

Cheltenham Borough Council Planning Committee – Extraordinary Meeting

Meeting date: 4 July 2025

Meeting time: 2.00 pm

Meeting venue: Council Chamber - Municipal Offices

Membership:

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

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

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

Agenda

1 Apologies

2 Declarations of Interest

3 Declarations of independent site visits

4 Public Questions

5 Planning Applications

5a 23/01875/OUT Land at West Cheltenham Southern Parcel, Fiddlers Green Lane. (Pages 5 - 110)

[Planning application documents.](#)

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

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Committee Report

APPLICATION NO: 23/01875/OUT		OFFICER: Ms Nicole Golland	
DATE REGISTERED: 7th November 2023		DATE OF EXPIRY: 11/07/2025	
DATE VALIDATED: 7th November 2023		DATE OF SITE VISIT: 10/10/2023	
WARDS: Benhall, the Reddings and Fiddlers Green; and Springbank.		PARISH:	
APPLICANT:	HBD Golden Valley Limited		
AGENT:	HGH Consulting		
LOCATION:	Land At West Cheltenham Southern Parcel Fiddlers Green Lane Cheltenham		
PROPOSAL:	Outline planning permission (with all matters reserved except for access) for a severable and phased development to provide non-residential floorspace comprising flexible commercial and community uses (Use Classes E and F), mobility hubs, new homes (Use Class C3) and other associated infrastructure.		

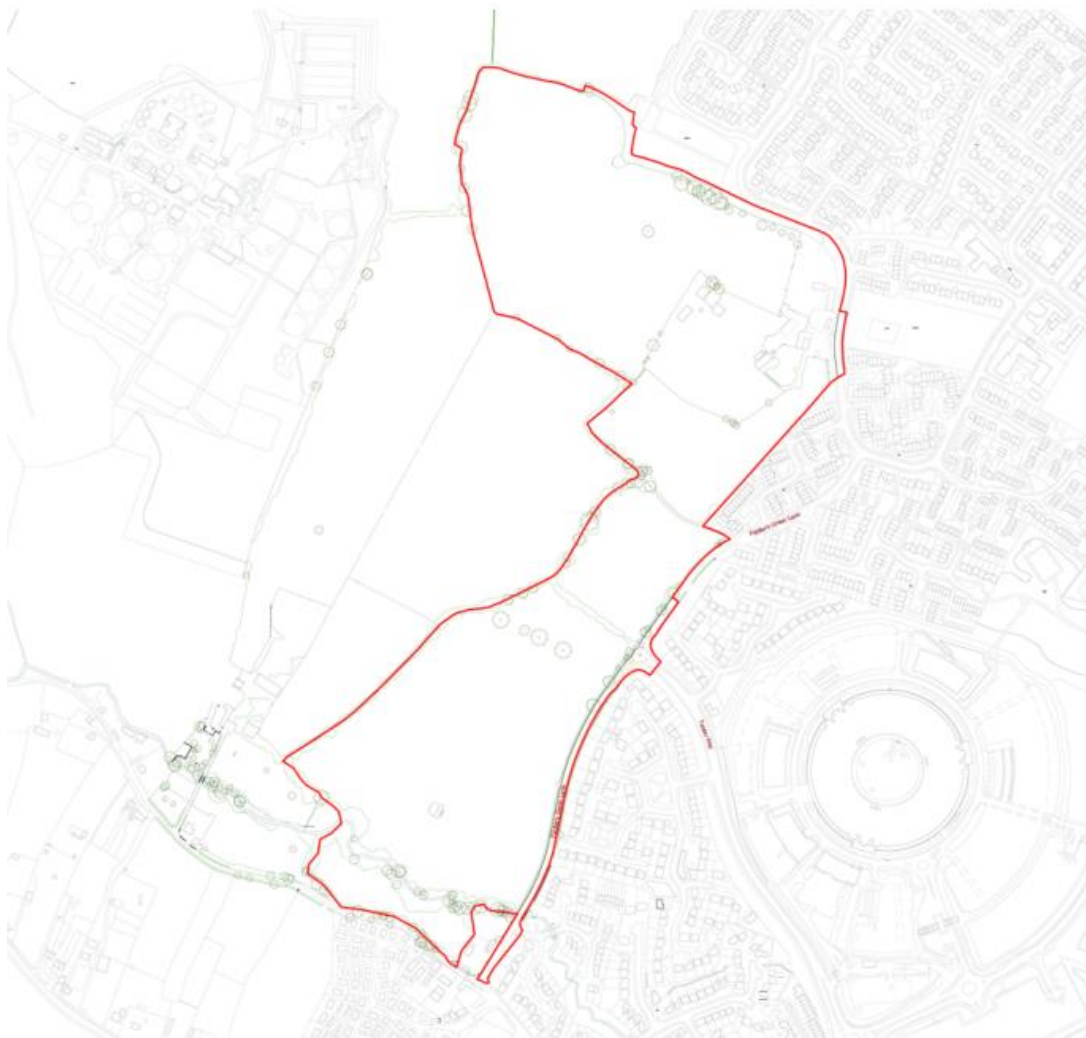
RECOMMENDATION:

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

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

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

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



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1. EXECUTIVE SUMMARY

- 1.1 This Executive Summary summarises the longer detailed report to enable readers to more easily and rapidly become acquainted with the large body of application material, considerations, and the subsequent conclusions drawn.
- 1.2 The site covers a total area of 27.6 Ha and is located within the administrative boundary of CBC and the Wards of Benhall, the Reddings and Fiddlers Green; and Springbank. The site is outlined in red on the plan at the start of this Report. It comprises the land ownership of CBC as well as public highway land on Fiddler's Green Lane required to achieve access. It comprises land to the west of Cheltenham which is currently in agricultural use. It is bounded by Fiddler's Green Lane to the east, Hatherley Brook to the south and Springbank Road to the north.
- 1.3 The application makes up a considerable portion of the employment and housing for the A7 West Cheltenham JCS strategic allocation. The application is for a maximum of 576 new homes and up to 125,698 sqm (GIA) of employment floorspace.
- 1.4 The application is also accompanied by an Environmental Statement (ES). Additionally, the application is supported by various plans; as well as technical documents which are reviewed and explained, as appropriate, in the following sections of this Report and all available to view via the council's website.
- 1.5 It is not surprising that a development proposal of this scale raises various issues and concerns, leading to potential tensions and conflicts with other policy interests. Consequently, a considerable amount of time has been invested in reviewing, assessing, and refining the submission documents to understand and shape the necessary mitigation strategies. These strategies are intended to ensure that the new homes, employment uses, and other components of this development proposal are capable of being sustainable.
- 1.6 The main considerations include;
 - Addressing the urgent need for housing, including affordable housing, within an allocated site. Cheltenham Borough Council cannot currently demonstrate a five year supply of deliverable housing sites. Cheltenham's latest published figure is 2.52 years. The application must therefore be determined under the provisions of the 'tilted balance' in paragraph 11(d) of the NPPF.
 - Generating significant economic benefits through on-site employment (1,334 jobs in Cheltenham) during both the construction and occupancy phases, as well as creating off-site employment and increasing economic spending (totalling 2,426 jobs).
 - The proposal will significantly alter the current residents' experience of the field, as it will introduce high-density development, resulting in increased activity in the area. Furthermore, this application will lead to the loss of agricultural fields.

-The Golden Valley SPD sets a high standard for development, and while this proposal aligns with its overarching objectives, it does not meet all the criteria outlined in the Golden Valley SPD in a line-by-line comparison.

-It is acknowledged that separate applications have been submitted by different developers, and not all developers agree to the collaborative documents. Despite this less-than-ideal situation, this planning application, which constitutes a major part of the strategic allocation A7, includes the development components required by JCS Policy A7. Due to the scale of this application site, it also facilitates a comprehensive scheme across the developable area within the strategic allocation, allowing infrastructure to be planned holistically in accordance with JCS requirements.

-Officers have adopted a balanced and pragmatic approach to Section 106 obligations, striving to create an appropriate mix of Section 106 contributions and a suitable level of affordable housing for existing and future Cheltenham residents. Although this scheme does not fulfil the entire contribution requested for M5 Junction 10, it will still yield a considerable sum from the West Cheltenham allocation and it is appropriate this is fully considered against the objectives of the now implemented WCTIS transport interventions.

- 1.7** A comprehensive schedule of planning conditions is also recommended for imposition on the planning permission. These conditions aim to mitigate the impacts of development and ensure the delivery of sustainable development that complies with the requirements of Policy A7 of the JCS, as well as the broader spatial strategy. Significant effort has gone into the collaborative documents to create a cohesive overall allocation when considering all four current planning applications in West Cheltenham.
- 1.8** Section 38(6) of the Planning and Compulsory Purchase Act 2004 mandates that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. Section 70(2) of the Town and Country Planning Act 1990 requires that the LPA considers the provisions of the development plan relevant to the application and any other material considerations.
- 1.9** The NPPF is an important material consideration, including the approach to decision-making. NPPF paragraph 11d) ii applies here such that the balance is that planning permission should be granted unless any adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF when taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination. The benefits are outlined in the report and collectively would be significant in their degree and the positive weight to be given to them. Furthermore, the proposal would align with key policies of the NPPF to provide much needed homes and employment, direct development to sustainable, allocated, locations, make effective use of land and provide affordable homes. The proposal would therefore accord with the policies of the NPPF taken as a whole. It is not considered that the application of policies in NPPF that protect areas or assets of particular importance provides a strong reason for refusing the development proposed

- 1.10** Overall, officers conclude that the adverse impacts of granting planning permission do not significantly and demonstrably outweigh the benefits of this allocated site, and no grounds for refusal have been identified.

2. DESCRIPTION OF SITE AND PROPOSAL

- 2.1** Full application details are available at [23/01875/OUT | Outline planning permission \(with all matters reserved except for access\) for a severable and phased development to provide non-residential floorspace comprising flexible commercial and community uses \(Use Classes E, F and Sui Generis\), new homes \(Use Class C3\) and other associated infrastructure | Land At West Cheltenham Southern Parcel Fiddlers Green Lane Cheltenham Gloucestershire](#)
- 2.2** The applicant, HBD Golden Valley Limited (previously called HBD X Factory Limited) (HBD), the development partner of Cheltenham Borough Council (CBC) as landowner, seeks outline planning permission for “Outline planning permission (with all matters reserved except for access) for a severable and phased development to provide non-residential floorspace comprising flexible commercial and community uses (Use Classes E and F), mobility hubs, new homes (Use Class C3) and other associated infrastructure.” The application is for a maximum of 576 new homes and up to 125,698 sqm (GIA) of employment floorspace. It falls within the Gloucester Cheltenham and Tewkesbury Joint Core Strategy (JCS) Strategic Allocation (Policy A7: West Cheltenham).
- 2.3** The site covers a total area of 27.6 Ha and is located within the administrative boundary of CBC and the Wards of Benhall, the Reddings and Fiddlers Green; and Springbank. The site is outlined in red on the plan at the start of this Report. It comprises the land ownership of CBC as well as public highway land on Fiddler’s Green Lane required to achieve access. It comprises land to the west of Cheltenham which is currently in agricultural use. It is bounded by Fiddler’s Green Lane to the east, Hatherley Brook to the south and Springbank Road to the north.
- 2.4** The northern end connects with another part of the Strategic Allocation that is subject to a separate planning application for residential-led development by Midlands Land Portfolio and St Modwen (cross boundary application 22/01817/OUT (reference 22/01107/OUT at Tewkesbury Borough Council); and further in the north of the development is another HBD application (23/01874/OUT) and the land to the west is subject of a planning application for commercial and residential (24/01268/OUT) by Nema.
- 2.5** The site is currently accessed from Fiddler’s Green Lane and Springbank Road.
- 2.6** As well as 576 dwellings, of which 26% are affordable split social rent (38 units), affordable rent (52), first homes (19) and shared ownership (41), the application is supported by considerable employment, which provides the majority of the employment provision for the allocation. The land use plan shows how these would be arranged at the site. An indicative breakdown is provided on page 14 of the planning statement dated Nov 2023.
- 2.7** The land use parameter plan (received 12 Feb 2025 drawing no. GV-GRM-ZZZ-AG-DG-MP-PL0006) provides a comprehensive overview of the development, primarily indicating a mixed-use approach throughout the area. However, it specifically designates the

Innovation Centre building for employment use only. The Illustrative Masterplan (received 12 Feb 2025 drawing no. GV-GRM-ZZZ-AG-DG-MP- PL0010 R5) further details this layout, particularly at the southern end of the site along Hatherley Brook, which is predominantly residential. As we move north from the Innovation Centre, the site transitions to large commercial buildings mixed with residential flats to support the Innovation Centre uses. North of the Innovation Centre there is a mixed-use commercial block adjacent to another potential apartment block. Continuing further north across the area, there are rows of terraced homes along the eastern edge, accompanied by additional commercial buildings around a central square. Finally, at the northern tip of the site, we find a significant concentration of commercial buildings, with residential blocks surrounding future allotments and open spaces.

- 2.8** The application is also accompanied by an Environmental Statement (ES) as the proposed development constitutes EIA (Environmental Impact Assessment) development in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. The ES has been updated via addendums as appropriate during the determination of the application and assesses a range of social, environmental and economic issues.
- 2.9** The application is supported by various plans; as well as technical documents which are reviewed and explained, as appropriate, in the following sections of this Report and all available to view via the councils [website](#).

3. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Airport safeguarding over 10m
Airport safeguarding over 15m
Development Exclusion Zone (UI 121)
Hayden Water Odour Monitoring Zone
Strategic Allocations Red Line Boundary

Relevant Planning History

23/01823/DEMCON 8th November 2023

Demolition of three buildings within the site. The LPA consented the buildings being demolished.

21/02272/PREAPP 30th May 2023

The applicant undertook lengthy pre application covering both the North and South HBD/CBC Parcels.

22/02206/SCOPE 1st April 2023

Scoping opinion issued by the LPA it was advised the scheme was EIA development and recommendations on the chapter was provided.

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

24/01268/OUT 365 dwellings and 43,785 sqm of employment floorspace (south western parcel submitted by NEMA Golden Valley Limited (Nema)

23/01874/OUT Northern Parcel 443 homes and up to 500sqm of flexible non-residential uses submitted by HBD, the development partner of Cheltenham Borough Council (CBC) as landowner.

23/01875/OUT Southern Parcel 576 new homes and up to 125,698 sqm (GIA) of employment floorspace (this application) submitted by HBD, the development partner of Cheltenham Borough Council (CBC) as landowner

22/01817/OUT 1100 dwellings, retirement/extra care accommodation and a flexible mixed use area with a community hub of 1,300sqm (north western parcel) submitted by St Modwen and Midlands Land Portfolio Limited (MLPL/St Modwen).

4. POLICIES AND GUIDANCE

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

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

Adopted Cheltenham Plan (2020) (CP)

D1 Design

L1 Landscape and Setting

BG1 Cotswold Beechwoods Special Area Of Conservation Recreation Pressure

BG2 Cotswold Beechwoods Special Area Of Conservation Air Quality

SL1 Safe and Sustainable Living

GI2 Protection and replacement of trees

GI3 Trees and Development

CI1 Securing community infrastructure benefits

CI2 Sports and open space provision in new residential development

CI3 Statutory and Non-Statutory Allotments

CI4 Broadband provision

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

RT1 Location of Retail Development

RT4 Retail Development in Local Shopping Centres

RT8 Individual Convenience Shops

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

SP1 The Need for New Development

SP2 Distribution of New Development

SD3 Sustainable Design and Construction

SD4 Design Requirements

SD6 Landscape

SD7 The Cotswolds Area of Outstanding Natural Beauty

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

Minerals Local Plan for Gloucestershire (2020)

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

Supplementary Planning Guidance/Documents

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

Other Relevant Policies/Legislation

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

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

Policy PD0.1 (Reducing Transport Carbon Emissions and Adapting to Climate Change)
Policy PD0.2 (Local Environmental Protection)
Policy PD0.3 (Maximising Investment in a Sustainable Transport Network)
Policy PD0.4 (Integration with Land Use Planning and New Development)
Policy PD0.5 (Community Health and Wellbeing) - Policy PD0.6 (Thinktravel – Influencing Travel Behaviour Change)
Policy PD1.1 (Gloucestershire's Bus Network)
Policy PD1.2 (Improving the Quality of Road Based Public Transport)
Policy PD1.6 (Transport Interchange Hubs) 6.10 6.11
Policy PD2.1 (Gloucestershire's Cycle Network)
Policy PD2.2 (Cycle Asset Management)
Policy PD2.3 (Active Travel: Safety, Awareness and Confidence)
Policy PD4.1 (Gloucestershire's Highway Network)

Policy PD4.4 (Road Safety)
Policy PD4.5 (On-Street Parking)
Policy PD6.1 (Gloucestershire's Pedestrian Network)
Policy PD6.2 (Rights of Way)
Policy PD6.4 (Pedestrian Safety)

5. CONSULTATIONS

All consultation responses are set out in full at the end of the Report or as an Appendix to the Report. All consultation comments can be read in full online at [23/01875/OUT | Outline planning permission \(with all matters reserved except for access\) for a severable and phased development to provide non-residential floorspace comprising flexible commercial and community uses \(Use Classes E, F and Sui Generis\), new homes \(Use Class C3\) and other associated infrastructure | Land At West Cheltenham Southern Parcel Fiddlers Green Lane Cheltenham Gloucestershire](#) these comments should be read in full alongside this Report.

A summary of final consultee comments is provided below.

Environment Agency

No objection subject to conditions following revised consultation on new flood zones.

National Highways

No objection subject to the imposition of Grampian planning conditions to control the quantum of development that can be delivered before the M5 Junction 10 All Movements Improvement Scheme are complete and open to traffic. (Officer Note: These conditions are explained further in the highways section of this Report)

Affordable Housing Officer

No objection subject to a planning obligation to secure the agreed affordable which have been agreed following extensive discussions with the applicants and viability appraisals.

Education and Libraries (Gloucestershire County Council)

No objection (see below) subject to planning obligations to secure on site safeguarded land for the provision of 1no. primary schools and expansion land and financial contributions to the delivery of these facilities and contributions towards off-site Secondary school places. Off-site financial contributions also requested towards the provision of a new off-site library serving the development.

It must be noted the consultee is not receiving the full S106 asks, which is discussed in the Report, as such this should be noted **as an objection** from the County Council.

Local Highways Authority (LHA)

No objection (see below) subject to the securing mitigation measures and the imposition of planning obligations and planning conditions. The mitigation measures include securing a package of highways works which are explained in this Report, and providing planning obligations towards the M5 Junction 10 All Movements Improvement Scheme, implementation of a public transport

strategy and securing Travel Plans. The LHA also recommend that the quantum of development which can be delivered is restricted until the M5 Junction 10 All Movements Improvement Scheme, which is also explained further in this Report.

Subject to the imposition of these measures, and others, which are explained in this Report, the LHA concludes that there would not be an unacceptable impact on highway safety or a severe impact on congestion. They conclude that there are no justifiable grounds on which an objection could be maintained subject to the mitigation proposed, conditions and financial obligations.

It must be noted the consultee is not receiving the full S106 asks, which is discussed in the Report, as such this should be noted **as an objection** from the LHA.

Active Travel England

No objection. Between 2024 and 2025, the LPA and Active Travel England (ATE) held a series of workshops to discuss the various active travel linkages to and within the site. After the submission of the final set of plans, ATE raised no objections to the scheme; however, they noted some detailed design matters, which are summarised below.

ATE recommends prioritising the blue pedestrian linkages on the access parameters plan to enhance connectivity, particularly the northern link to Springbank Road. The design for the primary active travel route, depicted in dark blue and maroon, includes a segregated two-way cycle route alongside a footway, which is supported. However, there are concerns regarding the street arrangements for Types B1 and B2, where differing cycling provisions on the same stretch may cause confusion. ATE suggests ensuring features in secondary and tertiary streets to manage traffic speed effectively and supports the implementation of a bus gate between developments. Cycle storage should be monitored to meet specific requirements, and ATE supports targeted parking designs that prevent inactive facades while ensuring parking does not hinder internal street functionality. All these matters can be picked up at detailed design stage (Reserved Matters).

ATE request conditions covering general arrangements for the off-site highways works, however this would be covered at technical approval stage with the LHA. ATE have requested bus stop locations be conditioned and this has been covered by the phasing condition. ATE request a way finding strategy be conditioned, however this is not considered necessary or reasonable. Finally, the request cycle parking details be conditioned, cycle parking provision would be shown on the housing floor plans at Reserved Matters stage.

Gloucestershire Airport

No objection to the scheme raised, and after discussion with the case officer, an informative has been added to the decision to ensure applicants operating within 10km of Gloucestershire Airport should seek agreement from the Airport to the operation of such equipment. The airport was satisfied with this informative.

The Architects Panel and Civic Society were formally consulted but did not comment on the scheme.

Ubico & Clean Green

Generic comments were provided on bin collection distances, which is covered at detailed design stage. Ubico confirmed they will not seek S106 monies for the scheme as they now charge developers separately when the properties are registered into the bin collection system.

