support the idea in principle, the proposal does not provide enough evidence about the join between properties. Each of the 5 planned properties are semi-detached, joined to a property not included in the planning permission.

100mm of render is significant and will make the 5 properties stand out compared to those they are joined to.

Furthermore, no information on how the join between the properties will be protected is given. If poorly done this could lead to damp problems or damage to the render.

Additionally, there is less than 50mm behind the shared drainage pipes which mark the boundary of the properties. Is the plan to replace these pipes?

Overall, not enough information is provided in this plan, and the proposal is over simplified as there is significantly more to it than just a change of render type.

6. OFFICER COMMENTS

6.1 Determining Issues

- 6.2 The main considerations in determining this application are design, impact on the conservation area, neighbouring amenity and sustainability and climate change.

6.3 Design and impact on the conservation area

- 6.4 Policy SD4 of the JCS and policy D1 of the Cheltenham Plan require development to be of a high standard of architectural design that responds positively to and respects the

character of the site and its surroundings. This draws from paragraph 135 of the NPPF which seeks development to be visually attractive and sympathetic to local character.

- 6.5 Policy SD8 of the JCS relates to the historic environment and states how 'Designated and undesignated heritage assets and their settings will be conserved and enhanced as appropriate to their significance'. Section 16 of the NPPF also echoes the importance of conserving and enhancing heritage assets. Additionally, 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 a conservation area.
- 6.6 The application proposes a change in render type from roughcast to smooth render. The application site is located on the north side of Byron Road. Officers note that the majority of properties along the northern side of Byron Road are finished in light-coloured render. Whilst the proposed change to smooth render would alter the appearance of the dwellings to some extent, the dwellings would retain their existing form, and overall design. The agent has confirmed that the proposed render would be white in colour, to match the colour of the existing dwellings. Whilst the concerns raised by No. 13 Byron Road are acknowledged, the proposal is not considered to result in significant harm to the appearance and character of the dwelling or the street scene.
- 6.7 The proposal includes the installation of photovoltaic (PV) solar panels on the south-facing roof slope which fronts Byron Road. Paragraph 167 of the NPPF states *"Local planning authorities should also give significant weight to the need to support energy efficiency and low carbon heating improvements to existing buildings, both domestic and non-domestic (including through installation of heat pumps and solar panels where these do not already benefit from permitted development rights). Where the proposals would affect conservation areas, listed buildings or other relevant designated heritage assets, local planning authorities should also apply the policies set out in chapter 16 of this Framework."*
- 6.8 The solar panels would be visible within the street scene, however, the visual impact of this element of the proposal is not considered to be significant. Taking into account the support afforded by national planning policy for renewable energy measures, the proposed solar panels are considered acceptable.
- 6.9 The Poets conservation area character appraisal and management plan notes that houses on the north side of Byron Road *"have elements of a classical design, such as their symmetrical proportions and the use of timber sash windows in their design."* The application does not propose any alterations to the overall design or proportions of the dwelling or the windows and is not considered to result in significant harm to the conservation area.
- 6.10 The replacement of the existing entrance canopies with new entrance canopies is considered to be a minor alteration which would not result in any significant impact.
- 6.11 As such, the proposed works are considered to be acceptable in terms of design.
- 6.12 **Impact on neighbouring property**
- 6.13 Given the nature of the development, there are no concerns relating to an unacceptable impact on neighbouring amenity in terms of a loss of light, loss of privacy and overbearing impact. Although one objection was received in response to the statutory consultation, the matters raised do not relate to material planning considerations and have therefore not been considered in the determination of this application.

6.14 Sustainability

- 6.15 Policy SD3 of the JCS requires development to demonstrate how they will contribute to the aims of sustainability and be expected to be adaptable to climate change in respect of design, layout, siting, orientation and function. The Cheltenham Climate Change SPD (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.
- 6.16 As set out within the Design and Access Statement, the dwellings are currently poorly insulated, and the proposed works would result in more energy efficient dwellings. The proposal is therefore considered to be consistent with the Cheltenham Climate Change (2022) SPD.

6.17 Other considerations

6.18 Public Sector Equality Duty (PSED)

- 6.19 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 With the above in mind, officers consider the scheme to be in accordance with relevant policies and guidance. The recommendation is to therefore permit this application subject to the suggested 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.

- 3 The exterior of the buildings shall be rendered and painted to match the colour of the existing buildings and maintained as such thereafter.

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).

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.

Approved Plans

Reference	Type	Received	Notes
191-PP-001 P2	OS Extract	14th May 2026	
190-PP-003 P1	Drawing	19th May 2026	
190-PP-011 P1	Drawing	20th April 2026	
190-PP-029 P1	Drawing	20th April 2026	
190-PP-031 P1	Drawing	20th April 2026	
190-PP-035 P1	Drawing	20th April 2026	

APPLICATION NO: 26/00647/FUL		OFFICER: Ms Ebba Carling
DATE REGISTERED: 15th May 2026		DATE OF EXPIRY : 10th July 2026
WARD: St Marks		PARISH:
APPLICANT:	Cheltenham Borough Council	
LOCATION:	3 Byron Road Cheltenham Gloucestershire	
PROPOSAL:	Change of render type to smooth from roughcast, PV solar panels to south facing roofs and new entrance canopy at numbers 3, 11, 29, 31 and 35 Byron Road.	

REPRESENTATIONS

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

13 Byron Road
Cheltenham
Gloucestershire
GL51 7HE

Comments: 1st June 2026

Whilst I support the idea in principal, the proposal does not provide enough evidence about the join between properties. Each of the 5 planned properties are semi-detached, joined to a property not included in the planning permission.

100mm of render is significant and will make the 5 properties stand out compared to those they are joined to.

Furthermore, no information on how the join between the properties will be protected is given. If poorly done this could lead to damp problems or damage to the render.

Additionally, there is less than 50mm behind the shared drainage pipes which mark the boundary of the properties. Is the plan to replace these pipes?

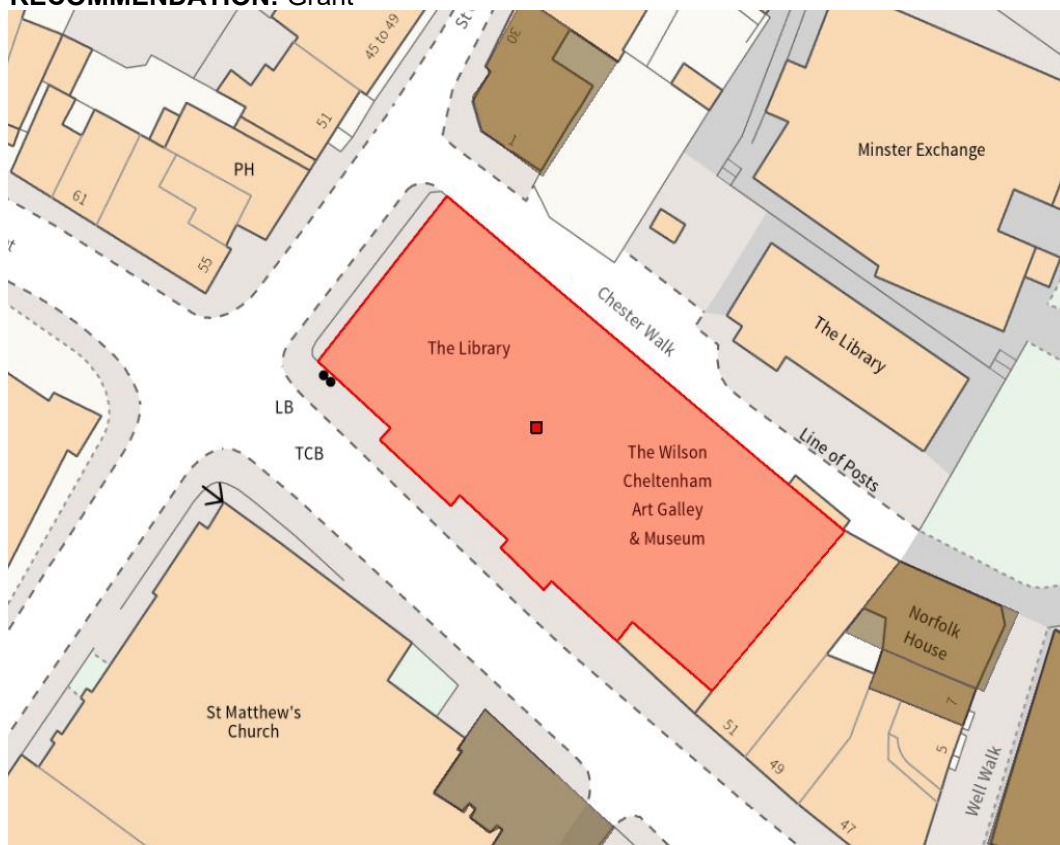
Overall, not enough information is provided in this plan, and the proposal is over simplified as there is significantly more to it than just a change of render type.

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Delegated Officer Report

APPLICATION NO: 26/00754/LBC	OFFICER: Mr Peter Ashby
DATE REGISTERED: 18th May 2026	DATE OF EXPIRY: 13th July 2026
DATE VALIDATED: 18th May 2026	DATE OF SITE VISIT:
WARD: Lansdown	PARISH:
APPLICANT:	The Cheltenham Trust
AGENT:	N/A
LOCATION:	The Wilson Art Gallery and Museum, Clarence Street, Cheltenham
PROPOSAL:	Redevelopment / alteration of exhibition spaces.

RECOMMENDATION: Grant



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1** The Wilson Gallery & Museum is a prominent Grade II listed museum and gallery located within Cheltenham town centre. The building forms an important cultural, civic and heritage asset within the borough. It accommodates museum collections, exhibition spaces. Galleries, interpretation areas, visitor facilities and operational accommodation associated with the ongoing cultural use of the site.
- 1.2** This application is related to the internal refurbishment and exhibition space redevelopment works within specific second-floor gallery spaces and associated areas of the Victorian Wing at The Wilson Art Gallery & Museum, Cheltenham. The building is located within Central Cheltenham Conservation Area.
- 1.3** The Wilson is operated by The Cheltenham Trust, an independent organisation responsible for the management of culture and leisure venues within Cheltenham. The Victorian Wing previously underwent refurbishment works during 2024. The Cheltenham Trust has since secured additional grant funding to undertake the final phase of redevelopment works required to prepare the exhibition spaces for the reintroduction of museum collections and associated visitor interpretation.
- 1.4** The proposed works comprise internal refurbishment, exhibition redevelopment and associated enabling works within selected gallery spaces and associated areas. These include:
- Exhibition lighting modifications and associated controls
 - Improvements to welcome the orientation spaces.
 - Installation of gallery infrastructure.
 - Modifications of exhibition and gallery layouts.
 - Construction of non-load bearing timber stud partitions.
 - Localised making-good works.
 - Removal of selected wallpaper and surface finishes.
 - Localised flooring repairs and improvements.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

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

Relevant Planning History:

01/00863/LBC 12th September 2001 GRANT

Second floor toilet refurbishment

02/00742/LBC 11th September 2002 GRANT

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

02/00919/FUL 18th December 2002 REF

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

02/00920/LBC 18th December 2002 REF

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

02/00921/CAC 18th December 2002 REF

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

21/02596/FUL 25th March 2022 PER

Change of use of part of the ground floor for use as an extension to the existing café and associated alterations

21/02596/LBC 25th March 2022 GRANT

Change of use of part of the ground floor as an extension to the existing café and minor internal alterations to the ground, first and third floors

23/01123/LBC 24th August 2023 GRANT

Internal works to the Wilson Art Gallery and Museum

3. POLICIES AND GUIDANCE

National Planning Policy Framework

Section 2 Achieving sustainable development

Section 12 Achieving well-designed places

Section 16 Conserving and enhancing the historic environment

Adopted Cheltenham Plan Policies

D1 Design

Adopted Joint Core Strategy Policies

SD4 Design Requirements

SD8 Historic Environment

4. CONSULTATIONS

Building Control

21st May 2026 - This application may require Building Regulations approval. Please contact the office on 01242 264321 or buildingcontrol@cheltenham.gov.uk for further information.

5. PUBLICITY AND REPRESENTATIONS

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

- 5.1** A site notice was posted on 28th May and an advert placed in the Gloucestershire Echo on the same day. No comments were received.

6. OFFICER COMMENTS

- 6.1** The proposal internal refurbishment and exhibition works within the interior of the building have been carefully designed to preserve the significance, character and special architectural interest. The proposal are limited in scope, entirely internal in nature and do not involve any structural intervention.

- 6.2** The proposed alterations adopt a heritage-sensitive approach based upon minimal intervention principles, sensitive fixing methodologies and the protection of historic fabric throughout all of works.
- 6.3** The works will preserve the principal significance of the listed building and will not adversely affect its architectural, historic or communal interest.
- 6.4** The proposed improvements of spatial configuration will represent a betterment for the understanding of the museum and galleries for the local and wider communities. More fundamentally, it represents a significant improved public access to Cheltenham's historic archaeology and social history collections.

7. CONCLUSION AND RECOMMENDATION

- 7.1** The proposed alterations will not harm the historic fabric or architectural integrity of the internal areas affected.
- 7.2** The proposals accord with the above relevant policies. For the above reasons, it is recommended listed building consent is granted.

8. CONDITIONS / INFORMATIVES

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

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

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

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

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

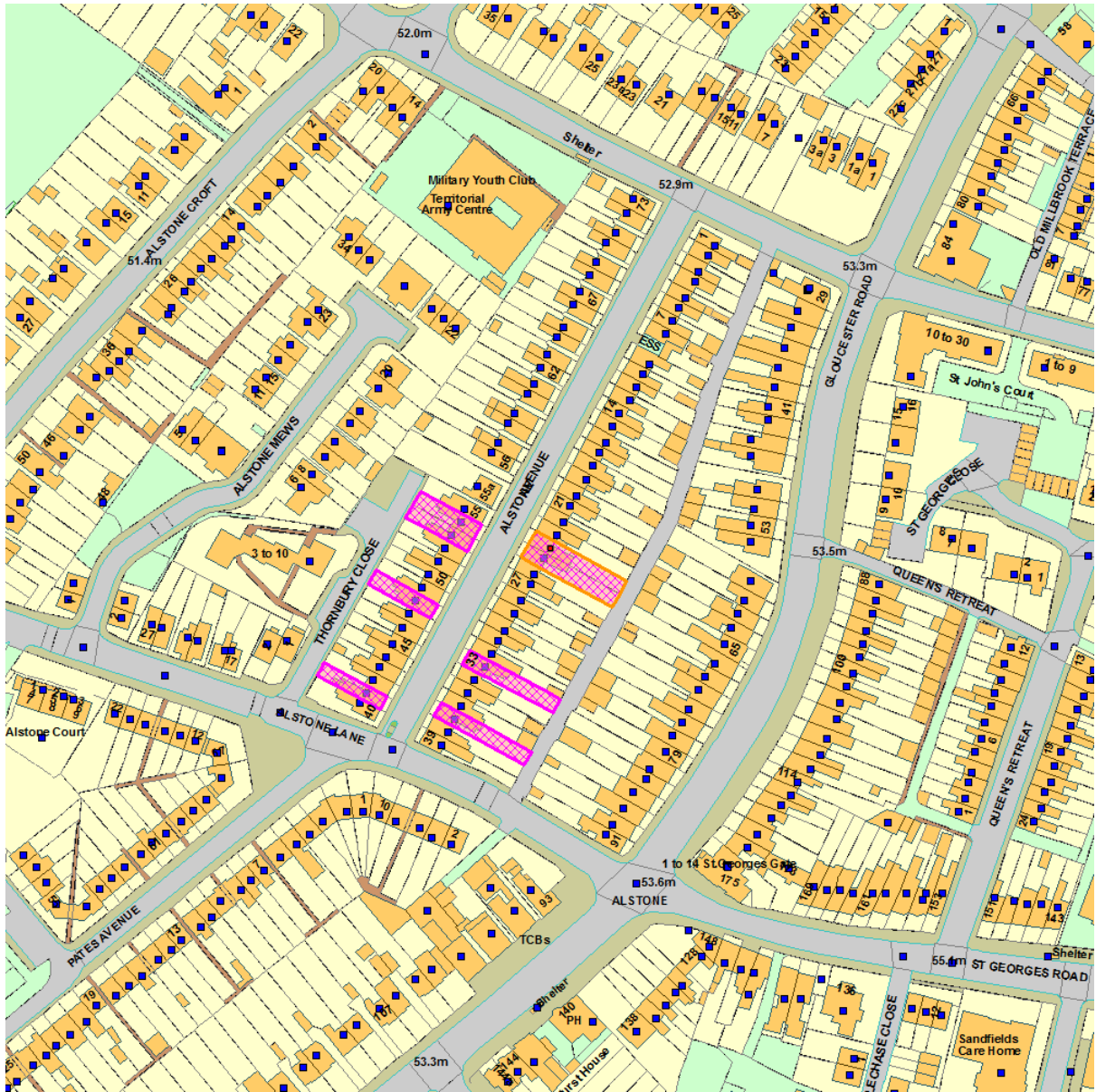
Reason: In the interests of the special architectural and historic qualities of the listed building, having regard to adopted policy SD8 of the Joint Core Strategy (2017), Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and Historic Environment Good Practice Advice Note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

INFORMATIVES

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

APPLICATION NO: 26/00763/FUL		OFFICER: Mrs Victoria Harris
DATE REGISTERED: 15th May 2026		DATE OF EXPIRY: 10th July 2026 Extension of time: 27/07/2026
DATE VALIDATED: 15th May 2026		DATE OF SITE VISIT:
WARD: St Peters		PARISH:
APPLICANT:	Cheltenham Borough Council	
AGENT:	Adapt Architects Ltd	
LOCATION:	24 Alstone Avenue Cheltenham Gloucestershire	
PROPOSAL:	Proposed external rear and side wall insulation with a rendered finish to properties at Nos. 24, 25, 33, 37, 41, 48, 53, and 54 Alstone Avenue.	

RECOMMENDATION: Permit



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application seeks consent for the addition of rear and side external insulation to Nos. 24, 25, 33, 37, 41, 48, 53, and 54 Alstone Avenue.
- 1.2 The plans have been revised in response to concerns raised by officers and neighbours regarding the principle of rendering the front of the properties. The rendering of the front elevations has been omitted from the proposal, with only the side and rear elevations now proposed to be rendered.
- 1.3 The application is being considered by the Planning Committee as Cheltenham Borough Council is both the applicant and the landowner.
- 1.4 Members will likely recall recent applications for similar works to other properties in the town that have also been presented to the Planning Committee. This application forms part of the Council's ongoing programme of upgrades to its housing stock across the town.
- 1.5 An extension of time has been agreed with the applicant's agent to allow the application to be considered by the Planning Committee.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Airport Safeguarding over 45m
Principal Urban Area
Non Contact Residents Association

Relevant Planning History:

None

3. POLICIES AND GUIDANCE

National Planning Policy Framework

Section 2 Achieving sustainable development
Section 4 Decision-making
Section 8 Promoting healthy and safe communities
Section 12 Achieving well-designed places
Section 14 Meeting the challenge of climate change, flooding and coastal change

Adopted Cheltenham Plan Policies

D1 Design
SL1 Safe and Sustainable Living

Adopted Joint Core Strategy Policies

SD3 Sustainable Design and Construction
SD4 Design Requirements
SD14 Health and Environmental Quality

Supplementary Planning Guidance/Documents

Residential Alterations and Extensions (2008)
Cheltenham Climate Change (2022)

4. CONSULTATIONS

See appendix at end of report

5. PUBLICITY AND REPRESENTATIONS

- 5.1** In accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015, letters were sent to all adjoining neighbouring properties. A total of 12 neighbouring properties were notified.
- 5.2** A total of 23 representations were received in response to the publicity. The comments are available to view on Public Access; however, in summary, the issues raised relate to the following:
- Rendering the front of the properties is out of keeping with the character of Alstone Avenue
 - Harm to the character and appearance of Alstone Avenue
 - Loss of important architectural features and traditional materials
 - Alternative sustainability measures should be considered, including solar panels, triple glazing, and internal insulation
 - Not all properties within the terrace received notification letters, and no site notice was displayed
 - Potential disturbance arising from construction works
 - The potential for damp to affect neighbouring properties
- 5.3** Following the receipt of revised plans, 23 neighbouring properties were reconsulted, including those that were not originally notified but had submitted comments.
- 5.4** A total of 2 representations have been received in response to the second round of consultation. The comments are available to view on Public Access; however, in summary, they relate to the following:
- Lack of detail in the submitted information.
 - Potential damp issues.
 - Visual impact of the proposed development.
 - Lack of public consultation.

6. OFFICER COMMENTS

6.1 Determining Issues

- 6.2** The main considerations in relation to this application are the design, the impact of the proposal on neighbouring amenity, and sustainability.

6.3 Revised plans

- 6.4** The application originally proposed external wall insulation with a rendered finish to the front elevations of the properties. This was considered to represent unacceptable development that failed to adequately respond to its context. The introduction of external wall insulation to the front elevations, incorporating a full rendered finish, would have

resulted in a new facing material being introduced to this section of Alstone Avenue, which is otherwise characterised by a consistent appearance of red brick residential properties.

6.5 As a result, the proposal would have failed to respect the prevailing character of the street scene and would have appeared both jarring and incongruous. Furthermore, the use of a rendered finish would have disrupted the visual balance of the terrace and would not be in keeping with the appearance of surrounding properties within the immediate vicinity.

6.6 Revised plans have since been received, and the proposal for wall insulation with a rendered finish to the front elevations has been removed. The application now proposes external wall insulation with a rendered finish to the side and rear elevations only.

6.7 Design and sustainability

6.8 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.’

6.9 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 homes through the inclusion of various technologies and features.

6.10 The application proposes the installation of external insulation to a number of residential properties owned by the Council on Alstone Avenue. The properties subject to this application are two-storey terraced dwellings with pitched roofs, finished in red brick. The proposed insulation has a depth of approximately 100mm and will therefore result in a slight increase to the footprint of the properties.

6.11 The supporting statement explains that an external insulation system has been selected in preference to an internal system in order to minimise disruption to residents. It is also noted that this approach will reduce the risk of potential damp and mould issues in the future. In addition, the statement highlights that the works will assist Cheltenham Borough Council in meeting its target of achieving net zero carbon emissions by 2030 and that the project is supported by the Government’s Social Housing Decarbonisation Fund.

6.12 In terms of design and finish, the proposed works would result in the side and rear elevations of the properties being finished in semi-rough white render.

6.13 A number of properties within the terraces have already been rendered or painted at the side and rear. As such, the proposed changes to the appearance of the properties, arising from the addition of insulation and rendered finishes, would be in keeping with the established character and appearance of the area.

6.14 In terms of sustainability, officers welcome the introduction of external insulation which will improve the thermal performance of the properties and therefore complies with the aims and objectives of Cheltenham’s Climate Change SPD.

6.15 Impact on neighbouring property

6.16 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.

- 6.17** The proposed external insulation has a depth of approximately 100mm and will therefore result in only a marginal increase in the projection of the external walls of the properties. This alteration will have a very limited impact on neighbouring amenity and will not result in any harmful loss of light or outlook. Given the nature of the works, no concerns are raised in respect of privacy.

6.18 Other considerations

Damp

- 6.19** A number of neighbouring properties have raised concerns regarding the potential for damp issues resulting from the proposed external insulation. The applicant's supporting statement advises, *"An external wall insulation (EWI) system has been chosen over internal insulation as disruption to the residents will be limited and the external insulation system significantly reduces the risk of creating consequential damp and mould problems."*
- 6.20** Whilst these concerns are noted, matters relating to dampness or damage to adjoining properties are not material planning considerations and therefore carry limited weight in the determination of this application. Such issues are private civil matters between landowners and may be addressed under the provisions of the Party Wall etc. Act 1996.

Public Sector Equalities Duty (PSED)

- 6.21** 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.
- 6.22** 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.
- 6.23** In the context of the above PSED duties, this proposal is considered to be acceptable.

7. CONCLUSION AND RECOMMENDATION

- 7.1** Having regard to the above assessment, the proposed revised works are considered acceptable in terms of their design, impact on the character and appearance of the area, and effect on neighbouring amenity. The proposal is also considered to accord with the objectives of Cheltenham's Climate Change SPD in relation to sustainability. Accordingly, the recommendation is to grant planning permission, 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 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 cladding of any part of the exterior of the dwellinghouse with insulation, render or tiles, other than that approved as part of this permission, shall be carried out without the prior grant of express planning permission.

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).

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.

Consultations Appendix

Building Control

21st May 2026 - This application may require Building Regulations approval. Please contact the office on 01242 264321 or buildingcontrol@cheltenham.gov.uk for further information.

Ward Councillors

9th June 2026 - I am writing in connection with the above planning application. It is a retrofit of external insulation and cladding to eight local authority houses by Cheltenham Borough Council. This forms part of its contribution to the 2030 net carbon zero target. A number of residents on this street have contacted me as their Councillor for the St Peters Ward. I believe there are material considerations that merit further evaluation with this application. This is why I would like to call-in this application for consideration by the Planning Committee. My reasons for requesting this are as follows:

1. Design, Character and Streetscape - These developments out of keeping with the scale, form, materials, or character of the surrounding area.

Alstone Avenue is not in a conservation area but it is a quiet tree lined street of over sixty Edwardian bay-fronted terraced houses. Despite its uniform appearance there is a mix of privately owned as well as private and local authority rented accommodation. The mix of ownership and tenancy is not immediately apparent as the houses are all of the same design.

The proposed external cladding and render of the eight local authority homes will distinguish between the public and private properties in the area. This will not only affect the heritage impact of this tree lined street but may also affect the cohesiveness of the area by creating a visible difference between public and private housing. At the moment this is not apparent as only one property has (1980's style) cladding.

2. Design - Change in external finish type to render from brickwork.

The application will change the appearance of the eight properties from brick with stone bay windows and opening headers to Semi-rough render on approx 100mm insulation. There will also be smooth render in a contrasting colour to the previously stone areas.

The chosen cladding deviates significantly in style from the existing brick frontages of the street. At the moment only one of the sixty plus homes has cladding on the front. As pointed out by many of the public comments - some of the planning recommendations provided are based upon upgrading Victorian housing. However, as these homes were build circa 1905 then they are Edwardian so alternatives may be more suitable due to different materials or building techniques used.

3. Amenity and Living Conditions

There seems to be three reasons given to justify the choice of external insulation over internal alternatives. These are: the need improve energy efficiency, minimising damp to the property and disruption to tenants. While I recognize that these issues are important, I understand that the energy efficiency as well as damp and mould implications are not appropriate material considerations to be made with regard to this planning application.

I have visited the area myself and noticed that the council properties are well maintained and it seems that the brickwork has recently been re-pointed. I believe that using the chosen external cladding and render will deviate from the cohesive street scene currently visible on the avenue.

The final argument for using external insulation is that it minimises the disruption to tenants. However, I do not believe this is strong enough reason to jeopardise the long-term visual impact of the street.

Conclusion

I object to the above planning application and would like this to be called-in for further consideration by the Planning Committee. I believe the external retrofit of the eight properties is not in-keeping with the design, character and streetscape of this unspoilt Edwardian Avenue.

While I appreciate that the properties are not within a conservation area, this change in external materials is significantly different from the brick fronts that currently exist. At the moment there is no obvious, visible distinction between rental and privately owned properties and this gives a cohesive look to the area. This would not be the case if the proposed materials were used on the eight Cheltenham Borough Council properties. I would also like to mention that the recommendations provided in the application are based upon improvements made to Victorian buildings when in fact these houses were constructed after this period.

Cheltenham Civic Society

9th June 2026 - Comments of the Cheltenham Civic Society on 26/00763/FUL

Proposed external wall insulation with a rendered finish to properties at Nos. 24, 25, 33, 37, 41, 48, 53, and 54 Alstone Avenue.