Conservation Officer

No objection. The development proposal is not considered to affect the significance of any designated heritage assets, and their settings, within Cheltenham Borough.

Historic England

No objection to the application on heritage grounds.

Cotswold National Landscape Board

No objection. The Board agrees with the findings of the applicant's ES that the development would not give rise to an overall significant adverse impact on the landscape and scenic beauty of the National Landscape and that any identified adverse impacts, including cumulative impacts, could be avoided and minimised in line with the requirements of paragraph 176 of the NPPF and Policy SD7 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy. The AONB board request detailed lighting schemes are conditioned. Lighting will be shown on layouts at Reserved Matters stage.

Designing out Crime Officer (Gloucestershire Constabulary)

Requests that the designing out crime officer be consulted on Reserved Matters going forward and condition covering crime design be included. A condition has not been added as Reserved Matters will be published online and the designing out crime officer could comment on the application, similar to any other third parties.

Gloucestershire Constabulary (GC)

This police request S106 monies for; Recruitment and equipping of Officers and staff £ 42,714 Police Vehicles £ 6918 Office Accommodation £ 136,238 Total £ 185,869. This is covered in full within the Report. These monies are not being sought therefore it should be viewed the GC **object** to the application.

Council's Landscape Consultant

No objection due to the adverse landscape character and visual effects being at a less than significant level and manageable through carefully worded Reserved Matters. Their detailed comments are addressed in the landscape section of the Report.

Minerals and Waste

Requested a minerals assessment, which is addressed in the minerals section of the Report. They also requested Environment Health Officers view be sought. The Environmental Health Officer has been consulted.

National Grid

Advised they would remain impartial, "it is a customer funded scheme, we would design the scheme for the capacity to suite the development." They advised they are working with the developers to protect their rights to maintain/retain/remove the existing apparatus within the development area.

NHS

No objection subject to the health facility being secured under 22/01817/OUT, which this application is making payments towards directly between the developers.

Council's Urban Design Consultant

No objection following extensive pre application, application meetings and revisions with applicant. Their comments are fully explored in the design section of the Report.

Wildlife Trust

Objection. In their consultation, the Wildlife Trust requested additional funding for management at Coombe Hill Canal and Meadows. However, LPA officers have advised that the Hill Farm SANG, while slightly further from the development, is considered adequate to mitigate recreational impacts on both Coombe Hill and Cotswolds Beechwoods SAC, the Wildlife Trust disagree, and this is addressed in the Biodiversity section of this Report.

Sports England

No objection subject to planning obligations on 22/01817/OUT and 23/01874/OUT providing on site sports pitches and additional off-site sports contributions. The S106 will also contain a fallback position where money is given to CBC to deliver additional off sites sports if the sports pitches are not delivered under 22/01817/OUT and 23/01874/OUT.

County Archaeologist

No objection subject to a phased planning condition being imposed requiring a Written Scheme of Investigation (WSI) for additional archaeological mitigation work (as required) to be submitted to prior to the commencement of development for each phase or sub-phase in accordance with the submitted Archaeological Mitigation Strategy. This condition has been added.

Tree Officer (TO)

No objection. The TO raised concerns about the removal of certain trees but concluded, after a site visit with the applicant's tree expert, that the removals were reasonable as the trees lacked significant landscape value. The main concern is the three veteran oaks at the centre of the site, which will be surrounded by the Innovation Centre building. The success of this setup depends on the design and protective measures for these oaks. Since this is an outline planning application, specific tree protection will be addressed at the Reserved Matters stage. A tree protection condition has been added to the recommendation.

Natural England (NE)

No objection subject to mitigation being secured (Suitable Alternative Natural Greenspace (SANG) on and off site and Strategic Access Management and Monitoring (SAMM) payments). The LPA has adopted an 'Appropriate Assessment' based on this HRA, which was agreed upon by NE. In their final response, Natural England confirmed that the proposed SANG measures are expected to effectively prevent adverse impacts on the integrity of the European sites within the zone of influence, particularly from recreational disturbances associated with the proposed residential development.

Environmental Health (Odour, Air Quality and Contamination) (EH)

No objection subject to conditions, which have been added and agreed with the EH Officer.

Land Drainage Officer

No objection subject to conditions.

Lead Local Flood Authority

No objection to the SUDs principles in the design and access statement and design code. Requests imposition of conditions, which include securing a phased approach to deliver surface water drainage in general accordance with the strategy set out in the applicant's flood risk assessment.

Council Ecologist

No objection subject to conditions and S106 requirements covering SANG and biodiversity. The ecologist originally requested a shadow habitat regulations assessment and a biodiversity metric calculation, which was provided by the applicant, and both found to be acceptable. The ecologist agreed with the findings of the relevant surveys and recommended a suite of conditions, which have been added to the recommendation.

Nature Space Newt Officer

Advised the applicant to submit a licence to Nature Space, however newts have been covered by the Council Ecologist as the independent expert.

Health and Safety Executive

No objection subject to a fire safety condition for tall buildings, which has been added to the recommendation.

Public Rights of Way

The officer raised detailed design comments regarding moving rights of way. However, at this outline stage the precise details are not finalised and any will need to changes be applied for separately under Section 257 of the Town and Country Planning Act 1990 once detailed designs (and therefore the extent of any potential diversions) are fully known.

Severn Trent Water (Water Supply)

In their role as water authority, they advised all flows from this development should connect to the main 1050m trunk sewer which discharges directly to Hayden Waste Water Treatment Works. The southernmost site marked as S-S should also be directed to the 1050mm sewer through the site marked as S-E or any the neighbouring parcels suitable for developers. Note, STW will not allow any connection towards Nunny Close pumping station due its very limited capacity and no surface water is to discharge into the sewer network. Based on this they provided no objection to the scheme. In any event the applicant will need to apply separately and direct to Severn Trent to connect to their sewers.

6. PUBLICITY AND REPRESENTATIONS

- 6.1** The application was advertised by way of 125 letters sent to neighbouring properties and businesses, site notices displayed at publicly accessible locations adjacent and near to the site, and an advert placed in the Gloucestershire Echo.
- 6.2** During the course of the application a total of **x** third party representations were received, the majority in objection to the proposed development. When each resubmission occurred the LPA reconsulted the public again, which occurred 4 times.
- 6.3** As noted in the applicants Statement of Community Involvement considerable public engagement was undertaken by the applicant prior to submission of their planning

applications as part of an active Planning Performance Agreement that supported pre application.

- 6.4** All of the comments have been made available on the planning website separately, and should be read in full, but the main comments and concerns raised are summarised as follows:

6.5 First Public Consultation (November 2023)

4 objections key planning matters raised;

- Biodiversity relating to concern for local wildlife.
- Removal of green fields for local people to walk.
- Scale of mobility hub and other commercial buildings close to the boundaries of the site.
- Concern the commercial buildings will not be filled.
- Restricting traffic along Fiddlers Green Lane (FGL) welcomed.
- Concern with construction traffic using Telstar Way and Fiddlers Green Lane.
- Concern with future workers using FGL to access the Mob Hub.
- Warning sign for the no through route along FGL is too late and should be positioned on the larger roundabout.
- The re-configuring and priority change proposed for the junction of Fiddlers Green Lane and Pheasant Lane is unnecessary.
- The cycle path through the site is broken in several places.
- Significant number of the roads are not orientated east-west. This prevents optimal winter solar gain and prevents over shading during the summer.

6.6 Second Public Consultation (August 2024)

1 objection key planning matters raised;

- The height of some of the proposed buildings, including 7-storey structures, seems excessive and would have an immense impact on the area's character. These would cause over shadowing and harm the landscape.
- The proposed reconfiguration of the junction at Fiddlers Green Lane and Pheasant Lane could pose safety risks, given Pheasant Lane's narrow, single-track nature and extremely poor road surface.
- There also does not appear to have been much consideration given to the environmental impact of the development.

6.7 Third Public Consultation (February 2025)

3 objection letters received

- Concern with construction hours
- Concern with dust and noise from construction
- Concern with separation distances
- Wildlife harm and biodiversity
- Cycle paths must be flat and room for tree roots
- Concern with the tall buildings
- Who will occupy the commercial units
- Highway capacity network issues
- Concern the plans are not similar to press releases from the past

6.8 Fourth Public Consultation (June 2025), which ended 26th June 2025.

1 objection letter received

- Support for the project's potential employment opportunities is noted.
- Concerns exist about the height of buildings blocking sunlight to nearby properties; suggestions include reducing heights or relocating buildings.
- Proposed three-storey townhouses near bungalows may cause overlooking issues; reducing to two stories or increasing green space is advised.
- Access route drawings are contradictory, and surveys on local wildlife are outdated.
- Biodiversity net gain and traffic safety during construction have not been adequately addressed.
- Parking issues and surface water flooding need solutions.
- Application questions are incomplete, requiring further work before approval.

7. OFFICER COMMENTS

7.1 Determining Issues

7.2 The key issues (in no particular order of importance) for consideration are;

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

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

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

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

7.6 Policy Framework and Principle of Development

- 7.7** The development plan comprises of the saved policies of the Cheltenham Borough Local Plan Second Review 2006 (CBLP), adopted policies of the Cheltenham Plan 2020 (CP) and the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2017 (JCS). Other material considerations include the National Planning Policy Framework 2024 (as amended February 2025) (NPPF), Golden Valley Development Supplementary Planning Document (Golden Valley SPD) (2020) and Planning Practice Guidance (nPPG).
- 7.8** Policies D1, SL1, CI1 and CI2 of the Cheltenham Plan and policies EM3, SP1, SP2, INF1, INF2, INF6, INF7, SD1, SD3, SD4, SD10, SD11, SD12, SD14 and SA1 and A7 of the JCS are most relevant.
- 7.9** Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the Development Plan unless material considerations indicate otherwise. Section 70 (2) of the Town and Country Planning Act 1990 provides that the LPA shall have regard to the provisions of the Development Plan, so far as material to the application, and to any other material considerations.
- 7.10** Policy SP1 of the JCS identifies the need for new development over the plan period from 2011-2031 and identifies the need for approximately 35,175 new homes and a minimum of 192 hectares of employment land. Of these 35,175 new homes, Policy SP1 criterion 3 identifies there is a requirement for at least 10,917 new homes to meet the housing needs of Cheltenham.
- 7.11** Policy SP1 criterion 2 identifies that the strategy for delivering these identified needs will be achieved by, inter alia, urban extensions to Cheltenham. This spatial strategy aims to locate jobs next to economically active population, increase sustainability, and reduce carbon emissions from unsustainable car use.
- 7.12** Policy SP2 criterion 3 sets out 10,996 homes will be allocated within Cheltenham's administrative boundaries and in two cross boundary urban extensions.
- 7.13** Policy SP2 criterion 9 also identifies that employment land will be delivered on these Strategic Allocations to support economic growth in the JCS area, contributing to the overall requirement for of at least 192 hectares of employment land.
- 7.14** Policy SD10 states housing development will be permitted at sites allocated for housing through the development plan, including Strategic Allocations and allocations in district and neighbourhood plans.
- 7.15** The JCS allocates West Cheltenham as a Strategic Allocation under Policy A7 capable of delivering around 1,100 new homes and 45 hectares of employment land by 2031 and states development will be expected to deliver:
- i. Approximately 1,100 new homes;*
 - ii. Approximately 45 hectares of B-class led employment land to be focussed upon a cyber security hub and other high technology and high 'Gross Value Added' generating*

development and ancillary employment uses;

iii. All development should be employment led, delivery of housing must be in tandem with employment development;

iv. A comprehensive masterplan and development strategy for the Strategic Allocation, set within the context of the safeguarded land at West Cheltenham, which includes:

a) A delivery strategy for employment focussed land release

b) A positive impact on the regeneration of neighbourhoods in west Cheltenham

c) Integrates built form and a comprehensive network of accessible green infrastructure, including local green space. The network will incorporate and protect notable natural features, including the Hatherley Brook, the Fiddlers Green Key Wildlife Site and important trees and hedgerows, and contribute to water quality enhancements.

v. Vehicle accesses from Fiddlers Green Lane and B4634 Old Gloucester Road and facilitate links to the M5 J10 for strategic movements to and from the site;

vi. Measures necessary to mitigate the traffic impact of the site, including the use of travel plans to encourage the use of sustainable transport modes;

vii. High quality public transport facilities and connections within and adjacent to the site.

viii. Safe, easy and convenient pedestrian and cycle links within the site, to key centres and with neighbouring existing development and the wider green infrastructure network;

ix. A distribution of development that takes account of the proximity of the Hayden sewage treatment works and incorporates appropriate spatial planning arrangements and

mitigation measures designed to minimise material impacts on residential properties and commercial premises. Development which is likely to be significantly affected by odours will not be permitted within the Odour Monitoring Zone identified on the policies map;

x. A landscape buffer to the western boundary of the site which will provide screening between the development and the Hayden sewage treatment works;

xi. A layout and form that respects landscape character, significance and setting of the heritage assets at Hayden Farmhouse and Barn;

xii. A layout and form that reduces the impact of electricity pylons and high voltage lines; with the siting of residential development being a particular consideration.

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

7.17 This application only forms part of the West Cheltenham strategic allocation. The proposals for the Southern Parcel tie into other live applications for the Strategic Allocation A7, which also includes:

- Submitted proposals for 1,100 homes, a primary school, GP surgery and sports pitches, on land to the north of this application by MLPL/St Modwen (22/01817/OUT cross boundary application, Tewkesbury Borough Council reference 22/01107/OUT).
- Submitted proposals for a mixed-use of 365 homes and 43,785 sqm of employment floorspace by Nema to the west of this application. (24/01268/OUT)
- A separate outline planning application which has been submitted by the HBD, development partner of CBC as landowner, for the Northern Parcel proposing up to 443 homes and land set aside for the primary school shared with MLPL/St Modwen (22/01817/OUT above).

- 7.18** All of the applications mentioned have a role in establishing the requirements for the Strategic Allocation A7.
- 7.19** It is important to note that the relevant JCS policies do not prevent development from moving forward if one party disagrees with the comprehensive masterplan and it does not prevent separate applications coming forward on a strategic allocation. Officers have worked to ensure alignment with Policy SA1, which states that “Development proposals should enable a comprehensive scheme to be delivered across the developable area within each Strategic Allocation.”
- 7.20** JCS Policy INF6 requires proposals to consider the cumulative impacts when providing infrastructure. It states that this infrastructure be delivered according to an agreed, phased timeline, in alignment with the other requirements of the JCS.
- 7.21** JCS Policy SA1 stipulates that proposals must be accompanied by a comprehensive masterplan for the entire Strategic Allocation. The JCS authorities will be flexible in considering various approaches to achieving a comprehensive masterplan, as long as the proposals adequately address the development and infrastructure needs of the wider allocation and demonstrate that they do not hinder the sustainable delivery of the entire allocation.
- 7.22** Page 81 of the Golden Valley SPD states that an Infrastructure Delivery Plan (IDP) must be agreed upon by developers and landowners before the first planning application is submitted on site. This plan needs to outline a timely approach to infrastructure delivery, including site-wide phasing and trigger targets. The IDP must ensure that the scheme remains commercially viable and market-oriented. It is important to note that this requirement is not a specific objective of the Golden Valley SPD but appears in the concluding pages as advisory for future planning applications. Consequently, while it serves as a useful tool, it does not carry the same weight as the local plan policies examined above, which does not require agreement amongst developers.
- 7.23** The application is supported by an IDP, as are the other applications within the strategic allocation noted above. This IDP outlines the necessary infrastructure for the entire allocation and designates responsibilities for the delivery of each component. The policy states that these plans must be agreed upon with the LPA, rather than solely among the group of developers. An overarching phasing strategy has been provided to support the application; however, detailed phasing will be required as a condition to allow for future adjustments by whoever develops the site.

- 7.24** The IDP, submitted as part of this application, is supported by an allocation wide comprehensive master plan, which shows that, when viewed as a whole, the separate parameter plans for each application align with one another. For example, the road layouts and green infrastructure are cohesive, reflecting a unified vision for delivering of the wider allocation. This application acknowledges the broader infrastructure needs, such as sports pitches and a primary school, which are, in fact, being delivered by applications for 22/01817/OUT and 24/01268/OUT. Additionally, this application supports that these predominantly residential proposals, that lack the employment uses required by Policy A7, as this application includes a significant amount of commercial floor space to be developed early in the build-out of this strategic allocation. The policy explicitly states that the JCS authorities will be flexible in considering different approaches to achieve the comprehensive masterplan.
- 7.25** The LPA is satisfied that the comprehensive masterplan meets the objectives of Policies SA1 and A7, as well as the further guidance within the Golden Valley SPD. The indicative phasing plan submitted alongside the comprehensive masterplan and IDP illustrates a natural sequence for development, starting from the edge of the site and progressing inward. This scheme promotes an employment-led allocation, which is not considered to prejudice the advancement of other elements of the strategic allocation coming forward.
- 7.26** In terms of agreement among the three developers, MLPL/St Modwens (22/01817/OUT) and HBD (23/01874/OUT & 23/01875/OUT) are fully aligned regarding all aspects of the comprehensive master plan and the IDP, making up most of the allocation. The LPA has requested that all developers produce a joint developer position statement (received 20th May 2025 and available on the planning website) that clearly outlines their agreements and disagreements related to the collaborative documents. While this statement should be reviewed in detail and form a part of your consideration of this application, the following summarises the points, at the time of writing, of disagreement from Nema the applicant for adjacent parcel to the west of this application (24/01268/OUT).
- 7.27** They do not agree with the illustrative masterplan, as their own plan is still under consideration and requires revisions. Regarding public transport connections, they do not fully agree, as the applicant has requested significant reductions in parking numbers which could impact the public transport outcomes for 24/01268/OUT. Furthermore, they disagree with other plans related to the movement network, including the cycling connectivity plan, road connection plan, active travel measures, and off-site highway works; they feels unable to concur on these highway matters at this time.
- 7.28** While the applicant for 24/01268/OUT agrees with the provisions for open space, community, and sports facilities, they do not support the current GP care provision, as they seek clarity that the LPA deems this sufficient. However, the LPA has been clear that the GP surgery provided under 22/01817/OUT is sufficient to cover the whole allocation, a position reached from ongoing engagement with NHS. Additionally, they could not agree to the odour mitigation works, as whilst they would not be undertaking them, they still sought further information from Severn Trent, at the water treatment site. The LPA is content odour is sufficiently addressed and this is covered in the odour section of this Report.
- 7.29** They also do not agree with the illustrative strategic phasing plan, though an appendix to the Golden Valley SPD shows illustratively the land covering 24/01268/OUT as part of a

later phase (page 35 Golden Valley SPD Appendix 1). Lastly, they do not agree with the memorandum of understanding, which is essentially a document in which developers commit to the IDP plans. They prefer a landowner agreement; however, this has been requested by the LPA and is not required by planning policy.

- 7.30** Whilst disappointing and despite continued and focussed efforts of the LPA to facilitate and mediate across the applications, the fact that the applicants cannot reach full agreement on certain matters does not preclude other applications from being determined and does not mean all applications must be refused on this basis.
- 7.31** This planning application, which forms a large part of the strategic allocation A7, includes the development components which are required by JCS Policy A7. By virtue of the scale of the application site, which forms a large part of the strategic allocation, the proposals also facilitate a comprehensive scheme to be delivered across the developable area within the strategic allocation allowing for infrastructure to be planned comprehensively in accordance with the requirements of Policy SA1 of the JCS. Officers are of the opinion that the planning applications are capable of being implemented to deliver the strategic allocation as a whole.
- 7.32** Officers consider that the application proposals address the strategic ambition of Policy A7 and propose a form of development which is in accordance with Policy A7 and Policy SA1 of the JCS, helping to meet the specific policy requirements and the wider ambitions of the JCS and is in accordance with spatial strategy and adopted Development Plan when read as a whole.
- 7.33** In terms of the decision-making context for the proposed development, legislation requires that the application is to be determined in accordance with the Development Plan unless material considerations indicate otherwise with the application being assessed on its own merits.
- 7.34** The principle of development is therefore considered acceptable, however there is no up to date development plan for Cheltenham as the latest published 5 year housing land supply figure is 2.52 years for housing land supply for which Cabinet at its meeting on 10th June 2025 approved a [Housing Delivery Test Action Plan](#). As such, paragraph 11d of the NPPF is therefore engaged which states:

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

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

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

7.36 The Golden Valley Development Supplementary Planning Document

- 7.37** The purpose of this SPD was to provide further guidance and details relating to the interpretation of policies set out in the JCS. It was commissioned and approved by both Cheltenham and Tewkesbury borough councils. There is detailed design guidance within the Golden Valley SPD, however this relates to one vision of how the development may come forward. The Golden Valley SPD is therefore not seeking to be overly prescriptive and other design approaches may be considered appropriate but only if it can be demonstrated that they still respond positively to the overall Golden Valley SPD objectives and principles including the delivery of a garden community.
- 7.38** An assessment matrix has been completed and appended to this Report as required by the Golden Valley SPD (Figure 56 Qualitative assessment matrix of the Golden Valley SPD). The Golden Valley SPD contains 5 overriding objectives, broken into 32 sub objectives.
- 7.39** Whilst the principle is clearly established, the sections below examine the key issues and their relevant sub objectives with reference to relevant development plan policies and other material considerations where appropriate.

7.40 Economic Impact

- 7.41** Policy SD1 of the JCS supports employment-related development at Strategic Allocations. Paragraph 85 of the NPPF emphasises that planning policies and decisions should create conditions that enable businesses to invest, expand, and adapt. It highlights the importance of supporting economic growth and productivity, considering both local business needs and broader development opportunities.
- 7.42** Gloucestershire's Economic Strategy (2024-2034) identifies Golden Valley Development and the importance of Cyber Tech and Cybersecurity sectors to the Gloucestershire economy.
- 7.43** Furthermore, Paragraph 83 of the NPPF states that planning policies should articulate a clear economic vision and strategy that actively encourages sustainable economic growth, which makes reference to the national modern industrial strategy (footnote 43 of the NPPF). The UK's Modern Industrial Strategy 2025 page 39 references the cyber building within this planning application "We are building the new National Cyber Innovation Centre in Cheltenham to foster collaboration between business, government, and academia in tackling the most pressing cyber threats. This national asset will catalyse the creation of ambitious, world-leading cyber companies and attract an additional £1 billion of investment into the Golden Valley development. Already home to Government Communications Headquarters and a thriving ecosystem of cyber businesses – from startups to global primes – Cheltenham is one of the UK's foremost hubs for cyber security innovation and growth."
- 7.44** Paragraph 87 of the NPPF specifies that planning policies must recognise the unique locational requirements of various sectors, which includes making provisions for clusters or networks of knowledge-focused, data-driven, creative, or high-technology industries.

- 7.45** In alignment with this, Policy INF4 of the JCS calls for developers to create flexible, multifunctional facilities in mixed-use developments. This aims to develop shared spaces that maximise community benefits while minimising land use. Accordingly, Policy A7 of the JCS allocates 45 hectares of employment land in West Cheltenham to ensure a vibrant mixed-use community. The Golden Valley SPD translates the 45 hectares of mixed-use employment land referenced in JCS Policy A7 into approximately '2 m square feet of non-residential floorspace'.
- 7.46** The application as presented will deliver around half of Policy A7 employment requirement, with additional employment land being planned elsewhere within the Strategic Allocation.
- 7.47** In line with Policy SD1, the employment uses are primarily focused on supporting key technology growth sectors in Cheltenham (Class E(g)). Although the overall allocation may not reach the full 45 hectares outlined in the JCS policy, this application represents the most substantial employment contribution among current applications, and is pivotal in achieving the overarching policy goals when considering the allocation as a whole.
- 7.48** Similarly, Policy EM4 of the CP promotes the cyber-security sector by favouring development proposals that support cyber-security activities, provided they are appropriate to their location and comply with other relevant policies in the Development Plan.
- 7.49** Objective B of the Golden Valley SPD further elaborates on cyber employment uses in West Cheltenham. Specifically, Objective B1 calls for the development of a high-profile, state-of-the-art 'Cyber Innovation Centre' which will serve as the focal point of the Golden Valley Development. In accordance with the Golden Valley SPD the application includes infrastructure that fosters cyber and other high-technology industries, featuring approximately 78,000 sqm of Class E floorspace. This includes a prominent Innovation Centre near the entrance to the site and in close proximity to GCHQ, which is anticipated to act as a catalyst for further investment in the cyber and high-technology sectors, creating around 379 jobs very early in the development. The whole application will result in approximately 1,334 jobs within Cheltenham.
- 7.50** Additionally, Objective B2, of the Golden Valley SPD, states that 45 hectares of mixed-use employment land, centred around the prominent Innovation Centre, will provide flexible business space, as well as hotel, retail, leisure, cultural, and community amenities to serve the local community and wider region. Alongside the Innovation Centre, the planning application proposes flexible commercial spaces tailored to meet the varied needs of different businesses, including creative workspaces for SMEs and spin-offs, academic research and education spaces, high-street retail units, and community facilities for cultural events. These elements are designed to cultivate a vibrant and thriving community, consistent with JCS Policy INF4.
- 7.51** As town centre type uses are to be centred around the cyber hub in accordance with policy A7, it is not necessary to undertake a sequential test, or impact test in support of the planning application as set out in the NPPF. However, a condition will be placed limiting the scope of Class E uses that can be implemented on site. Whilst there may be some retail uses it is largely expected the Class E floorspace will consist of offices and cyber business uses.

- 7.52** Lastly, Policy EM3 of the Cheltenham Local Plan mandates that major development applications submit an Employment Skills Plan (ESP) to identify opportunities for employment and skills development, ensuring that the benefits of the proposed development extend to the local workforce, which has been conditioned.
- 7.53** As described in the applicants planning statement, and by way of an example, during the construction of the Innovation Centre and the southern Mobility Hub (Phase 1) it is envisaged that there will be 35 apprenticeship students aged between 16 and 18 years old who live within an hour of the site, undertaking a Level 2 or 3 course in construction roles (including brick layers, carpenters, electricians, plumbers, plant operators, grounds workers, roofers, wall and floor tilers etc).
- 7.54** The proposal fully accords with the employment ambitions of the development plan and Golden Valley SPD. As required by the NPPF significant weight will be placed on the need to support economic growth in the overall planning balance.
- 7.55 Design and Layout**
- 7.56** Section 12 of the NPPF sets out that good design is a key aspect to achieving sustainable development and creating better places in which to live. Similarly, Policy SD4 and the relevant criteria of Policy A7 of the JCS, require development to respond positively to and respect the character of the site and its surroundings, including in the case of A7, a layout and form of development that respects the landscape character and setting of the heritage assets and providing a landscape buffer; Design objectives are reiterated in Policy D1 of the Cheltenham Plan which requires development to achieve a high standard of architectural design that complements neighbouring development.
- 7.57** The Golden Valley SPD builds on Policy A7 regarding urban design. All objectives contribute to the urban design aspects of the applications; however, objectives B1-4 "vibrant and diverse range of uses and activities to serve existing and new communities," and objectives E1-3 P1-3 "character and placemaking," are particularly important for urban design considerations. The objectives of the Golden Valley SPD will be used to evaluate the urban design merits of the proposal in the following sections of this report. It is important to note that this section has been prepared in collaboration with the council's consultant urban designer and blends their comments with the officers' assessment.
- 7.58** The design approach for this proposal is primarily outlined in the submitted Design and Access Statement (DAS). The key principles are captured in four Parameters plans and the Tier 2 Design Code. The illustrative masterplan underwent extensive pre-application discussions involving the applicant's team of specialists, including urban designers, transport planners, landscape designers, ecologists, and drainage engineers, alongside the LPAs in-house experts and consultants. This collaborative review of the masterplan led to several amendments, such as how connections to the wider area are made, internal movement patterns, the orientation and placement of blocks, and how these blocks interface with open spaces. Additionally, considerations were given to the size and placement of allotments, as well as the heights and densities of the different blocks.
- 7.59** During the pre-application phase, in May 2023, an independent Design Review Panel evaluated the masterplan. This panel, consisting of design specialists, assessed the overall design principles and the Tier 2 Design Code. The panel acknowledged that the

masterplan had strong foundational principles but expressed a desire to understand how these principles, along with overall design quality, would be maintained in the future, both for this site and the wider area. Additionally, the panel believed the masterplan could strive for greater ambition in terms of minimising parking needs, maximising building heights, and preparing the project for future technologies like driverless cars and district heating systems. The applicant responded to these comments by considering height more widely, concentrating on modal shift and engaging heavily on climate change measures.

- 7.60** The principles captured by the four Parameters plans submitted with the outline application are as follows:

Parameters plan: Use

- 7.61** The Uses Parameter Plan (-GRM-ZZZ-AG-DG-MP-PL0006 received 12th February 2025) shows broad areas of mixed-use to offer future flexibility as the development is delivered. The ambition to integrate workspace with residential accommodation is commended as shown on the illustrative plan.
- 7.62** The DAS illustrates how the potential uses are reflected in the Height Parameter Plan (GV-GRM-ZZZ-AG-DG-MP-PL0007 received 12th February 2025). Peaks and dips in height, density and activity vary across the site from taller, busy commercial areas with a higher proportion of apartments to quieter residential corners of family homes. This variety of house types will contribute to the sustainability of the development and placemaking.
- 7.63** In some areas of the plan future consideration could be given to the relationship of adjacent uses to ensure that they are complementary. For example, the mobility hubs will provide parking for commercial use therefore commercial space is well suited to be close by rather than dwellings. The proposals should ensure that traffic movements and lighting, particularly opposite the entrances to the mobility hubs, should not impact on people living in adjacent houses. In other locations, for improved surveillance and Secure by Design reasons, family homes may be better suited next to play areas rather than offices. These matters will be explored at Reserved Matters (RM) stage.

Parameters plan: Height

- 7.64** The masterplan demonstrates an integration of uses across the site with varying building heights which will contribute to the character and vitality of the place. Taller buildings are clustered around two commercial areas in the north and south of the site. Lower buildings, predominately residential on the illustrative masterplan, are located around the edges of the site to respond to the existing context. The height strategy (GV-GRM-ZZZ-AG-DG-MP-PL0007 received 12th February 2025) combines the Golden Valley SPD objective for the Cyber Central area to be higher density (up to 7 storeys) with the objective to reflect precedents in Cheltenham. This is achieved through taller commercial buildings, apartments and terraced townhouses to deliver locally distinctive forms and open spaces.
- 7.65** The height parameter of the area termed Hatherley Gardens on the southern slope of the plan was increased from one storey to three storeys during pre-app discussions to provide greater design flexibility at the reserved matters stage. This is an important edge to the

site where overlooking from dwellings can improve the security of the open space and a high-quality innovative design response is required.

- 7.66** In some locations on the site taller buildings could potentially overshadow neighbouring facades. This will be tested at the reserved matters stage and potentially mitigated with design solutions such as dual aspect apartments.

Parameters plan: Open Spaces

- 7.67** The landscape strategy is a defining element of the masterplan. The Open Spaces parameters plan (GV-GRM-ZZZ-AG-DG-MP-PL0004 received 12th February 2025). illustrates the strategy to create a north/south landscaped route through the site with east/west green spaces that branch off from it. In addition, hardscape public realm spaces are proposed within the north and south commercial hubs.
- 7.68** Some of the existing trees on the site are retained as part of the proposal. In places, existing hedges are removed however there are proposals to strengthen hedges in other areas. The courtyard of the Innovation Centre is centred around existing veteran Oak trees. The function of the meadow north of the Innovation Centre is less well defined and will be a more 'wild' area.
- 7.69** References to distinctive spaces in Cheltenham such as the Promenade, Wellington Square and Clarence Square are provided in the DAS to demonstrate that spaces of similar scale and enclosure are integrated into the masterplan. This reinforces the SPD aspiration E2 to reflect local character and create a locally distinctive place.
- 7.70** A pedestrian link west from Fiddlers Green Way bus stop has been added at the junction with the Nema's application site(24/01268/OUT). An integrated public realm approach is required to link the two phases of development along this route which also links to the commercial square, this vision has been shown via the comprehensive masterplan.
- 7.71** Secure by Design principles generally recommend that the rear gardens of dwellings back onto each. In places the masterplan suggests a different approach with private gardens backing onto green spaces. The management of these green spaces will need to be defined to ensure that they do not pose a security risk or alternative house types are developed to mitigate this. In other locations, innovative dwelling types are suggested to provide outlook on two sides. Adjustments were made the masterplan to include this arrangement adjacent to the proposed allotments. The public realm treatment of mews streets with rear parking areas will require consideration at RM stage.

Parameters plan: Movement

- 7.72** The movement plan (GV-GRM-ZZZ-AG-DG-MP-PL0003 REV 8 received 12th May 2025) shows that the proposed location and design of the Innovation Centre prevented vehicular links to be achieved between the north and south of the masterplan within the site. Vehicular connections to the southern neighbourhoods are achieved along Fiddlers Green Way. An active travel route is provided through the Innovation Centre courtyard and along the western green link as an alternative.
- 7.73** Improved connections to future phases to the west have been integrated into the masterplan for pedestrians. Three potential vehicle links have been safeguarded to

access the 24/01268/OUT land, although it is not clear if all three road connections are necessary.

Design Objectives

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

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

7.75 The masterplan accommodates the Innovation Centre at the entrance to the site. Approximately 1million sqft of commercial space is successfully integrated into the masterplan.

7.76 Objective B in the Golden Valley SPD to deliver a range of housing typologies is demonstrated within the Tier 2 Design Code and on the Illustrative masterplan. A range of densities is proposed across the plan to create different character areas. The proposals meet the expectations of the Golden Valley SPD Section B to make best use of the land available, in parallel with providing a range of high-quality green spaces.

Objective C “Working with the natural landscape and its features”

7.77 The proposed landscape strategy meets the aspirations of the Golden Valley SPD to provide a network of public open spaces including community spaces for events. A drainage hierarchy is integrated into the landscape strategy which includes above and below ground features. Most of the existing trees are retained, and new trees are specified in the design code along streets and open spaces. Boundaries to existing communities are considered, creating landscape buffers in some places and connections where appropriate. The management of the green spaces, particularly those at the back of dwellings that are not overlooked, needs to be fully developed.

7.78 Delivering a programme of public art across the proposals is an aspiration of the Golden Valley SPD and has been included in the S106.

Objective D “An integrated and connected extension of west Cheltenham”

7.79 Active travel is prioritised in masterplan in line with the Golden Valley SPD. The landscape strategy accommodates public rights of way or realigns them along streets and greens spaces to create safe routes to school.

7.80 A hierarchy of streets is proposed across the development with different street designs developed for different situations. The recommendation of section D3 of the Golden Valley SPD for perimeter block development to clearly distinguish between public and private spaces has largely been followed, however there are one or two streets with rear access that will benefit from careful consideration at RM stage. Rear boundaries in these

situations need to be high quality, with opportunity for overlooking to improve security created for example with studios over garages.

- 7.81** Reduced parking standards are proposed for the dwellings on the site reflecting the Golden Valley SPD aspiration for a flexible approach to parking standards and new vehicle technologies. The mobility hubs provide access to car clubs, bikes and scooters. A range of parking solutions, on plot, in courtyards or on street are proposed. Integral garages have been coded to also provide sufficient space for access, bins and bikes.
- 7.82** Golden Valley SPD recommendation D5 was that the principal junction into the site should be designed to minimise land take and create safe and direct crossings for pedestrians and cyclists. This has been improved during the preapplication process.

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

- 7.83** In line with Golden Valley SPD E1 the illustrative masterplan and design code provides a range densities and building typologies. These have been carefully arranged across the plan to create different character areas. The proposals refer to Cheltenham precedents, such as three storey terraced town houses arranged around a square, to create distinctive neighbourhoods. This aspiration has been successfully balanced with the aspiration to achieve higher density.

7.84 *Design Codes*

- 7.85** As defined by the NPPF, design codes are sets of illustrated requirements that provide specific, detailed parameters for the physical development of a site or area. The design code should include both graphic and written components that build upon a design vision, such as a masterplan or other development frameworks for the site or area.
- 7.86** NPPF paragraph 115 states that "the design of streets, parking areas, other transport elements, and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code."
- 7.87** Additionally, NPPF paragraph 134 notes that "Design guides and codes can be prepared at an area-wide, neighbourhood, or site-specific scale. To carry weight in decision-making, they should be produced as part of a planning document or as supplementary planning documents. Landowners and developers may contribute to these efforts, but they may also choose to prepare design codes to support planning applications for the sites they wish to develop. Regardless of who prepares them, all guides and codes should be based on effective community engagement and reflect local aspirations for development. They should also take into account the guidance found in the National Design Guide and the National Model Design Code. These national documents should guide decisions on applications in the absence of locally produced design guides or codes."
- 7.88** In this application, the developers have chosen to have their design code approved as part of the outline planning permission. A condition attached to this outline permission will require that all reserved matters adhere to the elements outlined in the Tier 2 design code.
- 7.89** Large developments, such as West Cheltenham, typically have an overarching design code. The Golden Valley SPD contains significant details, and if a design code had been

produced by the LPA, it would likely have repeated many of the points already covered in the Golden Valley SPD.

7.90 A Tier 1 code has been established for the entire allocation, and for this application, a Tier 2 code has been developed in collaboration between the LPA and the applicants.

7.91 Tier 1 Design Code - The LPA held collaboration meetings with all the developers, each of whom had a slightly different approach to design codes. For instance, some developers, like those involved in this application, submitted their design codes during the outline application phase, while others, such as MLPL/St Modwen the applicants for 22/01817/OUT (north west parcel) and Nema the applicants for 24/01268/OUT (south west parcel), plan to address them in the discharge of condition application following outline approval.

7.92 As a result, the LPA requested that the developers work together to produce a Tier 1 design code. This Tier 1 design code focuses on overarching aspirational principles, building upon the Golden Valley SPD. It also addresses the relationships between each application, such as road dimensions and landscape buffers connecting 22/01817/OUT (MLPL/St Modwen) and HBD, as well as points of access between the HBD and 24/01268/OUT (Nema).

7.93 However, the Tier 1 design code has a limited scope. Although it served as a useful design exercise during these applications, it does not carry any regulatory weight. Nonetheless, it will be used in the future to guide design teams and case officers when considering subsequent applications and design codes.

7.94 The Tier 2 Design Code describes the vision for the development and provides a Regulatory Plan to show how it can be achieved. This plan fixes key elements on the site like access points, green spaces, development areas and key frontages. This plan is a high-level summary of the code, capturing the key principles whilst providing flexibility for detailed design solutions to be tested or accommodate changes due to demand. The Regulatory Plan is accompanied by an Illustrative Masterplan which demonstrates how the vision could be achieved, providing Approximately 1 million sqft of commercial space and up to 576 new homes in the context of the parameters plans and Regulatory Plan.

7.95 The coded elements are divided into sections (which combine the recommended headings in the National Model Design Code):

- Open spaces,
- Movement and access,
- Built form, and
- Character areas,

Fixed elements in the code are clearly highlighted, and these are collated in a check list at the rear of the document to help future developers and planning officers appraise future applications. Code non-compliance will only be acceptable when a rationale for breaking it can clearly demonstrate place-making benefits or that it is necessary to respond to technical aspects. Guidance elements (not fixed but represent best practice) are also provided in the code with illustrative examples.

- 7.96** The applicant has worked hard to refine the contents of the code which have been tested by the Council's consultant urban design adviser. The code includes a good range of both high-level principles and detailed elements to ensure the code is deliverable and will produce a high-quality environment. Detailed coded items include things like parking, bins and bike stores to ensure that every day essentials are considered early in the setting out of streets, commercial buildings and dwellings.

Design Conclusions

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

Biodiversity, Ecology and Green Infrastructure

- 7.100** Policy SD9 of the JCS seeks the protection and enhancement of ecological networks and across the JCS area, improved community access and for new development to contribute positively to biodiversity and geodiversity whilst linking with wider networks of green infrastructure.
- 7.101** JCS Policy A7 states iv. A comprehensive masterplan and development strategy for the Strategic Allocation, set within the context of the safeguarded land at West Cheltenham, which includes; c) Integrates built form and a comprehensive network of accessible green infrastructure, including local green space. The network will incorporate and protect notable natural features, including the Hatherley Brook, the Fiddlers Green Key Wildlife Site and important trees and hedgerows, and contribute to water quality enhancements.
- 7.102** NPPF paragraph 187 states planning decisions should "d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures and incorporating features which support priority or threatened species such as swifts, bats and hedgehogs;"
- 7.103** Paragraph 188 of the NPPF sets out a mitigation hierarchy in terms of retained and enhanced environmental features that can be incorporated into a development proposal.
- 7.104** NPPF paragraph 193 states when determining planning applications, local planning authorities should apply the following principles: a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused; and d) development whose primary objective

is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.