Numbers 10 -55 Alstone Avenue were built in 1904-1905 as model housing to re-house some of the people displaced by GWR's construction of the Honeybourne Line. The rest of the street was built at a similar time, creating a charming tree-lined street of Edwardian bay-fronted brick houses. Even new infill developments like 55a follow this pattern. This gives an attractive uniformity to the appearance of the street, which is clearly important to its residents. This is demonstrated by the number of objections by neighbours to this application.

The external cladding to several of the houses would significantly spoil the coherence of the street as a whole, creating a patchwork of ill-assorted frontages. As well as losing the detail of the brickwork, the carved stone lintels and sills will be lost.

While we commend Cheltenham Borough Council's aims to improve the thermal properties and energy efficiency of its housing stock, we do not believe that external insulation is the best way to go about it. The thick insulation will not be straightforward to install around the bay windows, downpipes, guttering and sills. And where it joins the neighbouring property, there will be a significant step back.

Not only would the proposed cladding detract from the appearance of the individual houses and the street as a whole, but external cladding has not a good success rate. 98% of houses which had external cladding installed as part of a government scheme have needed repairs, often due to problems with damp. In terraced houses, there is a high likelihood of damp creeping in from the neighbouring brickwork.

We recommend that other methods to improve the energy efficiency of these properties are considered. We also recommend the council seeks the advice of its conservation officers.

Adrian Phillips
Chair CCS Planning Forum
9 June 2026

We should like this to be posted as an Objection to the proposed development

Cheltenham Civic Society

25th June 2026 - We are very pleased to see the revised drawings for this scheme. They represent a good compromise which will still improve insulation of the houses in Alstone Avenue but at the same time will retain the key features of the heritage quality of the properties themselves and the character of the whole street. Congratulations to those who helped to bring about this change in the plans.

APPLICATION NO: 26/00763/FUL		OFFICER: Mrs Victoria Harris
DATE REGISTERED: 15th May 2026		DATE OF EXPIRY : 10th July 2026
WARD: St Peters		PARISH:
APPLICANT:	Cheltenham Borough Council	
LOCATION:	24 Alstone Avenue Cheltenham Gloucestershire	
PROPOSAL:	Proposed external rear and side wall insulation with a rendered finish to properties at Nos. 24, 25, 33, 37, 41, 48, 53, and 54 Alstone Avenue.	

REPRESENTATIONS

Number of contributors	23
Number of objections	22
Number of representations	1
Number of supporting	0

Eddington
66 Alstone Avenue
Cheltenham
Gloucestershire
GL51 8EJ

Comments: 1st June 2026

This scheme seems bizarre. Alstone Avenue was built for GWR staff circa 1905, so it's Edwardian, not Victorian. The houses use beautiful high-quality red facing bricks; they don't need painting, pseudo-stone-slabbing (No. 19), or rendering with experimental silicon. The scheduled properties have evidently been repointed and double-glazed. Rendering will not make their inhabitants any warmer or help to save the planet; it will merely disrupt the remaining architectural unity of our street. It's astonishing in these hard times that public money can still be spent on what some might call a vanity project. But if it's a case of use-it-or-lose it, wouldn't solar panels be more net-zero productive, or triple glazing?

Not everyone may agree with me. Unfortunately, few residents of the Avenue seem to have been sent the Council's letter detailing this very brief consultation. I found out only by chance. Why? And why is our borough councillor mis-identified, fully a fortnight after the local elections? It looks like carelessness. Clearly the consultation needs to be restarted, with all residents put fully in the picture by letter and given ample time to comment. Meanwhile, yes, I OBJECT.

Winston
61 Alstone Avenue
Cheltenham
Gloucestershire
GL51 8EJ

Comments: 6th June 2026

There are several reasons why I object to this proposal. It is clearly not in keeping with the remainder of the properties, (with the exception of 19 which was completed many years ago and detracts from its surroundings). Preserving the appearance of architecture by Cheltenham Borough Council has to go beyond the Promenade, Leckhampton and Pittville and The Park, otherwise it smacks of not caring what happens in parts of town that are not so prominent.

There would be upheaval, mess and potential danger to the general public with multiple works going on whilst parents and children amongst us other adults, have to walk on the pavements past these places and the vans/lorries that will be necessary for the work. Increased traffic is inevitable and a hazard in such a narrow and busy road.

With parking so limited, I foresee the road being blocked for periods which could lead to back ups into the surrounding Arle Road.

If there is a robust and proven benefit which has been fully considered, all residents should have the opportunity to read it. I would ask the council consider the application carefully taking into account the people they are supposed to serve. As a minimum keep all residents informed so a full and proper debate can be had.

22 Alstone Avenue
Cheltenham
Gloucestershire
GL51 8EH

Comments: 6th June 2026

22 ALSTONE AVENUE, CHELTENHAM, GL51 8EH

Dear Planning Officer

I wish to object in the strongest terms regarding the above planning application for the proposed external wall insulation and cladding to 8 random properties identified in Alstone Avenue.

Having just returned from holiday, my wife found out, by chance from a neighbour, about the proposed planning applications. No notification was received through our door, despite two of the properties being very near, and no notices have been posted on any lamp posts along the street. This information deficit has marginalised the community, violated their rights and treated all of us with contempt. How many houses did you actually notify about these proposals?

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Alstone Avenue is a great example of an Edwardian Street with architectural cohesion and integrity. This attractive façade lends great character to the area, which will be destroyed by a hideous hotchpotch of inappropriate building work, destroying all the original historic external features. The negative impact will be palpable.

I agree in every particular with the letters of objection from Nos 29, 39, 55, 66 Alstone Avenue and Comment submitted Sat 23 May 2026, who have outlined with clarity the reason why this planning application should be refused. Indeed, like them, I have no objection to insulating the houses concerned to make them more thermally efficient, but this work should be done internally, which would be simpler, quicker and cheaper.

If this planning application does get passed, I will be seeking legal redress regarding the ultra vires nature of the procedures you have followed in this case. including judicial review.

Yours faithfully

25 Alstone Avenue
Cheltenham
Gloucestershire
GL51 8EH

Comments: 9th June 2026

As a tenant of one of the properties listed, I wish to formally object to the proposed works.

Neighbours have pretty much covered everything in their comments here and I absolutely agree with each and every one.

I haven't been issued with a great deal of information about the planned works. On trying to reach out to the sender's of the few letters about this, I have had no response to emails or phone calls.

As a tenant, I am unsure of my rights to refuse the planned works but if I am able to do so, this is my plan going forward.

40 Alstone Avenue
Cheltenham
Gloucestershire
GL51 8EJ

Comments: 30th June 2026

As neighbours to No 41 Alstone Avenue we object to the revised plans to the rear of the property. The application of silicone insulation and render to the walls that adjoin our property will mean a protrusion next to the bedroom at the rear of our home (No 40) and could result in moisture running off the walls and travelling to the brickwork of our property.

In addition the visual impact of the difference between the two properties will degrade the aesthetic of the area.

We would ask the Council members to reconsider the method proposed to improve energy efficiency in these properties.

We also wish to register our concern that full consultation with all residents has not taken place. No signs in the Avenue and only limited communication with properties adjoining the council owned houses.

Comments: 6th June 2026

Reasons for objection

We oppose this planning application on the following grounds:

- PHYSICAL IMPACT ON OUR PROPERTY - The proposed insulation and render will protrude several inches from the brickwork that is interwoven with our property.

This will disrupt both the visual line of the terrace but also mean changes in how moisture travels off the face of the buildings. This risks ingress of damp that could travel through the brickwork and damage our property.

- VISUAL IMPACT - The visual impact on the street will be inconsistent with the heritage and ambient environment of Alstone Avenue.

The frontages of all the houses on the street are exposed red brick. Any interspersions of single cladded houses will permanently disrupt the visual continuity and will encroach on the view from my own house and on other residents' with different aspects at other locations.

- IMPROPER AND INSUFFICIENT CONSULTATION - There has been no public notices either in local media or on notices in the street informing residents of this proposal.

Notwithstanding that fact that there may be a provision in the Town and Country Planning (Development Management Procedure) Order 2015 , to only inform adjoining owners or occupiers (see below), I know that the occupier of No 42 Alstone Avenue has not received notice. Therefore, the applicants have not even fulfilled the bare minimum requirements.

(5) [F5In a case to which paragraphs (1A), (2), (4) and (4A) do not apply the application must] be publicised in accordance with the requirements in paragraph (7) and by giving requisite notice-

(a)by site display in at least one place on or near the land to which the application relates for not less than 21 days; or

(b)by serving the notice on any adjoining owner or occupier.

Even the tenants of the council-owned properties affected have not been told about the planned work.

Given the scale and impact of the proposed development it is iniquitous that other residents in the street were not properly informed and given the opportunity to comment.

Therefore we oppose this application and request the council reconsider where it applies the budget for this type of work.

49 Alstone Avenue
Cheltenham
Gloucestershire
GL51 8EJ

Comments: 8th June 2026

I wish to object to this application. The proposed changes would have a significant detrimental effect on the character and appearance of Alstone Avenue. This is a distinctive Edwardian residential street defined by its consistent red brick facades and traditional architectural features, which have been maintained for over 120 years.

Rendering a handful of scattered properties along the terraces would create a fragmented appearance and irreversibly harm its historic character.

I would also echo neighbour's concerns that residents have not been meaningfully consulted or notified of the proposal, with no signs having been put up along the street that I am aware of.

I would request that the council give proper consideration to options such as internal insulation and other energy efficiency measures, to achieve environmental benefits without permanently damaging the external appearance of the buildings and street.

52 Alstone Avenue
Cheltenham
Gloucestershire
GL51 8EJ

Comments: 9th June 2026

As home owners on Alstone Avenue we strongly object the proposal.

The proposed cladding will have significant negative visual impact of the street of Edwardian red brick terraces, spoiling its cohesiveness and overall appearance.

From the planning, the proposed rendering appears to protrude significantly which will look unsightly against the adjoining red brick houses.

We strongly request the council explore an alternative option.

55 Alstone Avenue
Cheltenham
Gloucestershire
GL51 8EJ

Comments: 30th June 2026

Councils in this country have an appalling track record of installing external cladding to their property portfolios. I reference the tragic event of Grenfell Tower in 2017.

There is still no mention of which specific products will be used nor the final colour.

An architect and the applicant have put 15 words into their proposed materials and colours section of the application. Non of which tell anybody either the colour or the materials proposed. One of their words is not even in the English language. This illustrates the level of their competence.

What warranty will be provided to neighbours that any works will not cause damp issues in neighbouring properties?

98% of houses that were externally clad under a Government scheme have had issues with damp.

What makes this scheme any different?

Comments: 28th May 2026

Putting up external render at the front of 8 properties in a road of 70 plus houses brick built houses will look absolutely awful.

It will totally change the rhythm and character of Alstone Avenue.

The front of the houses could easily be insulated by simply putting the insulation on the inside of the properties. This would result in minimal disruption for the tenants as only 1 wall in each of 2 rooms plus a small area over the front door will be affected.

This would eliminate the costs of scaffold, having to remove the existing gas meters and associated gas pipework, having to re install the gas meters and new gas pipework post application of the external insulation that would be incurred if putting the insulation externally was chosen.

Also any future change of windows or doors will result in parts of the insulation having to be removed and subsequently replaced if applied externally.

19 Alstone Avenue has externally applied faux Cotswold Stone work on its front elevation. In my opinion it looks absolutely awful.

Alstone Avenue does not need another 8 properties looking so out of character.

I therefore absolutely OBJECT to this application.

Comments: 23rd May 2026

How will the 100mm insulation plus render look like when viewed from other terraced houses that are not having this external insulation applied?

The planning application states that " Smooth render in cintrasting colour to previous stone areas" will be applied.

What does this actually mean?

Which product will be used?

23 Alstone Avenue
Cheltenham
Gloucestershire
GL51 8EH

Comments: 8th June 2026

Dear Planning Officer,

We strongly object to this proposed rendering of properties along Alstone Avenue.

The Edwardian red brick is integral to maintaining the look and aesthetic of our road. Rendering of only some of the houses will make it alter their appearance and result in the loss of important architectural features.

Yours faithfully,

26 Alstone Avenue
Cheltenham
Gloucestershire
GL51 8EH

Comments: 6th June 2026

I wish to formally object to the proposal to install external wall insulation with a rendered finish to properties at Nos. 24, 25, 33, 37, 41, 48, 53 and 54.

Whilst I am keen to reduce carbon emissions and understand the importance of keeping the councils housing stock improved, I believe that the proposed works would do so to the complete detriment of the surrounding properties and cause irreversible harm to the character and appearance of the street and surrounding area.

The properties concerned form part of a red brick construction. The uniformity, texture, colour and architectural detailing of the original brickwork contribute significantly to the visual character and historic identity of the area. Covering these buildings with modern rendered external wall insulation would fundamentally alter their appearance and result in the loss of important architectural features and traditional materials.

The proposal would create a stark visual contrast between rendered properties and neighbouring brick-built homes, leading to a fragmented and inconsistent street scene. Such changes risk eroding the historic character of the area and setting an undesirable precedent for the incremental loss of traditional architecture.

I am also concerned that alternative methods of improving thermal performance may not have been adequately explored. Internal insulation, loft insulation upgrades, improved glazing, floor insulation and other energy-efficiency measures may achieve environmental benefits whilst preserving the external appearance of these historic buildings.

Furthermore, residents and neighbouring property owners appear not to have been meaningfully consulted before the proposal was brought forward. I live quite literally attached to one of these buildings and received no visit or consultation.

Given the substantial visual impact on the local environment, greater community engagement should have taken place at an earlier stage to allow concerns and alternative approaches to be properly considered.

The planning authority has a duty to balance environmental objectives with the preservation and enhancement of local character. In my view, this proposal fails to strike that balance and would result in unnecessary harm to the appearance and heritage value of the area.

For these reasons, I respectfully request that planning permission be refused, or that the applicant be required to explore alternative energy-efficiency measures that preserve the original red brick façades and the character of the street.

Yours faithfully,

Number 26

36 Alstone Avenue
Cheltenham
Gloucestershire
GL51 8EH

Comments: 6th June 2026

he street has a distinct architectural style that contributes to the overall appearance and character of the area. The unconsulted rendering works not only affect the visual cohesion of our street but may also impact property values and the community's sense of ownership and involvement in local planning decisions.

While I understand that the necessary approvals may have been granted, I am disappointed that local residents were not adequately consulted or informed before these significant changes to the appearance of our street were approved. The properties form part of a well-established streetscape, and alterations of this nature have a noticeable impact on the character and visual consistency of the area.

Many residents only became aware of the proposal after talking to other neighbours, leaving little opportunity for meaningful engagement or for concerns to be raised and considered. Regardless of whether the development complies with planning requirements, the absence of consultation has left residents feeling excluded from decisions that affect the appearance of their neighbourhood

My concern is not simply that the works have been approved, but that residents were not given a meaningful opportunity to understand or comment on changes that will have a lasting impact on the character of our street.

In addition to concerns about the character of the street, many residents are worried that these changes may have a negative effect on the desirability of the area and,

consequently, on local property values. Whether or not such an impact ultimately materialises, it is a matter of genuine concern for homeowners who have invested significantly in their properties and the appearance of the neighbourhood.

38 Alstone Avenue
Cheltenham
Gloucestershire
GL51 8EH

Comments: 8th June 2026

I have lived (and continue to live) at 38 Alstone Avenue for over 50 years. My property adjoins to one contained within the proposal.

I strongly object to this application.

The Cheltenham Borough Local Plan states 'The Government places emphasis on the promotion of good design, both for individual buildings and urban design'.

I do not agree that this application will improve the quality of the existing environment. In fact, I would argue that it will detract from any enhancement to the aesthetics of the Avenue, namely the original character and identity will NOT be retained.

Furthermore, the Joint Core Strategy, prepared within the context of national policy, looks to reflect the priorities of both Government and residents alike, again having regard to the local characteristics that make up an area.

In conclusion, the Cheltenham Sustainable Community Strategy Vision 2008-2028 refers to 'cherishing heritage'.

While energy efficiency improvements are of course desirable, care MUST be taken to ensure that any marginal gains (limited to 8 houses) do not come at the expense of the visual integrity of the entire Avenue.

29 Alstone Avenue
Cheltenham
Gloucestershire
GL51 8EH

Comments: 2nd June 2026

It is an absolute travesty that this is being considered. These house were built circa 1905 and Alstone Avenue is a great example of an Edwardian Street in Cheltenham. We should be preserving the history of our street not damaging it. Also the fact that the whole street has not been notified and no site notices have been erected is completely wrong.

Why are you trying to make these changes on the sly? There are so many better, more environmentally friendly, non-intrusive ways to insulate these houses. Furthermore, surely there are better things that the council can spend their money on to help people in the current economic climate we are facing. I am so very disappointed about this proposal.

36 Alstone Avenue
Cheltenham
Gloucestershire
GL51 8EH

Comments: 6th June 2026

I am writing to formally object to the proposed external rendering works planned for properties within our street.

As residents of a designated conservation area, we have a reasonable expectation that any alterations to the appearance of our homes will preserve and respect the character and historic significance of the area. The proposed rendering would significantly alter the appearance of the properties and, in my view, have a detrimental impact on the character and visual appeal of the street. The existing brick façades are an important feature of the area, and covering them with render would remove the traditional appearance that contributes to the conservation area's identity.

I am also concerned that the information provided in support of the scheme contains factual inaccuracies regarding the design and construction of the properties. Decisions of this nature should be based on accurate and transparent information, and I would ask that these details are reviewed thoroughly before any further action is taken.

Furthermore, there are technical concerns regarding the suitability of rendering traditional brick-built properties. Brickwork is designed to be breathable, allowing moisture to evaporate naturally. Applying render to the external walls may affect this breathability and could increase the risk of trapped moisture, damp issues, and deterioration of the building fabric over time if not appropriately specified and maintained. Given the age and construction of many of the properties involved, these concerns should be carefully considered.

A further significant concern is the apparent lack of consultation with council tenants and residents. To the best of my knowledge, residents have not been adequately informed of the proposals, given the opportunity to ask questions, or consulted on a scheme that will substantially affect their homes and the appearance of the neighbourhood. It is disappointing that such major changes are being proposed without meaningful engagement with those who will be directly affected.

Given the potential impact on the conservation area, the concerns regarding the suitability of rendering brick-built properties, the factual inaccuracies within the proposal, and the absence of resident consultation, I respectfully request that the council pauses the scheme and undertakes a full review. This review should include proper consultation with residents, a transparent assessment of alternative options, and a detailed explanation of how the proposal complies with conservation area requirements and planning policies.

70 Alstone Avenue
Cheltenham
Gloucestershire
GL51 8EJ

Comments: 6th June 2026

Dear Planning Officer,

We wish to formally object to the above planning application.

Whilst we support measures to improve energy efficiency and reduce carbon emissions, assuming the proposal is partly linked to the forthcoming introduction of EPC ratings of C or above for let properties. We have significant concerns regarding the impact this proposal would have on the character, appearance, and historical integrity of Alstone Avenue. We sincerely hope that alternative options, of which there are many are sought instead.

As an important point of correction to the submission details, Alstone Avenue is a distinctive Edwardian residential street rather than Victorian as cited. These properties hold deep local historical value, having been originally constructed as homes for local railway workers, that contribute to the positive sense of place and local identity. The avenue retains a strong architectural footprint through the consistent use of exposed red brick, traditional bay windows, chimney stacks, and uniform building lines. These features combine to create a cohesive, attractive, and historically significant streetscape which is one of the defining characteristics of the area.

Planning policy dictates that design solutions must be grounded in a thorough understanding of the local site and its distinctiveness, rather than applying a detached, one-size-fits-all digital model to a historic streetscape. The introduction of silicone render would therefore represent a significant and damaging departure from the established historic appearance of the street. The proposed properties are not grouped together in a single block; instead, they are scattered randomly on both sides of the avenue, interspersed among privately owned homes. As a result, the visual impact would not be confined to one location but would create an unsightly, fragmented "checkerboard" effect experienced along the entire length of the street. This would permanently fracture and erode the consistent red-brick character that currently unifies Alstone Avenue.

We request that this application be formally reviewed by the local Conservation Officers. The exposed red-brick façades and railway heritage are defining features of our street and the proposal would result in an unnecessary, harmful, and irreversible erosion of that character.

We therefore respectfully request that planning permission be refused as there are other options available to achieve what is required.

Sincerely,
No 70

39 Alstone Avenue
Cheltenham
Gloucestershire
GL51 8EH

Comments: 3rd June 2026

Re: Planning Application 26/00763/FUL - Proposed External Wall Insulation and Rendered Finish at 24, 25, 33, 37, 41, 48, 53 and 54 Alstone Avenue, Cheltenham

Dear Planning Officer,

I wish to formally object to the above planning application.

Whilst I support measures to improve energy efficiency and reduce carbon emissions, I have significant concerns regarding the impact this proposal would have on the character and appearance of Alstone Avenue.

Alstone Avenue is a distinctive Victorian residential street characterised by a long and largely uninterrupted run of traditional red-brick terraced housing. The avenue retains a strong architectural identity through the consistent use of exposed red brick, traditional bay windows, chimney stacks and uniform building lines. These features combine to create a cohesive and attractive streetscape which is one of the defining characteristics of the area.

The proposal seeks to apply external wall insulation and a rendered finish to a number of properties distributed throughout the avenue. There are currently no rendered properties within Alstone Avenue. Whilst a small number of houses have painted brickwork, these properties still retain their original architectural form and detailing. The introduction of rendered elevations would therefore represent a significant departure from the established appearance of the street.

I am particularly concerned by the cumulative impact of the proposal. The affected properties are not grouped together but are located at various points throughout the avenue. As a result, the visual impact would be experienced along the length of the street rather than being confined to one location. This would gradually erode the consistent red-brick character that currently defines Alstone Avenue.

In addition to changing the appearance of the properties, external wall insulation increases the thickness of external walls. This can alter the depth of window and door reveals, change the appearance of bay windows and obscure or diminish architectural details that contribute to the character of Victorian buildings. Such alterations risk creating a flatter and less authentic appearance and can disrupt the uniform building line that currently exists along the terrace.

The street benefits from long views in both directions, meaning any alterations to materials, finishes and building profiles are highly visible. The proposed rendered properties would therefore be prominent within the street scene and would appear visually at odds with the prevailing character of the avenue.

There is already an example of an externally clad property within the street, which demonstrates how alternative external finishes can appear visually discordant within an

otherwise cohesive red-brick Victorian streetscape. This proposal would extend that visual impact across multiple locations throughout the avenue.

I respectfully request that the Council carefully consider the cumulative impact of this proposal on the character and appearance of Alstone Avenue. The exposed red-brick façades are a defining feature of the street and contribute significantly to its sense of place and architectural identity. In my view, the proposal would result in an unnecessary and harmful erosion of that character.

Should the Council be minded to approve the application, I request that detailed consideration be given to the visual impact of the increased wall thickness, the treatment of window and door reveals, the retention of architectural detailing, and the colour, texture and finish of the proposed render.

For the reasons outlined above, I respectfully request that planning permission be refused.

Yours faithfully,

39 Alstone Avenue
Cheltenham
GL51 8EH

30 Painswick Road
Cheltenham
Gloucestershire
GL50 2HA

Comments: 4th June 2026

This is a remarkably attractive Edwardian Street, characterised by its uniformity, its restrained design and its street trees. While I fully support the efforts of the council to promote energy efficiency, its commitment to net zero and the creation of warmer homes, this scheme will disrupt the appearance of Alstone Avenue. I would suggest that the council seek the advice of the Conservation Officer and explore with him if there is a less damaging way of doing this work - making its residents warmer whilst keeping the character of the street.

13 St Pauls Parade
Cheltenham
Gloucestershire
GL50 4ET

Comments: 9th June 2026

The proposed cladding will significantly alter the appearance of this tree-lined street of Edwardian brick terraces, spoiling its cohesiveness.

I hope the council will explore alternative measures to improve the heating efficiency of these houses which will not have such a negative effect on the appearance of the street.

A conservation area review is currently underway, and a local listing exercise is imminent. Alstone Avenue should be considered by both of those of deserving of the additional protection give by these designations.

29 Alstone Avenue
Cheltenham
Gloucestershire
GL51 8EH

Comments: 2nd June 2026

I wish to register a strong objection to the above planning application on the grounds of procedural irregularities, factual inaccuracies, technical risks, harm to the character of the street, and the negative impact on neighbouring property values.

1. Procedural Failures and Potential Invalidity

1.1 Incorrect Ownership Certification

The application treats the eight properties as if they are all owned by Cheltenham Borough Council. While CBC does own these specific dwellings, the remainder of Alstone Avenue is privately owned. The works will materially affect the setting, appearance, and value of these private homes.

Despite this, Certificates B, C, and D have not been completed, and no evidence is provided that other affected owners were notified. This raises serious concerns about the validity of the application.

1.2 Lack of Proper Publicity

No site notices have been posted, and only a very small number of residents appear to have been notified. Given the scale and visibility of the proposed works, this is contrary to the requirements of the Town and Country Planning (Development Management Procedure) Order 2015.

This alone is grounds for the application to be invalidated.

2. Factual Inaccuracies in the Design & Access Statement

The Design & Access Statement claims:

"The Alstone Avenue properties are traditional brick Victorian housing."

This is incorrect.

2.1 Actual Construction Date

The houses were built around 1903/ 1905, placing them in the Edwardian period, not the Victorian era. This matters because:

- a) Edwardian brickwork uses different materials and construction methods.
- b) The architectural character is distinct and should be preserved.
- c) The technical behaviour of Edwardian solid brick walls differs from Victorian construction.

The misidentification of the buildings' age undermines the credibility of the applicant's technical assumptions, including breathability, moisture behaviour, and the suitability of silicone render.

3. Internal vs External Insulation - The Applicant's Claims Are Not Evidenced
The Design & Access Statement asserts that external insulation is preferable because internal insulation is more disruptive and more likely to cause damp. This is not supported by evidence.

3.1 Edwardian Solid Brick Walls Require High Breathability
The Statement itself acknowledges:

"The finish of the external wall insulation significantly impacts on the breathability of the walls."

Edwardian solid brick walls rely heavily on vapour permeability. Applying silicone render over insulation:

- a) Reduces breathability
- b) Alters the moisture balance
- c) Risks trapping moisture
- d) Can accelerate freeze-thaw damage in older bricks

Given that many properties on the street already suffer from damp, this risk is significant.

3.2 Internal Insulation May Be Safer and More Appropriate
Breathable internal insulation systems (e.g., wood fibre boards, lime plaster) can:

- a) Preserve the external appearance
- b) Maintain the historic brick façade
- c) Allow vapour to diffuse safely
- d) Avoid trapping moisture externally
- e) Be installed selectively in problem rooms
- f) And be a significantly cheaper and less disruptive alternative.

The applicant has not demonstrated that internal insulation was properly assessed or ruled out.

3.3 Disruption to Residents Is Not a Planning Justification
The unjustified and incorrect claim that internal insulation is more disruptive is not a material planning consideration. It does not justify:

- a) Harming the character of the street
- b) Risking moisture problems in 120-year-old brickwork
- c) Reducing neighbouring property values

3.4 No Moisture or Damp Risk Assessment Provided
Given the age of the buildings and existing damp issues, the absence of hygrothermal modelling is a serious omission.

4. Harm to the Character and Appearance of Alstone Avenue
4.1 Loss of Original Edwardian Brickwork

The brick façades are a defining feature of the street. Rendering over them will:

- a) Permanently erase original materials
- b) Introduce a finish not present elsewhere
- c) Damage the architectural coherence of the road

4.2 Fragmentation of the Streetscape

The eight houses are not adjacent. Rendering them will create a patchwork effect, disrupting the visual rhythm of the street and harming its aesthetic value.

4.3 No Colour or Material Controls

The application does not specify:

- a) Render colour
- b) Texture
- c) Reflectivity
- d) Weathering behaviour

This is unacceptable for a development affecting the public realm.

5. Environmental and Technical Risks

5.1 Moisture Trapping and Damp

Silicone render, while more breathable than brick slips, is still less breathable than exposed brick. Without detailed modelling, the risk of:

- a) Trapped moisture
- b) Freeze-thaw damage
- c) Mould growth
- d) Internal damp

cannot be dismissed.