- 7.105** The application details include a comprehensive ES Technical Appendix 8.1 Ecology Baseline which includes a Phase 1 Habitat Survey, protected and notable species surveys and an assessment of Biodiversity Net Gain (BNG).
- 7.106** The site features seven grassland fields primarily used as permanent pasture for hay and silage, with some areas for aftermath grazing. Boundaries include woodland edges, hedgerows, and post-and-wire fences, while farm buildings were located in the eastern part. Tall ruderal and scrub areas are found around these buildings, and Hatherley Brook runs along the southern edge, with a dry pond situated to the west.
- 7.107** Under objective A3 of the Golden Valley SPD "Connection to nature: Development at the Golden Valley Development will enrich local ecology and biodiversity", the Golden Valley SPD mandates that new developments meet the Building with Nature benchmark. The proposed development will incorporate Building with Nature principles and aims for accreditation, along with a minimum Biodiversity Net Gain (BNG) of 10%, using on site measures and offsite compensation. Plans include creating new habitats, significant tree planting, living roofs as part of sustainable drainage, and 'stepping stone' habitats to enhance ecological connectivity.
- 7.108** Leckhampton Hill Farm is an off-site piece of land owned by CBC and used currently for agriculture. The applicants propose to use part of this land to provide off site SANG.
- 7.109** The masterplan has been evolved according to the site's landscape and ecological conditions to minimise impacts and maximise biodiversity gains in compliance with JCS Policy SD9. The initial BNG assessment has been updated to account for recent changes, including a classification downgrade of the grassland at the site entrance from lowland meadow to neutral grassland based on the latest surveys. Consequently, a revised BNG metric was submitted, which relies on Hill Farm to achieve a target of over 10% net gains off site, with only some on site.
- 7.110** The Golden Valley SPD also requires the masterplan to integrate green and blue infrastructure proposals, with a view to achieving full accreditation ('Excellent') from Building with Nature upon delivery to exceed the statutory minima for green infrastructure. The applicant submitted their request for Building with Nature accreditation and successfully met 11 out of the 12 criteria. However, they did not meet Standard 09: "Delivers Climate Resilient Water Management." This shortfall is due to the dense nature of the application, which required a significant land take, leading to the necessity of placing some drainage underground in crates instead of utilising more surface-based sustainable solutions. While this is disappointing, it's important to note that the need for Building with Nature accreditation arises from the Golden Valley SPD, which is a material planning consideration. On balance, officers believe that, despite failing one criterion, the applicant has nearly satisfied all requirements, and this failure should not be grounds for refusing the scheme.

7.111 Principles and details in the ES, and Shadow Habitats Regulations Assessment (explored below) will be secured via condition and s106, ensuring that details required are provided at detailed design stage.

Statutory designated sites

7.112 NPPF para 195 states “The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.”

7.113 The site is not subject to any statutory ecological designations; however, it lies within the zone of influence of the Cotswolds Beechwoods Special Area of Conservation (SAC). Furthermore, studies by Natural England (NE) have indicated that the floodplain habitats at Coombe Hill Canal and Meadows, located approximately 4.2 km and 4.7 km to the northwest of the Northern and Southern Parcels, respectively, are functionally linked to the Severn Estuary Special Protection Area (SPA) and Ramsar designations.

7.114 Regarding the Cotswolds Beechwoods SAC, in consultation with NE, the applicant is required to provide a bespoke Suitable Alternative Natural Greenspace (SANG) solution rather than relying on the financial contributions typically offered by smaller schemes in the borough. As a result, both HBD schemes (23/01874/OUT & 23/01875/OUT) are required to deliver 20.48 hectares of SANG in total.

7.115 The sites are capable of delivering some SANG on-site. In total, 6.9 hectares will be provided across both the northern and southern parcels, with 4.6 hectares allocated to the northern parcel and 2.3 hectares to the southern parcel. The applicant can occupy up to 120 dwellings in the southern parcel before an off-site SANG solution is required. A Grampian condition has been added to secure this.

7.116 To meet the SANG requirements, the applicants will provide an additional 13.59 hectares off-site at Hill Farm in Leckhampton. This site, owned by CBC, has been agreed in principle with NE and CBC, and a cost analysis has been completed. Leckhampton Hill SANG car park will be close to the 5 kilometre radius, required by NE, and this distance has been agreed by them. This off-site SANG solution has been deemed appropriate, deliverable, and can be secured through a Section 106 agreement.

7.117 While the applicants explored alternative SANG options, including enhancing local walking networks, NE deemed these inadequate. Ultimately, a combination of on-site and off-site SANG provision was agreed upon.

7.118 A Shadow Habitats Regulations Assessment (HRA) was conducted on behalf of the applicant and reviewed by the LPA. Under Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended) as competent authority the LPA is required to undertake an Appropriate Assessment of the development on the basis of its likely significant effects on the SAC as a European Site. The LPA has adopted an 'Appropriate Assessment' based on this shadow HRA, which was agreed upon by NE. In their final response, NE confirmed that the proposed SANG measures are expected to effectively prevent adverse impacts on the integrity of the European sites within the zone of

influence, particularly from recreational disturbances associated with the proposed residential development. NE's advice is formally acknowledged as their representation on the appropriate assessment.

7.119 NE studies indicate that the floodplain habitats at Coombe Hill Canal and Meadows, located 4.2 km and 4.7 km from the development sites, are functionally linked to the Severn Estuary designations. The adopted shadow HRA concludes that while the proposed development could lead to increased recreational use at Coombe Hill Canal and Meadows, the impact is limited due to factors such as car parking capacity and ongoing management by the Gloucestershire Wildlife Trust (GWT) to reduce recreational disturbance. Regarding the potential for likely significant effects (LSE) on the Severn Estuary SPA/Ramsar from recreational disturbance, precautionary mitigation measures, including SANG provision, are proposed. The HRA, which is agreed by the LPA, concludes that the development, alone or in combination with other projects, will not have an adverse effect on the Severn Estuary SPA/Ramsar, due to the proposed SANG provision.

7.120 In their consultation, the Wildlife Trust requested additional funding for management at Coombe Hill Canal and Meadows. However, officers have advised that the Hill Farm SANG, while slightly further from the development, is considered adequate to mitigate recreational impacts on both Coombe Hill and Cotswolds Beechwoods SAC. In addition, the Council is currently working with consultants to prepare a SANG action plan which will provide a clear strategy for investment of SANG monies collected by the council. Looking collectively across the SANG interventions, officers consider what is being proposed is a pragmatic response in an urban location such as Cheltenham.

7.121 Coombe Hill's limited parking capacity restricts visitor numbers, and the footpath network is managed by GWT. By contrast, the Hill Farm SANG will provide appropriate parking and a more reliable destination for future residents, potentially reducing pressure on Coombe Hill and attracting visitors from other areas. Although the Wildlife Trust disagrees with this approach, NE has endorsed the proposed SANG solution, and the application is considered compliant with JCS policy SD9, which safeguards European and nationally protected species. Consequently, it is not anticipated that there will be harmful recreational impacts on the designations.

7.122 Turning to soundness of the S106 and conditions to cover SAC mitigation, the PPG test relates to the imposition of Grampian conditions and states that it will be unreasonable to impose a condition where there are no prospects at all of the action in question being performed. In short, 'certainty' is required in relation to the Regulation 63 test (Under Regulation 63 of the Conservation of Habitats and Species Regulations 2017), whereas 'reasonable prospect' relates to the imposition of a Grampian condition.

7.123 NE's advice states that permission may be granted provided it can be ascertained that the proposal would not adversely affect the integrity of the SAC. The Council's view is that a negatively worded Grampian condition preventing any further occupation until the SANG mitigation is secured off site, would ensure no adverse effects on the SAC. Thus, conditions limiting occupation to 120 until the offsite SANG is created and the requirement that on site SANG being completed prior to first occupation of that relevant phase, removes all reasonable doubt of adverse effects on the SAC. The Regulation 63 test is

therefore met. The reasonable prospect test is met as CBC own the off site land and have stated a willingness to sign a S106 to bring this forward.

Non Statutory Designated Sites

7.124 The site features one unconfirmed non-statutory designated area known as Fiddler's Green Lane Meadow. Initially, it was designated as the 'Fiddlers Green Key Wildlife Site' in 2000. However, over time, the grassland has degraded due to soil disturbance and improper management. As a result, the site was removed from the local wildlife site list in 2017. For this application, the officers classify the meadow as neutral grassland based on the most recent surveys.

7.125 The meadow is located at the entrance of the site. Several discussions regarding this space have taken place, starting from the pre-application phase and continuing through to the current proposals. The Golden Valley SPD objective D5 states that "principal junctions should be designed to minimise land take and create safe and direct crossing points for pedestrians and cyclists." This space presents a challenge, as the applicant needed to find the right balance between creating an impactful entrance and preserving the meadow for its biodiversity benefits.

7.126 The final design incorporates hedges around the meadow and designates it as an open space accessible from the designated paths. Cycleways and paths in the area have been kept to a minimum, as required by the Golden Valley SPD. Officers believe that the entrance effectively balances the preservation of the meadow whilst providing adequate access to the wider site, without allowing the area to be dominated by asphalt and hard surfaces.

7.127 Proper management of this space will be crucial for achieving positive biodiversity outcomes for the meadow, and this will be controlled by the landscape management conditions and the requirements outlined in S106.

7.128 In addition to this site, there are four other unconfirmed non-statutory designated sites located within 2 km. These are: Hayden Sewage Treatment Works, The Granleys, The Knolle at Badgeworth Cold Pool Lane Conservation Road Verge, and Cheltenham Railway Station. It is not considered the proposal has a direct impact on these sites.

Habitats

7.129 At the site, the areas of neutral grassland, hedgerows, small woodlands, and the Hatherley Brook are considered to be of local importance. They provide significant biodiversity value for the site, which has been reflected in the biodiversity metric. Objective C1 of the Golden Valley SPD states, "Development must positively integrate existing landscape assets and features and use these features to inform the development of a green infrastructure network for the site."

7.130 In an effort to preserve the habitats, the design of green infrastructure has focused on the retention and buffering of the western boundary vegetation within the 'Digital and Ecological Spine.' This spine connects into the wider green infrastructure (GI) network for the allocation. Additionally, the GI strategy for the site emphasises the preservation of mature trees within public open spaces, being the veteran oaks at the centre of the

Innovation Centre, as well as the protection and buffering of the Hatherley Brook corridor. Furthermore, there will be a partial retention of the lowland meadow habitat at the entrance to the site, ensuring a harmonious integration of natural features in the landscape.

- 7.131** Although it is acknowledged the roads into the south western parcel (24/01268/OUT) site disrupt the ecological spine and hedgerow, attempts have been made to minimise the widths of breaks in these habitats to support connectivity along the hedgerow. Application (24/01268/OUT) will need to address the loss of biodiversity net gain resulting from its development plans.

Protected species

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

- 7.133** The variety of breeding bird species observed on-site is consistent with the extent and diversity of the nesting habitats available. The hedgerows are utilised by a limited selection of conservation-concern species, including linnet, dunnoek, wren, and whitethroat. Although the existing farm buildings offer limited value for breeding birds, they do provide some potential nesting habitats for certain species, particularly starling, house sparrow, house martin, and swift.

- 7.134** The construction project will result in some loss and degradation of bird nesting and foraging habitats within the site boundaries. Removing breeding habitats at unsuitable times could potentially harm birds and their nests; however, compliance with wildlife protection laws is expected to mitigate this risk. Additionally, noise and activity during construction may temporarily disturb birds in nearby habitats, potentially affecting a small portion of the population, but these impacts are characterised as minor. Any removal of potential nesting habitat will be conducted outside the bird breeding season as required by a Construction Environmental Management Plan (CEMP).

- 7.135** Forty-six trees with potential bat roosts were identified within the site, most of which are associated with the hedgerows and small woodland adjacent to the existing allotments. Seven of these trees were assessed as having high suitability, twenty as moderate, and nineteen as low. None of the trees with potential bat roosts will be lost during construction, as they have been incorporated into green space. Nevertheless, certain retained trees with bat roost potential are close enough to the development footprint that they may be at risk of disturbance from construction noise and lighting. The CEMP will ensure that hedges and trees are protected from disturbance during construction. Subsequent Reserved Matters submissions will include full lighting plans to ensure that light does not disturb bats.

- 7.136** No bat roosts were found within the buildings on-site, as the farm buildings have already been demolished.

- 7.137** A single otter spraint was recorded along Hatherley Brook at the southern edge of the site. As no built development is proposed along the brook, the otters will not be impacted. An

ecological protection zone will be established to safeguard the brook during construction. These details will be finalised within the CEMP required by condition.

7.138 Additionally, records from the Gloucestershire Centre for Environmental Records (GCER) indicate that important species or habitats have been observed on or near the application site in the past, and these have been taken into account in the supporting Ecological Baseline discussed above.

7.139 The applicant's Ecological Appraisal was reviewed by the Council's Ecologist (CE), who requested a suite of conditions regarding the aforementioned matters. The CE did not dispute any findings in the applicant's Ecological Baseline report or Environment Statement (biodiversity section). However, the CE did request further information concerning the biodiversity net gain metric. In response to an updated metric, the Ecologist recommends various mitigation strategies that should be conditioned as part of the outline approval.

7.140 Overall, the following plans and strategies are necessary:

1. Overall Biodiversity Gain Plan and subsequent Reserved Matters (RM) Biodiversity Gain Plan to achieve the targets set within the metric.
2. Habitat Management and Monitoring Plan (HMMP) to ensure that appropriate agencies manage the areas designated for biodiversity.
3. Ecological Mitigation & Enhancement Strategy (EMES) to secure details of wildlife improvements, such as bat and bird boxes and hedgehog boxes.
4. A lighting plan within each RM to prevent light pollution affecting sensitive species discussed above.
5. A Precautionary Method of Working (PMW) plan to ensure the protection of species such as otters and birds during construction.
6. A Construction Environmental Management Plan (CEMP) to fulfil the principles outlined in the Ecological Appraisal.
7. An updated ecological report within each RM to ensure that as time passes, each RM includes current survey information regarding species on-site.

Mitigation Licence for Great Crested Newts (GCN)

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

7.142 The LPA must be satisfied of the legal tests:

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

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

Biodiversity Net Gain

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

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

7.146 The Council Ecologist reviewed the updated BNG Assessment, the Fiddlers Green Grassland Classification technical note and the updated biodiversity metric (EDP, December 2024).

7.147 The Council Ecologist met with the applicants' ecology team in December 2024 and discussed the rationale behind the reclassification of the Fiddlers Green meadow site and agree with the methods, most recent survey results and subsequent reclassification.

7.148 The applicant is committed to delivering 10% Biodiversity Net Gain and the updated biodiversity metric shows a 12.77% gain in area habitat units, 15.17% gain in hedgerow habitat units and a 29.05% gain in watercourse units. This is based on the plan to offset biodiversity losses from the site with biodiversity unit delivery off-site in conjunction with the delivery of SANG at Leckhampton Hill.

7.149 The applicant has agreed to submit an Overall Biodiversity Gain Plan (OBGP) setting out how the applicant will achieve a minimum 10% Biodiversity Net Gain with on-site provision and off-site habitat creation and submit subsequent Phased Biodiversity Gain Plans (PBGPs) with each future reserved matters application. Updated versions of the biodiversity metric will be included with each of these biodiversity gain plans.

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

7.151 The application is on an allocated site where the principle of development is accepted. Officers consider the ecological approach within this application, protects and reinforces the existing ecological networks on the site, such that these networks would be resilient to current and future pressures. The planning condition framework also ensure that European Protected Species and Nationally Protected Species will be protected in accordance with the law, and that the potential impacts on national and international designated sites are mitigated. As such, subject to incorporation of ecological mitigation, compensation, enhancement, and management in line with the recommendations of the submitted Ecological Assessments and ES, it is considered that the impact on ecology would be low. The embedded design measures and the additional mitigation measures have allowed the assessment to conclude that for both the construction and operational phases, that there would in regard to the EIA Regulations, be no significant effects, and indeed there are opportunities for enhancements.

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

Landscape, Trees and Visual Impact

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

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

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

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

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

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

7.159 The site is relatively unremarkable within the landscape and exhibits a strong edge-of-settlement character. It does not constitute a prominent or significant component of the overall appreciation of the wider landscape. It is perceived as pastoral farmland, located in close proximity to existing residential developments to the north, east, and south. In accordance with the Golden Valley SPD and JCS Policy SD6, a Landscape and Visual Impact Assessment ("LVIA") has been undertaken by the applicant. This demonstrates that from publicly accessible areas, views of the site are generally limited and, accordingly, the LVIA concludes that the site can accommodate the development in landscape terms. Furthermore, the site does not lie within or adjacent to any nationally or locally designated landscape; and the site is not easily discernible in views from the Cotswolds Area of Outstanding Natural Beauty. The Landscape Officer agreed with the conclusions of the applications LVIA.

7.160 The Cotswold National Landscape Board had no objections to the scheme. Landscape matters were carefully considered for the West Cheltenham allocation during the JCS adoption process.

7.161 The Landscape Officer conducted a thorough assessment of applicable local and national policies and ultimately concluded with a recommendation for approval, noting that the adverse landscape character and visual effects were at a less than significant level and could be managed through future Reserved Matters applications. Their response concluded;

"The proposals continue to appear as a good response to the Site in terms of tree and hedgerow retention and the creation of housing and commercial areas with foreseeable amenity and a good network of Public Open Space, routes and a north to south green spine as required. The same design concern that I have raised previously for the alternative, quieter route to the urban section of the Spine have not been addressed but I feel that the provision of a greener route is manageable as the detail design progresses through Reserved Matters."

7.162 The Landscape Officer reviewed the broader implications of the project regarding building heights and potential impacts on views from the allocation. They also examined detailed elements by reviewing the design code, illustrative master plan, and other relevant design plans. Initially, they expressed concerns regarding limited pedestrian linkages, aside from roads leading into the adjacent planning application site. Additionally, on a more detailed design level, they felt that the car parking provisions in the residential areas needed further resolution. However, the applicant revised their movement strategy and linkage parameters to demonstrate improved connectivity to the adjacent site and the broader surrounding area. The issue of car parking provision was not fully resolved as it was deemed that there would be sufficient capacity to address this during the Reserved Matters design stage.

7.163 The submitted design code stipulates a requirement for 15% canopy cover. Although this is slightly below the Golden Valley SPD requirement of 30%, it is considered acceptable on balance, given that this area of the site is intended to be more urban and dense in design.

7.164 While there were objections regarding the large scale of the proposed buildings, some of which are up to 7 storeys, it is worth noting that the large mobility hub will be limited to 4

storeys near the dwellings along Fiddlers Green. Ultimately, the Landscape Officer did not object to the proposal and it couldn't be refused on the basis some buildings are tall within the site.

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

Trees

7.166 Paragraph 187 of the NPPF states that planning decisions should recognise benefits from natural capital and ecosystem services, including trees and woodland. Paragraph 193 states that when determining applications development which results in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists. Paragraph 136 also identifies trees make an important contribution to the character and quality of urban environments and can also help mitigate and adapt to climate change. "Planning policies and decisions should ensure that new streets are tree-lined...and that existing trees are retained wherever possible. Applicants and local planning authorities should work with highways officers and tree officers to ensure that the right trees are planted in the right places, and solutions are found that are compatible with highways standards and the needs of different users."

7.167 Objective C6 of the Golden Valley SPD requires that development should promote and deliver a strategy for new tree planting and retention of existing trees. JCS Policy INF3 states that development proposals that will have an impact on woodlands, hedges and trees need to include a justification for why this impact cannot be avoided and should incorporate measures acceptable to the LPA to mitigate losses.

7.168 Policy GI3 of the CP states that development which would cause damage to trees of high value will not be permitted and developments may be required to retain existing trees, plant new trees and ensure adequate measures are in place to ensure the protection of trees during construction works.

7.169 The proposal involves the removal or partial removal of 45 trees or hedgerows, with 10 recommended for removal due to poor condition. Most losses are from low-quality specimens, with only five being of moderate quality. However, 75% of the trees, including all veteran trees and those protected by a TPO, will be retained and safeguarded during construction. Replacement planting is planned in the Landscape Strategy (received 3rd Nov 2023) to compensate for any tree loss, with full details to be provided at the Reserved Matters stage.

7.170The Council's Trees Officer (TO) has reviewed the illustrative masterplan and tree removal plan. The TO expressed concerns about the removal of certain trees. However, after a site visit with the applicant's tree expert, it was concluded that the trees proposed for removal were reasonable, as they did not hold significant landscape value.

7.171A key issue for this site is the three veteran oaks located at the centre, which are proposed to be surrounded by the Innovation Centre building. The success of this space will largely depend on the design and measures taken to protect these oak trees. Since this is an outline planning application, the specifics of tree protection will be reviewed at the Reserved Matters stage. At this outline level, the TO does not object, as the illustrative masterplan provides sufficient space to accommodate the protection zones for these important trees. Furthermore, the TO does not oppose the landscaping features included in the design code.

7.172In summary, following supplementary information from the application, the TO believes the proposed removal and retention is acceptable. The implementation of the landscaping scheme, tree protection, and tree management can be ensured through conditions. All relevant tree-related conditions have been attached accordingly. The proposal is considered to accord with the NPPF, Golden Valley SPD, JCS policy INF3 and CP policy G13. In addition, a Tree Strategy for the borough is currently in preparation and will be presented to Cabinet for approval in November 2025. This will support future reserved matters applications as they come forward.

Impact on Neighbouring Amenity

7.173Paragraph 124 of the NPPF states that planning policies and decisions should support development that makes efficient use of land. Similarly, JCS Policy SD10 states that residential development should seek to achieve the maximum density compatible with good design and local amenity. Policy SD4 states that new development should respond positively to, and respect the character of, the site and its surroundings...It should be of a scale, type, density, and materials appropriate to the site and its setting. Golden Valley SPD objective B4 requires higher densities and a range of dwelling typologies.

7.174NPPF paragraph 135(f) requires that decisions create places that are safe and maintain a high standard of amenity for both existing and future users. Policy SL1 of the Cheltenham Plan states that "development will only be permitted if it does not cause unacceptable harm to the amenity of neighbouring land users or the locality. In assessing the impact on amenity, the Council will consider various factors, including, but not limited to, loss of privacy, light, and outlook." This policy aligns with the adopted JCS policy SD14.

7.175Consequently, the need for high density must be balanced against the amenity of neighbouring residential areas. The upper perimeters of the parcel contain terraced dwellings along its edge, which respond to the existing residential properties. While the details will be secured at the Reserved Matters stage, the illustrative masterplan indicates that residential amenity will not be harmed. Further south on the site, the buildings become larger and taller, but low density is still largely maintained along the edge, with the exception of the Innovation Centre and Mobility Hub. Toward the southern tip along Hatherley Brook, the dwellings again transition to terraced or semi-detached properties.

- 7.176** As mentioned earlier in the landscape section of this report, this site has been allocated for significant growth, with the Golden Valley SPD prescribing high-density development for this area. It is crucial to note that this is an outline application, and the implications of the height and scale of the Innovation Centre (up to 5 storeys) and the Mobility Hub (up to 4 storeys) will be examined at the Reserved Matters stage. The Reserved Matters will include full light assessments and demonstrate appropriate separation distances to ensure that the proposals do not result in substantial overshadowing or overlooking on the most vulnerable properties to harm along Fiddlers Green Lane.
- 7.177** Although several objections have been raised regarding the scale of the buildings proposed in the illustrative masterplan and design code, high density is fundamentally supported by policy. Some dwellings may not be directly impacted by the development, but existing residents, who currently overlook an empty field, will soon see very high buildings and high-density development. The right to a view is not a material planning consideration; therefore, the loss of existing views over the greenfield is not deemed a reason to refuse the proposal, given the overriding policy supporting high-density development in this location.
- 7.178** Overall, densities of up to 76 dwellings per hectare (dph) are proposed within the Southern Parcel, which aligns with the density range for "The Golden Valley Development Character Area" as outlined in the Golden Valley SPD. While it is acknowledged that existing residents will experience a significantly different character along this edge of town, officers are confident that concerns regarding neighbouring amenity can be addressed at the Reserved Matters stage.
- 7.179** Regarding future residents' amenity, the design code mandates minimum space standards, garden sizes, and separation distances, all of which will be reviewed in detail during the Reserved Matters stage. Officers believe that the illustrative masterplan, design access statement, and design code ensure that future residential amenity can be addressed appropriately at that stage.
- 7.180** Objectors have voiced concerns about traffic impacts associated with the proposed development during both the construction phase and once the development is occupied. Highway safety and transport matters will be discussed in detail later in this report. The construction phase is expected to be temporary, so any noise, disturbance, and disruption during this period can only be afforded limited weight. A Construction Environmental Management Plan, which will include measures to minimize noise, dust, pollution, and manage construction traffic and deliveries, will be approved prior to the commencement of development and secured by planning condition.
- 7.181** For all the reasons outlined above, the proposals are considered to comply with paragraph 135 of the NPPF, Policy SL1 of the Cheltenham Plan, and Policy SD14 of the JCS.

Odour, Air Quality and Noise

- 7.182** Paragraph 198 of the NPPF states that planning decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise

from the development. Policy SD14 of the JCS also states that new development must ensure that there are no unacceptable levels of pollution from, inter alia, air and noise.

Odour

- 7.183** Odour presents a significant constraint on the West Cheltenham allocation as a whole, primarily due to the Severn Trent sewage treatment centre located to the West. Severn Trent Water has proposed to undertake mitigation works to manage and minimise odour, from the sewage treatment centre, which is essential for unlocking development at West Cheltenham.
- 7.184** NPFF paragraph 187 states planning decision should be “e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans”
- 7.185** JCS Policy A7 states “ix. A distribution of development that takes account of the proximity of the Hayden sewage treatment works and incorporates appropriate spatial planning arrangements and mitigation measures designed to minimise material impacts on residential properties and commercial premises. Development which is likely to be significantly affected by odours will not be permitted within the Odour Monitoring Zone identified on the policies map. A landscape buffer to the western boundary of the site which will provide screening between the development and the Hayden sewage treatment works;”
- 7.186** In terms of the southern parcel, it mostly falls outside the odour impact zones currently affecting the site. Following the implementation of the mitigation works, the entire southern parcel should be outside any zones impacted by odour. However, it is crucial to ensure that dwellings are not occupied and impacted by smells if there are delays in the mitigation works. Consequently, a condition has been added to the outline permission stating that no residential dwellings in the southern parcel may be occupied until the mitigation works at the water treatment plant have been completed and validated.
- 7.187** There is a requirement for the works to be validated to ensure that the implemented mitigation measures are indeed effective at reducing odour on-site. These mitigation measures will be carried out by Severn Trent Water, as the LPA is unable to acquire the ability to implement the work themselves. Therefore, this application, like others within the West Cheltenham allocation, relies on the works being conducted by Severn Trent Water for the development to proceed.
- 7.188** The test for a Grampian planning condition is whether there is a reasonable prospect of the necessary actions being completed within the time limits imposed by the permission. Severn Trent Water has indicated that they are likely to undertake the works between 2027 and 2028. Given that the first phase in the southern parcel involves employment uses rather than residential ones, it is highly likely that the Severn Trent works will be completed before any residential dwellings are built or occupied in the southern parcel.

7.189A Grampian condition is required regarding the occupancy of residential units. For the MLPL/St Modwen and HBD Northern Parcel applications some occupations can occur as there are dwellings outside of the 2.5 Isopeth odour zone. However, the proposed location for the primary school falls within the isopleths of the odour zone. The S106s for HBD Northern Parcel and MLPL/St Modwen application site will require release of the primary school site to GCC at 400 occupations on the whole site. Therefore, to ensure that the site for the primary school is free from any odour when the trigger threshold of 400 occupations is reached Grampian conditions must be used. For HBD Northern Parcel and MLPL/St Modwen application site this means only 400 occupations (200 for each application) can occur before the odour works have been completed. For this application and the adjacent south western Nema application (24/01268/OUT), given the proximity of the proposals and the level of residential properties within the 2.5 isopleths, no residential occupations can take place prior to the completion and validation of the odour works.

7.190 By ensuring that the necessary mitigation measures are implemented before reaching the 400-occupation mark for the whole site, the LPA can ensure that the school building will not be affected by odour pollution when it is constructed. Additionally, by no residential units being occupied in the southern portion of the site this ensure the area's most vulnerable to odour are protected. Additionally, they can still occupy the commercial units and commence development without the mitigation works taking place.

7.191 It is also important to note that Severn Trent Water is the landowner for the St. Modwen planning application (22/01817/OUT) with the land falling within Midlands Land Portfolio Ltd., which is also part of the West Cheltenham allocation. Therefore, it is in Severn Trent Waters interest to implement these works, as they will facilitate the MLPL/St Modwen planning application in the West Cheltenham strategic allocation.

7.192 While there is a risk that these mitigation works may never occur, it is understood that a portion of these works are regulatory via OFWAT related to the Industrial Emissions Directive and therefore legally required. This provides some assurance that they will be carried out. Coupled with the fact that they are the landowner of an adjacent planning application within the West Cheltenham allocation, officers are satisfied that it is highly likely the mitigation works will be completed within the time limits set by the permission.

Air Quality

7.193 Whilst the site is not located within an air quality management zone, in accordance with the Golden Valley SPD, the Proposed Development considers off-site effects from traffic accessing and egressing the site to ensure that air quality for new and existing residents remains within acceptable levels. The ES assesses air quality and demonstrates that in line with the Golden Valley SPD and JCS Policy SD14, the residual effects on human health arising from operation phase emissions are negligible, with best practice mitigation proposed to manage temporary dust formation during construction. The Environmental health officer was content with the contents of the environmental statement regarding air quality, and they have recommended a suite of conditions that have been added to this permission to safeguard the amenities of future residents.

7.194 The mitigation of construction phase pollutant and dust emissions will be addressed by the provision of a Construction Environmental Management Plan (CEMP), which will need to be agreed with the Cheltenham Council Planning team. It is anticipated that nearby

construction sites will adopt appropriate mitigation measures to limit emissions of dust and ensure that plans are co-ordinated to minimise impacts upon the most sensitive receptors. With these measures in place, the cumulative effects of construction activities are anticipated to be not significant.

- 7.195** Once built out, the results of the operational traffic assessment indicate that there would be negligible impact at all of the modelled receptors, within the ES, with the exclusion of one slight adverse impact at one receptor in the worst case 2031 scenario, with use of 2023 emission factors. The predicted concentration associated with this slight impact is below the annual mean objective and given the overly conservative approach of retaining emissions and background concentrations at 2023 with 2031 traffic flows, it is therefore concluded that this slight impact is not considered to be significant given the considerable investments the applicant is making into sustainable travel it is unlikely worse case scenarios would be realised.

Noise

- 7.196** With respect to the potential effects of noise and vibration resulting from the application, the main relevant elements are considered to be the construction works, including the associated construction traffic, changes in road traffic noise when the project is operational, and noise from any operational fixed plant and deliveries and servicing activities. A baseline noise survey was undertaken between the end of September to the middle of October 2022 at locations selected primarily to be representative of the closest noise-sensitive receptors, covering the adjacent residential areas. The ES concluded sensitive receptors selected for this assessment comprise a sample of those closest to the application site. Their proximity means that, in general, effects at other locations further from the relevant sources of noise and/or vibration would be no greater, and in most cases lower than those that have been considered.
- 7.197** Construction noise from on-site works has been predicted and assessed based on the worst-case assumptions for demolition noise and 8 other activity scenarios which represent different periods of time during construction. A Construction Environmental Management Plan (CEMP) and adoption of Best Practicable Means (BPM) will ensure contractor noise and dust is managed. The contractor will be responsible for implementing the mitigation measures identified in the CEMP.
- 7.198** Regarding construction vibration, no significant adverse effects have been identified, although some adverse effects could occur when the minimum distance between the works and the receptor is below 45 m. These adverse effects will be managed through the measures identified in the CEMP.
- 7.199** Construction road traffic noise has been predicted and assessed based on the likely peak volume of construction traffic; the highest change in noise level anticipated to occur is considered negligible. Therefore, no adverse or significant adverse effects are anticipated from construction traffic, as advised in the ES and the Councils Environmental Health Officer is satisfied conditions provide the level of scrutiny to mitigate any harms.
- 7.200** Once built out, road traffic noise has been predicted and assessed based on the site being completed and fully operational, with the result indicating minor adverse effects which are not significant on three road links; Marsland Road, Fiddler's Green Road and

Telstar Way. For all other links operational traffic noise would have a negligible non-significant effect.

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

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

Sustainability

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

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

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

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

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

7.208 In accordance with the Cheltenham Climate Change SPD, the Golden Valley SPD, and JCS Policies SD3 and INF5, the proposal seeks to support the move to a low carbon future by reducing energy demands (through efficient building design) and implementing

renewable technologies throughout the site (such as solar PV and heat pumps) where feasible.

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

7.210 The applicant now proposes a mixed-use development that exceeds national standards, with a focus on achieving high environmental performance. The energy and sustainability statement includes commitments to both operational energy and embodied carbon reduction, aiming to meet RIBA 2025 performance targets immediately and RIBA 2030 targets by 2030. The RIBA 2030 targets will be required for RM applications unless the applicant can prove the enhanced specifications would make the project unviable. This commitment aligns with the RIBA 2030 Climate Challenge, which sets ambitious, voluntary targets for net-zero buildings by 2050, ensuring progressive, viable design standards.

7.211 Key commitments include;

- Deliver Net Zero Carbon buildings (domestic and non-domestic) in operation by aligning with RIBA Climate targets.
- Challenge: Immediately – RIBA 2025 performance, and From 2030 – RIBA 2030 performance targets (subject to viability); maximising energy reductions against a Part L baseline through the Lean, Clean, Green methodology:
- ‘Lean’ – improve energy efficiency through passive design and energy efficiency measures; ‘Clean’ – supply energy efficiently; ‘Green’ – maximise renewable energy generation.
- Limit upfront embodied carbon (A1-A5): Immediately – RIBA 2025 performance, and From 2030 – RIBA 2030 performance targets (subject to viability); adapting the methodology for use in building types not covered by the RIBA 2030 Climate Challenge;

New residential: <500 kgCO₂e/m² (Band C), leading to <400 kgCO₂e/m² (Band B).

New office: <600 kgCO₂e/m² (Band C), leading to <475 kgCO₂e/m² (Band B).

New retail: <550 kgCO₂e/m² (Band C), leading to <425 kgCO₂e/m² (Band B).
- Achieve a minimum Biodiversity Net Gain of 10% through on and off-site measures.
- Incorporate Building with Nature principles, and undertake a Building with Nature Design Award assessment.
- Not connected to gas grid wholly electric scheme.

- Manage surface water on-site via sustainable methods, limiting runoff to greenfield rates.
- Limit water use in domestic buildings to 105 l/p/d, and non-domestic to 13 l/p/d (RIBA 2025 targets), with an aspiration to improve these at detailed design stage to RIBA 2030 targets.
- Achieve minimum ~44% improvement on Part L (2021) baseline.
- Maximise renewable energy generation, including solar panels and air source heat pumps on dwellings.
- A circular approach to materials, based on UKGBC principles.
- A circular approach to waste, with development of a construction Waste Management Plan (Cheltenham Climate Change SPD).
- A circular approach to water, with rainwater capture and reuse.

7.212 As the application is at outline stage a condition will ensure all reserved matters adhere to the standards set out in the sustainability statement (August 2024).

Waste Management

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

Water Resource

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

7.215 Overall, officers are now confident that the subsequent reserved matters, following the outline approval, will incorporate appropriate climate change mitigation measures. Whilst not meeting all the considerable targets of the Golden Valley SPD and Climate Change SPD, officers have utilised the SPDs effectively to seek considerable enhancements to the sustainability and low carbon approach to developing Golden Valley.

Drainage and Flood Risk

7.216 The application has been assessed in accordance with JCS Policies INF2 and A7, as well as Section 14 of the NPPF, specifically paragraphs 180 and 181. These outline that local planning authorities should ensure that flood risk is not increased elsewhere when determining planning applications. Additionally, applications should be supported by a

site-specific flood risk assessment where appropriate, and built forms should only be placed in the lowest risk areas.

7.217In line with the Golden Valley SPD, the proposed development aims to achieve water conservation and includes sustainable drainage measures, attenuation areas, and technologies. This includes features such as low-flow fittings, rainwater and greywater reuse, and restrictions on hot water tank usage, all designed to significantly reduce water consumption to 110 litres per person per day or less (i.e., 75 l/p/d for domestic buildings and 13 l/p/d for nondomestic buildings).

7.218The Golden Valley SPD aims to minimise flooding risks through sustainable drainage measures, including the provision of street trees, landscape verges (including swales), and the use of permeable surfaces. While the detailed design of the drainage systems will be finalised at the Reserved Matters stage, sustainable drainage measures, including SuDS, attenuation, blue-green infrastructure, and planting, are proposed throughout the site, in line with the submitted design code. As outlined in the proposed Landscaping Strategy within the Design and Access Statement, a generous network of open spaces will be provided across the site to help manage surface water. Overall, the proposed drainage strategy will reduce runoff from existing greenfield rates of 183.7 liters per second to a proposed discharge rate of 60.4 litres per second.

7.219Objective A2 of the Golden Valley SPD requires new developments to be resilient against flooding, while Objective C5 mandates the use of Sustainable Drainage Systems (SuDS). Most of the site is located within Flood Risk Zone 1, with the land around Hatherley Brook to the south falling into Flood Risk Zones 2 and 3. Following revised Environment Agency (EA) mapping, the previously classified dry brook (Fiddlers Brook) along the western edge has changed to Flood Zone 3. Consequently, the applicant submitted a statement to address this.

7.220Although the site includes areas in Flood Zones 2 and 3, the site has been allocated in the development plan through a sequential test process. In such cases, paragraph 180 of the NPPF confirms that applicants do not need to apply the sequential test again.

7.221Paragraph 180 of the NPPF states: "However, the exception test may need to be reapplied if relevant aspects of the proposal had not been considered when the test was applied at the plan-making stage, or if more recent information about existing or potential flood risk should be taken into account." While a new Flood Zone 3 has been introduced by the recent EA flood mapping for Fiddler's Brook, which affects commercial and mixed-use buildings on the land use plan, the EA has been formally reconsulted on the application. The applicant has provided commentary stating, "The EA has indicated that it does not possess a detailed hydraulic model for Fiddler's Brook, and flood data from the updated March 2025 flood extents is not yet available. As a result, it's not possible to assess the impact of the proposed Innovation Centre on flood levels using this data. It is considered that the original 2023 Flood Risk Assessment (FRA) remains the most reliable source, indicating a flood depth of 0-150mm for a 1 in 1,000-year event. Given the low probability and shallow flooding, the construction of the Innovation Centre is deemed unlikely to have significant adverse impacts, aligning with the conclusions of the 2023 FRA."

7.222 The revised flood zones for this stream appear identical to the Rivers and Sea map (available here: <https://check-long-term-flood-risk.service.gov.uk/map>). As the EA confirmed that these zones are based on their national scale/NAFRA model, it can be assumed that this information is consistent. The depth information on the Rivers and Sea map shows that flooding depths may exceed 200mm only in the 0.1% (1 in 1,000) event, allowing for reasonable design considerations.

7.223 The council's Drainage Officer has reviewed the final version of the application documents and has no objections, provided that certain conditions are added, which have been included in the recommendation. Similarly, LLFA also does not object and has suggested conditions as well. Although the LLFA was informed of the change in flood zone, they have not raised any objections, leaving the matter in the hands of the EA. The most recent comment from the EA indicates that they do not object to the scheme. However, they found the FRA lacking in its consideration of climate change. Despite this, they are not objecting at this stage since the application is at outline level, and more detailed designs could address their concerns during the reserved matters stage. The EA been reconsulted following the revised flood zones and recommended a condition which has been added to the recommendation.

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

Transport

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

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

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

7.228 Policy INF1 of the JCS requires that developers should provide safe and accessible connections to the transport network to enable travel choice for residents and commuters. Criterion 2 of Policy INF1 states that where severe impacts that are attributable to the development are considered likely, including as a consequence of cumulative impacts,

they must be mitigated to the satisfaction of the LPA in consultation with the Highway Authorities and in line with the Local Transport Plan.

7.229 Policy A7 of the JCS also states the scheme will have; Vehicle accesses from Fiddlers Green Lane and B4634 Old Gloucester Road and facilitate links to the M5 J10 for strategic movements to and from the site; Measures necessary to mitigate the traffic impact of the site, including the use of travel plans to encourage the use of sustainable transport modes; High quality public transport facilities and connections within and adjacent to the site. Safe, easy and convenient pedestrian and cycle links within the site, to key centres and with neighbouring existing development.

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

- The design and delivery of new development will prioritise and support active and sustainable travel patterns and behaviour – public transport.
- Deliver new direct pedestrian and cycle connections to existing communities and facilities.
- Creation of an open network of streets and routes which can be managed to meet local needs.
- Delivery of a new 'main street' between Telstar Way and Old Gloucester Road, designed as a street for people, not a road for vehicles.
- Principal junctions should be designed to minimise land take and create safe and direct crossing points for pedestrians and cycles.
- Provision of safe routes to schools, which will be provided within or beyond the West Cheltenham site.
- A flexible and creative approach to the application of parking standards and emerging and new vehicle technologies and initiatives.

Means of access to Application Site

7.231 Whilst the application is submitted in outline, the application seeks approval for main vehicular accesses and egresses into the site from Fiddlers Green and Telstar Way roundabout. The Movement Parameter Plan (Golden Valley-GRM-ZZZ-AG-DG-MP-PL0003 REV 8 received 12th May 2025) also provides approximate locations of emergency access points, public transport access points, as well as car, pedestrian and cycle access points into the development and adjoining parcels.

Main Accesses

7.232 Two vehicular access points are proposed for the Southern Parcel:

- A four-arm roundabout at the location of the existing mini-roundabout on Telstar Way/Fiddler's Green Lane, which will serve the northern areas of the site.

- The realignment and change of priority of Fiddler's Green Lane to provide a continuation of the road into the site to serve the southern areas and create a bus lane.

7.233 The access routes also serve other development parcels beyond this application. There was some disagreement between the current applicant and the applicants for the parcel to the west of this application (24/01268/OUT). The applicants for that parcel felt that the roundabout should be larger to accommodate their site trip rates. However, from the perspective of the LPA, officers have consulted with Gloucestershire County Council as the Local Highways Authority (LHA), who confirmed they had no objections to the scheme, subject to conditions. In May 2025, the LHA reviewed additional information provided by the 24/01268/OUT applicants regarding their concerns about the roundabout. The LHA confirmed again that they were satisfied with the access arrangements for the southern parcel and, in turn, for the 24/01268/OUT application.