5.2 Biodiversity

No ecological assessment has been provided, despite the likelihood of nesting birds and vegetation disturbance during scaffolding and works.

6. Cultural and Historical Considerations

Even though the street is not in a conservation area, the houses form part of Cheltenham's early 20th-century suburban heritage. The consistent brick façades contribute to:

- a) The character of the neighbourhood
- b) A sense of place
- c) The architectural coherence of the street

Rendering eight scattered houses undermines this.

7. Impact on Neighbouring Property Values

Rendering council-owned houses in a street of predominantly brick private homes will:

- a) Reduce visual cohesion
- b) Create an inconsistent appearance

c) Potentially depress the value of neighbouring properties

This is a material planning consideration.

8. Alternatives Not Adequately Explored

The applicant has not demonstrated that:

- a) Internal insulation was properly evaluated
- b) Partial or rear-only insulation was assessed

The proposal appears driven by convenience rather than suitability.

Conclusion

This application is procedurally flawed, factually inaccurate, technically incomplete, and harmful to the character, environment, and value of Alstone Avenue. The misidentification of the houses as Victorian and the unsubstantiated dismissal of internal insulation further undermine the credibility of the proposal.

I therefore request that Cheltenham Borough Council:

- a) Invalidate the application due to incorrect ownership certification and inadequate neighbour notification.
- b) Require a full damp and moisture risk assessment.
- c) Require a streetscape and character impact assessment.
- d) Require proper evaluation of internal insulation alternatives.
- e) Refuse the application unless the applicant can demonstrate that the works will not harm the character, environment, or value of the surrounding homes.

50 Alstone Avenue
Cheltenham
Gloucestershire
GL51 8EJ

Comments: 6th June 2026

I am very concerned about these plans and the impact on the street. Firstly I was completely unaware of this application and would not have known about it had one of the other residents not mentioned it to me. Given the impact of the changes surely all residents should have been properly informed to allow them the opportunity to raise objections. I have not seen any signs on the street and have had no formal information through my door.

Alstone Avenue is a beautiful street of Edwardian properties. The uniform look of the houses, keeping their original historic appearance, is part of the charm. It would have a significant detrimental effect should random houses have the frontage suddenly changed. I understand the reasons for the change and like others support looking at ways to improve energy efficiency, however I believe there are other ways this can be managed which would not affect the external appearance.

21 Alstone Avenue
Cheltenham
Gloucestershire
GL51 8EH

Comments: 8th June 2026

I would like to strongly register my objections to the Proposed External Wall Insulation and Rendering of 8 properties in Alstone Avenue.

Whilst I agree with the principles of making our home more energy efficient I do not agree with defacing our 130 year old Edwardian tree lined avenue. I am disappointed that the Council did not see fit to inform all residence of this avenue of their intentions to change the nature and aesthetics of this well preserved set of Edwardian houses.

Before I was informed by a neighbour a couple of days before the deadline to comment on this proposal, I had no idea which houses we inhabited by council tenants. This proposal would see the council houses standing out like a sore thumb. I am not sure if this is what council tenants would wish.

I would therefore ask the council to seek advice on alternative ways to insulate these homes without vandalising the exterior appearance. I would also like the Council to give the same consideration to conserving the appearance of our street as it would a to more affluent part of the town.

44 Alstone Avenue
Cheltenham
Gloucestershire
GL51 8EJ

Comments: 7th June 2026

I strongly object to this proposal.

The charm & character of Alstone Avenue lies in the uniform red brick houses. It's what appealed to us when we purchased our house over 40 years ago. A tree lined Avenue of red brick houses was the description. Doesn't have quite the same ring to it when you add 8 sporadic rendered properties. It will definitely spoil the overall appearance of the whole street.

I'm surprised that not all residents were informed considering the impact this will have.

7 Alstone Avenue
Cheltenham
Gloucestershire
GL51 8EH

Comments: 8th June 2026

Dear To Whom It May Concern,

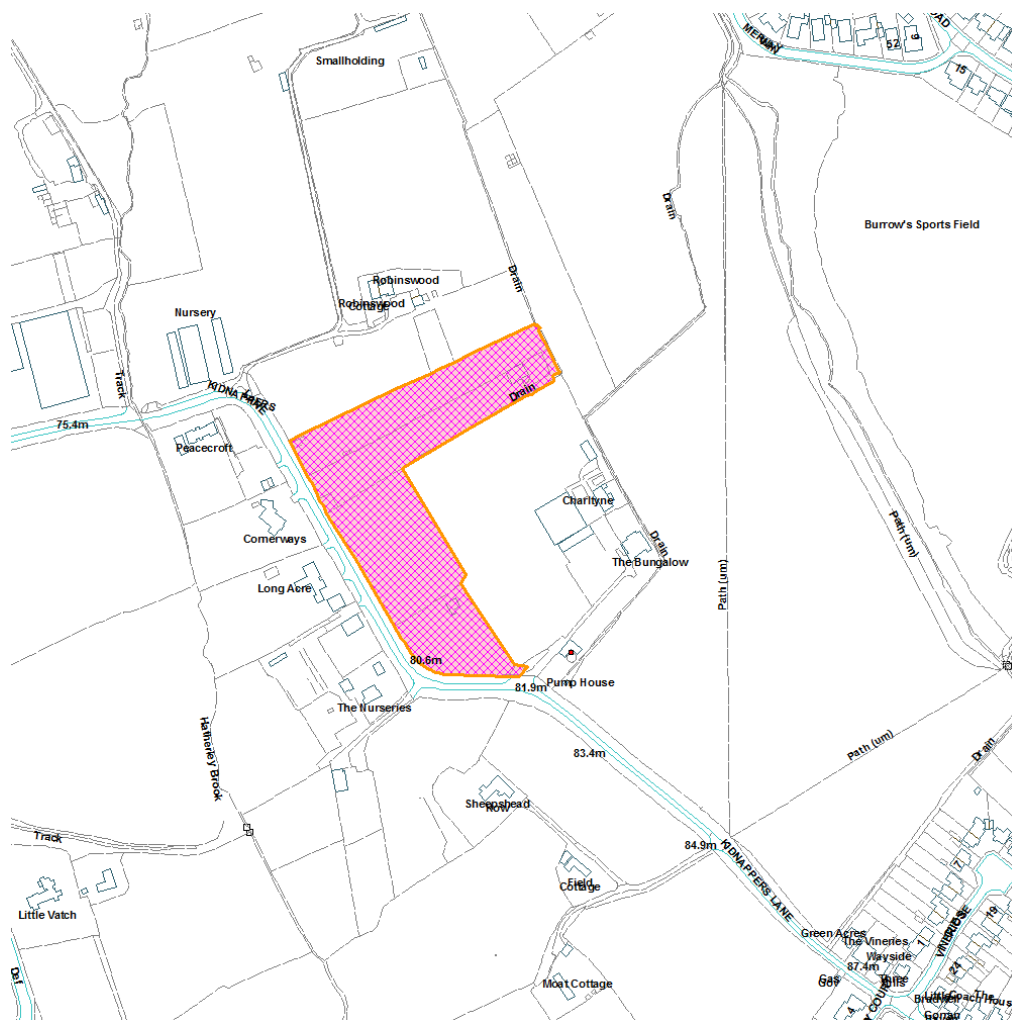
We strongly object to this proposed rendering of properties along Alstone Avenue. The Edwardian red brick is integral to maintaining the look and aesthetic of our road. Rendering of only some of the houses will make it look disparate.

Yours faithfully,

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APPLICATION NO: 25/01073/FUL	OFFICER: Michelle Payne
DATE REGISTERED: 10th July 2025	DATE OF EXPIRY: 9th October 2025 (extension of time agreed until 31st July 2026)
DATE VALIDATED: 10th July 2025	DATE OF SITE VISIT:
WARD: Leckhampton	PARISH: Leckhampton with Warden Hill
APPLICANT:	Newland Homes Ltd
AGENT:	N/A
LOCATION:	Land 1 Off Kidnappers Lane Cheltenham
PROPOSAL:	Residential development of 21no. zero carbon dwellings with associated access and internal roads, parking, landscaping, and other associated works and infrastructure.

RECOMMENDATION: Permit subject to conditions and s106 agreement



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The site comprises a 1.74 hectare, L-shaped parcel of land and is located to the south of Cheltenham outside of the Principal Urban Area (PUA), on the eastern side of Kidnappers Lane. The site wraps around the north and western boundaries of a site recently developed for housing by the applicant; outline planning permission (19/00334/OUT) for up to 25 dwellings having been granted on appeal in March 2020. A subsequent reserved matters application (21/00847/REM) for 22 houses was approved in January 2022. More recently, planning permission (22/00535/FUL) was granted for an additional 5 houses on an adjoining parcel of land.
- 1.2 Residential properties and a children's day nursery are located on the opposite side of Kidnappers Lane, with an additional 13no. dwellings currently being built out by the applicant on 'The Nurseries' site to the south-west (22/02205/FUL). Leckhampton High School lies beyond and forms part of the wider MD4 allocation for mixed-use development within the Cheltenham Plan. The remainder of the allocated site to the north of Kidnappers Lane is currently being developed for housing by Miller Homes; planning permission (20/01788/FUL) for 350 new homes having been granted on appeal in February 2024.
- 1.3 A large parcel of land to the north, south and east of the site is designated Local Green Space.
- 1.4 The applicant, Newland Homes Ltd, seeks full planning permission for a residential development of the site comprising 21no. zero carbon dwellings with associated access and internal roads, parking, landscaping, and other associated works and infrastructure. The scheme includes a 40% provision of affordable dwellings (8 units). The application has been submitted following an earlier pre-application enquiry. The applicant also sought highways pre-application advice from the County Council.
- 1.5 Revised plans have been submitted during the course of the application, and these are discussed in the report below.
- 1.6 In addition to drawings, the application has been accompanied by a number of detailed reports and statements some of which have been revised/addended during the course of the application; all of the documents have been published on the Council's website (and marked superseded where appropriate).
- 1.7 The application is before the Planning Committee at the request of Cllr Horwood whose request is copied below; additional comments from Cllr Horwood can be found in the Consultations Appendix at the end of the report:

I would like to call this application in to committee please.

*This is because it is a very significant development for Leckhampton and for the reasons given in ***** email below.*

He is correct by the way that the May meeting with the parish council was in the form of a presentation at full council (actually 14 May not 16 May) with an informal discussion and was not a formal decision-making meeting. The PC planning committee to consider this application is taking place on 31 July.

****** is quite right that this development is very relevant to policies in the emerging Neighbourhood Plan for Leckhampton and Warden Hill which is now at examination stage and should therefore be given very significant weight. Policies LWH5 on valued landscape is relevant as he says, but Policy LWH4 on green infrastructure and the related Appendix specifically identifies the land in question as including important green infrastructure even if development proceeds, and also*

Policy LWH1 on community facilities which affects this development as sufficiently far from any other community facilities and therefore obliged to include some in their development.

So this is an important test case for the application of Neighbourhood Plan policies and I would want to see these fully briefed to committee members and fully considered by them at full committee.

- 1.8 The application is also objected to by the parish council, principally in relation to the two access points proposed; their full comments can also be read in the Consultations Appendix.
- 1.9 Members will have the opportunity to visit the site on planning view.

2. CONSTRAINTS AND PLANNING HISTORY

Constraints:

None

Planning History:

23/01870/PREAPP

CLOSED

18th March 2024

Residential development for around 21 dwellings, associated infrastructure, open space and landscaping

3. POLICIES AND GUIDANCE

National Planning Policy Framework 2024 (NPPF)

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

Adopted Cheltenham Plan 2020 (CP) Policies

D1 Design

L1 Landscape and Setting

SL1 Safe and Sustainable Living

GI2 Protection and Replacement of Trees

GI3 Trees and Development

Adopted Joint Core Strategy 2017 (JCS) Policies

SD3 Sustainable Design and Construction

SD4 Design Requirements

SD6 Landscape

SD7 The Cotswolds Area of Outstanding Natural Beauty

SD9 Biodiversity and Geodiversity

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

Supplementary Planning Guidance/Documents

Development on Garden Land and Infill Sites in Cheltenham (2009)
Cheltenham Climate Change SPD (2022)

Leckhampton with Warden Hill Neighbourhood Plan (LWHNP) Policies

LWH1 Grocery Shops and Community Facilities

LWH2 Local Sustainable Transport Priorities

LWH3 Green Infrastructure

LWH5 Protection of dwellings against Future Flooding and Climate Change

Note: A referendum relating to the adoption of the Leckhampton with Warden Hill Neighbourhood Plan was held on 7th May 2026. The plan was approved and it is now part of the statutory development plan and carries full weight in decision making.

4. CONSULTATIONS

See Consultations Appendix at end of report

5. PUBLICITY AND REPRESENTATIONS

- 5.1 Letters of notification were sent to 43 neighbouring properties. In addition, a site notice was posted and an advert published in the Gloucestershire Echo.
- 5.2 21 representations have been received in response to the publicity; one general comment and 20 objections.
- 5.3 The representations have been circulated in full to members, but the main objections relate to:
 - Impacts on wildlife and destruction of natural habitat
 - Loss of green space
 - Insufficient school places
 - Lack of facilities / infrastructure
 - Highway safety / increase in traffic
 - Air pollution
 - Poor road surface / lack of repairs
 - Poor engagement with local community
 - Loss of amenity in terms of privacy and noise
 - Visual impacts
 - Loss of hedgerow / trees
 - Impact on valued landscape
 - Ridge heights
 - Already too much development in the immediate area
 - Drainage / foul water and smells
 - Design
 - Impacts during construction
- 5.4 The applicant also undertook their own consultation exercise prior to the submission of the application, and the application is accompanied by a detailed Statement of Community Involvement (SCI). The SCI sets out that in April 2025, a letter and 4-sided leaflet was sent to 40 addresses within the vicinity of the site, including those properties within Pear Tree Close and Kidnappers Lane; contact details were included to allow for comments/questions. A meeting also took place on 16th May 2025 with members of the parish council.

6. OFFICER COMMENTS

6.1 Determining issues

6.1.1 The key issues in determining this application are:

- the principle of developing the site for housing;
- design and layout;
- sustainability and climate change;
- landscape impacts;
- access, parking and highway impacts;
- impact on the amenity of neighbouring land users;
- drainage and flooding;
- trees and landscaping;
- ecology and biodiversity net gain; and
- s106 obligations.

6.2 Policy Background / Principle of Development

6.2.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that applications for development must be determined in accordance with the development plan, unless material considerations indicate otherwise. This is reiterated in NPPF paragraph 48.

6.2.2 For Cheltenham, the development plan comprises the saved policies of the Cheltenham Borough Local Plan Second Review 2006 (CBLP), adopted policies of the Cheltenham Plan 2020 (CP), adopted policies of the Tewkesbury, Gloucester and Cheltenham Joint Core Strategy 2017 (JCS) and the new Leckhampton with Warden Hill Neighbourhood Plan 2026 (LWHNP) policies. Material considerations include the National Planning Policy Framework 2024 (NPPF), Planning Practice Guidance (nPPG).

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

- c) *approving development proposals that accord with an up-to-date development plan without delay; or*
- d) *where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*
 - i) *the application of policies in [the] Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or*
 - ii) *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in [the] Framework taken as a whole, 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.*

6.2.4 Paragraph 11d) was explicitly updated in the latest revision to the NPPF to direct developments to sustainable locations, make an effective use of land, and ensure the provision of affordable homes.

6.2.5 JCS policy SD10 advises that in Cheltenham housing development will be permitted at sites allocated for housing through the development plan, on previously developed land within the PUA, or where it is infilling within the PUA.

6.2.6 As previously noted in the introduction, this site is located outside of the PUA and therefore the proposed development would be contrary to policy SD10. However, officers consider that the comments made by the Planning Inspector in relation to the development on the adjacent site following a Public Inquiry in 2020 (Appeal Ref: APP/B1605/W/19/3238462) remain largely applicable in this case. The Planning Inspector being satisfied that the appeal site offered a suitable and accessible location that could accommodate housing development of the scale proposed, and a number of residential developments have since been supported nearby.

6.2.7 More importantly, in Cheltenham, the housing policies (those most relevant to this application) are out-of-date as the Council is currently unable to demonstrate a five-year supply of deliverable housing sites (the latest published figure in September 2025 being just 2.69 years); the 'tilted balance' in favour of granting permission is therefore engaged.

6.2.8 The proposed development would result in the welcome provision of an additional 21 housing units (including 8 affordable homes) and make a valuable contribution to the borough's housing stock, helping to alleviate the acute shortfall. This is a matter that carries significant weight in the determination of this application.

6.2.9 The site is not the subject of any other designation that would preclude the development of the site for housing and therefore officers are satisfied that the general principle of developing the site for residential purposes is acceptable. That said, as per above-referenced NPPF paragraph 11(d) it is still necessary to assess whether policies within the NPPF that protect areas or assets of particular importance provide a strong reason for refusing the development proposed, or the adverse impacts of supporting the proposals would significantly and demonstrably outweigh the benefits, when assessed against NPPF policies taken as a whole.

6.3 Design and layout

6.3.1 Chapter 12 of the NPPF places great emphasis on the importance of design in decision making, and states at paragraph 131 that *"Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities"*.

6.3.2 Paragraph 135 of the NPPF requires decisions on planning applications to ensure that new developments *"will function well and add to the overall quality of the area...; are visually attractive...; are sympathetic to local character...including the surrounding built environment...whilst not preventing or discouraging appropriate innovation or change (such as increased densities); establish or maintain a strong sense of place...; optimise the potential of the site...; and create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users"*.

6.3.3 Local design requirements are set out in CP policy D1 and JCS policy SD4, with policy SD4 requiring development proposals to:

- respond positively to, and respect the character of, the site and its surroundings, and be of a scale, type, density and materials appropriate to the site and its setting;
- create clear and logical layouts;
- avoid or mitigate any potential disturbance, including visual intrusion, noise, smell and pollution;
- ensure that landscaped areas are of a high quality design;

- be designed to contribute to safe communities including reducing the risk of fire, conflicts between traffic and cyclists or pedestrians, and the likelihood and fear of crime;
- provide access for all potential users, including people with disabilities, and ensure the highest standards of inclusive design; and
- be designed to integrate, where appropriate, with existing development, and prioritise movement by sustainable transport modes.

6.3.4 Additional guidance of some relevance to this application can be found in the Council's SPD relating to development on garden land and infill sites, which sets out that various elements combine to create the character of an area and include grain, type of building, location of buildings within the block or street, plot widths and building lines.

6.3.5 The Design and Access Statement (DAS) which accompanies the application sets out how the layout evolved during the design process, acknowledging the constraints posed by the narrow width and shape of the site.

6.3.6 The site will be accessed from Kidnappers Lane in two places. The northern access will serve 13 dwellings including the 8 affordable units located in the northern corner of the site. A secondary access to the south will serve the remaining 8 market houses fronting Kidnappers Lane. In this regard, it is acknowledged that the affordable units are not distributed throughout the site, in a fully policy compliant manner; however, due to the constraints of the site, this location was considered to result in the most suitable layout overall. The clustering and location of the affordable units is also supported by the Housing Enabling (HE) team on this occasion.

6.3.7 The buildings proposed across the site range from single storey to two storeys, with some limited 1.5 storey development; and the general scale of the buildings is considered appropriate in this context and largely consistent with nearby developments. The variety of house types and heights provides for a range of interest in the individual dwellings while providing a common, semi-rural character. The scale of built form reduces to the north to respect the adjacent Local Green Space. Accommodation ranges from one bedroom bungalows to five bedroom houses.

6.3.8 From a design perspective, the houses have been designed to reflect the semi-rural character of the locality, and the recent developments on the nearby Nurseries site and in Pear Tree Close. Externally, the dwellings will be predominantly faced in red brick, with black weatherboarding (mounted both vertically and horizontally) and the occasional use of stone; together with slate grey windows and doors. A red roof tile is proposed to contrast with the grey roofing tile used in the Pear Trees development. Overall, officers are satisfied that the relatively simple but varied palette of materials will ensure that the development will have a character and identity of its own but achieve a coherent appearance and response to nearby developments. The dwellings have traditional pitched roofs, with the elevations articulated with contemporary window proportions and simple detailing. The Architects Panel concur with officers that the principle of development, site layout, and the design of the dwellings is acceptable.

6.3.9 The comments from HE in relation to the design and appearance of the affordable units, which were also raised as a late concern by the parish council have been duly noted; however, the approach reflects that previously agreed by the same officer on the earlier Pear Trees development, in which the market housing all incorporates some form of cladding which is not replicated on the affordable units. In response to the HE comments, the applicant has pointed out that *"smaller homes are typically adorned with fewer external features due to their physical limitations"*. On balance, officers are therefore satisfied that the same architectural language, materials, detailing, and primary use of brickwork throughout the whole development is sufficient, and it is not necessary to incorporate token elements of black cladding on the affordable units in order to support the proposal. It is also

notable that market housing plots 9, 11 and 12 do not incorporate black timber effect cladding.

6.3.10 Elsewhere within the site, to the northeast, SuDS infrastructure comprising a detention basin is proposed.

6.3.11 It is regrettable that the layout does not include linkage to the Pear Trees development; however, the applicant has advised that this development did not come forward at the same time as the Pear Tree Close development as the sites were/are owned by two separate landowners, independent of each other, and it wasn't anticipated that this parcel of land might later become available. As a result, Pear Tree Close was not designed to support a pedestrian link between the sites, and there is no opportunity to now do so.

6.4 Sustainability and climate change

6.4.1 In addition to the afore-mentioned design policies, JCS policy SD3 requires new development to be designed and constructed to maximise the principles of sustainability; with development proposals required to “*demonstrate how they contribute to the aims of sustainability*” and “*be adaptable to climate change in respect of the design, layout, siting, orientation...*”

6.4.2 JCS paragraph 4.4.11 goes on to advise that:

Before considering the use of renewable energy technologies the design of a development should first identify measures to reduce overall energy demand. This can include choice of building fabric and construction techniques, optimising solar gain, natural lighting and ventilation to reduce the need for space heating and/or cooling and lighting. Secondly, the design should include measures to use energy more efficiently such as increasing levels of insulation in walls, floors and roofs and improved air-tightness.

6.4.3 The Cheltenham Climate Change SPD also provides guidance on how applicants can successfully integrate a best-practice approach towards climate change and biodiversity into all new development proposals.

6.4.4 The policy and SPD reflect advice within the NPPF at paragraph 161 which states that:

The planning system should support the transition to net zero by 2050 and take full account of all climate impacts including overheating, water scarcity, storm and flood risks and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.

6.4.5 NPPF paragraph 164b) goes on to state that new development should be planned for in ways that “*can help to reduce greenhouse gas emissions, such as through its location, orientation and design. Any local requirements for the sustainability of buildings should reflect the Government's policy for national technical standards*”.

6.4.6 In this case, the application proposes net zero carbon homes across both the market and affordable housing provision. The DAS sets out that the “*Homes will be constructed to the latest construction techniques, utilising sustainably sourced materials and including renewables energy technologies.*” The homes will be heated by air source heat pumps coupled with solar PV panels, with the ground floors fitted with underfloor heating and the first floors fitted with radiators and individual thermostatic valves.

6.4.7 The homes will also include water butts for rainwater harvesting; integrated recycling bins as part of the kitchen design; composting facilities; electric vehicle charging points; cycle storage; and green roofs to the garages. SuDS infrastructure is also proposed.

6.4.8 Officers are therefore satisfied that, in this case, the sustainability credentials of the proposed development are wholly acceptable and go beyond the policy requirements, thereby helping Cheltenham to meet its 'climate emergency' commitment to become a net zero council and borough by 2030.

6.4.9 As such, the proposed development demonstrates full compliance with policy SD3, the SPD, and the NPPF. The proposals also accord with LWHNP policy LWH5.

6.5 Landscape impacts

6.5.1 NPPF paragraph 187 requires decisions on planning applications to “*contribute to and enhance the natural and local environment by: a) protecting and enhancing valued landscapes...[and] b) recognising the intrinsic character and beauty of the countryside...*”

6.5.2 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; and this is reiterated in CP policy L1.

6.5.3 Additionally, JCS policy SD7 requires all development proposals within the setting of the Cotswolds AONB “*to conserve and, where appropriate, enhance its landscape, scenic beauty, wildlife, cultural heritage and other special qualities*” and be consistent with policies set out in the Cotswolds AONB (now Cotswolds National Landscape) Management Plan (CNLMP).

6.5.4 The most relevant CNLMP policies in this regard are CE1 and CE11. Policy CE1 requires development proposals that are likely to impact on the landscape of the Cotswolds AONB, to have regard to the scenic quality of the location and its setting and ensure that views – including those into and out of the AONB – and visual amenity are conserved and enhanced. Policy CE11 goes on to advise that proposals for major development in the setting of the AONB must comply with national planning policy and guidance and have regard to guidance on major development provided in Appendix 9 of the CMP.

6.5.5 With regard to valued landscape, the Inspector in the 2024 appeal decision (APP/B1605/W/22/3309156) on the nearby Shurdington Road site currently being developed by Miller Homes, at paragraph 111, states:

The CP also designated much of the land to the south of the appeal site as Local Green Space ensuring that it is protected from development...and it is that I consider to be valued landscape at the current time.

6.5.6 It is therefore clear that the application site, which falls outside of the LGS designation, was not found to form part of the valued landscape. It must also be accepted that the landscape character of the surrounding area has significantly changed in recent years because of other nearby developments, not least as a result of the Pear Trees development, and Leckhampton High School; and continues to change as the Miller Homes development is being built out.

6.5.7 The Inspector in the 2020 appeal decision also rightly noted that the wider area would “*irrevocably change*” following the build out of the MD4 mixed-use allocation, and that as a result, the landscape and visual character of the immediate area would also inevitably alter; concluding that they found the overall harm to the local landscape to be moderate.

6.5.8 Additionally, the Inspector at paragraph 118 of the 2024 appeal decision, having observed the appeal site from the adjacent AONB, goes on to state that:

Beyond that I saw the school and the new development resulting from the 2019 appeal, and beyond that would be the proposed housing. As a result, it would nestle into and be viewed as part of existing development from the AONB.

6.5.9 Officers are therefore satisfied that the same can be said of the proposed development in terms of views from the AONB, in that the development would be viewed in the context of surrounding development.

6.5.10 Furthermore, views on the development of this site for housing were sought from our external Landscape Advisor, Ryder Landscape Consultants, at pre-application stage. The key findings were that although the proposed development would change the character of this stretch of Kidnappers Lane from semi-rurality to twin-sided urban development, it would have no notable effects on the wider landscape; this urban character not out of keeping with other recent development along Kidnappers Lane.

6.5.11 That said, it was acknowledged that built form would be introduced where it does not currently exist, and would remove scrub planting that is currently helping to screen the Pear Tree development, and so the form of the site boundary here would need to be carefully considered to maximise its screening value in the medium and long term.

6.5.12 It was also similarly found that there would be no significant visual effects from the AONB given the scale of the development and the immediate context of other new houses.

6.5.13 Overall, the proposed development is therefore considered to be in accordance with JCS policies SD6 and SD7, and CP policy L1 as it would not be harmful to the landscape character and appearance including the setting of the AONB.

6.6 Access, parking and highway safety impacts

6.6.1 JCS policy INF1 requires all development proposals to provide safe and efficient access to the highway network for all transport modes; and provide connections where appropriate, to existing walking, cycling and passenger transport networks to ensure that credible travel choices are provided by sustainable modes. The policy states that planning permission will only be granted where the impacts of the development are not considered to be severe. The policy generally reflects the advice set out within the NPPF at paragraphs 115-118. Similarly, LWHNP policy LWH2 seeks to improve walking and cycling connectivity throughout the neighbourhood area and promote sustainable travel.

6.6.2 As previously noted, the application proposes two vehicle access points from Kidnappers Lane; a primary access to serve 13 dwellings including the 8 affordable units, and a secondary access to serve the remaining 8 dwellings. Each dwelling would be served by allocated car parking space(s).

6.6.3 As originally submitted, from a highways perspective, the access, parking and highway safety impacts associated with the proposed development were assessed by the Highways Development Management Team (HDM) at the County Council, as the Local Highway Authority (LHA) acting in its role as statutory consultee, and no objection was raised subject to conditions; their full comments can be read in the appendix below.

6.6.4 In summary, HDM were initially satisfied that an appropriate level of visibility for both access points could be achieved, and that the predicted levels of traffic generated by the proposed development were unlikely to have a severe impact on the capacity of the local highway network; concluding that the development would not have an unacceptable impact on highway safety, and *“There are no justifiable grounds on which an objection could be maintained.”*

6.6.5 Notwithstanding the above, in response to discussions with Cllr Horwood, HDM subsequently revisited their advice and withdrew its earlier response and sought to engage with the applicant to improve the scheme. The concerns primarily related to the lack of a Stage 1 Road Safety Audit, and the provision of the main site access in the form of a bell mouth, unnecessarily interrupting the priority of pedestrians and cyclists.

6.6.6 A Stage 1 Road Safety Audit was later submitted, and following lengthy discussions with HDM, the External Works Layout drawing (891-141-2 Rev G) has been updated to include the following improvements:

- A widened footway on the eastern side of Kidnappers Lane across the site frontage to accommodate a shared 3m footway / cycle track including across the proposed access to plots 14 to 21;
- A full tie-in to the footway / cycle track to the south at the same width;
- A traffic calming feature (raised table) for the access into plots 14 to 21;
- A relocated informal crossing point adjacent to the principal site access;
- A new crossing point to the north of the principal site access suitable for pedestrians to access the existing shared facility on the other side of the road; and
- Appropriate changes to signage and road markings.

6.6.7 HDM, as the LHA, now raise no objection subject to conditions, satisfied *“that the proposals are fit for purpose and that they would result in improved accessibility and connectivity for this development.”*

6.6.8 A revised Stage 1 Road Safety Audit can be completed as part of the Highway Works Agreement under section 278 of the Highways Act 1980.

6.6.9 As such, whilst the concerns of Cllr Horwood and the parish council in relation to the provision of two separate accesses are duly noted, officers are satisfied that the proposed development is now acceptable on highway grounds; there is no reason or evidence to disagree with the specialist highways advice following such a thorough review.

6.6.10 During the construction phase of the development, to ensure that impacts on the local highway network are suitably mitigated, a condition is suggested which requires the submission of a Construction Traffic Management Plan to ensure that suitable provision is made for the parking of site operatives and visitors, storage of plant and construction materials, abnormal loads or unusually large vehicles and suitable wheel washing facilities, etc. together with a highway condition survey.

6.7 Impact on the amenity of neighbouring land users

6.7.1 CP policy SL1 states that development will only be permitted where it will not cause unacceptable harm to the amenity of adjoining land users and living conditions in the locality. CP paragraph 14.4 advising that:

In assessing the impacts of a development including any potential harm, the Council will have regard to matters including loss of daylight; loss of outlook; loss of privacy; and potential disturbance from noise, smells, dust, fumes, vibration, glare from artificial lighting, hours of operation, and traffic / travel patterns.

6.7.2 JCS policy SD14 reiterates this advice and also seeks to ensure high quality developments that *“protect and seek to improve environmental quality”*. In addition, NPPF paragraph 135f) also highlights the need to ensure that developments achieve a high standard of amenity for both existing and future users.

6.7.3 The concerns raised by the adjacent residential occupiers have been duly noted; however, officers are satisfied that the proposed development would not result in any unacceptable harm in terms of privacy, outlook or daylight.

6.7.4 Almost all development will have some impact on neighbouring land users. In this case, given the scale and massing of the proposed development, and its relationship with nearby residential neighbours, officers are satisfied that the proposed development would not result in any unacceptable level of harm in terms of privacy, outlook or daylight.

6.7.5 With regard to privacy, all upper floor windows are set a sufficient distance from the site boundaries (in excess of the 10.5m minimum distance normally sought) to ensure that no unacceptable overlooking of neighbouring properties would occur. Moreover, in terms of outlook, whilst views of the proposed development would be available from neighbouring properties and gardens, there are no concerns that the development would appear particularly overbearing, and certainly not to the point that permission could be refused on amenity grounds; views of the development would be softened by planting on the site boundaries. Similarly, officers are satisfied that no significant loss of daylight would occur, nor overshadowing of existing residential gardens.

6.7.6 Additionally, given the scale of development proposed, it is not considered that noise levels from future occupiers of the site would be detrimental to the enjoyment of the existing residential neighbours.

6.7.7 Some noise and disturbance during the construction phase of the development is inevitable and to be expected; however, this is not a reason to refuse development proposals. The developer will need to adhere to the Council's accepted hours for construction sites which are 7:30am to 6pm Monday to Friday, and 8am to 1pm on Saturdays, with no working on Sundays and/or Bank Holidays.

6.7.8 Overall, the proposed development is therefore considered to be acceptable on amenity grounds, and officers are satisfied that the development will achieve a suitably high standard of amenity for future occupiers, and existing residential neighbours, in accordance with CP policy SL1, JCS policy SD14 and the NPPF.

6.8 Drainage and flooding

6.8.1 JCS plan policy INF2 advises that development proposals must avoid areas at risk of flooding and must not increase the level of risk to the safety of occupiers of a site, the local community or the wider environment either on the site or elsewhere. Additionally, where possible, the policy requires new development to contribute to a reduction in existing flood risk; and to incorporate Sustainable Drainage Systems (SuDS) where appropriate. The policy is consistent with NPPF paragraph 181 which states that when determining planning applications, the local planning authority should ensure that flood risk is not increased elsewhere.

6.8.2 The site is located within Flood Zone 1, and the Environment Agency's online flood risk service advises that the surrounding area is at a very low risk of surface water flooding.

6.8.3 The application has been accompanied by a Flood Risk Assessment and Drainage Strategy (FRA) which has been reviewed by the County Council as the Lead Local Flood Authority (LLFA) who are a statutory consultee for surface water flood risk and management. Again, their comments can be read in full in the Consultations Appendix below.

6.8.4 Following their initial review of the application, the LLFA found that the surface water drainage strategy failed to meet many of the National Standards for Sustainable Drainage Systems, and it was therefore necessary for the failings to be addressed.

6.8.5 In response, the applicant has worked closely with the LLFA who, in their latest response, now confirm that they have no further objections to the proposal subject to conditions. The drainage strategy now complies with the National Standards.

6.8.6 Officers are therefore satisfied that the proposed development is acceptable in relation to flooding and drainage and is compliant with JCS policy INF2 and the relevant paragraphs of the NPPF. The proposals also accord with LWHNP policy LWH5.

6.9 Trees and landscaping

6.9.1 CP policy GI2 seeks to resist the unnecessary felling of trees on private land, and advises that a Tree Preservation Order (TPO) will be made in appropriate cases. and the planting of replacement trees, where practicable. CP policy GI3 seeks to ensure that development avoids causing permanent damage to trees of high value, i.e. sound and healthy trees which makes a significant contribution to the character or appearance of a site or locality.

6.9.2 In this regard, the proposals have been reviewed by the Trees Officer (TO) who also provided comments at pre-application stage.

6.9.3 At pre-application stage, the TO identified the tree stock on site to be *“of limited quality”*; a low-spreading candle-stick shaped ash within the border being *“the most interesting arboreal feature”*. However, the hawthorns along the hedge line were identified as being worth retaining wherever possible.

6.9.4 It is therefore somewhat surprising that the TO is now suggesting that the scale of development be reduced in order to retain more of the existing features. Although officers acknowledge that the removal of almost all of the trees from the site is regrettable; it is important to recognise that the trees are not afforded any protection, and are not of a quality to be worthy of a TPO, the TO continuing to find the trees on site to be *“individually of lower arboricultural value”*.

6.9.5 Overall, officers are therefore satisfied that the removal of trees to facilitate a residential development, whilst regrettable, is acceptable on balance, given the level of replacement tree planting and landscaping proposed throughout the site. In excess of 130no. new trees are proposed together with new native hedgerow planting. Existing hedgerow is to be retained where possible and gapped up.

6.10 Ecology and biodiversity net gain

6.10.1 JCS policy SD9 seeks to ensure that all development, wherever possible, makes a positive contribution to biodiversity and geodiversity, and that important habitats and species are protected. Where developers are unable to avoid harm to biodiversity, mitigation measures should be incorporated into the design of the development. The policy reflects the advice set out within the NPPF at paragraph 187.

6.10.2 A minimum biodiversity net gain (BNG) of 10% is now a statutory requirement for major developments, and the mandatory BNG condition is applicable to this development. The objective is for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat. The increase can be achieved through onsite biodiversity gains, registered offsite biodiversity gains or statutory biodiversity credits.

6.10.3 The application is accompanied by a Preliminary Ecological Appraisal (PEA), Reptile Survey, Landscape and Ecological Management Plan (LEMP) and Construction and Environmental Management Plan (CEMP) which have been updated where necessary; the documents have been reviewed by the Council's in-house Ecologist or Consultant Ecologist over the course of the application.

Protected species

6.10.4 The PEA and Reptile Survey were initially reviewed by the former in-house Ecologist who was satisfied that the PEA suitably described the ecological features of the site and any necessary mitigation, and supported the results of the Reptile Survey; no additional information was sought other than by way of conditions. However, following subsequent review, additional information in relation to dormice and great crested newts was sought and received. The Ecologist is now satisfied that no additional detail is required other than by condition, and that protected species will not be harmed as a result of the development.

6.10.5 Ecological enhancements proposed as part of the development include the provision of 8no. bat boxes or equivalent roosting features, 20no. bird boxes, 1no. hibernacula, hedgehog homes and highways, and 2no. insect towers or similar. A 'wildlife-sensitive' lighting strategy can be suitably secured by condition.

Biodiversity Net Gain (BNG)

6.10.6 As previously noted, the mandatory biodiversity (net) gain (BNG) condition applies to this development and therefore a Biodiversity Gain Plan will be required to be submitted and agreed prior to commencement of any works.

6.10.7 In this instance, the applicant is seeking to achieve the necessary BNG "by alternative means, potentially a third party like GNCF [Gloucestershire Nature and Climate Fund]" so as to maximise the land available on site; and, whilst this is disappointing, the purchase of off-site biodiversity units from a suitable provider offsite is supported by the Council's Ecologist. Evidence of proof of purchase of 8.45 habitat units would be required.

6.10.8 The proposal provides 109.58% net change for hedgerows which is welcomed and considered a significant gain. A legal agreement will be required to secure £3,422.00 in monitoring fees for a small site low complexity habitat.

6.10.9 As the proposals are deemed to be 'significant' gains in biodiversity according to guidance provided by the Department for Environment, Food & Rural Affairs (DEFRA) (2024), a s106 will also be required to secure the delivery of the measures outlined in a Habitat Management and Monitoring Plan (HMMP) to be submitted post-determination.

6.10.10 A detailed soft landscaping scheme has been submitted.

Cotswold Beechwoods Special Area of Conservation (SAC)

6.10.11 The site lies within a zone of influence as set out in the Cotswold Beechwoods SAC Recreation Mitigation Strategy (May 2022) for recreational pressure for the Cotswold Beechwoods SAC. The Council, as a "competent authority", has a legal duty under the Conservation of Habitats and Species Regulations 2017 (as amended) to consider whether planning applications would affect the biodiversity of any Special Area of Conservation (SAC). Planning applications can only be permitted where the proposals will not adversely affect the integrity of the SAC.

6.10.12 To help ensure a strategic approach for mitigating recreational impacts at the Cotswold Beechwoods SAC, local authorities in the area and Natural England worked together to prepare a Recreation Mitigation Strategy (2022).

6.10.13 CP policy BG1 also relates to the Cotswold Beechwoods Special Area of Conservation (SAC) and states that development will not be permitted where it would be likely to lead directly or indirectly to an adverse effect upon the integrity of the European Site Network and the effects cannot be mitigated. All development within the borough that leads to a net increase in dwellings is required to mitigate any adverse effects.

6.10.14 Without appropriate mitigation, the proposed development would be likely to have a significant effect on the Cotswold Beechwoods SAC (either alone or in combination with other development) through increased recreational pressure, as a result.

6.10.15 The Council has therefore undertaken an Appropriate Assessment and is satisfied that subject to the applicant making a financial contribution of £673 per new dwelling, in line with the mitigation strategy, the proposal will not result in any adverse impacts on the SAC. Natural England have been consulted and concur with the assessment conclusions.

6.10.16 The financial contribution would be secured through the legal agreement.

6.11 s106 obligations

Affordable housing

6.11.1 Paragraph 61 of the NPPF states that to support the government's objective of significantly boosting the supply of homes, it is important that the needs of groups with specific housing requirements be addressed. Within this context, paragraph 63 goes on to state that the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies.

6.11.2 In Cheltenham, outside of Strategic Allocation sites, JCS policy SD12 seeks the provision of a minimum of 40% affordable housing in new residential developments of 11 dwellings or more.

6.11.3 In this case, as previously noted, the applicant is proposing a policy compliant scheme to include 8 affordable homes, and the affordable housing provision is welcomed.

6.11.4 The affordable housing provision has been amended during the course of application in liaison with the Council's Housing Enabling Officer, whose detailed comments are set out in full in the Appendix below. Notwithstanding their residual concerns in relation to a lack of black cladding on the affordable units, previously discussed at paragraph 6.3.9 above, the improvements to the sizes and mix of the affordable units is supported.

6.11.5 The agreed affordable housing mix comprises 6no. social rented homes, and 2no. shared ownership homes.

Education and libraries

6.11.6 JCS policy INF6 states that where site proposals generate infrastructure requirements, new development will be served and supported by adequate on and/or off-site infrastructure and services which are fairly and reasonably related to the scale and type of development proposed. Regard to the cumulative impacts on existing infrastructure and services must also be considered. Planning permission should only be granted where sufficient provision has been made to meet the needs of new development and/or which are required to mitigate the impact of the development upon existing communities.

6.11.7 In addition, JCS policy INF7 advises that financial contributions will be sought through the s106 and CIL mechanisms as appropriate. The s106 mechanism being used to secure site-specific obligations.

6.11.8 Gloucestershire County Council have commented on the proposed development and set out the infrastructure and services requirements for education and libraries provision arising from the development and the contributions required to make the development acceptable in planning terms.

6.11.9 The single contribution sought by the County is **£77,551.67** towards secondary education (ages 11-16). Contributions towards primary education and post-16 education

are not sought as there is adequate space capacity forecast to be available. No library contribution is sought as the proposed development does not meet the threshold for a library assessment.

6.11.10 The necessary contribution is required to be secured via the s106 agreement as there are no formal mechanisms or agreed financial arrangements currently in place between CBC (as CIL Charging Authority) and GCC to fund the required strategic (education and libraries) infrastructure from CIL.

Highways

6.11.11 The following Highways contribution is also required:

(1) Specific Purpose - Travel Plan Monitoring Fee
Contribution – **£10,000.00**
Trigger – Prior to occupation
Retention Period – N/A

Cotswold Beechwoods Special Area of Conservation (SAC)

6.11.12 As previously noted, financial contributions to mitigate recreational impacts on the SAC would be secured at a rate of £673 per dwelling (**£14,133.00**).

Green Space

6.11.13 Although no play provision is proposed on-site, which the Green Space Development team find acceptable given the size of the development, financial contributions will be sought towards the improvement of nearby off-site play facilities to accommodate the increased usage (LAP **£1,575.00** and LEAP **£9,870.00**) and a MUGA (**£8,610**).

Biodiversity Net Gain (BNG)

6.11.14 Other obligations to be secured via the s106 agreement include the delivery of BNG and measures outlined in a Habitat Management and Monitoring Plan (HMMP), and the small site low complexity habitat monitoring fee of **£3,422.00**.

6.12 Other considerations

Community facilities

6.12.1 LWHNP policy LWH1 seeks to resist new residential development on sites larger than 1 hectare “*unless suitable local grocery shop provision exists or is to be provided within 800 metres of the development site subject to viability and site-specific considerations.*” Figure 6 within the ‘Leckhampton with Warden Hill Neighbourhood Plan – Referendum Version March 2026’ shows those part of the Neighbourhood Area that are not served by shops within 800m, and the application site falls within this area. However, that said, the site is located just outside the 800m radius of both the Co-op on Salisbury Avenue, and the Co-op on Bath Road, with both being within a 20-minute walk of the site.

6.12.2 Moreover, it is important to note that the recent residential developments on nearby sites were not required to provide a convenience store; and taking the site-specific considerations into account, the provision of a convenience store on this site would prejudice the ability to develop the site for housing and likely result in unacceptable highway and amenity impacts.

6.12.3 As such, on balance, notwithstanding the apparent conflict with the neighbourhood plan, officers are satisfied that a local convenience store is not required to make this development acceptable in planning terms.

Minerals and Waste

6.12.4 The conditions suggested by the GCC Minerals and Waste team have been added.

Crime prevention

6.12.5 In response to the Designing Out Crime Officer's (DOCO) comments in the Consultations Appendix below, the applicant has provided clarification on the gated corridor to the rear of plots 1-9, advising that the corridor is required *"to facilitate the location of the foul drainage due to the ground levels. It cannot reside within private ownership. Access is only afforded via a locked gate. The space will be maintained and accessed solely by the approved management company and adopted sewerage undertaker."* On the whole, the DOCO does not consider any changes to the overall layout and design to be necessary in relation to crime prevention.

Public Sector Equality Duty (PSED)

6.12.6 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.

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

6.12.8 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. All representations received in response to the publicity exercise have been duly noted and taken into account.

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.

7.2 Furthermore, paragraph 11 of the National Planning Policy Framework 2024 sets out a presumption in favour of sustainable development which in decision-taking means:

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

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

i) the application of policies in [the] Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or

ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in [the] Framework taken as a whole, 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.

- 7.3 In Cheltenham, the housing policies (those most relevant to this application) are out-of-date as the Council is currently unable to demonstrate a five-year supply of deliverable housing sites, the latest published figure (September 2025) being just 2.69 years, and as such the 'tilted balance' in favour of granting permission is engaged.
- 7.4 The proposed development would result in the welcome provision of an additional 21no. dwellings including 8no. affordable units and make a valuable contribution to the borough's housing stock, helping to alleviate the acute shortfall. This is a matter that carries significant weight in the determination of this application. Accommodation across the site ranges from one bedroom bungalows to five bedroom houses, with the agreed affordable housing mix comprising 6no. social rented homes, and 2no. shared ownership homes.
- 7.5 The site will be accessed from Kidnappers Lane in two places. The northern access will serve 13no. dwellings including the 8no. affordable units located in the northern corner of the site. A secondary access to the south will serve the remaining 8no. market houses fronting Kidnappers Lane.
- 7.6 The application proposes the erection of net zero carbon homes, which are up to two storeys, with the scale of built form reducing to the north to respect the adjacent Local Green Space. The dwellings have simple, traditional pitch-roof built forms, with the elevations articulated by contemporary window proportions and simple detailing; and have been designed to reflect the semi-rural character of the locality and recent developments on the nearby Nurseries site and in Pear Tree Close. Externally, the dwellings will be predominantly faced in red brick, with black weatherboarding and the occasional use of stone; together with slate grey windows and doors; the simple palette of materials will ensure that the development will have an identity of its own but achieve a coherent appearance and response to nearby developments.
- 7.7 As noted above, the application proposes net zero carbon homes across both the market and affordable housing provision. The homes will be constructed to the latest construction techniques, utilising sustainably sourced materials, and be heated by air source heat pumps coupled with solar PV panels. The homes will also include water butts for rainwater harvesting; integrated recycling bins; composting facilities; electric vehicle charging points; and cycle storage. Officers are therefore satisfied that, in this case, the sustainability credentials of the proposed development are wholly acceptable and go beyond the policy requirements, thereby helping Cheltenham to meet its 'climate emergency' commitment to become a net zero council and borough by 2030.
- 7.8 From a highways perspective, the access, parking and highway safety impacts associated with the proposed development have been assessed by the GCC Highways Development Management Team (HDM), as the Highway Authority acting in its role as statutory consultee. HDM have undertaken a very thorough review of the proposals and raise no objection subject to conditions, and following revisions to the original submission are satisfied *"that the proposals are fit for purpose and that they would result in improved accessibility and connectivity for this development"*.
- 7.9 Impacts on the local highway network during the construction phase of the development can be mitigated by the submission of a Construction Traffic Management Plan to ensure that suitable provision is made for the parking of site operatives and visitors, storage of plant

and construction materials, abnormal loads or unusually large vehicles and suitable wheel washing facilities, etc. together with a highway condition survey.

- 7.10 The site is located within Flood Zone 1, and the Environment Agency's online flood risk service advises that the surrounding area is at a very low risk of surface water flooding. The application has been accompanied by a Flood Risk Assessment and Drainage Strategy which has been reviewed by the County Council as the Lead Local Flood Authority (LLFA) who are a statutory consultee for surface water flood risk and management.
- 7.11 Having worked closely with the LLFA, the applicant has addressed initial failings in the surface water drainage strategy, and the LLFA now raise no objection subject to conditions. As revised, the drainage strategy complies with the National Standards.
- 7.12 The application is accompanied by a Preliminary Ecological Appraisal (PEA), Reptile Survey, Landscape and Ecological Management Plan (LEMP) and Construction and Environmental Management Plan (CEMP) which have been updated/revised where necessary; the documents have been reviewed by the Council's in-house Ecologist or Consultant Ecologist over the course of the application, and the ecological impacts of the proposed development have been found to be acceptable subject a number of conditions. Ecological enhancements proposed as part of the development include the provision of bat and bird boxes, a hibernacula, hedgehog homes and highways, and insect towers or similar.
- 7.13 A minimum biodiversity net gain (BNG) of 10% is now a statutory requirement for major developments, and the mandatory BNG condition is applicable to this development; a Biodiversity Gain Plan would therefore be required to be submitted and agreed prior to commencement of any works. To maximise the land available on site, the applicant is proposing to purchase off-site biodiversity units from a suitable provider, and this is supported by the Council's Ecologist. Evidence of proof of purchase of 8.45 habitat units would be required. 6.10.8 The proposal provides 109.58% net change for hedgerows which is welcomed and considered a significant gain.
- 7.14 With all of the above in mind, taking into account all of the economic, social, and environmental aspects of the application, and paragraph 11d) of the NPPF, on balance, officers are satisfied that the proposed development of the site for housing is one that should be supported. There are no policies within the NPPF that provide a strong reason for refusing the development proposed, nor any adverse impacts that would significantly and demonstrably outweigh the benefits, when assessed against NPPF policies taken as a whole.
- 7.15 As such, the officer recommendation is to grant planning permission subject to a signed s106 legal agreement, and the schedule of conditions below. The applicant's written agreement to the terms of the pre-commencement conditions has been secured.

8. CONDITIONS

- 1 The planning permission hereby granted shall be begun not later than the expiration of three years from the date of this decision.
- Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 The planning permission hereby granted shall be carried out in accordance with the approved plans listed in Schedule 1 of this decision notice.

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

- 3 The development shall be carried out in strict accordance with the recommendations set out in Section 6 of the Reptile Survey Report (All Ecology, Version 1.1, dated 29th April 2025); the Preliminary Ecological Appraisal (All Ecology, Version 1.1, dated 29th April 2025) including plans; the revised Landscape and Ecological Management Plan (All Ecology, Version 1.2, dated 5th November 2025) including plans; and the revised Construction and Environmental Management Plan (All Ecology, Version 1.2, dated 20th May 2026). All recommendations shall be implemented in full, according to the timescales laid out in the recommendations, unless otherwise agreed in writing by the Local Planning Authority, and thereafter permanently maintained for the stated purposes of biodiversity conservation.

Reason: To ensure that habitats and species 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.

- 4 If the development hereby approved has not commenced within 18 months of the date of this decision, an updated ecological survey shall be carried out by a suitably qualified ecological consultant and shall be submitted to and approved in writing by the Local Planning Authority. The Survey Report shall conclude whether the Ecological Mitigation and Enhancement Strategy/Precautionary Method of Working/CEMP and Reptile Surveys should be updated and, if so, the reports shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any works.

The development shall then be undertaken in full accordance with the approved Ecology report/EMES/PMW/CEMP.

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.

- 5 Prior to the commencement of development, a Construction Traffic Management Plan (CTMP) shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include:
- (a) parking of vehicles of site operatives and visitors ((including measures taken to ensure there is no parking on the public highway by either staff or delivery vehicles at any time and ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
 - (b) advisory routes for construction traffic;
 - (c) any temporary access to the site;
 - (d) locations for the loading/unloading and storage of plant, waste, and construction materials;
 - (e) suitable wheel washing facilities within the site to ensure that no mud, dust or other loose material is carried from the site onto the public highway at any time (any such facility shall be positively drained to a suitable outfall to ensure no surface water runs away from the facility);
 - (f) arrangements for turning vehicles;
 - (g) arrangements to receive abnormal loads or unusually large vehicles;
 - (h) a highway condition survey (in accordance with an agreed area of survey); and
 - (i) methods of communicating the CTMP to staff, visitors and neighbouring residents and businesses.

The approved plan shall be adhered to throughout the demolition/construction period.

Throughout the development process, construction traffic shall be strictly managed to ensure there is no parking on the public highway of either staff or delivery vehicles at any time.

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, and to prevent the risk flooding or any loss of amenity to neighbouring land users, having regard to adopted policy SL1 of the Cheltenham Plan (2020) and adopted policies SD14, INF1 and INF2 of the Joint Core Strategy (2017). Approval is required upfront because without proper mitigation the works could have an unacceptable impact during construction.

- 6 The development shall be carried out in accordance with the approved highway drawings/details, which shall reflect and align with the details shown on the External Works Layout drawing (Drawing No. 891-141-2-H).

Reason: To ensure the provision of safe and suitable vehicular access to the development 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).

- 7 No dwelling served by the principal access shall be occupied until the vehicular bellmouth, footways, and visibility splays have been constructed in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the provision of safe and suitable vehicular access to the development 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).

- 8 Off-site highway improvement works in accordance with the details shown on the External Works Layout drawing (Drawing No. 891-141-2-H) shall be completed prior to occupation of the tenth dwelling.

Reason: To maximise opportunities for walking and cycling, having regard to adopted policy INF1 of the Joint Core Strategy (2017), and section 9 of the National Planning Policy Framework (2024).

- 9 No dwelling served by the secondary vehicular access shall be occupied until the raised table, vehicular access and off-site highway improvement works have been constructed in accordance with the details shown on the External Works Layout drawing (Drawing No. 891-141-2-H), unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the provision of safe and suitable vehicular access to the development in the interests of highway safety, and to maximise opportunities for walking and cycling, having regard to adopted policy INF1 of the Joint Core Strategy (2017), and section 9 of the National Planning Policy Framework (2024).

- 10 Where the approved highway works are to be delivered pursuant to a Section 278 agreement and completion of those works is delayed, occupation may take place provided that:
- (a) confirmation has been submitted to and approved in writing by the Local Planning Authority that the relevant Section 278 agreement submission has been made;
 - (b) the elements of the access necessary to enable its safe use by vehicular traffic and pedestrians have been constructed in accordance with the approved details; and
 - (c) a programme for completion of the remaining approved works has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the provision of safe and suitable vehicular access to the development 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).

- 11 Prior to the commencement of development, a 30-year Habitat Management and Monitoring Plan (HMMP) shall be submitted to and approved in writing by the Local Planning Authority. The HMMP shall include:
- (a) a description and evaluation of features to be managed, including locations shown on a site map;
 - (b) landscape and ecological trends and constraints on site that might influence management;
 - (c) aims and objectives of management, including ensuring the delivery of at least a 10% net gain in habitat and hedgerow units;
 - (d) appropriate management options for achieving the aims and objectives;
 - (e) prescriptions for all management actions;
 - (f) a work schedule matrix (i.e. an annual work plan) capable of being rolled forward over 5- or 10-year periods;
 - (g) details of the body or organisation responsible for implementation of the plan; and
 - (h) 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.