Other accesses

7.234 In respect to other accesses the Movement Parameter Plan (G-GRM-ZZZ-AG-DG-MP-PL0003 REV 8 received 12th May 2025) shows the indicative locations of these, and full details will be secured as part of future reserved matters.

7.235 The collaboration documents, the Pedestrian and Cycle Connectivity Plan and the Road Connections Plans, have been included in the approved plans condition for this application. This addition ensures that the access points align with the development parcels to the west and north of this site. There was significant discussion regarding the width of the access route reserved to serve the land to the west (24/01268/OUT). The LHA was consulted and advised that a safeguarded width of 35 meters is acceptable to access and provide bike and bus connections into the 24/01268/OUT site. This width has been indicated on the movement parameter plan and is therefore included as part of this recommendation. The LPA is satisfied that, with this safeguarded route in place, the application to the west (24/01268/OUT) will not be prejudiced, as a suitable access point is available. Additionally, there are two other access points within this application that connect to the 24/01268/OUT site. As a result, there are multiple access points for buses, vehicles, pedestrians, and cyclists, ensuring effective links to the adjacent development parcels.

Local Highway Network

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

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

Marsland Road corridor – a 3 metre wide shared pedestrian footway/cyclepath that links the site to Coronation Square through Elms Farm Park and along Fiddlers Green Lane. The route includes the conversion of an existing mini-roundabout to a priority-controlled junction; the introduction of two toucan crossings; and, rationalisation of existing on-street parking. View port 1 within the drawing will be delivered by the developer. View port 2 will

be delivered by GCC as LHA via S106 contributions from all West Cheltenham developers.

Telstar Way corridor – the creation of a new 3 metre shared pedestrian footway/cyclepath adjacent to the southbound carriageway, which supplements the existing route located adjacent to the northbound carriageway. The route includes priority pedestrian and cycle crossing facilities at the main site access to the Southern Parcel and at the upgraded Telstar Way/Hubble Road roundabout. A condition requires this to be completed prior to first occupation of this scheme. These works will be undertaken by the developer under S278 works.

Fiddlers' Green corridor – the creation of a new 3 metre shared pedestrian footway/cyclepath adjacent to the southbound carriageway. This includes priority pedestrian and cycle crossing facilities and traffic calming features, which are provided through the reallocation of road space. A condition requires this to be completed prior to first occupation of this scheme. These works will be undertaken by the developer under S278 works.

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

Public Transport Strategy

- 7.239** The applicants transport assessment and subsequent addendums outlines the public transport strategy, specifically buses. This application will be served by an extension of Route A along Telstar Way and Fiddlers Green Road in order to access the Arle Court Transport Hub. However, the LHA have advised this might not be the end solution for the scheme if they felt another service would better serve the scheme. In order to facilitate this proposed route, amendments are required to the Telstar Way roundabout adjacent to GCHQ so as to allow vehicles to turn right onto Telstar Way. The new design is conditioned to implement the 'Telstar Way A40 to Fiddlers Green Lane, these Active Travel Improvements' prior to first occupation of the scheme by the applicant under S278 works.

- 7.240** As previously discussed, the LHA has concluded that the 35m safeguard route serving the parcel to the west of this site is sufficient for the road and junction to accommodate bus services. While the exact bus routes are not yet determined, there is a requirement attached to the phasing condition that temporary bus services and routes must be outlined when this condition is discharged. Additionally, future Reserved Matters applications will address the specific locations of bus stops in collaboration with the LHA. They will coordinate with the relevant bus providers to evaluate the available services or those that could be established at that time, considering the lengthy timeline for the project's gradual build out.

- 7.241** The LHA requested £1,110,772.00 towards future bus services. However, the applicant directly engaged with the bus service providers (Pulhams and Stagecoach) early in the application as the LHA did not engage until late in the application on bus sums. The applicant was quoted, by the bus service providers, £931,300.00 for their portion of the bus contribution. This amount is considered substantial to provide an initial bus service in

the early stages of the development. As such, £931,300.00 is being sought. Later in this report the viability balance is discussed regarding S106 asks.

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

Monitor and manage & travel plans

7.243 Improvements at Arle Court Roundabout alignment and markings revisions and A40 westbound off slip to M5 Junction 11 Road Markings, will be undertaken by the applicant prior to occupation of phase 3 if the monitor and manage scheme fails.

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

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

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

- Travel Plan Monitoring Fees - £20,000.00 - (£10,000 per use)
- Residential Travel Plan Deposit Contribution – £101,664, which would be paid back to the developer after 5 years if the LHA do not need to intervene.
- Commercial Travel Plan Deposit Contribution - £1,187,043, which would be paid back to the developer after 10 years if the LHA do not need to intervene.
- Monitor and Manage bond of £582,000, which the county will hold in case the vision isn't achieved and they need to implement additional traffic regulations or road works in the area.

7.247 The LHA requested £1,187,043 towards the Commercial Travel Plan Deposit Contribution. However, this is considered disproportionate as Gloucestershire County Councils Transport Planning Advice Sheets state that the £60 tariff per employee should be reduced to £50 in allocated development zones (which West Cheltenham is). This

results in a commercial travel plan deposit of £989,000 (1,978 employees x £50 x 10-years). Therefore, £989,000 is sought for the Commercial Travel Plan Deposit.

7.248 The applicants would implement the detailed Travel Plans which would be secured via planning conditions and S106 and these monies should be used to monitor the implementation of the Travel Plans and would act as deposit to mitigate impacts in the event that the Travel Plans did not meet the agreed targets. The money is returned to the applicant if their Travel Plans work. Residential is returned after 5 years and commercial after 10 years.

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

Traffic Regulation Orders

7.250 There is currently a significant issue with inappropriate parking along Fiddler's Green. However, through this development, this road is being prioritised as a bus route, meaning that parking will no longer be permitted along this section. This proposal includes a substantial amount of commercial space, and the applicant is forward-thinking in their reduction of parking provisions. A mobility hub is being established, which will accommodate much of the parking required for commercial employees; however, it heavily depends on individuals utilising sustainable transportation methods to reach their workplaces. As a result, the LHA has advised that traffic regulation orders (TRO) will be necessary in the local area to prevent parking displacement from the site to the surrounding neighbourhoods. The TROs will be implemented along key surrounding roads such as Fiddler Green, Springbank Road, and Marsland Road. The LHA will directly consult local residents, as they required to do, before implementing these TROs.

7.251 The LHA has requested £582,000.00 as a monitor and manage bond, in case additional TROs need to put in place if the applicants vision fails. The money will be returned to the developer at an agreed time stipulated in the S106. These timescales will be negotiated by the LHA and LPA during the S106 discussions.

7.252 The LHA has requested £148,619 towards TROs and this had been agreed by the LPA and added to heads of terms for the S106. It is considered that this contribution meets the S106 tests insofar as they are directly related to the development, and fairly and reasonably related in scale and kind. They are also necessary and the most appropriate mechanism to ensure the surrounding roads are not impacted and people are encouraged to use sustainable modes in accordance with the provisions of the NPPF and policies INF1 and SA1 of the JCS.

Public Comments

7.253 The Hesters Way Community Group requested that traffic lights be installed at the Telstar Way Roundabout. However, the LHA is satisfied with the proposed roundabout design, and the LPA considers it acceptable as submitted.

7.254 They also asked for the second access on Fiddlers Green to provide connections to the mobility hub at the Innovation Centre. This access would offer vehicle entry to the mobility hub as well as pedestrian and cycle access to the Innovation Centre. It is important because those working at the Innovation Centre would also use the mobility hub.

7.255 The Hesters Way Community Group wanted the access from Fiddlers Green through the site into the adjacent western land parcel to be limited to active travel only. Currently, this access is shown as a road for all travel modes, but this will be determined at the Reserved Matters stage. The group is generally supportive of the two other access points provided for land to the west and also supports the link in the far north of the site.

7.256 However, the community group felt that construction traffic should not have access through Fiddlers Green. Other public comments expressed general concerns about construction traffic and the built-out developments impact on busy roads in the area. The effects of the development on the local highway network are discussed in detail throughout the highway section. Regarding construction traffic, this will be managed by a construction management plan that has been conditioned.

7.257 Additionally, the Hesters Way Community Group requests that the bus gates on Fiddlers Green be installed before the development begins. The installation timeline for the Fiddlers Green Lane bus gate has been conditioned to occur prior to the first occupation of the development.

Strategic Highway Network

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

7.259 The Section 106 tests state the following requirements:

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

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

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

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

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

7.264 As part of the DCO, Gloucestershire County Council presented a funding methodology which apportioned the funding shortfall of the scheme costs between allocated development sites that may come forward at 'West' and 'Northwest' Cheltenham and in adjacent areas. Whilst this is Gloucestershire County Councils methodology other funding streams are available for the scheme. The LPA provided comments on the methodology. The LPA continues to work collaboratively with the County Council on the matter of the funding methodology, but at the time of writing this methodology is not agreed, nor has the transport modelling upon which it has been based (GC3M model) been shared with the LPA or the applicant. The NPPF is clear that expectations of contributions should be set out in development plans, and the PPG explicitly discourages the use of SPD to provide formulae inter alia because this will not have been the subject of consultation and examination. As such, though taken into account very limited weighted is assigned to the current funding methodology draft paper.

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

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

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

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

7.268 The LHA is seeking £10,308,487.65 to improve junction 10. A significant portion of this funding is derived from the commercial floor space applied for as part of this application. However, the West Cheltenham Transport Improvement Scheme (WCTIS), a road to the west of this site, was part justified based on its potential to unlock this commercial space, along with some residential development at the West Cheltenham allocation.

7.269 According to an extract from the WCTIS Phases 3-4 Full Business Case document (2020), "The objectives of the scheme are consistent with those of Phases 1 and 2. They have been agreed upon with Gloucestershire County Council (GCC) and the Local Enterprise Partnership (LEP). These objectives also guided the provisional allocation of funds for transport improvements, which are as follows:

- Contribute to accelerating the release of employment land associated with the West Cheltenham Strategic Allocation, as well as other strategic allocations in the JCS adjacent to GCHQ, including the proposed Cyber Park and Cyber Innovation Centre (now renamed Cyber Central)."

7.270 Additionally, GFirst Board meeting paper (to approve business case preparations for the WCTIS scheme) states "The purpose of the bid was to enable the opening up of a strategic employment land allocation by bringing forward highway infrastructure improvements, enabling capacity on the network to accelerate an early phased release of the employment site." https://www.gfirstlep.com/downloads/library/281-item_8.pdf

7.271 The business case for the WCTIS scheme lacks explicit documentation regarding the number of trips it facilitates for West Cheltenham and therefore the quantum of development it alleviates. However, there is a clear intention throughout various documents, including Gloucestershire County Council business case, to support the development of the cyber park and Innovation Centre, specifically this current HBD southern application. Without specific trip quantum data, it is challenging to derive a scientific allocation for provision, and it appears the County Council has not conducted this analysis either, necessitating a judgment to be made by the LPA in respect of this planning application. The WCTIS scheme documentation does state cyber central would still need 'further mitigating measures'. Additionally, the business case states the WCTIS scheme is not exclusively for the benefit of the Northwest Cheltenham and West Cheltenham developments. This is understood, as is the fact that the WCTIS scheme objective was also about resolving existing congestion on the network. However, taking a rounded view of the objectives of the scheme it is clear these were two fold:

1. Alleviating existing demands on the network, and
- 2, Facilitating, enabling and accelerating the release of the employment land associated with the West Cheltenham Strategic Allocation along with the other strategic allocations in the JCS adjacent to GCHQ, which includes the proposed Cyber Park and Cyber Innovation Centre.

7.272 As a result, the LPA believes that a scheme already exists to mitigate the impact of this large commercial development, at least in part. As the scheme was funded on this basis and has been fully delivered. Regarding 'further mitigating measures' this planning application provides extensive active travel works and road mitigation as already described above. The methodology presented by the LHA does not show clearly the links

between this site, the WCTIS scheme capacity, or exact trip level harm on J10. The full funding request is not considered to meet either the first or third tests for Section 106 contributions, as a scheme has already been justified, funded, and completed, which confirmed that it unlocked part of this growth. Therefore, the full requested amount is not considered to have been shown to be necessary to make the development acceptable in planning terms nor that it is fairly and reasonably related in scale and kind to the proposed development failing reg CIL 122(a) and 122 (c).

7.273 Further as modelling has not been shared and there is a question around if J10 were not improved, would the impacts of the application be so “severe” in all reasonable scenarios (para 116 of the NPPF) that refusal would be justified; and given the lack of clarity around the level of development the WCTIS scheme supported.

7.274 Within the West Cheltenham allocation different parts will have varying impacts on M5 J10, particularly as a bus gate proposed which prevents commercial and residential traffic from the southernmost parts directly accessing J10. All commercial traffic to the allocation will be coming via the A40/Telstar Way rather than down through the allocation from Old Gloucester Road, it is not clear if this has been factored into the methodology for funding. The applicant's Table 3.1 of Appendix C of their February 2025 Technical Note shows on average journey times across the study area (incl. J10) are just five- and four-seconds difference between now and if the commercial area of this scheme were built out, with all the mitigation already explained above. As such, it is not considered the commercial element has such a considerable impact to justify the full contributions from the commercial element of this scheme.

7.275 Paragraph 35 of the NPPF states “Plans should set out the contributions expected from development. This should include setting out the levels and types of affordable housing provision required, along with other infrastructure (such as that needed for education, health, transport, flood and water management, green and digital infrastructure). Such policies should not undermine the deliverability of the plan.” and the JCS page 76 supplementary text to infrastructure policies states “Where viability appears finely balanced, hard choices may sometimes need to be made in prioritising what is to be provided”. If the full J10 ask were applied this would result in 0% affordable housing. Consequently, the J10 ask has formed part of the balancing undertaken by officers and discussed later in this report.

7.276 The funding deficit of M5 J10 is understood, and the LPA presented its position on this at the DCO examination. Section 106 is one mechanism (but not the only one) to support closing this deficit, but to do so it must be demonstrable that it meets the S106 tests. In March 2025, the Community Infrastructure Levy Joint Committee allocated up to £10m CIL monies to support the delivery of the J10 scheme. Taking full account of the WCTIS scheme, now delivered, the LPA considers it reasonable to seek £1,730,621 from the residential element as a contribution applied for towards M5 J10. It is accepted that this parcel will contribute some degree of impact on the Junction from the residential element that would otherwise need to be mitigated. It is felt this contribution is reasonably related in scale and kind and is necessary to make the development acceptable, where the previous contribution failed.

7.277 It should be noted, other schemes at West Cheltenham will each be fully considered in context as regards contribution requests to J10 and other funding mechanisms could be

used by Gloucestershire County Council to deliver the scheme. The LPA will need to be consistent in its approach, particularly as regards commercial development in this area, such as the 24/01268/OUT application.

Highways Impact and Grampian Apportionment

7.278 The M5 Junction 10 upgrade scheme is well developed, with an examination undertaken during summer 2024 and the Secretary of States (SoS) decision received on 5th June 2025. The SoS in her decision letter has echoed the examiners' view and concludes that "the Proposed Development aligns with paragraph 2.23 of the NPSNN which states that Government's wider policy is to bring forward improvements to the existing Strategic Road Network through the delivery of enhancements of the type proposed by the Applicant. The Secretary of State agrees with the ExA that the Proposed Development will create additional capacity which will support the aspirations of local policy allowing for future much needed housing and employment development [ER 3.2.90]."

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

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

7.281 Therefore, the assessments conclude that a Grampian condition is required should all currently live planning applications be recommended for approval, limiting development levels within the context of the highway capacity identified.

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

Site	App ref
NW Cheltenham (Home Farm)	23/00354/OUT
NW Cheltenham (Elms Park)	16/02000/OUT
West Cheltenham 443 (HBD southern parcel)	23/01875/OUT
West Cheltenham 576 (HBD Northern parcel)	23/01874/OUT

West Cheltenham 1,100 (St Modwens) (cross boundary application)	22/01817/OUT (Cheltenham BC reference) 22/01107/OUT (Tewkesbury BC reference)
West Cheltenham 365 (Nema)	24/01268/OUT

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

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

- Maximising the delivery of new homes through multiple residential sale outlets across the strategic allocations to support shorter term delivery and future supply to support Cheltenham's 5-year housing land supply position.
- Enable choice to the market through the different housing types, sizes and tenures that would be brought to the market.
- Link to triggers that enable key community infrastructure to be developed in line with new homes.
- Recognising the local, regional and UK importance of the delivery of the Innovation Centre to support the cyber and digital tech ecosystem in the context of economic growth and deliver against the National Cyber Strategy (2022).

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

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

* The HBD/CBC applicants requested 80 units be moved from 23/01875/OUT to 23/01874/OUT, their other application on the allocation. The LHA were asked to comment but have not responded. As such, the LPA has taken the view this acceptable as such the south will have a limit of 76 and the North (23/01874/OUT) will have a limit of 200 for the Grampian 1 condition, which relates to letting of the contract.

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

7.287 The Grampian condition to control severe impact on the LHN is recommended by the LHA taking account of the LPA's apportionment strategy. This condition will cease to be operative once the construction contract for the works have been awarded.

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

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

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

Highways Conclusions

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

7.292 LHA no objection was based on the agreement of the S106 sums. While the LHA accepted technical aspects of the scheme, such as the access roundabout and other internal accesses, the LHA is objecting to the scheme. This objection stems from the fact that the LPA has not agreed the requested S106 sums. The justification for this issue has been discussed in the report, but the committee must note and have regard to the LHA objection.

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

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

7.295In addition, the application has demonstrated that sustainable transport modes are prioritised taking account of the vision for the site, the type of development and its location. It is also demonstrated that safe and suitable access to the site can be achieved for all users. Furthermore, opportunities have been taken, where appropriate, to extend and modify existing walking, cycling and public transport networks and links, to ensure that credible transport choices are provided by sustainable modes.

7.296As such it is concluded that the impacts of the proposed development on the transport network would be acceptable, and moreover the application has demonstrated compliance with the NPPF, Golden Valley SPD and policies INF1, INF6, INF7 and A7 of the JCS.

Viability

7.297NPPF para 59 states it is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage. The weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including whether the plan and the viability evidence underpinning it is up to date, and any change in site circumstances since the plan was brought into force. All viability assessments, including any undertaken at the plan-making stage, should reflect the recommended approach in national planning practice guidance, including standardised inputs, and should be made publicly available.

7.298The LPA appointed an independent cost consultant and viability consultant to review the applicant's financial viability assessments prepared by the applicant. This involved extensive check and challenge on the inputs and benchmarks used to build up the assessment.

7.299Policy INF7 of the JCS states where, having regard to the on- and / or off-site provision of infrastructure, there is concern relating to the viability of the development, an independent viability assessment, funded by the developer and in proportion with the scale, nature and / or context of the proposal, will be required to accompany planning applications.

7.300Policy SD12: Affordable Housing of the JCS seeks 35% housing on the strategic allocation sites. It states if a development cannot deliver the full affordable housing requirement, a viability assessment, conforming to an agreed methodology, in accordance with Policy INF7 will be required.

7.301The applicants submitted a viability assessment in 2024, which underwent an initial review by the council's independent viability assessor. There was pushback on several items, particularly concerning the benchmark land value. Through extensive discussions, the inputs for the viability assessment were agreed upon between the applicant and the LPA. Additionally, the LPA engaged an independent quantity surveyor to review the applicant's cost plan for infrastructure.

7.302There was a significant difference between the applicant's cited infrastructure costs and those estimated by the LPA. The table below shows the substantial concessions made by the applicants as they aligned their estimates with those of the LPA, resulting in a nearly £12 million reduction in their cost plan:

	LPA			Applicant		
	Original	Adjustment	Final	Final	Adjustment	Original
Active Travel	£6,500,000	2.1%	£6,638,000	£6,646,965	-6.8%	£7,134,182
Hill Farm	£2,020,000	0.0%	£2,020,000	£2,542,943	-6.8%	£2,729,836
South	£34,847,000	-7.1%	£32,384,000	£35,251,069	-23.0%	£45,787,820

7.303 Following the initial review by the council's independent viability assessor and the assessment of the infrastructure costs plan, the applicant submitted a revised financial viability assessment. Given the considerable work that had gone into this, the LPA and the applicant were aligned on the assumptions. The council's independent viability expert reviewed the final financial viability assessment and confirmed their agreement with the applicants FVA results. The result is that only 0% affordable housing could be provided on this application if all the current Section 106 requests were pursued.

7.304 It is not uncommon for strategic sites to have lower levels of affordable housing due to significant infrastructure burdens, as is reflected in the JCS policies that sets a requirement of 35% as opposed to non-strategic sites of 40%. However, there are additional costs incurred by these sites that were not anticipated when the JCS allocated the site. Initially, the Junction 10 improvement works were a fully funded scheme, but changes now require additional funding due to increased delivery costs influenced by external factors. Furthermore, a substantial level of contributions for highways is being requested alongside the Golden Valley development being designated as a Garden Community and the requirements set by the Golden Valley SPD.