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 secure the delivery of at least a 10% biodiversity net gain for the required 30-year period and appropriate management of all 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 (2024).

- 12 Prior to the commencement of development on plots 19 -21, other than that necessary to comply with the requirements of this condition, the recommendations for further work set out at paragraph 16.2.1 of the Desk Study and Ground Investigation Report (T&P Regeneration Ltd, Issue 01, dated 9th August 2024) shall be implemented and a site specific Remediation Strategy shall be submitted to and approved in writing by the Local Planning Authority. The approved remediation scheme necessary to bring the site to a condition suitable for the intended use shall be implemented in full. Following the completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out shall be submitted to and approved in writing by the Local Planning Authority.

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).

- 13 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).

- 14 Prior to the commencement of development, a Construction Phase Surface Water Management Plan that details the measures to control the risk of flooding during construction shall be submitted to and approved in writing by the Local Planning Authority. The plan shall thereafter be adhered to throughout the construction period.

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, having regard to adopted policy INF2 of the Joint Core Strategy (2017). Approval is required upfront to ensure that surface water does not leave the site in an uncontrolled manner and put properties elsewhere at increased risk of flooding during construction.

- 15 Prior to the commencement of development, a detailed Site Waste Management Plan (SWMP) or equivalent shall be submitted to and approved in writing by the Local Planning Authority. The SWMP shall identify - the specific types and amount of waste materials forecast to be generated from the development during site preparation and demolition and construction phases; and the specific measures will be employed for dealing with this material so as to: - minimise its creation, maximise the amount of re- use and recycling on-site; maximise the amount of off-site recycling of any wastes that are unusable on-site; and reduce the overall amount of waste sent to landfill. In addition, the SWMP shall also set out the proposed proportions of recycled content that will be used in construction materials. The development shall thereafter be implemented in strict accordance with the approved SWMP unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the effective implementation of waste minimisation and resource efficiency measures in accordance with adopted policy WCS2 of the Gloucestershire Waste Core Strategy (2012) and adopted policy SR01 of the Minerals Local Plan for Gloucestershire (2018 – 2032).

- 16 Prior to the installation of any external lighting, a 'wildlife-sensitive' lighting strategy (to include location, height from ground level, lux level contour plan, and hours of operation) covering both the construction and operational phases of the development shall be submitted to and approved in writing by the Local Planning Authority. The external lighting should conform to the protocols set out in Guidance Note 08/23 - Bats and Artificial Lighting at Night (BCT and ILP, 2023). All external lighting shall thereafter be implemented and maintained in accordance with the approved details.

In discharging this condition, the Local Planning Authority expects lighting to be restricted in proximity to key habitats, trees, hedges, and the proposed bat boxes and to be kept to a minimum at night across the whole site to minimise impact on emerging and foraging bats. This could be achieved in the following ways:

- Narrow spectrum lighting used to avoid the blue-white wavelengths
- Lighting directed away from vegetated areas
- Lighting timed to provide some dark periods
- Connections to areas important for foraging will contain dark corridors.
- Lighting shielded to avoid spillage onto vegetated areas

Reason: To safeguard the amenities of the area and avoid light pollution, and to protect nocturnal wildlife in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 (as amended), Circular 06/2005, paragraphs 187, 192 and 193 of the National Planning Policy Framework (2024), 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.

- 17 Should piled foundations be necessary, prior to any piling activities taking place, a Piling Plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall identify the likely impact of piling activities and identify suitable mitigation of those effects.

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

- 18 No external facing and/or roofing materials shall be applied unless in accordance with the approved External Material Schedule (Drawing No. 891-100-01-A) and External Material Finished Key Plan (Drawing No. 891-10-A), 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 policy D1 of the Cheltenham Plan (2020) and adopted policy SD4 of the Joint Core Strategy (2017).

- 19 All hard and/or soft landscaping works associated with each respective plot shall be carried out in accordance with the approved plans prior to first occupation of that plot, and all hard and/or soft landscaping works across the site shall be carried out in accordance with the approved plans prior to completion of the development, unless otherwise agreed in writing by the Local Planning Authority.

Any trees or plants indicated on the approved scheme which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size which shall be first agreed in writing by the Local Planning Authority.

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

- 20 Prior to first occupation of any part of the development, a SuDS management and maintenance plan for the lifetime of the development to 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 shall be 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, having regard to adopted policy INF2 of the Joint Core Strategy (2017).

- 21 Prior to first occupation of each dwelling, car and cycle parking provision for that dwelling shall be provided in accordance with the approved plans. The car parking spaces shall be hard surfaced and positively drained to a suitable outfall to ensure no surface water runs onto the highway and shall be maintained as such thereafter.

Reason: To ensure the adequate provision of car and cycle parking within the site in the interests of highway safety, having regard to adopted policy INF1 of the Joint Core Strategy (2017).

- 22 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, walls or fences (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).

- 23 The Biodiversity Gain Plan submitted pursuant to the national biodiversity condition (below) 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.

INFORMATIVES

- 1 IMPORTANT: BIODIVERSITY NET GAIN CONDITION - DEVELOPMENT CANNOT COMMENCE UNTIL A BIODIVERSITY GAIN PLAN HAS BEEN SUBMITTED TO AND APPROVED IN WRITING BY CHELTENHAM BOROUGH COUNCIL (AS A CONDITION DISCHARGE APPLICATION).

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.

The mandatory biodiversity net gain condition cannot be met with on-site biodiversity provision alone, so off-site biodiversity units must be purchased to satisfy the condition. The Biodiversity Gain Plan required under the statutory biodiversity gain condition must outline how a 10% net gain in biodiversity will be achieved (using the statutory biodiversity metric) and include proof of purchase of off-site biodiversity units from a suitable provider.

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>.

Information on how to discharge the biodiversity gain condition can be found here: <https://www.cotswold.gov.uk/planning-and-building/wildlife-and-biodiversity/biodiversity-net-gain-bng/>

30-year Habitat Management and Monitoring Plan templates can be found here: <https://publications.naturalengland.org.uk/publication/5813530037846016>

- 2 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.
- 3 The applicant is advised that 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.
- 4 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.
- 5 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.
- 6 The development hereby approved includes the carrying out of work on the public highway. You are advised that planning permission does not constitute permission to undertake works within the public highway. Before undertaking work on the highway, you will be required to enter into a highway agreement under Section 278 of the Highways Act 1980 with Gloucestershire County Council as the Local Highway Authority (LHA). The agreement will specify the works and the terms and conditions under which they are to be carried out. You are advised to contact the LHA'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 LHA's reasonable costs in connection with the drafting, technical approval, supervision, and inspection of the works.

A Section 278 Agreement must be completed, the bond secured and the LHA's technical approval and inspection fees paid before any drawings will be considered and approved.

- 7 This planning permission is subject to section 106 legal agreements and should be read in conjunction with those agreements.

Cheltenham Civic Society**23rd July 2025**

This and the many other small parcels of land along Kidnappers Lane illustrate the problems of developer led development. The piecemeal development leads to compromised layouts, lost opportunities for community and recreation space and extra hard standing. Ideally the planning authority would have had a plan for the area to include all the necessary infrastructure.

It is particularly unfortunate that this development was not planned together with the recent development by the same builder which it wraps around. A layout covering the whole site could have been agreed with better pedestrian and street layouts and shared amenity space, and greater housing density. Another nearby development, Leckhampton Views off Leckhampton Hill, illustrates how greater density can be achieved on a similar edge of town site.

We would like more information on how the zero-carbon aim would be achieved. Despite the prominent claims made in this regard, there is no explanation as to how plans for this development respond to the check list in the Borough's Climate Change SPD.

Bearing in mind the recent heat waves, which are likely to become more frequent in future, the heat pumps installed should be of a type which can also provide cooling in the summer.

More space should be made for trees in the landscaping.

GCC Lead Local Flood Authority (LLFA)**30th July 2025**

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

Flood Risk

The site is in flood zone 1 and is considered low risk according to the Risk of Flooding from Surface Water maps.

Surface Water Management**Discharge strategy**

The geology of the site is Blue Lias clay and although there is Cheltenham Sand and Gravel superficial deposits present, it is accepted that infiltration is unlikely to be able to manage surface water in all events. Instead, it is proposed to discharge to a watercourse at the northern corner of the site, in line with Standard 1 for the National Standards for Sustainable Drainage Systems (SuDS).

The outfall and its construction may require consent under 23 of the Land Drainage Act 1991, a separate process to the planning process and currently carried out by Cheltenham Borough Council.

Discharge rate and volume

The discharge rate will be limited to 3.3 l/s, which is approximately equal to the greenfield runoff rate for QBar for the proposed impermeable area. This will form the strategy for managing runoff volume and is in line with Standard 3 of the National Standards for SuDS.

Evidence that the development meets Standard 2 of the National Standards should be provided. This means demonstrating the first 5mm of rainfall for the majority of rainfall events does not result in runoff from the site to the watercourse.

Sustainable Drainage System (SuDS) strategy and indicative plan

There appears to be a discrepancy between what is written in the main text of the Flood Risk Assessment and Drainage Strategy (891-ER-01; June 2025) and the Drainage Strategy Plan (891-102-C) as the former refers to an attenuation pond (with permanent standing water) and the latter an attenuation basin (without permanent water). Either could manage water quantity (although it will change how interception is managed) and water quality aspects of SuDS as well as provide amenity and biodiversity benefits to the development but it should be clarified which one will be implemented.

The private driveways will be composed of permeable paving and some of the garages roofs are proposed to be green roofs, which will form a treatment train with the attenuation basin/pond to manage water quality from these areas. However, there is no treatment train for the access road as this will drain directly to the attenuation basin via gulleys.

The text states that urban creep is being included at a value of 10%, however, it appears that this hasn't been included in the simulations that show how the drainage will function. These simulations also show that the runoff from the impermeable surfaces haven't been set at 100% (i.e. the summer and winter Cv values are 0.75 and 0.84 respectively). They also haven't included the basin/pond or the permeable surfaces that could contribute runoff to the drainage as advised in paragraph 3.32 of the National Standards.

The attenuation basin/pond has been simulated with a free outfall, however, it looks like it's only 100mm above the height of the receiving watercourse. This could mean the discharge from it gets impacted when the water level in the watercourse increases and exceeds the level of the outfall. This should be included in the model to ensure it will function as designed in all scenarios. This is outlined in paragraph 3.24 of the National Standards. There also doesn't appear to be a freeboard built into the pond so confirmation of this should be provided.

Finally, the existing watercourse along the southern boundary of the site is being isolated behind property gardens and fences. Experience of this layout has shown it can lead to maintenance of the watercourse being neglected due to difficulties in accessing it and investigating these instances are made difficult. Where possible, this should be avoided and the watercourse remain in public open space. If this isn't possible then it should be open in people's gardens and confirmation of who will be legally responsible (i.e. who the landowner will be) for the maintenance of the watercourse should be provided.

Climate change

Climate change has been incorporated into the design at a value of 40%, which is in line with the Environment Agency's latest estimates.

Exceedance flow plan

The Flood Routing Plan (Proposed) (859-107-2-B) shows where surface water will travel through and off the site in rainfall events that exceed the design of the drainage.

LLFA Recommendation

The surface water drainage strategy does not meet many of the National Standards for Sustainable Drainage Systems. These should be addressed or evidence that it does should be provided.

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

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

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

12th September 2025 – revised comments

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.

It's not clear how the pond has been designed. It appears as though the base of the pond will be 76.000mAOD (apart from the 281.5m² area that will be 75.600mAOD to capture the first 5mm of rain) which is the same level as the outfall. This means there will be no permanent standing water in the pond. It's also not clear how the first 5mm will be prevented from leaving the site because the once the 112.58m³ of storage available in the base of the pond has been filled, it will no longer be available to store the first 5mm of subsequent rainfall events. The design also includes a 600mm drop that will not provide a particularly natural or easily accessible feature with shallow slopes and benching that is described in Standard 5 of the National Standards for SuDS.

A filter trench has been added adjacent to the access road opposite plots 10-12a. This could help provide further water quality management for this portion of the road depending on the detailed design of this system, i.e. surface water should be allowed to runoff onto the top of the trench to allow the filtration rather than gullies being connected to the underlying pipe. If designed appropriately, the inclusion of this feature will mean the majority of the site will have a treatment train.

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.

It's not clear how the pond has been designed. It appears as though the base of the pond will be 76.000mAOD (apart from the 281.5m² area that will be 75.600mAOD to capture the first 5mm of rain) which is the same level as the outfall. This means there will be no permanent standing water in the pond. It's also not clear how the first 5mm will be prevented from leaving the site because the once the 112.58m³ of storage available in the base of the pond has been filled, it will no longer be available to store the first 5mm of subsequent rainfall events. The design also includes a 600mm drop that will not provide a particularly natural or easily accessible feature with shallow slopes and benching that is described in Standard 5 of the National Standards for SuDS.

A filter trench has been added adjacent to the access road opposite plots 10-12a. This could help provide further water quality management for this portion of the road depending on the detailed design of this system, i.e. surface water should be allowed to runoff onto the top of the trench to allow the filtration rather than gullies being connected to the underlying pipe. If designed appropriately, the inclusion of this feature will mean the majority of the site will have a treatment train.

Better coefficients have been used in the simulations of the drainage and urban creep has been included. The pond has been included but reportedly with only an impermeable factor of 20%. Given the nature of a pond and the description on the Attenuation Basin Sections plan (891- 114-B) of "Clay puddling to be provided to sides and base of permanently wet area to prevent infiltration" suggests there will be minimal if any infiltration and it should be included with a 100% impermeable factor.

The simulations also include a fixed surcharge level at the outfall to mimic what would happen when the watercourse is in high flows. According to the results, it looks like Pipe (4) will flood on a 3.3% Annual Exceedance Probability (AEP) event, which is counter to the National Standards. Similarly, this happens in the 1% AEP event but it's not clear what the volume of flooding is in this scenario.

Finally, on the alterations to the boundary ditch, it's not obvious how maintaining a filter trench would be easier or safer than an open ditch when the residents will not be able to see blockages in it and, if blockages occur, will have to remove/replace a substantial amount of material compared to managing vegetation on the surface of the ditch. It might not be a watercourse that runs all year round, but it may still provide a habitat for some ecosystems.

LLFA Recommendation

The LLFA recommends further information be provided as described above.

7th November 2025 – revised comments

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 information submitted following the LLFAs previous comments from the 12 September 2025 (Flood Risk Assessment and Drainage Strategy; 891-ER-01 Rev C; 6 October 2025) includes changes to the attenuation basin that mean it complies with the National Standards. Changes to the filter trench will mean it will function as a measure to manage water quality and clarification over the boundary ditch, which no longer has a significant catchment, suggests that back filling it should not cause an issue.

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

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

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

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

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

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

NOTE 2: 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.

27th May 2026 – revised comments

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 recommendations.

The LLFA has no further comments or recommendations from our last response from 7th November 2025.

GCC Highways Development Management**12th August 2025**

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

The justification for this decision is provided below.

The site has an extensive history of permissions including an appeal decision. Those previous permissions, including the appeal decision, have had a number of conditions and off-site works imposed on them particularly the provision of a footway connection with Vineries Close before occupation as imposed by the inspector.

It would seem reasonable to impose the conditions previously imposed although I have recommended some changes/additions but given the fall-back position of the previous permission I will leave to the LPA to assess the reasonableness of those suggestions.

The detail design of the estate road is the subject of a S38 application and the detail of that will be agreed as part of that process and the off-site works and individual accesses will need to be subject to a S278 Agreement with the LHA.

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

Conditions

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

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

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

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

Before any part of the development hereby approved is brought into beneficial use and irrespective of any document currently submitted a Travel Plan will be submitted to and approved by the LPA which will include a monitoring methodology which will include a survey

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

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

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

The Local Highway Authority has no objection to the above subject to the applicant obtaining a section 184 licence. The construction of a new access will require the extension of a verge and/or footway crossing from the carriageway under the Highways Act 1980 - Section 184 and the Applicant is required to obtain the permission of Gloucestershire Highways on 08000 514 514 or highways@gloucestershire.gov.uk before commencing any works on the highway. Full details can be found at www.gloucestershire.gov.uk.

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

8th October 2025 – revised comments

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

The justification for this decision is provided below.

The site is within an area where developments have been approved both on appeal and directly by the Borough Council. This scheme was submitted as part of the pre-application process and the applicant was advised that the proposed development was acceptable.

This submission includes an appropriate level of visibility at the access as identified in the supporting documents.

It is considered that the predicted levels of traffic generated by the proposed development are unlikely to have a severe impact on the capacity of the local highway network.

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

Before any part of the development hereby approved is brought into beneficial use the visibility splays shown on the approved drawings shall be laid out, cleared of all obstructions to visibility greater than 0,6m above the level of the carriageway and once any part of the development is occupied shall be maintained as such thereafter.

Before any part of the development hereby authorised is brought into beneficial use the footway/cycleway works shown on the submitted plans shall be completed in accordance with the local highway authority's standards.

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

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

The proposed estate road will be laid out and constructed in accordance with the designs and specifications laid out in the Manual for Gloucestershire Streets.

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

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

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

Informatives

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

highway authority with regards to maintenance, snow clearance etc and advised to take advice on public liability insurance against claims associated with those responsibilities.

The Local Highway Authority has no objection to the above subject to the applicant obtaining a section 184 licence. The construction of a new access will require the extension of a verge and/or footway crossing from the carriageway under the Highways Act 1980 - Section 184 and the Applicant is required to obtain the permission of Gloucestershire Highways on 08000 514 514 or highways@gloucestershire.gov.uk before commencing any works on the highway. Full Details can be found at www.gloucestershire.gov.uk.

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

24th April 2026 – revised comments

Gloucestershire County Council, the Local Highway Authority (LHA), 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, makes the following comments.

This response is provided to update previous comments made by the LHA which offered no objections subject to a series of planning conditions and further discussions between the applicant and the LHA reflecting on some improvements to the existing infrastructure on Kidnappers Lane, specifically for cyclists.

In response to these discussions the applicant has updated the External Works Layout drawing (891-141-2 revision G) to show the following improvements:

- Widened footway on the eastern side of Kidnappers Lane across the site frontage to accommodate a shared 3m footway / cycle track including across the proposed access to plots 14 to 21;
- Full tie-in to the footway / cycle track to the south at the same width;
- A traffic calming feature (raised table) for the access into plots 14 to 21;
- Relocated informal crossing point adjacent to the principal site access;
- New crossing point to the north of the principal site access suitable for pedestrians to access the existing shared facility on the other side of the road; and
- Appropriate changes to signage and road markings

As such, the LHA is now content that the proposals are fit for purpose and that they would result in improved accessibility and connectivity for this development.

Although a Stage 1 Road Safety Audit (RSA1) has been provided, this was for the scheme submitted before the above listed improvements were designed. The LHA has no doubt that a revised RSA1 would be required for these changes but we are comfortable that the changes are likely to make the area safer and would therefore be content for this process to be completed as part of the Highway Works Agreement under Section 278 of the Highways Act 1980. The LHA has already suggested wording for these works but, for the avoidance of doubt the conditions should now follow the wording below (these conditions are split not only per access but also across a timescale that would permit commencement based on agreed details and also an allowance in the pre-occupation conditions for an alternative delivery programme if delays in achieving highways technical approval are encountered):

CONDITIONS

Principal Access

No development shall commence until details of the proposed principal vehicular access serving 13 dwellings, comprising a bellmouth access with associated footways, as shown indicatively on the External Works Layout drawing (891-141-2 revision G), have been submitted to and approved in writing by the local planning authority. The details shall include junction geometry, footway provision, visibility splays, levels, drainage, and means of construction.

Reason: To ensure the provision of safe and suitable vehicular access to the development in the interests of highway safety, in accordance with paragraphs 110 and 111 of the National Planning Policy Framework.

No dwelling served by the principal access shall be occupied until the vehicular bellmouth, footways, visibility splays and the section of shared use footway/cycle track widened to 3 metres adjacent to and between the accesses have been constructed in accordance with the approved details, or in accordance with a programme for delivery that has been submitted to and approved in writing by the local planning authority.

Where the approved works are to be delivered pursuant to a Section 278 agreement and completion of those works is delayed, occupation may take place provided that:

- (a) confirmation has been submitted to and approved in writing by the local planning authority that the relevant Section 278 agreement has been entered into;
- (b) the elements of the access necessary to enable its safe use by vehicular traffic and pedestrians have been constructed in accordance with the approved details; and
- (c) a programme for completion of the remaining approved works has been submitted to and approved in writing by the local planning authority.

The access shall be retained thereafter.

Reason: To ensure the provision of safe and suitable vehicular access to the development in the interests of highway safety, in accordance with paragraphs 110 and 111 of the National Planning Policy Framework.

Secondary Access

No development shall commence until details of the secondary vehicular access serving 8 dwellings via a raised table on Kidnappers Lane, as shown indicatively on the External Works Layout drawing (891-141-2 revision G), have been submitted to and approved in writing by the local planning authority. The details shall include the raised table design, tactile paving where applicable, carriageway and footway / cycle track levels and widths, drainage, visibility, and any associated road markings and signage.

Reason: To ensure the provision of safe and suitable vehicular and cyclist access to the development in the interests of highway safety, in accordance with paragraphs 110 and 111 of the National Planning Policy Framework.

No dwelling served by the secondary access shall be occupied until the raised table, vehicular access and the section of shared use footway/cycle track widened to 3 metres adjacent to and between the accesses required to serve that dwelling have been constructed in accordance with the approved details, or until a timetable for their completion has been submitted to and approved in writing by the local planning authority and the dwelling is occupied in accordance with that timetable. Where the approved works are to be delivered pursuant to a Section 278 agreement and completion of those works is delayed, occupation may be permitted provided that:

- (a) confirmation has been submitted to and approved in writing by the local planning authority that the relevant Section 278 agreement has been entered into;
- (b) the raised table is operational and capable of accommodating safe vehicular, pedestrian, and cycle movements; and

(c) a programme for completion of the remaining approved works has been submitted to and approved in writing by the local planning authority.

The access shall be retained thereafter.

Reason: To ensure the provision of safe and suitable vehicular access to the development in the interests of highway safety, in accordance with paragraphs 110 and 111 of the National Planning Policy Framework.

Construction Traffic Management Plan

Prior to commencement of the development hereby permitted details of a construction traffic management plan (CTMP) 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 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;
- 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.

INFORMATIVE

This informative is provided for the avoidance of doubt and does not form part of the planning permission.

Works on the Public Highway

The development hereby approved includes the carrying out of work on the public highway. You are advised that planning permission does not constitute permission to undertake works within the public highway. Before undertaking work on the highway you will be required to enter into a highway agreement under Section 278 of the Highways Act 1980 with Gloucestershire County Council as the local highway authority (LHA). The agreement will specify the works and the terms and conditions under which they are to be carried out. You are advised to contact the LHA'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 LHA's reasonable costs in connection with the drafting, technical approval, supervision, and inspection of the works.

A Section 278 Agreement must be completed, the bond secured and the LHA's technical approval and inspection fees paid before any drawings will be considered and approved.

1st July – updated comments

Gloucestershire County Council, the Highway Authority, acting in its role as Statutory Consultee has undertaken a full assessment of this planning application. Based on the appraisal of the development proposals, the Highways Development Management Manager — on behalf of the County Council — under Article 18 of the Town and Country Planning

(Development Management Procedure) (England) Order 2015, makes the following comments.

I can confirm that the LHA is happy with the proposed amendments to the highway works and access details as shown on drawing 891-141-2 rev G (External Works Layout Sheet 2). These works incorporate:

- A widened footway from the main site access southwards, across the secondary access point to the corner of Kidnappers Lane opposite the Cherringtons access
- Tactile paving for a pedestrian crossing north of the site access
- Appropriate locations for corduroy paving
- Relocating the proposed informal cycle crossing point closer to the main site access
- A raised table adjacent to the secondary site access point as a traffic calming feature

I can now confirm that this enables the LHA to withdraw its objection to the proposals.

Trees Officer
6th August 2025

In general, the trees on site are individually of lower arboricultural value, given their relative lack of visibility from the public realm and the species make-up, which is predominantly fast-growing, short-lived pioneer species with modest ultimate size potential. The more exotic trees on site (gum, false acacia, Indian bean) appear to be remnants from a former site use and most have limited or no public visibility, while the largest, the gum, does not have especially good form. The line of Leyland cypress bordering the site is almost certainly a lapsed hedge and is a slightly incongruous arboreal feature in a semi-rural setting.

However, their collective loss would be regrettable - the proposal here is to remove almost all the trees from the site. Arguably, the most valuable arboreal asset is not even listed on the tree survey schedule individually - this is a lapsed coppice stool of ash forming part of the front hedgerow (see group 3 on the schedule) which is likely much older than its coppiced form appears. It should also be held in mind that the relative lack of public visibility into the site is due in large part to the hawthorn and ash hedging along the roadside border. This is an arboreal feature in itself which in places is indistinguishable from the copses or groups of trees beyond.

It should also be noted that there is some local opposition to the wholesale removal of the trees here which provide numerous habitat opportunities for wildlife. While the trees themselves may have limited immediate amenity value, their value for habitat should not be underestimated, and this broader sense of amenity value should be duly weighed in the planning balance.

It would be preferable therefore for the scale of the development to be reduced in order to retain more of the existing features. While the numerous fruit trees, as insect-pollinated trees, will support insects and associated ecosystems, G5 is a small copse of willows which is probably the group which has the best case for retention as shelter for larger mammals, and which over time will become more prominently visible. In the context of a BNG assessment that indicates a 64.58% net loss in biodiversity, retention of existing green infrastructure should be prioritised.

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

CBC Ecologist
15th July 2025

The Preliminary Ecological Appraisal (PEA) (All Ecology, April 2025) appropriately describes the ecological features of the site and mitigation required. The results of the Reptile Survey report (All Ecology, April 2025) are also supported.

The Biodiversity Net Gain Design Stage Report (All Ecology, June 2025) indicates the development would achieve a -64.58% net loss in biodiversity, calculated by the statutory biodiversity metric. This is a disappointing figure for a development on a site this size, and with zero-carbon dwellings proposed. The applicant is urged to consider re-designs, including minimising hard-standing areas and incorporating higher quality soft landscaping into the proposal to improve their BNG calculation. Following this, finalised comments from CBC Ecology will be provided. The applicant must also submit a copy of their statutory biodiversity metric. Only condition sheets have been submitted so far.

28th July 2025 – revised comments

The Preliminary Ecological Appraisal (PEA) (All Ecology, April 2025) appropriately describes the ecological features of the site and mitigation required. The results of the Reptile Survey report (All Ecology, April 2025) are also supported.

The Biodiversity Net Gain Design Stage Report (All Ecology, June 2025) indicates the development would achieve a -64.58% net loss in biodiversity, calculated by the statutory biodiversity metric. This is a disappointing figure for a development on a site this size, and with zero-carbon dwellings proposed, however the applicant has confirmed that they "have maximised the land available on site and would likely wish to secure the BNG required to deliver the site by alternative means, potentially a third party like GNCf".

The mandatory biodiversity (net) gain (BNG) condition applies to this development; therefore, a Biodiversity Gain Plan must be submitted prior to commencement if this application is approved. The BNG informative must be added to the decision notice of this planning application if it is deemed approved. The mandatory biodiversity net gain condition cannot be met with on-site biodiversity provision alone, so off-site biodiversity units must be purchased to satisfy the condition prior to commencement of the development should the development be granted planning permission. The Biodiversity Gain Plan required under the statutory biodiversity gain condition must outline how a 10% net gain in biodiversity will be achieved (using the statutory biodiversity metric) and include proof of purchase of off-site biodiversity units from a suitable provider. The finalised statutory biodiversity metric must also reflect one amendment; the proposed other neutral grassland in the public open space on this site should be downgraded from 'Good' condition to 'Moderate' condition, owing to the nature of public open spaces and the high likelihood that this habitat will be degraded over the 30-years it will be accessible for. A Habitat Management and Monitoring Plan (HMMP) and S106 are required with respect to biodiversity gains achieved by this proposed development.