7.305 The suggested value for each of the Section 106 contributions has/will be discussed elsewhere in this report, particularly regarding highways, libraries, and sports facilities. It has also been noted that several obligation requests made by consultees were not included in the proposed heads of terms. Including all requests would have rendered the application unviable resulting in 0% affordable housing. Approximately £22 million worth of requests were initially sought, but it's essential to consider these in the context of the Community Infrastructure Levy (CIL) regulations to determine whether they are necessary. A degree of prioritisation has been required by the LPA to focus on the most essential requirements to create a sustainable community. Officers have had to undertake a careful balancing exercise between providing funding for schemes, such as Junction 10, and the much-needed affordable housing in the borough. Whilst the site could have provided the full Junction 10 ask from the LHA, this would have resulted in 0% affordable housing for the future and existing residents of Cheltenham, on balance this was not considered to meet the expectations of the NPPF in creating mixed and balanced communities. After the Section 106 prioritisation exercise and a slight adjustment in the affordable housing tenure mix (addition of first homes), the council's independent viability assessor re-evaluated the appraisals and determined that the site could now provide an increased affordable percentage based on the new Section 106 profile, which amounted to 26%.

7.306 The balance between the achievable affordable housing level and that of the S106 value is therefore considered to be appropriate. Whilst disappointing that higher levels of

affordable housing cannot be achieved, this is however considered to be the most appropriate balance and as such, ensures that the development is sustainable as a whole whilst at the same time making an appropriate contribution to the M5 J10 scheme.

7.307A review mechanism will be in place in the S106 to ensure as the site progresses, if viability improves, the affordable housing percentage will increase.

Affordable Housing

7.308Paragraph 8 of the NPPF states that the planning system needs to perform a number of roles, including a social role in supporting strong, vibrant and healthy communities, by providing a supply of housing required to meet the needs of present and future generations. Paragraph 66 of the NPPF states that where major development involving the provision of housing is proposed, planning policies and decisions should expect that the mix of affordable housing required meets identified local needs, across social rent, other affordable housing for rent and affordable home ownership tenures.

7.309Policy SD12 requires that within the Strategic Allocations a minimum of 35% affordable housing will be sought. Policy SD11 of the JCS also confirms that housing mix should meet the needs older people as set out in the local evidence base including the most up to date Strategic Housing Market Assessment.

7.310The applicants have constructively engaged with officers during the determination of the application and have provided an affordable mix which would significantly contribute towards the area's affordable housing needs.

7.311In accordance with the requirement of Policy SD12, the applicant has agreed to provide 26% affordable housing on site. Following the outcome of the viability assessment.

7.312See below breakdown of the affordable housing mix, which will secured via the S106. Each reserved matters will need to provide the agreed percentage of affordable, to ensure affordable housing is not left until the end.

150 AH- 26%	Social Rent	Mental Health Social Rent	Affordable Rent	First Homes (30% discount)	Shared Ownership	Totals
1b2p flat, M4(2) 50m2	16	0	0	10	0	26
1b2p houses, M4(2), 50m2	2	2	0	0	0	4
1b2p flat, M4(3)(2)(b), 58m2	3	0	0	0	0	3
1b2p Bungalows, M4(3)(2)(b), 58m2	4	2	0	0	0	6
2b3p M4(3) bungalow, 61m2	0	0	4	0	0	4
2b4p flat, M4(3)(2)(b), 70m2	0	0	1	0	0	1
2b4p flat, M4(2), 70m2	0	0	5	9	0	14
2b4p house M4(2), 79m2	0	0	22	0	24	46
3b5p M4(3)(2)(b) flat, 86m2	0	0	1	0	0	1

3b5p house, 93m2, M4(2)	0	0	10	0	12	22
3b6p house, 102m2, M4(2)	0	0	9	0	5	14
4b7p house, 115m2, M4(2)	8	0	0	0	0	8
5b8p house, 134m2, M4(2)	1	0	0	0	0	1
Totals	34	4	52	19	41	150
%	23%	3%	35%	13%	27%	100%

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

Open Market Housing Mix

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

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

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

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

Allotments, Play and Sports

7.318 Planning obligations will deliver a new allotments. The Parameter Plan ("Southern Parcel Parameter Plan: Open Spaces"; ref. Golden Valley-GRM-ZZZ-AG-DG-MP-PL0004 Rev. R4) shows 4 indicative allotment locations combining to 0.34 ha safeguarded for allotments following the officers request for these to be included. This quantum of provision accords with the Council's Open Space Study Standards Paper (November 2016) of 0.25ha per 1,000 population. The exact design of the allotments would be

covered at Reserved Matters stage. The end management of the allotments will be confirmed via the S106 as it may be the management company or another group who wish to take on the site.

Play

7.319 The design and access statement lists on page 147 the locations and type of play. These are well dispersed and offer a range of play opportunities for different age groups. A condition has been added to the recommendation ensuring play is in accordance with the design and access statement and ensures each phase should seek to achieve a minimum standard of 0.04 Ha of play per 1,000 people.

Sports

7.320 This site does not provide any sports facilities due to the significant employment opportunities this application creates. It is essential to prioritise land use for the wider allocation as such the residential components of the allocation (23/01874/OUT and 22/01817/OUT), located to the north, provide the onsite sport facilities. The 24/01268/OUT application may also incorporate on-site sports.

7.321 While this may not be the ideal solution, it would be inappropriate to scatter sports facilities throughout the allocation merely to ensure that each application includes some. It is better to consolidate these facilities from a management perspective and a placemaking standpoint. Additionally, having the sports facilities adjacent to the primary school enhances the benefits of placemaking.

7.322 Consequently, this scheme relies on the other applications to provide the on-site sports facilities. Although there is a possibility that the other sites may never be developed, this outcome is considered unlikely. The LPA has chosen to make a pragmatic decision in this regard and has assessed the scheme in the context of a recent review of both Playing Pitch Assessment and Built Facilities Strategy. The S106 will also contain a fallback position where money is given to CBC to deliver additional off sites sports if the sports pitches are not delivered under 22/01817/OUT and 23/01874/OUT.

7.323 In addition to the on-site sports facilities, it has been agreed, having regard to the evidence base provided by the SFNR, that the application will provide the following planning obligations to off-site sports facilities.

Hockey - £32,080.70 towards the development of an AGP facility for Hockey that will provide additional capacity to meet the needs of the new population for a proposed scheme at Pates Grammar School.

Hockey - £ 20,962.78 towards improvement of hockey pitches and installation of sports-lighting at one of the following sites that will provide additional capacity to meet the needs of the new population. Scheme being Bournside School Sports Centre.

Rugby Union - Contribution of £46,515.94 towards the improvement of Rugby Union Facilities that will deliver proposed schemes within the area as identified by the CBC communities team.

Cricket – contribution of £55,976.81 towards the improvement of cricket facilities that will provide additional capacity to meet the needs of the new population. Scheme seeks to seeks to improve the pitch quality at Swindon Village Park.

7.324 Previously, the off site sports ask was £751,835.83 in total, however as already noted above following prioritisation this has changed to the above (£155,536.23 in total).

7.325 The applicant has indicated a willingness to enter into a legal agreement to secure these planning obligations. It is considered by officers that it is more appropriate for the development to contribute to these existing off-site facilities rather than provide small pieces on site. This is due to the fact that these clubs are club based and may not wish to take on small facilities.

Community Centres

7.326 The indicative location of the Community Centre is shown on the Regulatory Plan of the Design Code and on the relevant drawings within Section 10.5 (“Festival Village”). The Land use parameter plan Golden Valley-GRM-ZZZ-AG-DG-MP-PL0006 Rev 5 shows the indicative location for a community centre, which will be safeguarded as 360 sqm within the S106 obligations. The S106 will stipulate a trigger for this facility to be available for the end user. The management of community centre will be handed over to a community body that could come forward or will be left with the wider site management.

Healthcare

7.327 The Gloucestershire Integrated Care Board (GICB) have been consulted on the planning application who have delegated authority from NHS England for the commissioning of Primary Care Services. This includes consideration of premises requirements to deliver these services. As part of the wider allocation application 22/01817/OUT (MLPL/St Modwen in the north of the allocation) is providing the GP surgery for site. HBD, the applicant of this current application, is paying the 22/01817/OUT developer for their share of creating the GP surgery.

7.328 While it is possible that the other application for a GP surgery may never come to fruition, this is unlikely. Furthermore, even if the MLPL/St Modwen site isn’t built out, it would only result in a small increase in population. As such, this scheme alone would not justify the need for a new GP surgery. The LPA has taken a pragmatic approach, and when examining the allocation as a whole, it is clear that a GP surgery will be provided to serve the new population. The developer of this application, along with the one proposing the GP surgery, are in agreement with this plan, and the LPA is satisfied that it meets the necessary infrastructure requirements.

Police

7.329 Gloucestershire Constabulary (GC) are seeking a planning obligation contribution towards the following additional infrastructure:

Recruitment and equipping of Officers and staff	£ 42,714
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Police Vehicles	£ 6918
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Office Accommodation	£ 136,238
Total	£ 185,869

7.330 In requesting these contributions, GC advise that this is a development to be constructed on land which is predominantly free from any development requiring currently minimal amount of policing. On this basis, GC advise that the proposed development would create new additional crime and other incidents to occur, which, will substantially increase the demand for additional policing over and above what is currently necessary in the proposed development area. GC also advise that the most updated crime and incident records (which is what is used to calculate incidents) indicate that this type of development will increase the policing demand and lead to an additional 94 crimes, 21 anti-social behaviour incidents and 100 public safety/welfare incidents per year. There appears to be an error in the consultation response as this refers to 491 dwellings, therefore it is presumed the incidents quoted would be higher as this scheme is for 576.

7.331 As set out above, planning obligations may only constitute a reason for granting planning permission if they meet the tests that they are necessary to make the development acceptable in planning terms. They must be:

- necessary to make the development acceptable in planning terms;
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development.

7.332 Paragraph 96 of the NPPF states that planning decisions should aim to achieve healthy, inclusive and safe places which, inter alia, provide safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion.

7.333 Criterion 1 of policy INF6 of the JCS also advises that where infrastructure requirements are generated as a result of individual site proposals and / or having regard to cumulative impact, new development will be served and supported by adequate and appropriate on- and / or off-site infrastructure and services. In identifying infrastructure requirements, development proposals will also demonstrate that full regard has been given, where appropriate, to implementing the requirements of the Joint Core Strategy Infrastructure Delivery Plan.

7.334 Criterion 2 of Policy INF6 also identifies that where need for additional infrastructure and services and / or impacts on existing infrastructure and services is expected to arise, the LPA will seek to secure appropriate infrastructure which is necessary, directly related, and fairly and reasonably related to the scale and kind of the development proposal. This includes at criterion xi for safety and security including emergency services. Criterion 3 of Policy INF6 states that priority for provision will be assessed both on a site-by-site basis and having regard to the mitigation of cumulative impact, together with implementation of the JCS Infrastructure Delivery Plan.

7.335 In this regard, JCS Infrastructure Delivery Plan, identifies that development growth in the JCS area would generate requirements for police property infrastructure and non-property infrastructure (including patrol cars and protective equipment). At page 100 of the

Infrastructure Development Plan it is noted that funding will be sought from developers through S106 Planning Obligations or CIL.

7.336 Criterion 4 of Policy INF6 states the planning permission will be granted only where sufficient provision has been made for infrastructure and services to meet the needs of new development and/or which are required to mitigate the impact of new development upon existing communities.

7.337 It is primarily a matter of planning judgement for the Councils in the first instance as to whether it considers the relevant tests have been satisfied on the evidence provided. Officers acknowledge the scale of this application site and that it will result in an increase of population and a built-up area in an area that was previously undeveloped.

7.338 Although GC have provided some details in respect of the methods GC has used to calculate the contributions requested, these are considered to be generic in nature lacking in background detail including as regards the extent (or otherwise) of surplus/existing provision in the area and the extent (or otherwise) this could provide towards the additional policing and resources demand arising from the development. It is therefore not considered by the officers that these have been shown to be necessary in planning terms to mitigate the impact of the development, or that they are directly related to the development, fairly and reasonably related in scale and kind to the scheme and necessary to make the development acceptable in planning terms.

7.339 It is therefore considered that these requests do not comply with the CIL regulations tests.

7.340 Members will be aware of press and social media coverage by the Office of the Police and Crime Commissioner further to the consideration of the Planning application at Elms Park on 29th May 2025. To advise, the LPA's position on this matter remains unchanged.

Libraries

7.341 Gloucestershire County Council request £279,734.40 towards libraries. Combined with the other requests for libraries at West Cheltenham the total allocation would provide £1,206,354.60. The county Council state the library contribution of £ 279,734.40, is required towards the provision of a new library serving the development or enhancements, including extension or premises relocation, of Hesters Way and/or Cheltenham Libraries, including the improvement of customer access to services through refurbishment of buildings, improvements to stock, IT and digital technology, and increased services.

7.342 As already stated at the start of this section S106 prioritisation has to occur. As such, this scheme will provide £93,244.80 towards libraries, 1/3 of the previous ask. The allocation total will be £402,117.52 towards library improvements at Hesters Way and/or Cheltenham Libraries. This is considered a reasonable contribution related sensibly in scale and kind to the size of the development and when viewed as a whole allocation 400k + is sufficient for improvement and expansion at existing services. Further, these future residents will pay council tax and the developer CIL, as such other funding streams are available for community services.

7.343 It is considered by officers that the contribution (£93,244.80) meets the s106 tests insofar that it is directly related to the size of the development, and fairly and reasonably related

in scale and kind for what is a substantial development which will generate a need for new library space.

Education

7.344 Gloucestershire County Council as Local Education Authority (LEA) have been consulted on the application. For primary school places, would be expected to generate an additional demand for 172.800 primary places, there is a small number of surplus places across the whole of the area, which when applied leaves the additional demand at 98.900 places. There is also a requirement for a safeguarded 1.6-hectare site for a new primary school to meet additional demand, with a contribution of £2,383,784.72 towards building those new places.

7.345 The Cheltenham Secondary Planning Area is forecast to be full. This additional demand from this development would equate to a contribution of £2,351,040.01 towards the provision of additional secondary (11-16) places to meet the need arising from the development. Additionally, the proposal would be expected to generate an additional demand for 28.800 secondary (16-18) places, there is a very small number of surplus places across the whole of the area, which when applied leaves the additional demand at 18.900 places. This would equate to a contribution of £524,785.72 towards the provision of additional secondary (16-18).

7.346 The applicant has agreed to these planning obligations requests and the primary school site will be provided as part of the wider allocation under the MLPL/St Modwen (22/01817/OUT and HBD north (23/01874/OUT) applications. The LEA is accepting of this approach.

7.347 It is important to note that slightly reduced education costs have been incorporated into the viability assessment. It would be inappropriate to include worst-case scenarios, as the applicants might benefit from a reduction in affordable housing costs based on education sums that they will not actually incur. This is because the LEA has confirmed that the final contributions towards primary and secondary schools will be calculated at each reserved matters stage, based on the qualifying dwellings. The exact wording for this will be finalised within the Section 106 agreement. This is due to the fact this application in particular has a high number of flats compared to more common housing developments.

Public Art

7.348 It is recognised that public art can be an element of place making that can positively impact on health. Golden Valley SPD objective states proposals will be devised with partners to develop and deliver an innovative public art programme. The role and identity of any new public art will help to celebrate the natural setting and assets within the site. Given the Innovation Centre will be a focal building, it will be important for public art to link the scheme into the wider masterplan. £9,099.59 will be prescribed in the S106 for the developer to spend on public art.

Summary S106 Obligations, S106 Tests and Heads of Terms

7.349 The Community Infrastructure Levy (CIL) Regulations allow local authorities to raise funds from developers undertaking new building projects in their area. Whilst the Councils do

have a CIL in place, infrastructure requirements specifically related to the impact of the development will continue to be secured via a Section 106 legal agreement. The CIL regulations stipulate that, where planning obligations do not meet the tests, it is 'unlawful' for those obligations to be taken into account when determining an application.

7.350 These tests are as follows:

- A. necessary to make the development acceptable in planning terms.
- B. directly related to the development; and
- C. fairly and reasonable related in scale and kind to the development.

7.351 JCS Policy INF6 relates directly to infrastructure delivery and states that any infrastructure requirements generated as a result of individual site proposals and/or having regard to the cumulative impacts, should be served and supported by adequate and appropriate on/off-site infrastructure and services. The LPA will seek to secure appropriate infrastructure which is necessary, directly related, and fairly and reasonably related to the scale and kind of the development proposal. Policy INF4 of the JCS requires appropriate social and community infrastructure to be delivered where development creates a need for it. JCS Policy INF7 states the arrangements for direct implementation or financial contributions towards the provision of infrastructure and services should be negotiated with developers before the grant of planning permission. Financial contributions will be sought through S106 and CIL mechanisms as appropriate.

7.352 Discussions on the proposed section 106 planning obligations are ongoing and have reached an advanced stage, which is considered good practice in terms of a scheme which gives rise to the need for mitigation in one form or another, over many years. The proposed section 106 obligations are set out in this Report and include financial contributions towards:

- M5 J10
- Residential Travel Plan Deposit Contribution
- Commercial Travel Plan Deposit Contribution
- Monitor and Manage Bond
- Travel Plan Monitoring Fees
- Implementation of Public Transport Strategy
- Implementation of Marsland Road 20mph and active travel scheme by GCC
- Implementation of local Traffic Regulation Orders
- Primary and Secondary education facilities
- Libraries
- Public Art

- S106 monitoring fees
- Off site sports
- SAMM (SANG) management

7.353 Non financial S106; Affordable housing, Biodiversity Net Gain, Off site SANG creation, Open space management, Allotments, Play.

7.354 In addition the applicant is contributing to the building of a GP surgery and off site sports via collaboration with other developers on the allocation. As already discussed, these facilities will be provided under MLPL/St Modwen application (22/01817/OUT) and HBD northern parcel (23/01874/OUT).

7.355 The agreed planning obligation monies are specified in this Report, however, officers seek delegated authority to continue negotiating the planning obligation monies. They are provided below as a summary.

INFRASTRUCTURE TYPE	23/01875/OUT	Trigger/Comment
GCC ASKS		
M5 J10	£ 1,730,621.00	Trigger staggered
Residential Travel Plan Deposit Contribution	£ 101,664.00 *	Prior to first occupation and given back after 5 years *These sums were not included in the viability appraisal as they are technically returned to the developer.
Commercial Travel Plan Deposit Contribution	£ 989,000.00 *	Prior to first occupation and given back after 10 years
Monitor and Manage Bond	£ 582,000.00 *	Prior to first occupation and given back after 10 years
Travel Plan Monitoring Fees	£ 20,000.00	Prior to first occupation
Implementation of Public Transport Strategy	£ 931,300.00	Trigger staggered
Implementation of Marsland Road 20mph and active travel scheme by GCC	£ 131,534.00	Prior to first occupation
Implementation of local Traffic Regulation Orders	£ 149,619.40	Prior to first occupation
PRIMARY EDUCATION	£ 3,759,790.72	Trigger staggered
SECONDARY EDUCATION (11-16YRS)	£ 2,351,040.01	Trigger staggered
SECONDARY EDUCATION (16-	£ 737,139.76	Trigger staggered

18YRS)		
LIBRARIES	£ 93,244.80	Trigger staggered
CBC ASKS	23/01875/OUT	
PUBLIC ART	£ 9,099.52	Requirement to spend sum on public art developer to deliver
CBC GCC MONITORING S106	£ 20,000.00	Signing of S106
SPORTS OFF SITE	£ 155,536.23	Prior to occupation of 100 units
SPORTS OFF SITE	£ 427,500	Sum be confirmed. The S106 will also contain a fallback position where money is given to CBC to deliver additional off sites sports if the sports pitches are not delivered under 22/01817/OUT and 23/01874/OUT.
SAMM (SANG)	£ 111,168.00	Prior to first occupation
AFFORDABLE HOUSING		Not monetary standardised S106 wording
BIODIVERSITY NET GAIN	0	Not monetary standardised S106 wording
SANG	0	Not monetary standardised S106 wording
OPEN SPACE	0	Not monetary standardised S106 wording
ALLOTMENTS	0	Not monetary standardised S106 wording
PLAY ON SITE	0	Not monetary standardised S106 wording
COMMUNITY BUILDINGS	0	Not monetary standardised S106 wording. Body can have option on having the building for 10 years.

7.356 Discussions are also ongoing with the applicant regarding the future management arrangements of the site including for public open space, allotments and community buildings. A number of options are being considered including private management companies and stewardships schemes, and these discussions will continue to progress. Additionally, discussions continue around the education review mechanisms and triggers for payments. Officers also seeks delegated authority to continue these negotiations and complete the planning obligations following the outcomes of these discussions.

7.357 Officers are seeking delegated authority for the completion of a S106 obligation to deliver the infrastructure and other mitigation 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 Planning Committee.