If this proposal is granted planning permission, the following conditions must be attached:

Ecological Mitigation & Enhancement Strategy (EMES)

Prior to the commencement of the development hereby approved the applicant shall submit an Ecological Mitigation & Enhancement Strategy (EMES). This shall include details of the provision of 15No bird boxes, 15No bat boxes, 20No insect bricks, 7No hedgehog boxes, and 1No reptile hibernacula. 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 Cheltenham Borough Council.

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 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".

Lighting Plan

Prior to the commencement of the development hereby approved, details for any proposed external lighting shall be submitted to and agreed in writing by the Local Planning Authority. Development shall be undertaken in accordance with the approved details. This shall include a lux level contour plan, and shall seek to ensure no light spill outside of the site boundaries. The lux contour plan shall show lux levels at frequent intervals (lux levels at 0, 0.2, 0.5, 1, 1.5, 2, 3, 4, 5 lux and higher are particularly useful) and extend outwards to additional levels (above the pre-existing background light level) of zero lux. The lux contour levels shall be superimposed on a site plan which includes all land that is affected by raised light levels (including potentially land outside the red line planning application area) and shall reflect the use of any proposed mitigation, e.g visors.

Advice note: Lux Levels on natural habitats potentially used by nocturnal species such as bats and badgers, not previously exposed to increased light levels, will receive approximate lux levels of between 0.1 (typical moonlight/cloudy sky) and 10 (sunset) lux 'Bats and Artificial Lighting at Night' ILP Guidance Note update released - News - Bat Conservation Trust Increasing lux levels in these natural habitats is likely to cause disturbance, therefore the implementation of visors etc as mitigation is strongly advised.

Guidance: According to paragraph 191 of the National Planning Policy Framework (2024), 'Planning policies and decisions should... limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.'

Reason: To conserve legally protected bats and other nocturnal wildlife complying with the 1981 Wildlife & Countryside Act (as amended).

Precautionary Method of Working (PMW)

Prior to the commencement of development hereby approved, including all site clearance and vegetation removal, a method statement for a Precautionary Method of Working (PMW) with respect to vegetation and site clearance, and the potential presence of protected species on site shall be prepared by a suitably qualified ecological consultant and submitted to and approved in writing by the Local Planning Authority. The PMW shall include measures to soft-fell the trees with potential bat roosting features, as described in the Preliminary Ecological Appraisal (PEA) (All Ecology, April 2025).

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.

Guidance: According to paragraph 180 (page 52) of the National Planning Policy Framework (2024), 'Planning policies and decisions should... limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.' Reason: To conserve legally protected bats and other nocturnal wildlife.

Soft Landscape Plan

Prior to the commencement of the development hereby approved, a soft Landscape Plan including a planting schedule, shall be submitted to and approved in writing by Cheltenham Borough Council.

The development shall be carried out in full accordance with the details submitted or any amendments approved in writing by the Council.

Reason: to comply with the revised National Planning Policy Framework (NPPF, 2024). The NPPF states in paragraph 180 (d) on page 50 that "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 in paragraph 185 (b) "To protect and enhance biodiversity and geodiversity, plans should...identify and pursue opportunities for securing measurable net gains for biodiversity".

Habitat Management and Monitoring Plan (HMMP)

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

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

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

- (f) HMMP has been implemented; and
 - (g) habitat creation and enhancement works as set out in the [HMMP] have been completed.
- No occupation/operational use of the proposed development shall take place until:
- (h) the habitat creation and enhancement works set out in the approved HMMP have been completed; and
 - (i) a completion report, evidencing the completed habitat enhancements, has been submitted to, and approved in writing by the Local Planning Authority.

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

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

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

Consultant Ecologist (Wild Service)

9th October 2025

We have reviewed the Ecological documents (PEA, BNG, CEMP, LEMP, reptile report) and our response with regards to Ecology is provided below.

The development of 21 houses and gardens will result in the loss of the majority of on-site habitats, mainly scrub and semi-improved grassland; while the native hedgerow is to be retained/enhanced.

Two trees had low bat roosting potential and are to be inspected by a bat licensed ecologist prior to being soft-felled as per best practice. Compensatory roosting provision, in the form of bat box on retained tree, should be provided prior to felling.

It is noted that no dormouse survey has been undertaken despite dormice being known to be present in the locality in the hedge network and the site contains suitable habitat and is linked to the hedgerow network – therefore a dormouse survey is required prior to determination (this should ideally be through using footprint tunnels as per the latest dormouse survey guidelines for habitat that is of moderate/low suitability for dormice to avoid false absence finding).

There appears to be a pond on the adjacent estate that has not been assessed for its suitability for GCN, which needs to be done considering the suitability of the terrestrial habitat for this species and other amphibians such as common toad (for which there are local records) – therefore the presence/absence of this pond should be verified and if present then it should be assessed for its suitability for GCN and recommendations made accordingly prior to determination.

A small slow-worm population was found on site and mitigation measures are outlined in the reptile report and CEMP, the land to be retained and protected during construction and landscaping appears to rather small and shaded by trees/shrubs in the aerial plan in the CEMP. It is recommended that some open habitat be included in the reptile retained habitat too. The CEMP generally gives sufficient mitigation information during construction. However, common toad and hedgehogs are present in the area and these are both Species of Principal Importance under the NERC Act. Therefore, mitigation for these species should be included in the CEMP.

While the positive BNG value for hedgerows is welcomed, it is noted that the development doesn't yield a net gain for area habitats and gives a large negative result of -64.58%. Therefore the developer should either free up land on site for BNG purposes, or find additional land to use for off-site offsetting (NB BNG baseline survey and BNG uplift assessment would be needed predetermination); or they could use a local BNG units provider such as GNCF to achieve 10% net gain for area habitats.

Outline 'wildlife-sensitive' lighting recommendations in the CEMP and LEMP for construction and operational phases respectively, are welcomed and should be expanded in the form of a 'wildlife-sensitive' lighting strategy, especially as lesser horseshoe bats are known to forage across the area.

Requirements prior to determination:

1. Confirmation as to how the additional BNG units are to be obtained to allow the development to achieve a minimum of 10% net gain for area habitats (as well as the >10% positive net gain predicted for hedgerows) is also required. Updated information to demonstrate how 10% net gain can be obtained (ensuring BNG trading rules are met in the updated BNG metric) is to be submitted to the LPA for review.
2. The presence/absence of this pond should be verified and if present then it should be assessed for its suitability for GCN (using Habitat Suitability Index method) and recommendations (including any survey effort deemed necessary or additional mitigation/enhancement measures) made accordingly. The findings should be submitted to the LPA for review.
3. Dormouse survey to determine presence/absence ideally using footprint tunnels for habitats of low/moderate suitability as per latest dormouse survey guidelines. The results of which should be used to update mitigation and enhancement measures where necessary and this should be submitted to the LPA.
4. An SHRA is required to consider recreational impacts on the Cotswold Beechwoods SAC both for the proposed scheme and the cumulative impact with the current and planned development for the area. In addition recreational impacts on the nearby Leckhampton Hill SSSI from this proposed development and future/planned developments in the area should also be considered. Appropriate mitigation recommendations should be included in the assessment. This assessment should be submitted to the LPA for review.

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. A 'wildlife-sensitive' lighting strategy scheme covering both construction and operational phases should be submitted to the local authority pre-commencement detailing location and specification of the lighting supported by contouring plans demonstrating any light spill into adjacent habitats. This plan should be completed in conjunction with advice from the project ecologist and submitted to the LPA for review pre-commencement.

2. Compensatory bat box should be installed on site prior to the trees with low bat roosting potential being felled following inspection by bat licensed ecologist who should oversee the soft-felling. Location to be added to the CEMP/LEMP site plan and the plan submitted to the LPA prior to commencement.

3. CEMP should ensure that some open habitat is included in the retained land for reptiles and clarify that this needs protection during both construction and landscaping phases. This reptile receptor/retained habitat area should be shown on the plans in the LEMP report too to ensure it is left in place. A log/rubble pile should be installed in the reptile retained zone (and shown on the CEMP/LEMP plans) to act as a receptor to place any reptiles in that are found during ecologist-supervised site clearance. The CEMP should include precautionary measures for common toad and hedgehog, both Species of Principal Importance under the NERC Act and likely to be on site. A copy of the CEMP should be left in the site office and made available for all site staff and this should be stated clearly on the front cover. The updated CEMP and LEMP (with updated reptile receptor/retained habitat area) should be submitted to the LPA for review prior to commencement.

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

- *PPF Para 180 - 194 (Conserving and Enhancing the Natural Environment), National Planning Policy Framework*
- *SD9 Biodiversity and Geobiodiversity*
- *NF3 Green Infrastructure*

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

Cheltenham Plan, Adopted 2020.

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

Wildlife legislation context:

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

- *Protection of Badgers Act 1992*

We trust this information is helpful.

25th November 2025 – revised comments

While the CEMP states no ponds are present nearby, there is no clarification if a search has been made by the ecologist to verify whether there is a pond in the nearby estate and if so its suitability for GCN (to the east).

As dormouse habitat will be lost due to the development and there are local records, confirming their presence/absence and mitigation is necessary.

Sensitive lighting details in LEMP are welcomed, however, lighting plan to verify that light spill will be minimised is still required.

Receptor bat box referred to in text and added to CEMP plan.

Protection of retained area and mitigation for amphibians and hedgehogs included in CEMP and information on maintaining reptile habitat plus wildlife features locations included in LEMP (use of hedgehog highways is encouraging).

CBC Ecologist

28th April 2026

Further Information Required – Objection.

Thank you for your correspondence and the additional information provided. The application has been reviewed in the context of relevant legislation and policy, including the Environment Act 2021, the National Planning Policy Framework (NPPF, particularly paragraphs 180 and 186), the Conservation of Habitats and Species Regulations 2017 (as amended), and the Natural Environment and Rural Communities (NERC) Act 2006.

There may still be some outstanding ecological matters that would benefit from being addressed prior to determination.

Notwithstanding previous submissions, the following matters remain outstanding and require clarification prior to determination:

1. Biodiversity Net Gain (BNG)

In accordance with Schedule 7A of the Town and Country Planning Act 1990 (as inserted by the Environment Act 2021), all developments must demonstrate a minimum of 10% biodiversity net gain. While a positive net gain has been identified for hedgerows, the submitted metric demonstrates a significant deficit for area habitats.

Given the scale of the deficit (notably in the context of relatively low distinctiveness habitats and absence of complex habitat creation constraints such as watercourses), further justification is required. Specifically:

- The applicant has confirmed that off-site units will be purchased from a habitats provider and their intention is to purchase from a local provider should the units be available.
- Demonstration that the mitigation hierarchy (avoidance, mitigation, on-site compensation, then off-site compensation) has been fully applied in accordance with statutory BNG guidance; and
- If additional habitat is proposed onsite to increase the net gain, Submission of an updated biodiversity metric demonstrating how at least a 10% net gain for area habitats will be achieved, ensuring compliance with BNG trading rules.

This information must be provided to the Local Planning Authority (LPA) for review.

Other neutral grassland on a development of this type should not be at a level higher than moderate. Our ecologist previously requested that this is changed from the proposed 'good' condition in the metric, this is still outstanding and therefore the post development BNG would be -66.86% after this change.

2. Great Crested Newts (GCN) and Adjacent Pond

LPA previous response - The presence or absence of a pond on the adjacent estate (to the east) must be verified. If present, the pond should be assessed using the Habitat Suitability Index (HSI) methodology to determine its suitability for Great Crested Newts, in line with best practice guidance and the Conservation of Habitats and Species Regulations 2017 (as amended).

Where suitable habitat is identified, appropriate recommendations should be made, including:

- Whether presence/absence or further survey effort (e.g. eDNA or traditional survey) is required; and
- Any necessary mitigation or enhancement measures.
-

This is particularly important given the presence of suitable terrestrial habitat and local records of amphibians (including Species of Principal Importance under Section 41 of the NERC Act 2006).

The newly submitted CEMP states that no ponds are present nearby therefore, the LPA considers that the proposed precautionary methods of working are adequate inline with the project ecologists' recommendations.

The Local Planning Authority operates under a district-level licensing (DLL) scheme for great crested newts, and as such, NatureSpace should be consulted prior to determination. This is to ensure that any impacts on great crested newts are appropriately considered and addressed in accordance with the Conservation of Habitats and Species Regulations 2017 and relevant Natural England licensing requirements. Confirmation of NatureSpace's position is therefore required before a determinative decision is made.

3. Dormouse Survey

The Ecological report includes the following within the summary: 'Habitats: The boundary hedge and scrub provide the only habitats. These are connected to an off-site network of hedges but these are poorly connected in turn into the wider area.

Presence/absence: The hedge and scrub provide habitat but are species-poor with limited connectivity. No evidence of presence was recorded. Dormice are expected to be absent.

However, no further details of survey effort have been included, how this conclusion has been made is unclear and lack scientific evidence. Hazel Dormouse records are within 1km with the site having good connectivity to the wider landscape. Therefore, given the presence of suitable habitat, connectivity to the wider hedgerow network, and local records of hazel dormouse (a European Protected Species), further survey work is required to establish presence or likely absence.

Surveys should be undertaken in accordance with current best practice guidance (e.g. Natural England and the Dormouse Conservation Handbook), with the use of footprint tunnels strongly recommended for habitats of low to moderate suitability to reduce the risk of false absence results.

The results should be used to inform appropriate mitigation, compensation, and enhancement measures, and submitted to the LPA for review. This is necessary to ensure compliance with the Conservation of Habitats and Species Regulations 2017 (as amended), and to meet NPPF requirements for the protection of protected species.

Summary Ecological Position

Previous consultation responses identified several key concerns which remain either unresolved or insufficiently addressed, including:

- Requirement for dormouse survey due to suitable habitat and local records which are confirmed in the ecological report. Hedgerow removal is proposed, OR thorough justification from the project ecologist as to why surveys have not been conducted;
- Significant biodiversity net gain deficit for area habitats, significant net gain in hedgerow units (this is welcomed) clarification of how the mitigation hierarchy has been applied for BNG is still required;
- Need for enhanced reptile mitigation habitat design (may be conditioned)
- Expansion of lighting strategy to ensure it is demonstrably “wildlife-sensitive.” (may be conditioned)

General Position

While it is acknowledged that previous nearby developments may have undergone survey effort, each application must be assessed on its own merits, based on up-to-date policy, available evidence, and site-specific circumstances.

In its current form, the application does not yet provide sufficient ecological information to demonstrate compliance with the above legislation and policy requirements. As such, the requested information is necessary to ensure that impacts on biodiversity are adequately assessed and addressed prior to determination.

If the applicant or their agent disagrees with the ecological advice provided by the Local Planning Authority, a formal written appendix to the submitted ecological report should be prepared and submitted by the project ecologist. This should clearly set out the technical basis for any disagreement, supported by appropriate evidence, survey data, and reference to relevant policy and guidance. The statement should be sufficiently robust to enable the LPA to fully consider the alternative position prior to determination.

HRA

The site falls within the zone of influence for recreational impacts on the Cotswold Beechwoods Special Area of Conservation and is therefore subject to Habitat Regulations Assessment. The applicant has agreed to contribute to the relevant strategic mitigation scheme, which is supported. An Appropriate Assessment has been undertaken by the Local Planning Authority, which concludes that there will be no adverse effect on the integrity of the designated site. Natural England has now been consulted on this basis, and their response is awaited prior to determination.

If the above cannot be resolved, refusal is recommended for the following reasons:

Insufficient information has been submitted, in particular, ecological survey information, assessment or mitigation to enable the Local Planning Authority to fully assess the extent to which species and habitats, including Dormouse that are protected under the Wildlife and Countryside Act 1981 (as amended), The Conservation of Habitats and Species Regulations 2017 (as amended) or listed as species of Principal Importance in S.41 of the Natural Environment and Rural Communities Act 2006 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 (in particular Chapter 15). 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 Species and Habitats Regulations 2017 (as amended).

26th May 2026 – revised comments

No objection subject to conditions.

Thank you for the additional ecological information that has been provided. We can confirm that 'Ecology' considers the justifications to be robust and in line with current guidance and legislation.

Biodiversity Net Gain (BNG)

The applicant has confirmed that off-site units will be purchased from a habitats provider and their intention is to purchase from a local provider should the units be available. Required units = 8.45 habitat units. The proposal provides 109.58% net change for hedgerows which is welcomed and considered a significant gain. A legal agreement will be required to secure monitoring fees for a small site low complexity habitat £3,422.

HRA

The site falls within the zone of influence for recreational impacts on the Cotswold Beechwoods Special Area of Conservation and is therefore subject to Habitat Regulations Assessment. The applicant has agreed to contribute to the relevant strategic mitigation scheme, which is supported. An Appropriate Assessment has been undertaken by the Local Planning Authority, which concludes that there will be no adverse effect on the integrity of the designated site. Natural England has now been consulted on this basis, and their response is awaited prior to determination.

Therefore, no objection is raised for ecology, and the below conditions are recommended should the application be granted permission:

Compliance with Report including for EPS

The development shall be carried out in strict accordance with the recommendations in : Section 6 of the Reptile Survey Report prepared by All Ecology (April 2025), The Preliminary Ecological Appraisal Prepared by All Ecology (April 2025) including Plans, Landscape and Ecological Management Plan Prepared by All Ecology (June 2025) Including Plans, Construction and Environmental Management Plan (CEMP) Prepared by All Ecology (May 2026). All the recommendations shall be implemented in full according to the timescales laid out in the recommendations, unless otherwise agreed in writing by the Local Planning Authority, and thereafter permanently maintained for the stated purposes of biodiversity conservation

Reason: To ensure that habitats and species 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.

Ecology Report Lifespan

If the development hereby approved has not commenced within 18 months of the date of this permission, an updated ecological survey shall be carried out by a suitably qualified ecological consultant and shall be submitted to and approved in writing by the Local Planning Authority. The Survey Report shall conclude whether the Ecological Mitigation and Enhancement Strategy/Precautionary Method of Working/CEMP and Reptile Surveys should be updated, and if so, the reports shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any works.

The development shall then be undertaken in full accordance with the approved Ecology report/EMES/PMW/CEMP.

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.

Lighting

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

- Narrow spectrum lighting used to avoid the blue-white wavelengths
- Lighting directed away from vegetated areas
- Lighting timed to provide some dark periods
- Connections to areas important for foraging will contain dark corridors.
- Lighting shielded to avoid spillage onto vegetated areas

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

HMMP- onsite significant

• A 30-year Habitat Management and Monitoring Plan (HMMP) shall be submitted to, and approved in writing by, the local planning authority prior to above ground works of the development hereby approved being undertaken. 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; and
- 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.

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 secure the delivery of at least a 10% biodiversity net gain for the required 30-year period and appropriate management of all 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 Gain Plan

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

Reason: To secure the delivery of at least a 10% biodiversity net gain through successful establishment and management of all newly created and enhanced habitats in accordance with Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of

the Environment Act 2021), paragraphs 187, 192 and 193 of the National Planning Policy Framework.

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.

Natural England

8th May 2026

Thank you for your consultation on the above dated 28 April 2026 and received 28 April 2026. Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

DESIGNATED SITES [EUROPEAN] – NO OBJECTION SUBJECT TO SECURING APPROPRIATE MITIGATION

This advice relates to proposed developments that falls within the 'zone of influence' (ZOI) for one or more European designated sites, such as Cotswold Beechwoods SAC. It is anticipated that new residential development within this ZOI is 'likely to have a significant effect', when considered either alone or in combination, upon the qualifying features of the European Site due to the risk of increased recreational pressure that could be caused by that development. On this basis the development will require an appropriate assessment.

Your authority has measures in place to manage these potential impacts in the form of a strategic solution Natural England has advised that this solution will (in our view) be reliable and effective in preventing adverse effects on the integrity of those European Site(s) falling within the ZOI from the recreational impacts associated with this residential development.

This advice should be taken as Natural England's formal representation on appropriate assessment given under regulation 63(3) of the Conservation of Habitats and Species Regulations 2017 (as amended). You are entitled to have regard to this representation.

Natural England advises that the specific measures (including financial contributions) identified in the strategic solution can prevent harmful effects from increased recreational pressure on those European Site within the ZOI.

Natural England is of the view that if these measures are implemented, they will be effective and sufficiently certain to prevent an adverse impact on the integrity of those European Site(s) within the ZOI for the duration of the proposed development.

The appropriate assessment concludes that the proposal will not result in adverse effects on the integrity of any of the sites as highlighted above (in view of its conservation objectives) with regards to recreational disturbance, on the basis that the strategic solution will be implemented by way of mitigation.

Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects likely to occur as a result of the proposal, Natural England advises that we concur with the assessment conclusions. If all mitigation measures are appropriately secured, we are satisfied that there will be no adverse impact on the sites from recreational pressure.

If the Habitats Regulations Assessment (HRA) has not been produced by your authority, but by the applicant, it is your responsibility (as the competent authority) to produce the HRA and be accountable for its conclusions. We provide the advice enclosed on the assumption that your authority intends to adopt this HRA to fulfil your duty as competent authority.

Natural England should continue to be consulted on all proposals where provision of site specific SANGS (Suitable Alternative Natural Green Space) or other bespoke mitigation for recreational impacts that falls outside of the strategic solution is included as part of the proposal. We would also strongly recommend that applicants proposing site specific infrastructure including SANGs seek pre application advice from Natural England through its Discretionary Advice Service. If your consultation is regarding bespoke site-specific mitigation, please reconsult Natural England putting 'Bespoke Mitigation' in the email header.

Reserved Matters applications, and in some cases the discharge/removal/variation of conditions, where the permission was granted prior to the introduction of the Strategic Solution, should also be subject to the requirements of the Habitats Regulations and our advice above applies.

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

For any queries regarding this letter, for new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

Parish Council

31st July 2025

Comments only.

The Parish Council has concerns about the following:

Lack of screening planned for, along Kidnappers

Loss of biodiversity

Impact on road safety having two entrances rather than one

26th September 2025 – revised comments

The Parish Council object to this application. It is disappointed that our concerns expressed on several occasions, regarding the two highways accesses to the development have not been addressed in this new application. This is a safety issues. Also we have concerns that the layout, design and materials of the affordable homes do not match the market homes as they do in Pear Trees.

24th June 2026 – additional comment

The Parish Council continue to object to this application as per our objection dated 26th September 2025.

Designing Out Crime Officer**31st July 2025**

While looking at the planning application for a development off Kidnappers Lane to identify opportunities to increase Crime Prevention Through Environmental Design (CPTED). On the whole there aren't any changes required to the overall layout and design, but there is a curious feature in the centre of Plots 1 - 9.

It's not easily seen in the proposed Planning Layout, but can be easily seen in the Boundaries & Enclosure Key Plan. Each of the nine plots all show rear garden entry via a gate at the front or side of the property, yet there is a gated corridor that runs between each plot. This corridor offers no access to any of the properties.

My first concern, why has this fenced corridor been included? And secondly, how would this secluded area hidden behind 1.8 metre close board fencing be misused; whether that's children running around making noise or throwing things into gardens, access to the rear garden for burglary or residents throwing grass and garden cuttings over their rear fence.

Architects Panel**11th August 2025**

Design Concept - The panel had no objection to the principle of this development.

Detail Design - The site layout and design of the units is acceptable. There was not a lot of detail about how the 'net zero' classification is being achieved or how it is being defined. Does this classification included the build or does it only relate to the future occupation and ongoing energy use.

Recommendation – Support

Urban Design**30th July 2025**

- o Existing vegetation needs to be accurately plotted on the site layout plan. There are some very large tree specimens along Kidnappers Lane that don't seem to be accurately reflected in the proposal. The proposed dwellings along this lane do have a good amount of frontage space which is positive. Refer to arboricultural officer for comments in this regard.
- o Pedestrian connection to adjacent housing development - the possibility should be properly investigated and if possible, be implemented as a pedestrian connection from the side of plot 10 to Pear Tree Close. This would provide good connectivity across both parcels - connecting future and existing residents to each other, a requirement of local and national planning policy.
- o Plot 14 - garage to front of plot 14 creates a poor entrance vista at the main entrance to the scheme.
- o Plots 14-21 offer an interesting streetscape to Kidnappers Lane, the roof forms are animated with a good mix between gable and eaves-fronted dwelling forms and the courtyard-styled layout to the housing and garaging is well-considered. This is a good response to rationalising an urban to semi-rural character in this location.
- o Plots 1-6 - this arrangement is less successful than 14-21. Plots 1-6 propose 3 pairs of eaves-fronted semi-detached dwellings with no articulation in the roof form, elevation and layout to suit the semi-detached typologies proposed in this location. Suggest a reworking of these dwellings to achieve a more responsive edge to the main frontage and better related to plots 14-21.
- o Entrance road design - not convinced this road requires footpaths both sides of it for its entire length including around the large turning head to the rear. Consider using crossing

points where necessary to break up the street and create a more pedestrian-friendly environment.

- o Boundary treatments facing the public realm should be constructed out of solid walling not timber fencing. Plots 6, 10, 13, 14, 21 all have timber fencing facing the public realm, this should be amended to a more long-lasting solution such as solid wall construction instead.

- o Elevations - the proposed design of the dwellings is of a simple, traditional pitch-roof built forms, articulated with contemporary window proportions and simple detailing. As mentioned earlier, plots 1-6 lack character and identity as achieved across the rest of the proposal. Consider including architectural elements to enliven the elevations such as gables, bays, dormer windows, possibly also including a contrasting material on a recessed/projecting features.

- o House types - there are no visible house type plans in the planning application submission. While most of the houses are visible from the streetscene, this still excludes the front elevations proposed for plots 7,8,9. Nevertheless we need to see all the elevations of all the houses and the accompanying floor plans.

- o Materials- the choice of materials across the site are simple and effective. A few of the plots lack the contrasting materials on the elevations (such as plots 1-6), and I cannot see any information on streetscenes for plots 7,8,9. Choice of material palette should be agreed on site as a planning condition.

Environmental Health

24th July 2025

Unusually the applicant has provided a Construction Management Plan at a relatively early stage in the planning process. This plan identifies suitable controls for noise and dust for a site of this size, and a condition requiring pre-approval will not be necessary. However I would advise that by the time construction commences there will be significant numbers of new homes in the immediate neighbourhood, and I would advise that any measures categorised as "If necessary" probably will be required.

The Ground Investigation Report recommends piled foundations for use across the site. There is considerable potential for the installation of piled foundations to cause loss of amenity for noise-sensitive property around the site. (Note my comments on new homes, above). Therefore I must recommend a condition is attached to any permission for this development to require the method of piling to be pre-approved by this department before development commences.

The same report does not raise significant issues regarding contaminated land, but make some relatively minor points regarding removal of suspected asbestos containing material (ACM) at spot locations and if found around the site. It also indicates a localised "hot spot" of contamination by PAH around trial pit TP05 and recommends further investigation of the site to determine the extent of this contamination and suitable remediation. Therefore I would request the standard condition relating to suitable investigation and reporting of any issues identified during the re-development is attached to any permission for this development.

Ward Councillor – Councillor Martin Horwood

25th July 2025

I would like to call this application in to committee please.

This is because it is a very significant development for Leckhampton and for the reasons given in ***** email below.

He is correct by the way that the May meeting with the parish council was in the form of a presentation at full council (actually 14 May not 16 May) with an informal discussion and was not a formal decision-making meeting. The PC planning committee to consider this application is taking place on 31 July.

***** is quite right that this development is very relevant to policies in the emerging Neighbourhood Plan for Leckhampton and Warden Hill which is now at examination stage and should therefore be given very significant weight. Policies LWH5 on valued landscape is relevant as he says, but Policy LWH4 on green infrastructure and the related Appendix specifically identifies the land in question as including important green infrastructure even if development proceeds, and also Policy LWH1 on community facilities which affects this development as sufficiently far from any other community facilities and therefore obliged to include some in their development.

So this is an important test case for the application of Neighbourhood Plan policies and I would want to see these fully briefed to committee members and fully considered by them at full committee.

26th November 2025 – additional comments

I am going to object to this application for the following reasons, which I expect to be added to comments online and both of which point to too great a loss of amenity and overdevelopment of this site:

1. The huge 64.58% loss of biodiversity onsite and destruction of more than 50 mature trees within the site and along the boundary with Kidnappers Lane, which the ecologists' report quite clearly states means 'the loss of the majority of on-site habitats'. I think is clearly contrary to:

- Emerging Neighbourhood Plan policy LWH4 on green infrastructure (now at examination and so to be given considerable weight) which explicitly refers to this site in its detailed appendix, which states that development on this site should respect the importance of its hedgerows and mature trees and specifically those bordering Kidnappers Lane, most of which are lost in this proposal.

- NPPF paragraph 187, given the Secretary of State's 2016 recognition of the Leckhampton Fields are a valued landscape under the NPPF, even where undesignated, which has been further reinforced by repeated inspector's reports since then. I have attached the note explaining this which forms appendix 3 to the draft Neighbourhood Plan but which has also been reinforced by the more recent 2023 appeal decision by appeal inspector JP Sargent APP/B1605/W/23/3317851.

- JCS Policy SD9 which is absolutely clear that 'Harm to the biodiversity or geodiversity of an undesignated site or asset should be avoided where possible. Where there is a risk of harm as a consequence of development, this should be mitigated by integrating enhancements into the scheme that are appropriate to the location and satisfactory to the Local Planning Authority and that only 'exceptionally, compensatory enhancements off-site may be acceptable.'

- Vision theme C and Paragraphs 10.6 -10.23 of the Cheltenham Plan 2020 which says that "In addition to the protection and enhancement of areas of particular wildlife and geological significance, the Council is concerned to ensure that other habitats and features are conserved and improved. The Council recognises the contribution that small landscape features, such as shrubs and thickets, ponds, meadows and copses can make to the ecology and biodiversity of an area, especially where such features are linked... Continuous green areas - such as large linear open spaces, hedgerows, tree-lined roadside verges or banks, disused railway lines or watercourses, and green lanes - have greater ecological value than isolated spaces. Such 'green corridors' provide connected linkages for wildlife through the developed areas of the town or the countryside, as well as being important sites in their own right." This site is obviously connected to the nearby Local Green Space and through the LGS to the Cotswold National Landscape and the blue corridors of the Hatherley Brook into town in the other direction.

- The advice of CBC's own trees officer who says that the trees "collective loss would be regrettable - the proposal here is to remove almost all the trees from the site" and that "while

the trees themselves may have limited immediate amenity value, their value for habitat should not be underestimated, and this broader sense of amenity value should be duly weighed in the planning balance. It would be preferable therefore for the scale of the development to be reduced in order to retain more of the existing features."

I hope all these policies and consultee comments will be drawn strongly to the committee's attention in your report. The thrust of them all is that mature habitats, biodiversity net gain and landscape value should be protected and achieved onsite wherever possible as is being done locally at the Farm Lane site permitted last week (my request for extreme care over the LEMP notwithstanding) and even Miller's development next to the Shurdington Road which is impressively safeguarding the Hatherley Brook line. Any loss of mature habitats, trees and biodiversity loss onsite should be minimised and exceptional. This application sadly represents a wholesale destruction with no real attempt to preserve the natural streetscape or biodiversity onsite at all.

2. The two exits from the site in quick succession dangerously disrupting an important cycle route to school for the growing High School Leckhampton. This is a serious concern for road safety and despite the GCC response to date I am clear that the two road exits planned are contrary to the Manual for Gloucestershire Streets:

- P13 of the MGS say that 'Developers should identify key facilities (such as shops, schools and bus stops) in the vicinity of the site and also other less regularly used facilities such as community centres, public open space, play areas and doctor's surgeries, which are likely to be frequent destinations for residents of a development or, and to a lesser extent, employees in the case of many commercial developments. Where practical to do so, opportunities priority should be given to pedestrian and cycle movements'.

- By quite unnecessarily cutting through an existing busy cycle path to school twice in rapid succession this development does not fulfil this obligation. This will naturally force cyclists into the busy road which - with more than 370 new houses planned in the immediater vicinity - is due to get even busier.

- Section 1.2 of the MGS guidance note on road safety audits reminds us that 'the 1988 Road Traffic Act places a statutory duty on local authorities to prevent accidents on new roads. This is now generally interpreted as a duty to carry out Road Safety Audits' and that 'all schemes or developments which may have an impact or alter the current highway layout must go through the Road Safety Audit procedure.' I would be interested to see the road safety audit carried out in this case which I assume would be required as tow new roads are being created which disrupt the existing cycle and footpath layout as explained above. Did the road safety audit address the issue of the heavy use of this stretch of road for school student walking and cycling to school?

18th June 2026 – additional comments

I am the ward councillor for Leckhampton.

First I would like to update my comments on this application with respect to policies in the emerging Leckhampton with Warden Hill Neighbourhood Plan which has now been approved at referendum by a very large majority and for which the order should be made at full council this coming Monday 22 June 2026. It must therefore be given very considerable weight in decision-taking.

It should be noted that one policy referred to in my previous comments was amended after independent examination. Policy LWH3 on green infrastructure (previously draft policy LWH4) does not now refer specifically to this plot but it still requires every opportunity to be taken for new development to contribute to local green infrastructure provision either through onsite provision or through the enhancement of existing provision. A huge onsite loss of 64.58% in biodiversity is quite obviously contrary to this policy. The 'revised document' described as the

'statutory biodiversity metric calculation tool' may have revised this number but this is inaccessible from the public access site. But if the latest calculation is remotely close to such a huge onsite loss it is clearly against the spirit of all the local policies I quoted before as well as LWH3.

It should also be noted that in seeking to undermine the ecological arguments relating to this site, the applicant's ecologist, All Ecology Ltd, made a downright false statement in their letter of 20 May that 'the site is located on the edge of urban areas, which enclose the nearby surrounding area, and there is limited connectivity to the wider countryside, particularly woodland.' The newly adopted Local Nature Recovery Strategy interactive map (and indeed a simple walk around the site) shows absolutely unambiguously that this is not the case. The habitats on this site are directly connected to neighbouring fields and the Local Green Space which features a host of biodiversity potential measures including potential measure 014 creating mixed mosaic habitats which maps right up to the site and measure 024 natural flood risk management which includes the whole site as well as neighbouring fields. These are connected by green and blue infrastructure all the way into The Park in town and east into the open countryside including the newly designated Cheltenham Escarpment National Nature Reserve. The LNRS of course has statutory force.

More significantly I want to draw the council's attention to Policy LWH1 of the Neighbourhood Plan. This clearly states that new residential developments on sites larger than 1 hectare (the application site is 1.74ha) should not normally be permitted unless suitable local grocery shop provision exists or is to be provided within 800 metres of the development site subject to viability and site-specific considerations. As Fig 5 on p27 of the plan shows, and accurate measurement confirms, the grocery shop provision is Salisbury Avenue is more than 800m to the west - 906m in fact. Previously (and as shown in Fig 5) most of the site was always more than 800m from the nearest grocery shop provision to the east, the Leckhampton Road Co-Op, 858m away at its furthest point but scraping inside 800m at 768m away at its easternmost corner. But since the map was drawn up, that Co-Op has relocated to Pilley Lane and no part of the application site is now within 800m of that store so even though the policy really did apply already, it is absolutely unambiguous now.

This emerging policy was pointed out to the applicants during their pre-application engagement with the Parish Council and the successful new Co-Op planning application in September 2023 predated this one by some considerable time so both the distances and the emerging policy were known to this applicant at the time of application.

The caveats in LWH1 relate to viability and site-specific considerations. The site specifics are this is the central position between the nearest grocery provision which is over 800m away in both directions as the crow flies but much further by walking or cycling in reality and not an easy route, in one case crossing the busy A46 Shurdington Road and in the other travelling up the meandering and often highly congested Church Road. The Lanes and Brizen Lane estate, new Redrow estate (377 homes), new Kendrick homes and new Miller development (350 homes) and Newlands' previous developments have all been built between these roads around Kidnappers Lane and Farm Lane without any new community facilities ever being provided. The new 900 place High School Leckhampton is also very nearby. So altogether there is a clear need and likely very high demand for a new corner shop or small store within walking distance of all of these. The obvious alternative which most people employ now is to get in their cars, adding to the congestion, particulate pollution, carbon emissions and risk in the immediate vicinity of a school.

On viability, there is, as I have explained, a huge unmet need and likely very high demand for an accessible local store between the A46 Shurdington Road and Church Road. But it should also be borne in mind that this is in reality, phase 4 of four closely connected developments in the immediate vicinity all brought forward in quick succession by the same developer. 21/00847/REM, 22/00535/FUL, 22/00535/FUL and this application could easily have been applied for in one application and together amount to 64 new homes, a substantial

development in which any argument of non-viability would be far harder to make. It would be quite wrong to allow a developer to evade this requirement simply by breaking their development up into four phases as Newlands have done.

Needless to say I maintain my objection, including most strongly to the two road exits with a few metres of each other across a busy walking and cycling to school and in close proximity to that school, contrary to the Manual for Gloucestershire Streets. I note that even the most recent comments by the county council as Local Highways Authority dated 2 June 2026 comments that the secondary exit "needlessly interrupts cyclist priority".

I object.

Wales and West Utilities

14th July 2025

See response in documents tab.

Gloucestershire Centre for Environmental Records

17th July 2025

See response in documents tab.

GCC Minerals and Waste Policy

30th July 2025

See response in documents tab.

Housing Enabling

1st August 2025

See response in documents tab.

22nd September 2025 – revised comments

See response in documents tab.

Green Space Team

9th September 2025

See response in documents tab.

GCC S106 Infrastructure Team

15th September 2025

See response in documents tab.

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APPLICATION NO: 25/01073/FUL	OFFICER: Ms Michelle Payne
DATE REGISTERED: 10th July 2025	DATE OF EXPIRY : 9th October 2025
WARD: Leckhampton	PARISH: LECKH
APPLICANT:	Newland Homes Ltd
LOCATION:	Land 1 Off Kidnappers Lane Cheltenham
PROPOSAL:	Residential development of 21no. zero carbon dwellings with associated access and internal roads, parking, landscaping, and other associated works and infrastructure.

REPRESENTATIONS

Number of contributors	22
Number of objections	21
Number of representations	1
Number of supporting	0

Robinswood Cottage
Kidnappers Lane
Cheltenham
Gloucestershire
GL53 0NP

Comments: 6th August 2025

I object this application based on the environmental factors on the diminishing wildlife and destruction of their natural habitat. Since living here many animals are being forced out of their existing habitat. Deer are running any which way possible as are the fixers, rabbits and fixers. Native birds seem to be depleting as are small creatures such as field mice, slow worms, hedgehogs and bats. There is insufficient school spaces for the rapid expansion of residents; our child attends HSL and we were told there are only 20 spaces at Bourneside sixth form for next steps in education. Local primary schools are full and there has been little to no implementation of amenities in the area. Kidnappers lane has been dug up and patched in a shocking manner; no traffic controls and the road is an accident waiting to happen. No zebra crossing, the lane is not wide enough and people consistently drive too fast and too far into the middle of the road because it is a lane! I'm appalled that there seems to be no consideration for existing residents and the community.

28 Lambert Gardens
Cheltenham
GL51 4SW

Comments: 23rd July 2025

I strongly object to this development, as this will be another loss of wildlife habitat, where will it go if we keep building more and more houses. We also have so much development happening already in this area, we are fast becoming a big city, that can't support everyone, i.e. doctor's surgeries, schools, shops, we only have one hospital. What about all the pollution from all the extra cars. We also need to keep some green fields, to help keep roads from flooding. Please keep this area as it is, we are in danger of becoming a concrete jungle.

Moat Cottage
Kidnappers Lane
Cheltenham
Gloucestershire
GL53 0NR

Comments: 10th July 2025

Will Kidnappers Lane Road repairs be factored into the planning? Extensive damage has already been done to the road as a result of the first two builds by this developer at this location. An example would be the impact of driving heavy plant on the road.

8 Leckhampton Farm Court
Leckhampton
Cheltenham
Gloucestershire
GL51 3GS

Comments: 19th July 2025

Once again, the adopted Joint Core Strategy is in danger of being overruled within Leckhampton. The findings of the extensive, objective and protracted JCS resulted in Leckhampton being removed as a strategic allocation and there is no defence in continuing the blatant breach of those findings. All the detailed discussions and outcomes of the JCS are still relevant and despite being ignored by, amongst others, the relevant Secretary of State and the Planning Inspectorate (who should know better), there is no excuse to continue down the path of making the bad situation of overdevelopment even worse.

The lack of infrastructure such as a well functioning GP surgery, shops, decent roads, employment and public transport does not engender the mythical desire for walking and cycling, but results in additional traffic on narrow lanes, which is often at a standstill due to endless traffic "management" and congestion. Even the local expanded Primary School and the new High School are already oversubscribed.

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The relatively few houses being proposed in this application may seem like a small addition to the whole, but it is yet another potential example of the "boiling frog syndrome", i.e. people failing to recognize or react to gradual, negative changes until it's too late.

It is not too late to reject this application and restore some inkling of optimism to the otherwise assured ongoing destruction of formerly "leafy" Leckhampton.

I object, as should anyone who still wishes the planning system to retain some sense of justice.

Robinswood Cottage
Kidnappers Lane
Cheltenham
Gloucestershire
GL53 0NP

Comments: 15th July 2025

I strongly object to planning application 25/01073/FUL.

This is the fourth major development in this area since 2020, following Pear Trees (13 homes), 27 additional zero-carbon homes, and the large Miller Homes scheme. Local infrastructure has not kept pace. Kidnappers Lane is a narrow rural lane, now heavily overused and badly damaged by construction traffic. No repairs, traffic calming or speed limits have been introduced to protect the children going to school.

Local services are already stretched. The only GP surgery in Leckhampton is over capacity. Leckhampton High School was built to address an existing shortfall, yet just one recent development exceeds its capacity. This proposal will add to the problem.

I have personally seen wildlife displaced from the Miller site into this land (deer, badgers, foxes, slow worms). Further development will destroy their last refuge.

This is unsustainable, piecemeal development with no benefit to the community. Please refuse.

3 Pear Tree Close
Cheltenham
Gloucestershire
GL53 0FP

Comments: 23rd July 2025

Further to my objection, already provided, may I draw the Council's attention to an aspect of process. The Statement of Community Engagement states that 'a meeting / series of meetings took place with members of the Leckhampton with Warden Hill Parish Council on 16 May 2025' and that 'the comments received were positive and the proposals well received'. Yet I've been informed that this meeting was an informal and unminuted

meeting, so there is no public record of who was there, how many were there, whether it was representative of the Council or community, what discussions took place and how this alleged support was arrived at. The formal meeting is due to take place on 31 July, after the date for comments has passed. Based on the process, I would argue no weight should be attached to this statement of support.

Comments: 22nd July 2025

Objection to Planning Application - Residential development of 21 no. dwellings at Land 1 Off Kidnappers Lane, Cheltenham. Planning application reference: 25/01073/FUL
***** - 3 Pear Tree Close

We object to the proposed development on the following grounds:

Loss of habitat and green space

The Leckhampton with Warden Hill Parish Council Neighbourhood Plan directly refers to the land subject to this proposal, noting the extensive trees and vegetation forming a significant part of Leckhampton's valued landscape, clearly visible from the Cotswold Area of Outstanding Natural Beauty. It states that any development of this land "should retain and where possible enhance the contribution of the site to Leckhampton's valued landscape, specifically with regard to field hedgerows and mature trees".

However, the developer notes in their submission (Design and Access Statement 3.39 and 5.30) that most trees will be removed. The only hedge that they state will be retained is along the west boundary. They claim that they have limited value, but local residents and the Neighbourhood Plan disagree. The planning submission shows the hedgerow and tress along Kidnappers Lane, which the Neighbourhood plan describes as particularly important, extensively impacted by the visibility splays to the two entrances.

The existing habitat supports significant animal, insect and bird life, as well as forming critical tree cover for the area. The negative Biodiversity Net Gain of -64.58%, as published by the developer, underlines the impact this development will have. While the submission states that habitat will be created in due course, wildlife will be displaced in the meantime. Formalised replacement planting will take years to provide any sort of alternative, and then well short of what is present today.

Reference: Leckhampton with Warden Hill Parish Council Neighbourhood Plan (updated 2025); developers own planning submission; Policies SD6, SD 7 and SD9 of the Gloucester, Cheltenham and Tewksbury JCS and Policy L1 of the Cheltenham Plan

Traffic Impact

Kidnappers Lane is narrow, with poor surface condition, no curbs in places, no traffic calming and a dangerous chicane at The Vineries end. It is already struggling to cope with existing traffic at peak times and with the impact of the various developments in the area. We have witnessed road rage and speeding along the lane. Additional developments underway (Miller Homes, Cherringtons) will contribute yet more traffic when complete.

It is an important route for local school children, yet it is currently dangerous for pedestrians, cyclists and road users. The proposed development will add to all these

problems both through the impact of the development, extra road users and the complications of two further junctions onto the lane.

Policy INF1 of the Gloucester, Cheltenham and Tewksbury JCS requires that all planning proposals should ensure safe and efficient access to the highway network for all transport modes. They should also consider congestion. Given the state of Kidnappers Lane, this development won't meet this requirement. Interestingly, on complaining to the County Council, the response was to complain to the Borough as the latter keep granting planning permissions for developments.

Loss of Amenity

The proposed development will result in a loss of privacy and increased noise incursion to existing properties. Suitable planting may mitigate the former to some extent but won't mitigate the latter given the density and proximity of the proposed development.

Inadequate Infrastructure

Following the approval of the Redrow, Pear Tree Close, Cherringtons and Miller Homes developments, existing infrastructure is under pressure and some of these builds are not yet occupied. We have noted broadband delays, power outages and low water pressure. We are not qualified to say whether this is because of the developments, but it is reasonable to question what upgrades are being made to support all these homes. A similar question might be posed about the sewage system. The evident traffic problems are another example of inadequate infrastructure. This development, if approved, would add to this pressure.

There are no extra shops, medical facilities or recreational facilities planned, so the residents in this proposed development will most likely get in their cars to travel to those facilities that are available. The proposal notes proximity to buses, but those on Leckhampton Road are very infrequent and those on the Shurdington Road are a reasonable walk, making cars the default choice. Cycling, although possible, has cycle lanes that are shared with pedestrians, making things hazardous for both, and which suddenly terminate to rejoin the congested road network, so it is not attractive to many.

The doctors' surgery is already struggling to cope with existing demand before Miller Homes' development is completed, so it will only get worse with this proposal.

The various County, Borough and Parish guidelines all envisage retaining Cheltenham's / Leckhampton's mix of development with green space. Constantly building on the latter will render this a memory.

4 Pear Tree Close
Cheltenham
Gloucestershire
GL53 0FP

Comments: 19th July 2025

We object to this planning application, primarily for the negative infrastructure and biodiversity impact.

Specific concerns are:

- Kidnappers lane is already dangerous. There are very high volumes of traffic particularly around school times. This is already going to get worse as the Miller site development completes and High School Leckhampton fills up with students. I have already witnessed 3 car accidents on Kidnappers Lane whilst walking my children to Leckhampton Primary School. These all occurred over the last 6 months at morning school drop off time. There is a serious safety issue for children commuting to both Leckhampton Primary School and the High School Leckhampton. This development will add yet more traffic to this rural lane.
- Leckhampton GP surgery is already over capacity. Again, this will only get worse as the Miller site completes, and this development is only compounding the problem.
- The development will result in a biodiversity loss, including the existing hedgerow, fir trees and a beautiful eucalyptus tree. This proposed removal will also displace the local wildlife (including deer which use the area on a daily basis) which adds real character and charm to the area.

Please consider these points seriously before approving any further developments.

18 Pear Tree Close
Cheltenham
Gloucestershire
GL53 0FP

Comments: 18th July 2025

I wish to formally object to the proposed further development of Kidnappers Lane by Newland Homes.

Kidnappers Lane is already unsuitable for the current volume of traffic and pedestrian use. Adding more houses and junctions will only increase pressure on this narrow road, significantly raising the risk of accidents-especially given its proximity to both the nursery and the high school.

This new development proposes two additional junctions onto Kidnappers Lane and the removal of the existing hedgerow and fir trees. These natural features not only give the lane its rural character, but also provide valuable habitat for birds and other wildlife. Their removal will dramatically alter the feel of the area, turning what was once a peaceful

country lane into yet another standard housing estate dominated by roads and cul-de-sacs.

Newland Homes has already removed one established hedgerow at the Cherringtons development, replacing it with new planting. While this effort is noted, it will take many years to mature-and is unlikely to ever fully replicate the ecological or aesthetic value of the original.

Once this phase is complete, Newland will have built 50 to 60 houses-more than twice the number originally approved for the Pear Tree Close development. Had the full scale of development been known at the outset, I question whether Cheltenham Borough Council would have granted permission at all.

I would also highlight that the Cherringtons development includes an area marked "For Future Development," indicating even more houses may be planned.

I urge you to consider the cumulative impact of this ongoing expansion on both the environment and the local infrastructure, and to reject this latest application.

5 Pear Tree Close
Cheltenham
Gloucestershire
GL53 0FP

Comments: 24th July 2025

We reside at 5 Pear Tree Close which would be directly impacted by the proposed development by Newland Homes. Given the situation of our house, we would be impacted by both the development to the West and North border of the Pear Trees development.

We strongly object to the planning application submitted by Newland Homes, for the following reasons:

1) Traffic flow along Kidnappers Lane

Kidnappers Lane has become a hazard due to the poor design of the road. It is barely wide enough to accommodate two cars and, at the point at which the road becomes a single lane with priority to oncoming traffic, the give way point is around a blind bend. The road is full of pot holes and both the state and structure of the road is insufficient to handle the current level of traffic, let alone with the addition of the 350 Miller Homes on Shurdington Road and the Cherringtons development on Kidnappers Lane. We feel that the addition of more houses along Kidnappers lane would put too much strain on this stretch of road.

2) Biodiversity of the land subject to development

The field and hedgerow to the north and west boundaries of Pear Trees is thriving with various species of deer, fox, rabbits, birds including Red Kites and Woodpeckers as well as Bats. The Parish Council themselves, referred to this land as "valued landscape" and yet the finalised planning application clearly shows a vast removal of trees and hedgerow and minimal re planting.

We note the results of the recent Biodiversity Net Gain Stage Report (June 2025) where the estimated loss of Habitat biodiversity value is a percentage change of -64.58%, if the development were to go ahead.

We did not receive notification as to the pre-application consultation until we requested the same from Newlands customer care team. The "consultation" process has been minimal and while it has no immediate bearing on this application, we feel particularly aggrieved that when purchasing our property we were told on multiple occasions that there was no known interest from Newlands to purchase the land adjacent to our property. We now know this to be untrue given we have been privy to reports dated 2023 and we purchased our home in 2024.

Our * year old son has a very serious ***** condition which requires a calm home environment and clean living. We are extremely concerned about the impact this could have on him and us as a family given the proximity of the building work to our fence line.

We kindly request that the planning application submitted by Newlands, be declined for the reasons cited above.

6 Pear Tree Close
Cheltenham
Gloucestershire
GL53 0FP

Comments: 21st July 2025

Objection to Planning Application Ref: 25/01073/FUL

We are the owners and occupiers of 6, Pear Tree Close which immediately abuts the northern strip of land proposed for development. We object strongly to the plans in their entirety.

1) Loss of Biodiversity and Valued Landscape

Further housing development is beyond what is reasonable in this area which purports to be part of a valued landscape. The northern field provides a refuge for many species of wildlife that are being squeezed by the intensive degree of building that is already ongoing off Leckhampton Lane. Every day we see deer, either roe deer or muntjac feeding from the hedgerows, as well as rabbits. A large number of different birds call from the very hedges and trees that this development would rip out. They include, greenfinch, goldfinch, chaffinch, blackbird, sparrow, long tailed tit and most significantly the song thrush, which has suffered a significant drop in its numbers over the last fifty years. That is in addition to the many smaller creatures which undoubtedly live in this undisturbed space. The proposed landscaping plan comes nowhere near replacing this valuable vegetation. Moreover, the landscaping that has been undertaken in the Pear Trees development is a woeful disappointment and offers no reassurance that promises made in this application would in any way mitigate the damage that will be done to biodiversity. It will take many years for new trees and vegetation to make up for constant loss and

wildlife might not survive long enough to take advantage. Connected pockets of green have to be allowed for their survival; blanket development is unacceptable.

Furthermore, most of the hedges and trees that line Kidnapper's Lane at this point will be cut down to allow for two new access roads to be built, hence the rural aspect will disappear completely because of the amount of development already underway in close proximity, which leads to:

2) Traffic Impact

Kidnapper's Lane is becoming a busy and unsafe road, due to get worse when the Miller Homes and Cherringtons developments are completed. There are no shops within reasonable walking distance to mitigate car usage. The Lane is too narrow and there is no room for widening it; it is supposed to be a rural lane and not a busy road within a built up suburb, which is what this area is being turned into but without the benefit of useful services such as shops, doctors' surgeries etc.

The two new entrances/exits as required in this application are simply not feasible on this basis alone.

Newland Homes suggested we contact Gloucestershire County Council about our road safety concerns, as they believed the GCC considered the Lane adequate. We duly did so. However their reply was that:

"All works were agreed through the local planning authority. Cheltenham Borough allowed multiple developers to construct along Kidnappers Lane."

This was not a reassuring reply and does not back up the assertions of compliance made by Newland Homes.

3) Loss of Privacy and Amenity

When we purchased our home from Newland Homes in 2024 we were not informed that pre-application advice had been received by them from the Council in 2023 concerning this planning application. We would not have purchased our home if we had known this. As is was we were trying to do the right thing by buying a net zero home at considerable extra expense.

We now have the prospect of seemingly tall bungalows and chalet homes only metres from our fence (we have not seen a profile from our aspect). Our understanding is that there are guidelines for these distances and that those proposed are not generous, considering the value of our home. We sought space and light and a restful environment and this will be taken from us. At the moment we watch the deer, the wide open sky and the sunsets and this has immense value for us, particularly for my husband who is fairly housebound due to ill health. It is doubtful if we could withstand, from a health perspective, further noise and dust generated metres from us, particularly when piling is under way.

It is inevitable that the plans for houses to be built directly behind our garden fence will threaten our privacy both visually and acoustically.

4) Consultation process

Too little too late would probably sum up the pre-application process. We were only told in May of the plans and we had to request a meeting with a Newland Homes representative who could give little reassurance but agreed that our objections were totally understood and justified. Subsequent adjustments to the plan were minimal and did nothing to assuage our fears and objections.

7 Pear Tree Close
Cheltenham
Gloucestershire
GL53 0FP

Comments: 17th July 2025

We are the owners and occupiers of 7 Pear Tree Close. Our property directly adjoins the land to which the planning application relates, specifically the open field to the north.

We object to the planning application for the following reasons:

Principle of Development - Traffic Impact, Loss of Biodiversity and 'Valued Landscape'

Kidnappers Lane is already a dangerous road and is of insufficient width to safely incorporate two additional road junctions into the proposed development site. In addition, visibility splay requirements would mean that much of the existing established hedgerow along the western flank of the development site would be lost.

The field and hedgerows forming the northern portion of the proposed development site are clearly very rich in biodiversity and thriving with animal life, including two species of deer, foxes, rabbits as well as many species of birds and butterflies. The field has established 'valued landscape' quality as referred to in the Parish Council Neighbourhood Plan. We are concerned that the development proposals indicate a significant net loss in biodiversity (Habitat Biodiversity Value net percentage change of -64.58%).

Based on the above, our view is that the northern field is unsuitable for development and should be retained as the valuable biodiversity and landscape asset it already is.

Detail of Proposals - Loss of Amenity and Impact on Rear Privacy

We are concerned that the proposed layout and massing of the bungalows and chalets would result in significant loss of amenity (outlook to 'valued landscape'), as well as the loss of visual and acoustic rear privacy for existing adjoining owners.

The proposed ridge heights of the bungalows and chalets seem excessively tall in this transitional context. Rear privacy separation distances between the new and existing dwellings, although not numerically specified on the drawings, also appear to be below minimum good practice guidance for an outer-suburban / village area type.

The proposed siting of the bungalows and access road could, we believe, have been reversed, rearranged or reduced in density in another way to result in a less damaging solution for the existing adjoining homes.

Pre-Application Consultation Process

Although the Statement of Community Involvement states that a pre-application consultation leaflet drop was made in April, we didn't receive this until the 13th of May by email. Since the plan drawing provided was without scale, dimensions or context, we needed to arrange a meeting with the applicant to properly understand the proposals and their impact on ourselves as adjoining owners.

During that meeting, held on the 11th of June, we requested that consideration be given to an alternative layout for the northern part of the site. This request was declined.

Our overall experience of the pre-application consultation process was that it was left too late with limited information being made available. Our principal concerns were not reflected in any meaningful adjustments to the planning application proposals.

8 Pear Tree Close
Cheltenham
Gloucestershire
GL53 0FP

Comments: 22nd July 2025

I live at 8 Pear Tree Close which adjoins the land to the north, which is the subject of this application.

I object to the planning application for the following reasons.

1. Kidnappers Lane is a narrow, rural lane currently in a state of disrepair due to the volume of traffic, with barely enough room for two vehicles to pass. Visibility in places is limited and two additional access points across the pavement, which was widened to accommodate the school children and cyclists, will make it even more dangerous.
2. There has already been excessive development in the immediate area.
3. The open field to the north has mature trees and hedgerows that offer habitat for a number of animals, birds and butterflies. This will be obliterated if this application is approved. Any new planting proposed as mitigation will take years to establish, and will not offer the same level of cover.
4. Local services such as doctors and dentists are already overloaded. With the developments at Cherringtons and the Miller Homes site already underway, the approval of this application will only exacerbate the situation. This surely also applies to the local schools.
5. The proposed design will greatly impact the visual and acoustic privacy to the rear of my property, and those of my neighbours, with back gardens backing on to back gardens. The planting of trees as screening will further affect light into the gardens.
6. During the pre-planning consultation a number of suggestions were made, including reversing the design to give greater distance between new and existing houses, but I don't believe any suggestions other than flat roofed garages (the same as they've already built at Pear Tree Close) were considered. The height of the proposed bungalows seems excessive and also raises concerns about the potential for future loft conversions.

I respectfully request that the application is refused.

1 Pear Tree Close
Cheltenham
Gloucestershire
GL53 0FP

Comments: 5th December 2025

To whom it may concern.

Proposed development of 21 No. Zero carbon Dwellings off Kidnapper Lane,
Leckhampton, Cheltenham.

We write in connection with the above and wish to object to the proposed development,
identified above.

Our objection is based upon the following reasons.

1. Highway Safety & Narrow Road Access

- o Kidnappers Lane is too narrow for additional vehicles.
- o It is a dangerous road, especially considering it is an important route for the school Children.
- o Risk of congestion
- o Limited space for safe manoeuvring:- In places it is difficult for two vehicles to pass by, especially when the vehicles are lorries.

2. School Access & Child Safety

- o Increased traffic at peak school times
- o Unsafe walking routes for children
- o Insufficient pavement width or sight lines

3. Visual Impact / Residential Amenity

The development affects:

- o Views from the properties in Pear Tree close.
- o Loss of privacy due to proposed new development overlooking the Pear Tree Close properties.
- o Dominance or overshadowing from the proposed new development.
- o With the development of Greenway Chase, off Shurdington Road adjacent to this site, has drastically reduced the amount of surrounding Green Space.

4. Loss of Trees / Biodiversity Impact

- o The removal of the trees will have a significant impact on the valued landscape.
- o The local wildlife habitat will be greatly affected.
- o There is a very minimal replacement plan.

5) Inadequate infrastructure.

- o The existing utilities and infrastructure are already under pressure, and with the recent Greenway Chase and Cherrington's developments adding to this issue.

We trust you understand our objection to this proposal.

Regards,

22 Pear Tree Close
Cheltenham
Gloucestershire
GL53 0FP

Comments: 11th July 2025

Kidnappers Lane is already unable to cope with the volume of traffic on it, as evidenced by the condition of the road and regular near misses between vehicles and between vehicles and pedestrians as a result of narrow road & traffic volume.

The volume of new houses under construction will make this significantly worse and create real safety issues. Further development is negligent as the road cannot be widened or otherwise extended to cope with the traffic volumes.

There are no local shops or public amenities to cope with the volume of houses being developed and the volume of people moving into the area. The nearest being bath Road and the Leckhampton co-op. This lack of amenities results in residents driving more often compounding the traffic problems.

The electricity distribution network is already struggling to cope with the level of flow through the network, EV charging is throttled due to constraints on the network.

It is inevitable that Leckhampton schools, the reason for much of the building in my view, will be massively over subscribed within a couple of years, meaning children living in the locality will be unable to attend the local primary and secondary schools.

26 Pear Tree Close
Cheltenham
Gloucestershire
GL53 0FP

Comments: 16th July 2025

The roads in this area are already overloaded and this will only get worse as the Miller homes development on the junction with Shurdington Road is completed. The new Cherrington homes will also add more cars and the whole area is gridlocked, particularly at busy times for the school.

21 Vineries Close
Cheltenham
Gloucestershire
GL53 0NU

Comments: 7th August 2025

We strongly object to yet another development application by Newland Homes.

Having carefully read through all the other objections we completely agree with all the points raised.

We have lived in Vineries Close since 1987 and enjoyed the semi rural aspect of this once quiet location.

However the last 5 years huge changes have happened in Kidnappers Lane.

Construction of a large secondary school. Construction of Pear Trees Close.

Construction underway of Cherringtons housing. All these developments have placed huge pressure on the lane, considerable loss of habitat for wildlife and unacceptable pressure on the foul sewerage system. Saturation point has been reached.

Please Cheltenham Borough Council reject this application and let our lane remain some semblance of England's green and pleasant land.

18 Pear Tree Close
Cheltenham
Gloucestershire
GL53 0FP

Comments: 29th July 2025

I am writing to formally object to the proposed development on Kidnappers Lane in its current form, for the following reasons:

1. Traffic and Road Safety Concerns

Kidnappers Lane is already under significant strain from existing traffic levels. The road is narrow, with sharp bends that severely limit visibility-particularly where the new access points are proposed. Introducing two additional entrances and increasing traffic volumes will exacerbate these safety issues, making the road even more hazardous.

The pavement along Kidnappers Lane is regularly used by children walking and cycling to High School Leckhampton, as well as by parents with younger children accessing the nearby nursery. The increased vehicular movement directly endangers these vulnerable road users. The proposed development, as it stands, fails to demonstrate how it will mitigate these very real safety risks.

2. Destruction of the Conifer Hedge and Environmental Impact

The mature conifer hedge along Kidnappers Lane is an iconic feature that contributes significantly to the area's green, rural character. It is not only aesthetically valuable but also ecologically important, providing habitat and shelter to a variety of birds and wildlife. The proposal to remove this hedge is deeply concerning and reflects a lack of sensitivity to the local environment.

Newland's suggested replacement planting is completely inadequate and does not compensate for the loss of this mature, established hedge. The visual evidence speaks for itself; I strongly recommend to inspect the hedge in question, and the type of "replacement planting" that Newland has implemented on the opposite side of the road, which is clearly lacking in both quality, character and will take decades to reach same maturity.

3. Concerns About Newland's Track Record on Landscaping

Newland's ability to deliver on its landscaping commitments is questionable based on previous developments. The communal landscaping at Pear Tree Close is still unresolved and has been poorly executed. Areas such as the entrance verge, the children's playground, and the balancing pond remain in substandard condition, despite the passage of time.

I strongly urge the planning committee to inspect these communal areas first-hand before accepting any assurances from the developer regarding the proposed landscaping on this new site.

For these reasons, I respectfully request that the current proposal be reconsidered or rejected unless substantial changes are made to address the issues highlighted above.

1 Vineries Close
Cheltenham
Gloucestershire
GL53 0NU

Comments: 6th August 2025

I am very concerned about the foul water from the proposed development draining into Kidnappers Lane via Peartrees and adding to the already foul smell we constantly experience outside our house at 1 Vineries Close and further down the road. The volume of water can be heard gushing and the smell is awful meaning we are often not able to open our front windows. This issue has been raised several times with Severn Trent but nothing has been done to address the problem. With more houses being built the situation can only get worse.

Of equal concern is the level of traffic on Kidnappers Lane which is, in places a very narrow road. Pleasingly, many children use the road to walk to the new school (HSL) but the road needs to be crossed several times if children are to walk on the pavements. It is NOT safe and an increase in the volume of traffic will only make the road even more dangerous for pedestrians.

10 Pilford Road
Cheltenham
Gloucestershire
GL53 9AQ

Comments: 18th June 2026

I am the ward councillor for Leckhampton.

First I would like to update my comments on this application with respect to policies in the emerging Leckhampton with Warden Hill Neighbourhood Plan which has now been approved at referendum by a very large majority and for which the order should be made at full council this coming Monday 22 June 2026. It must therefore be given very considerable weight in decision-taking.

It should be noted that one policy referred to in my previous comments was amended after independent examination. Policy LWH3 on green infrastructure (previously draft policy LWH4) does not now refer specifically to this plot but it still requires every opportunity to be taken for new development to contribute to local green infrastructure provision either through onsite provision or through the enhancement of existing provision. A huge onsite loss of 64.58% in biodiversity is quite obviously contrary to this policy. The 'revised document' described as the 'statutory biodiversity metric calculation tool' may have revised this number but this is inaccessible from the public access site. But if the latest calculation is remotely close to such a huge onsite loss it is clearly against the spirit of all the local policies I quoted before as well as LWH3.

It should also be noted that in seeking to undermine the ecological arguments relating to this site, the applicant's ecologist, All Ecology Ltd, made a downright false statement in their letter of 20 May that 'the site is located on the edge of urban areas, which enclose the nearby surrounding area, and there is limited connectivity to the wider countryside, particularly woodland.' The newly adopted Local Nature Recovery Strategy interactive map (and indeed a simple walk around the site) shows absolutely unambiguously that this is not the case. The habitats on this site are directly connected to neighbouring fields and the Local Green Space which features a host of biodiversity potential measures including potential measure 014 creating mixed mosaic habitats which maps right up to the site and measure 024 natural flood risk management which includes the whole site as well as neighbouring fields. These are connected by green and blue infrastructure all the way into The Park in town and east into the open countryside including the newly designated Cheltenham Escarpment National Nature Reserve. The LNRS of course has statutory force.

More significantly I want to draw the council's attention to Policy LWH1 of the Neighbourhood Plan. This clearly states that new residential developments on sites larger than 1 hectare (the application site is 1.74ha) should not normally be permitted unless suitable local grocery shop provision exists or is to be provided within 800 metres of the development site subject to viability and site-specific considerations. As Fig 5 on p27 of the plan shows, and accurate measurement confirms, the grocery shop provision is Salisbury Avenue is more than 800m to the west - 906m in fact. Previously (and as shown in Fig 5) most of the site was always more than 800m from the nearest grocery shop provision to the east, the Leckhampton Road Co-Op, 858m away at its furthest point but scraping inside 800m at 768m away at its easternmost corner. But since the map was drawn up, that Co-Op has relocated to Pilley Lane and no part of the application site is now within 800m of that store so even though the policy really did apply already, it is absolutely unambiguous now.

This emerging policy was pointed out to the applicants during their pre-application engagement with the Parish Council and the successful new Co-Op planning application in September 2023 predated this one by some considerable time so both the distances and the emerging policy were known to this applicant at the time of application.

The caveats in LWH1 relate to viability and site-specific considerations. The site specifics are this is the central position between the nearest grocery provision which is over 800m away in both directions as the crow flies but much further by walking or cycling in reality and not an easy route, in one case crossing the busy A46 Shurdington Road and in the other travelling up the meandering and often highly congested Church Road. The Lanes and Brizen Lane estate, new Redrow estate (377 homes), new Kendrick homes and new Miller development (350 homes) and Newlands' previous developments have all been

built between these roads around Kidnappers Lane and Farm Lane without any new community facilities ever being provided. The new 900 place High School Leckhampton is also very nearby. So altogether there is a clear need and likely very high demand for a new corner shop or small store within walking distance of all of these. The obvious alternative which most people employ now is to get in their cars, adding to the congestion, particulate pollution, carbon emissions and risk in the immediate vicinity of a school.

On viability, there is, as I have explained, a huge unmet need and likely very high demand for an accessible local store between the A46 Shurdington Road and Church Road. But it should also be borne in mind that this is in reality, phase 4 of four closely connected developments in the immediate vicinity all brought forward in quick succession by the same developer. 21/00847/REM, 22/00535/FUL, 22/00535/FUL and this application could easily have been applied for in one application and together amount to 64 new homes, a substantial development in which any argument of non-viability would be far harder to make. It would be quite wrong to allow a developer to evade this requirement simply by breaking their development up into four phases as Newlands have done.

Needless to say I maintain my objection, including most strongly to the two road exits with a few metres of each other across a busy walking and cycling to school and in close proximity to that school, contrary to the Manual for Gloucestershire Streets. I note that even the most recent comments by the county council as Local Highways Authority dated 2 June 2026 comments that the secondary exit "needlessly interrupts cyclist priority".

I object.

15 Vineries Close
Cheltenham
Gloucestershire
GL53 0NU

Comments: 2nd August 2025

My family and I strongly object to this proposed development of a further 21 houses on Kidnappers Lane.

FOUL DRAINAGE: We have been directly and negatively impacted by the previous development at Pear Trees in terms of the adoption of the existing foul water drainage for the prior development. The foul sewer runs through our Close (Vineries) and our own garden, and multiple times a week, we are confronted by the disgusting smell of sewage in our garden, outside the side door of our house, and in the road itself. Our neighbours in our road experience the same thing and also in their own homes. My family alone have called out Severn Trent three times in the last year believing there to be a blockage due to the awful and persistent smell but we have been told there is no blockage, that this is due to the volume of sewage now flowing through the sewer and that Severn Trent can do nothing to help us because this is due to Newland Homes adopting the sewer and their use of the pumping station. This is already negatively impacting on my family's quality of life in our own home which we have lived in since 2000s. We have NEVER had a problem like this before and this only started once housing developments, including the Peartrees development, were built. I am very concerned that we are now being informed

that a further 21 houses will be adding their sewage to this existing drain as this will only make our quality of life worse and spoil further the enjoyment of our home and Close.

CONSULTATION: The consultation for this development has not been adequate. We have received no letter through the post informing us of this development or giving us a chance to contribute. Given how close we live to the proposed development, this is not acceptable.

LACK OF AMENITIES: Our children both attend the local schools which are already oversubscribed due to the unacceptable rate of development in the area. The task of trying to get a GP appointment already is ridiculous with you having to wait several weeks to see someone even if you fear symptoms could be something very serious. Allowing more development with no new GP surgery, no new shops, or no consideration of school/sixth-form places is not acceptable.

ROAD SAFETY: The current volume of traffic in the immediate vicinity of this development is very high. We have personally witnessed cars mounting kerbs on numerous occasions putting pedestrians and cyclists at risk. We have personally been forced into the kerb by aggressive oncoming driving from other drivers. We have also witnessed cars speeding down Kidnappers Lane. When you currently exit our Close, you cannot see to the right to see if traffic is coming towards you. Cars are having to intrude into the Close to pass immediately opposite our road which puts our children at risk who are playing in the road. Both of our children walk to school and regularly face this risk. We also cycle to work and are put at risk due to the high volume of traffic in the immediate area of our house. Idling cars also produce air pollution with demonstrated impacts on health. It is horrible as a cyclist having to breath in these fumes while stuck waiting in idling traffic. The latter is necessary due to the joke of a cycling network in the immediate area, therefore any claims that new residents will likely cycle is a fallacy. As other commenters have said, cyclists (including children at the local schools) have to rejoin the main, busy carriageway at multiple points as there is no continuation of a cycle path towards Warden Hill or it's non-existent (e.g., on Church Road). There is also no current route through for children from the Burrows, bar tracking across a muddy field. This needs to be addressed urgently just to tackle the current situation. No further development should be allowed based on the current traffic situation and as another commenter has said, this might "only be 21 houses" but this is a continuous creep to over-develop an area that can't cope with more development. Further, when once driving, we had to wait for 10 minutes in our cul-de-sac, unable to leave our own road, because of the queue of traffic. Adding two further entrances to a new housing estate that will cross the cyclepath/footpath, and a further 55 vehicles, will put children and other pedestrians/cyclists at further risk.

LOSS OF HABITAT/WILDLIFE: To see yet more green space in this area being built upon would be heart-breaking. We moved here in the 2000s because we wanted to raise our children in a leafy area and for our own mental wellbeing. Much of the local green space has been destroyed since that time. We have witnessed deer lying on people's front lawns in our Close because they have nowhere else to go. We no longer see foxes and deer that we used to see and the bird population has dropped dramatically. The field in question is one of the few areas left where wildlife can exist. The hedgerow which is very established is also important for the local wildlife and for screening off the existing development to some extent. The replanting that has taken place with other developments is wholly inadequate and will take years to reach maturity. Development on one of the few fields left should not be allowed.

Little Bradwell
Kidnappers Lane
Cheltenham
Gloucestershire
GL53 0NX

Comments: 6th August 2025

We object to the development on the following grounds:

Loss of green space - open green character of Historic lane, intertwined with footpaths connecting with Burrows Field and Lotts Meadow, with views to Leckhampton Hill - enjoyed by hundreds of people - dog walkers, runners, walkers. Good for public health and wellbeing.

Changing the rural nature of the lane.

Traffic and safety issues with 2 openings onto lane.

Impact on drainage (already a big problem in Vineries Close)

Poor design of street frontage - completely out of character in rural location. Loss of hedgerows.

Urbanising the country lane.

Loss of habitat and wildlife - hedgerows needed for wildlife corridors.

Increased light pollution

Impacting views to and from ANOB

Gradual infilling of land and green space.

Additional housing putting pressure on local services, including GP and schools.

Very poor consultation by developer - little time to comment.

1 Chatsworth Drive
Cheltenham
Gloucestershire
GL53 0AG

Comments: 17th November 2025

More houses, less green space, less nature, more traffic, more stretching of local amenities, more stress. Another nail in the coffin for Leckhampton.

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Application No.	Appeal Ref	Site Address	Appeal Type	Start Date	Questionnaire	Statement	Final Comments	Decision	Date of Decision	Costs Dec	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							
25/00650/OUT	26/00005/PP1	Land at Glenfall Way	Written	27.04.2026	05.05.2026	03.06.2026	17.06.2026					
26/00117/FUL	26/00006/PP1	17 Shelley Road, Cheltenham	Written	29.04.2026	06.05.2026							
26/00312/LBC	26/00007/LISTB2	76 Andover Road	Written	09.06.2026	16.06.2026	14.07.2026	28.07.2026					
25/01072/FUL	26/00008/PP1	52 Tivoli Street	Written	23.06.2026	30.06.2026	28.07.2026	11.08.2026					

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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

MAY/JUNE/JULY 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
Land On The South Side Of Glenfall Way Charlton Kings Cheltenham Gloucestershire	Outline application for the erection of 4 no. self-/custom-build dwellings (Class C3). Access to be determined in detail. All other matters reserved.	Committee Decision	Written Representations		Planning Reference 25/00650/OUT Appeal ref: 26/00005/PP1
17 Shelley Road Cheltenham Gloucestershire GL51 7DN	First floor side and rear extension and outbuilding.	Delegated Decision	Written representations (Householder)		Planning reference 26/00117/FUL Appeal Ref: 26/00006/PP1
76 Andover Road Cheltenham Gloucestershire GL50 2TW	Partial demolition of structurally defective section of garden wall and rebuilding it like-for-like in character and appearance.	Non – Determination	Written Representations		Planning REF: 26/00312/LBC Appeal Ref: 26/00007/LISTB2

St.Stephens Sports And Social Club 52 Tivoli Street Cheltenham Gloucestershire GL50 2UW	Erection of outside/exterior awning (retrospective)	Delegated Decision	Written Representations		Planning ref: 25/01072/FUL Appeal Ref: 26/00008/PP1

Appeals Decided

Address	Proposal	Delegated/Committee Decision	Appeal Type	Outcome	Reference
Laxton Meadow Farm Southam Road Cheltenham Gloucestershire GL52 3NQ	Change of use and conversion of an agricultural barn to a single self-build dwelling and associated works.	Delegated Decision	Written representations	Appeal Dismissed	Planning Ref: 25/00539/FUL Appeal ref: 26/00002/PP1

Authorised By: Chris Gomm 14th July 2026

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Appeal Decision

Site visit made on 26 March 2026

by **C Butcher BSc MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 05 May 2026

Appeal Ref: 6003746

Laxton Meadow Farm, Southam Road, Cheltenham, Gloucestershire GL52 3NQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Andrew Hill against the decision of Cheltenham Borough Council.
 - The application Ref is 25/00539/FUL.
 - The development proposed is the change of use and conversion of an agricultural barn to a single self-build dwelling and associated works.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are: (i) the effect of the proposed development on the character and appearance of the area; (ii) the effect of the proposed development on the living conditions of future occupiers, with regards to outlook and daylight; (iii) whether the existing building is suitable for conversion; and (iv) whether the proposal would represent inappropriate development in the Green Belt.

Reasons

Character and Appearance

3. The existing barn comprises extensive areas of metal cladding. The appellant has noted that they have elected to incorporate a minimal number of window openings in order to preserve its existing character and minimise light spill. Clearly, metal exteriors are not unusual for barn conversions. However, in this instance, the minimal number of window openings, the lack of detailing on the elevations, and the consequent large expanses of blank metal, would give the dwelling an industrial type appearance which would not be pleasing to the eye. Moreover, the juxtaposition of an industrial style building set within a domestic plot, including the usual paraphernalia and trappings, would inevitably be seen as a strange and incongruous feature.
4. In addition, the plans show that the windows that would be incorporated would be an arbitrary arrangement of different shapes and sizes, resulting in an unbalanced appearance. This lack of consistency would again detract greatly from the building itself as well as the character of the immediate area. I also note that the windows on the rear elevation, which would serve bedrooms one and two, would be situated at slightly different levels above the ground. This would add to the unusual and incongruous appearance of the proposed dwelling and would be indicative of a poorly designed scheme.

5. I note that there are few, if any, views of the building from public vantage points. However, this does not mean that a poorly designed proposal is acceptable, or that it would not result in harm.
6. I therefore conclude that the proposed development would result in harm to the character and appearance of the area. As such it would conflict with Policies SL1 and D1 of the Cheltenham Plan, July 2020 (the CP) as well as Policies SD4 and SD14 of the Joint Core Strategy, December 2017 (the JCS). Taken together, the relevant aspects of these policies seek to ensure that new development is well designed and that it preserves character and appearance.

Living Conditions

7. The main living room, as well as bedrooms two and three, would be single aspect with vertically aligned windows. Notwithstanding my concerns about the appearance of the windows, based on the approved plans, I am satisfied that the openings would be large enough to let in sufficient light and to provide a reasonable outlook that would not lead to a feeling of enclosure.
8. On that basis, the proposal would conform with the relevant aspects of CP Policy SL1 which seek to ensure adequate living conditions.

Whether Suitable for Conversion

9. CP Policy L2 enables the conversion of rural buildings to other uses, including where the building is structurally sound, and is capable of conversion without substantial alteration, extension or rebuilding.
10. To this end, the appellant provided a Structural Report as part of their original application material (Lark Cooper, February 2025). This was then updated to include further analysis in November 2025. The updated report concludes that the barn is in a satisfactory condition and that calculations have been undertaken which indicate that the existing structure and foundations are suitable to support additional loads associated with the conversion.
11. In reaching those conclusions, the report acknowledges that some repair work would be required to the external cladding and roofing material, as well as the concrete floor slab. During my site visit, I noted that minor repairs would be needed. However, such works are not unusual during conversions and, in this instance, would be fairly minor in nature. As a result of my observations, I can see no reason to disagree with the findings and recommendations of the Structural Report.
12. Given my conclusions in relation to character and appearance, the proposed development would clearly conflict with CP Policy L2(b). However, when looking at the suitability of the existing structure in isolation, the requirements of CP Policy L2(a) are met. During my site visit, I observed that the building was being used for storage. As such, it would not necessarily be regarded as being vacant or redundant as required by JCS Policy SD10(5). However, part 4 of the same policy sets out that housing development on sites outside of identified areas will also be allowed where there are specific circumstances or exemptions set out elsewhere within the development plan. As a result, the scheme's conformity with CP Policy L2(a) would also result in it being in conformity with JCS Policy SD10.

Green Belt

13. The approach to development within the Green Belt is set out within CP Policy GB1 and JCS Policy SD5. These policies refer back to the approach to Green Belt as set out within the National Planning Policy Framework (the Framework). Paragraph 154(h)(iv) sets out that the re-use of buildings within the Green Belt does not represent inappropriate development providing that they are of permanent and substantial construction and that the proposal would not result in harm to the openness of the Green Belt.
14. From the evidence before me, and from what I observed on my site visit, it is clear that the existing barn is a permanent structure. Moreover, given my conclusions in relation to the submitted Structural Report, I am also satisfied that it is of substantial construction and would therefore not be tantamount to the creation of a new dwelling. Furthermore, despite the harm I have found in relation to character and appearance, and taking account of the potential for domestic paraphernalia and so forth, it is unlikely that the proposed conversion would have a greater impact upon the openness of the Green Belt than the current structure.
15. As a result, I am satisfied that the proposed development would conform with the relevant aspects of CP Policy GB1 and JCS Policy SD5 in that it would not be inappropriate development within the Green Belt.

Other Matters

16. The final two reasons for refusal, as provided on the Council's decision notice, relate to the lack of mitigation in relation to the Cotswold Beechwoods Special Area of Conservation (SAC), and the fact that the self-build nature of the proposal had not been secured. I note that a finalised unilateral undertaking (UU) has been provided to address these matters. In relation to the SAC, an appropriate assessment is only necessary where a proposal is being permitted. There is therefore no need for me to consider this particular matter further as the appeal is being dismissed for other reasons.
17. Notwithstanding the above, I do find that the UU meets the relevant tests for planning obligations in relation to securing the proposed dwelling as self-build and its subsequent exemption from Biodiversity Net Gain requirements.

Planning Balance and Conclusion

18. From the evidence before me, the Council is unable to demonstrate a five-year supply of deliverable housing sites, with the current figure being just 2.69 years. In such circumstances the test set out in paragraph 11(d)(ii) of the Framework is engaged.
19. In this instance, the benefits of the proposal include the provision of a single new self-build home that would assist in meeting need in the area, provide support for local facilities, and create jobs during the construction phase. The proposal would also utilise previously developed land and could have some benefits in relation to biodiversity. Despite the level of shortfall in housing land supply, which leads me to attribute increased weight to the benefits, I still only afford limited weight to them overall given that they are relatively minor in nature.
20. I have concluded that there would be material harm to the character and appearance of the area, notwithstanding that I have not found harm in relation to

living conditions and Green Belt and have concluded that the existing building is structurally suitable for conversion. The support for the principle of development within the Framework, including making efficient use of land, is countered by the importance it places on the provision of development that is well designed and preserves character and appearance. In this instance, the harm would be significant and enduring.

21. As a result, when assessed against the policies in the Framework taken as a whole, the adverse impacts would significantly and demonstrably outweigh the benefits. Consequently, for the reasons given, the proposed development conflicts with the development plan as a whole, and there are no other considerations, including the provisions of the Framework, that outweigh the identified harm. The appeal is therefore dismissed.

C Butcher

INSPECTOR