Other considerations

Loss of Best and Most Versatile Agricultural Land

- 7.358** The NPPF sets out that planning decisions should contribute to and enhance the natural environment by, inter alia, recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services, including the economic and other benefits of the best and most versatile agricultural land (BMV Land). The PPG advises that this aims to protect BMV agricultural land and soils in England from significant, inappropriate and unsustainable development proposals, and managing soils in a sustainable way.
- 7.359** Natural England's South West Region Agricultural Land Classification map suggests that the site comprises Category 3 agricultural land. It does not distinguish between Category 3A or 3B so it is not possible to say if the site constitutes Best and Most Versatile Agricultural Land or not. The NPPF states that planning policies and decisions should recognise the economic benefits of the best and most versatile agricultural land.
- 7.360** Firstly, the site is not Category 1 or 2 agricultural land (the highest grades), but it is of course a material consideration in the determination of the application, that the application site comprises the majority of Strategic Allocation A7 in the JCS and therefore the loss of BMV Land and other agricultural land in this location has already been considered through the plan-making process and the principle of development of this site and the loss of BMV is already accepted. The JCS Inspector found that the Spatial Strategy for focussing growth mainly around Cheltenham and Gloucester was sound and therefore there will inevitably be the loss of large areas of agricultural land to accommodate these large scale urban extensions.
- 7.361** Nevertheless, the loss of BMV is something that weighs against the proposal and must be assessed against the benefits of the development in the overall planning balance.

Minerals

- 7.362** Paragraph 222 of the NPPF states that it is essential there is a sufficient supply of minerals to provide the infrastructure, buildings, energy and goods that the country needs. However, since minerals are a finite natural resource, and can only be worked where they are found, it is important to make best use of them to secure their long-term conservation. It is therefore necessary for this application to consider the value of the site as a potential mineral resource.
- 7.363** Policy MS01 of the Minerals Local Plan for Gloucestershire 2018-2032 states that non-mineral development proposals within a Mineral Safeguarded Area (MSA) will be permitted provided: that i. they are exempt from safeguarding requirements, or ii. needless sterilisation of mineral resources will not occur; or iii. the mineral resources of concern are not economically valuable; or iv. it is appropriate and practicable to extract minerals prior to development taking place; or v. the overriding need for development outweighs the desirability to safeguard mineral resources.
- 7.364** Policy SD3 of the JCS also states that to avoid unnecessary sterilisation of identified mineral resources, prior extraction should be undertaken where it is practical, taking into account environmental acceptability and economic viability relating both to extraction of the mineral(s) and subsequent implementation of the non-minerals development of the site.

7.365 Gloucestershire Minerals and Waste Authority (GMWA) have been consulted, whilst they have requested a minerals resource assessment the applicant was unwilling to provide this. However, given the site is allocated and mineral sterilisation would have been examined at allocation stage it is not considered a reason to withhold permission. Additionally, it is felt, given the current land supply position, criteria MS01 'v. the overriding need for development outweighs the desirability to safeguard mineral resources.' Is met and engaged.

Heritage and Historic Environment

7.366 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a general duty as respects listed buildings in exercise of planning functions. Section 66(1) provides: "In considering whether to grant planning permission for development which affects a listed building or its setting, the LPA or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses." Section 72 of the act refers to the councils' need to pay special attention to the desirability of preserving or enhancing the character or appearance of and building of land in a Conservation Area in the exercise of their duties.

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

7.368 JCS Policy A7 states the layout and form that respects landscape character, significance and setting of the heritage assets at Hayden Farmhouse and Barn.

7.369 The site is not located within or adjacent to a Conservation Area, and there are no locally or statutorily listed buildings within or adjacent to the site. However, there are several listed buildings within the wider surroundings, including: Nesley Court (Grade II), Pheasant Lane; Gate Piers Railings and Gates to Arle Court (Grade II); Hayden Farmhouse (Grade II), and Hayden Farmhouse Barn (Grade II). The Uckington Medieval Moated Site – a Scheduled Monument (no. 1016835) also lies a few kilometres to the north of the site.

7.370 Historic England and the Council Conservation have been consulted and raise no objections to the scheme. It is considered the proposal will cause no harm to any heritage assets.

Archaeology

7.371 The remains identified within the site, as established through geophysical surveys and trial trench evaluations, and include medium-value archaeological remains of a possible medieval moated enclosure, low-value undated ditches and pits likely reflecting agricultural land management, and negligible value ridge and furrow earthworks in varying conditions.

7.372 The construction process would lead to the removal of these remains, resulting in a direct and permanent effect that ranges from minor to moderate adverse. To mitigate this impact, an Archaeological Mitigation Strategy has been developed, which allows for the investigation and recording of the archaeological findings prior to construction. This strategy has been agreed upon with the archaeological advisor from the County Council. It is important to note that the negligible sensitivity remains are deemed to have limited value and therefore will not require mitigation; this is reflected in their exclusion from the Archaeological Mitigation Strategy.

7.373 While developing the site will still result in the physical loss of these archaeological remains, the strategy, which has been agreed and conditioned, will ensure that the low and medium sensitivity remains are preserved through documentation. Consequently, this will reduce the magnitude of the effect to low, resulting in a negligible to minor adverse effect overall, which is considered 'not significant' in terms of EIA conclusions.

8. PLANNING BALANCE AND CONCLUSION

8.1 The application proposal plays a significant role in the West Cheltenham Strategic Allocation (A7) and is a key component of the adopted JCS spatial strategy. Delivering this site provides substantial benefits, including:

- Addressing the urgent need for housing, including affordable housing, within the allocated plan period up to 2031 and beyond.
- Generating significant economic benefits through on-site employment (1,334 jobs in Cheltenham) during both the construction and occupancy phases, as well as creating off-site employment and increasing economic spending (totalling 2,426 jobs).

8.2 However, it is not surprising that a development proposal of this scale raises various issues and concerns, leading to potential tensions and conflicts with other policy interests. Consequently, a considerable amount of time has been invested in reviewing, assessing, and refining the submission documents to understand and shape the necessary mitigation strategies. These strategies are intended to ensure that the new homes, employment uses, and other components of this development proposal are capable of being sustainable.

8.3 This process included extensive discussions with consultees regarding the planning obligations needed to make the development acceptable from a planning perspective. These obligations must be directly related to the development and should be fair and reasonable in scale and kind.

8.4 The proposal will significantly alter the current residents' experience of the field, as it will introduce high-density development, resulting in increased activity in the area. Furthermore, this application will lead to the loss of agricultural fields.

8.5 The Golden Valley SPD sets a high standard for development, and while this proposal aligns with its overarching objectives, it does not meet all the criteria outlined in the Golden Valley SPD in a line-by-line comparison.

8.6 It is acknowledged that separate applications have been submitted by different developers, and not all developers agree to the collaborative documents. Despite this

less-than-ideal situation, this planning application, which constitutes a major part of the strategic allocation A7, includes the development components required by JCS Policy A7. Due to the scale of this application site, it also facilitates a comprehensive scheme across the developable area within the strategic allocation, allowing infrastructure to be planned holistically in accordance with JCS requirements.

- 8.7** Officers have adopted a balanced and pragmatic approach to Section 106 obligations, striving to create an appropriate mix of Section 106 contributions and a suitable level of affordable housing for existing and future Cheltenham residents. Although this scheme does not fulfil the entire contribution requested for M5 Junction 10, it will still yield a considerable sum from the West Cheltenham allocation and it is appropriate this is fully considered against the objectives of the now implemented WCTIS transport interventions. As stated elsewhere in this Report other funding mechanisms may be utilised by Gloucestershire County Council to address the M5 J10 deficit, it would be inappropriate for this funding gap to be retrofitted around planning applications, whilst acknowledging it is appropriate for the schemes to mitigate justified impacts on the network. Cheltenham Borough Council continues to engage with Gloucestershire County Council on this matter, including exploring the role of development in addressing any funding shortfalls.
- 8.8** A comprehensive schedule of planning conditions is also recommended for imposition on the planning permission. These conditions aim to mitigate the impacts of development and ensure the delivery of sustainable development that complies with the requirements of Policy A7 of the JCS, as well as the broader spatial strategy. Significant effort has gone into the collaborative documents within these conditions to create a cohesive overall allocation when considering all four current planning applications in West Cheltenham.
- 8.9** Section 38(6) of the Planning and Compulsory Purchase Act 2004 mandates that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. Section 70(2) of the Town and Country Planning Act 1990 requires that the LPA considers the provisions of the development plan relevant to the application and any other material considerations.
- 8.10** The NPPF is an important material consideration, including the approach to decision-making. NPPF paragraph 11d) applies here such that the balance is that planning permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance provides a strong reason for refusing the development proposed or any adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF when taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination. The benefits are outlined above and collectively would be significant in their degree and the positive weight to be given to them. Furthermore, the proposal would align with key policies of the NPPF to direct development to sustainable, allocated, locations, make effective use of land and provide affordable homes. The proposal would therefore accord with the policies of the NPPF taken as a whole. It is not considered that the application of policies in the NPPF that protect areas or assets of particular importance provides a strong reason for refusing the development proposed.

- 8.11** Overall, officers conclude that the adverse impacts of granting planning permission do not significantly and demonstrably outweigh the benefits of this allocated site, and no grounds for refusal have been identified.

9. RECOMMENDATION

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

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

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

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

10. CONDITIONS/ INFORMATIVES

1. Approved Plans and Documents

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

- a) Southern Parcel: Demolition Plan (ref. GV-GRM-ZZZ-AG-DG-MP-PL0008-R2) received 14th August 2025
- b) General Arrangement of Proposed Pedestrian/Cycle Improvements at Telstar Way (ref. 205369-PD29.8-H) received 12th February 2025
- c) General Arrangement of Proposed Shared Pedestrian / Cycle Route along Fiddlers Green Lane (ref. 205369-PD29.9-H) received 12th February 2025
- d) Southern Parcel Parameter Plan: Movement (ref. GV-GRM-ZZZ-AG-DG-MP-PL0003-R8) received 12th May 2025
- e) Southern Parcel Parameter Plan: Open Spaces (ref. GV-GRM-ZZZ-AG-DG-MP-PL0004-R4) received 12th February 2025
- f) Southern Parcel Parameter Plan: Existing and Proposed Site Levels (ref. GV-GRM-ZZZ-AG-DG-MP-PL0005-R1) received 14th August 2025
- g) Southern Parcel Parameter Plan: Land Uses (ref. GV-GRM-ZZZ-AG-DG-MP-PL0006-R5) received 12th February 2025
- h) Southern Parcel Parameter Plan: Maximum Building Heights (ref. GV-GRM-ZZZ-AG-DG-MP-PL0007-R7) received 12th February 2025
- i) Southern Parcel: Tier 2 Design Code received 26th March 2025
- j) Pedestrian and Cycle Connectivity Plan (IDP plan) Received 3rd of June 2025
- k) Road Connections Plan (IDP plan) received 3rd of June 2025

And in broad accordance with the Illustrative Masterplan (ref. GOLDEN VALLEY-GRM-ZZZ-AG-DG-MP- PL0010 R5) received 12th February 2025 and the Illustrative Comprehensive Masterplan received 3rd of June 2025

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

2. Supporting Material

The reserved matters for any phase, sub-phase or development parcel should (where applicable) be generally in accordance with the principles and approach to the development of the site shown within the Environmental Statement (October 2023) and subsequent Addendums (August 2024 and February 2025), including any revisions to the same subsequently approved in writing by the local planning authority providing that those amendments do not result in any impacts which exceed the range and scope of those assessed in the Environmental Statement (October 2023) and subsequent Addendums (August 2024 and February 2025) and would require further mitigation.

Reason: For clarity, notwithstanding that it is an outline planning application and to ensure appropriate compliance with the approved strategies and drawings.

3. Quantum

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

- a) Up to 576 dwellings (Use Class C3), comprising no more than 298 apartments and 278 dwellinghouses; and
- b) Up to 92,985 sqm Gross Internal Floorspace of non-residential development, comprising of Use Classes E and F.
- c) Up to 32,713 sqm Gross Internal Floorspace of Mobility Hubs.

Reason: To define the scope of the permission.

4. Phasing Plan

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

A) the sequence for the delivery of:

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

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

The Reserved Matters shall be submitted in accordance with the approved phasing strategy.

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

5. Reserved Matters & Timing of Submission

No part of the development shall take place on a particular phase, subphase, or development parcel until full details of the layout, scale, appearance and landscaping within the phase, subphase, or development parcel (hereinafter called "the reserved matters") have been submitted to and approved in writing by the local planning authority. Application for approval of the reserved matters for the first phase as identified by the phasing plan required under Condition 3 shall be made to the local planning authority no later than the expiration of three years from the date of this permission and the last application for reserved matters approval shall be made no later than ten years beginning on the date of this permission.

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

6. Implementation Constraints

Each phase or sub-phase of the development hereby permitted as approved under condition 5 shall be begun not later than two years from the date of approval of the last of the reserved matters to be approved for that phase or sub-phase.

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

7. Reserved Matters Applications

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

- i. Layout and scale;
- i. Housing mix and/or quantum and type of non-residential uses in broad accordance with the most up to date evidence of the local housing market need;
- ii. Existing and proposed ground levels;
- iii. Existing and proposed finished floor levels;
- iv. Compliance with nationally described space standards
- v. Surface water drainage;
- vi. Foul water drainage;
- vii. Access;
- viii. Car parking;
- ix. Ecological mitigation measures;
- x. Appearance including elevational treatments and materials;
- xi. Boundary treatments;
- xii. Waste storage;
- xiii. External lighting;

- xiv. Noise conditions and mitigation measures;
- xv. Odour emissions and mitigation measures;
- xvi. Electric Vehicle charging points and Solar Panels; and
- xvii. Statement of conformity with the relevant design code.
- xviii. Employment skills plan for commercial uses.

8. NDSS

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

Reason: to safeguard residential amenity of future occupiers.

Sustainability

9. Sustainability Compliance Statement

Each reserved matters application shall include a Climate Change Compliance Statement that provides details of how energy saving measures will be incorporated into the design and how carbon dioxide emissions will be reduced in conformity with the revised climate change checklist received on 25 October 2024 and the Energy and Sustainability Statement: Southern Parcel 0046983-BHE-XX-XX-RP-YS-0001 0046983 Revision P07 received 14th August 2024, unless otherwise agreed in writing with the LPA. No dwelling, apartment or commercial building hereby approved shall be occupied until their climate change features, such as PV and ASHP, have been fully installed in accordance with a specification approved by the reserved matters application.

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

Landscape

10. Open Space

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

- a. Open spaces, including any on-site SANG;
- b. Locations, specifications and product literature relating to street furniture including signs, seats, bollards, planters and refuse bins;
- c. Whether public access will be permitted to such land; and
- d. Details of measures to promote ecological interests and biodiversity.

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

Reason: To ensure that appropriate measures to mitigate for any adverse effects to the Cotswold Beechwoods SAC that could potentially occur as a result of the development are suitably addressed, having regard to adopted policies SD9 and INF3 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (2017), policy BG1 of the Cheltenham Plan (2020), and paragraphs 180, and 181 of the National Planning Policy Framework (2021).

11. SANG Homeowner Pack

Prior to the first occupation of development within each phase, details of a Homeowner Information Pack providing information on recreation resources in the locality shall be submitted to and

approved in writing by the local planning authority. The pack should present information describing informal recreation opportunities in the following sequence:

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

Reason: To ensure that appropriate measures to mitigate for any adverse effects to the Cotswold Beechwoods SAC that could potentially occur as a result of the development are suitably addressed, having regard to adopted policies SD9 and INF3 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (2017), policy BG1 of the Cheltenham Plan (2020), and paragraphs 180, and 181 of the National Planning Policy Framework (2021).

12. Play Spaces

Each application for the approval of reserved matters for any phase that includes play space shall include a detailed specification for the play space within that phase. Locations will be broadly in accordance with the locations shown on page 147 of the design and access statement received 13th February 2025. Each phase should seek to achieve a minimum standard of 0.04 Ha per 1,000 people. No development of any relevant phase shall commence until details of the play spaces for that phase have been approved in writing by the local planning authority. No more than 50% of the dwellings in any relevant phase shall be occupied unless and until the play space in that phase has been implemented and completed in accordance with the approved details. The children's play space(s) shall be maintained and retained for such amenity purposes thereafter.

Reason: To ensure sufficient play provision for future residents.

13. Allotments

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

- a) A minimum provision of 0.25 Ha per 1,000 people.
- b) A plan to show the location and layout of the allotments;
- c) Access and parking arrangements to allow easy and safe access to the allotments. This should include vehicular access and a turning area, access for those with disabilities, cycle parking within the site and associated car parking;
- d) Boundary treatment, including security arrangements;
- e) Location of communal areas and water supply; and
- f) A programme of implementation and ongoing management.

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

Reason: to ensure sufficient access to allotments for the future occupation in accordance with Cheltenham Plan Policy CI3 'Statutory and Non-Statutory Allotments'.

14. Landscape Management Plan

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

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

15. Tree Protection

No development within each phase shall commence until details of tree protection measures for that phase have been submitted to and approved by the local planning authority. The approved measures shall be carried out in accordance with the requirements of BS5837:2012 and retained in accordance with the approved details for the duration of the construction phase.

If, within five years from the completion of the development within each phase, a retained tree, shrub or hedgerow is removed, destroyed, dies or becomes, in the opinion of the local planning authority, seriously damaged or defective, a replacement tree (as the case may be) shall be planted within the site of such species and size, and shall be planted at such time as specified in writing by the local planning authority.

Reason: To safeguard the existing tree(s) in the interests of visual amenity, having regard to adopted policies GI2 and GI3 of the Cheltenham Plan (2020). Approval is required upfront to ensure that important trees are not permanently damaged or lost.

Commercial

16. Hours of Use

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

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

17. External Plant

No external plant or machinery shall be installed in any of the non-residential uses unless and until details of the ventilation and extraction equipment have been submitted to and approved in writing by the local planning authority. Any measures required by the local planning authority to reduce noise from the plant or equipment shall be completed prior to the ventilation and extraction

equipment being brought into use in accordance with the details as approved and shall be retained and maintained as such thereafter.

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

18. Fire Safety

Each application for the approval of reserved matters involving higher-risk buildings under the Building Safety Act 2022 must include a Fire Statement that demonstrates how they have been designed with fire safety in mind, including through their site layout, with access provided for fire engines.

Reason: To minimise the risk to life and minimise building damage in the event of a fire, in accordance with the National Planning Policy Framework.

Archaeology

19. Archaeology

No development shall commence within each phase until a programme of archaeological evaluation for that phase has been secured and undertaken in accordance with a written scheme of investigation which has been first submitted to and approved in writing by the local planning authority. A mitigation strategy detailing the approach to excavation/preservation shall be submitted to and approved in writing by the local planning authority following the completion of the programme of archaeological evaluation. No development shall commence on those areas of the site containing archaeological deposits until the satisfactory completion of any fieldwork and/or other requirements detailed in the mitigation strategy. Within six months of the completion of any fieldwork a post-excavation assessment shall be submitted to and approved in writing by the local planning authority. This will include a programme and timetable for completion of post excavation analysis and preparation of a full site archive. Any post-excavation analysis shall be carried out as approved.

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

Environment Management

20. Construction Environmental Management Plan (CEMP)

Prior to the commencement of development of any phase (including site clearance works), a Construction Environmental Management Plan (CEMP) for that phase shall be submitted to and approved in writing by the local authority. The CEMP shall include:

The CEMP shall include or be accompanied by, details of the following where relevant:

- Protected Species protection measures
- Tree and hedgerow protection measures
- Construction Operations and Access detail including:
- Construction vehicle routing;
- Measures to ensure that vehicles leaving the site do not deposit mud or other detritus on the public highway;
- Details of site operative parking areas, material storage areas and the location of site operatives' facilities (offices, toilets etc);

- The hours that delivery vehicles will be permitted to arrive and depart, and arrangements for unloading and manoeuvring.
- Details of any temporary construction accesses and their reinstatement.
- A highway condition survey and timescale for re-inspections.
- Demolition works
- Nuisance mitigation measures including:
 - Noise and vibration
 - Mitigation of the impacts of lighting proposed for the construction phase
 - Hours of working
- Pollution control measures including measures for controlling leaks and spillages, managing silt and pollutants
- Soil handling measures, including moisture conditions, storage and re-use of soils on-site

The CEMP shall also include details of the ecological protective measures to be used during construction, including measures to comply in full with the recommendations made in the Ecological Appraisal (EDP, October 2023). Provision shall be made within the CEMP for the appointment of an Ecological Clerk of Works (ECoW) to undertake site visits and to supervise ecologically sensitive operations.

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

Reason: To safeguard important ecological species and to ensure the development contributes to the conservation and enhancement of biodiversity within the site and the wider area during the construction and operational phases of the development, in accordance with policy SD6 and SD9 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (2017). Approval is required upfront to ensure appropriate mitigation for the protection and enhancement of ecological species during all stages of the development. Further to protect residential amenity of the surrounding neighbours and road networks.

Biodiversity

21. “Overall” Biodiversity Gain Plan and subsequent “Phase” Biodiversity Gain Plan

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

- a) information about the steps taken or to be taken to minimise the adverse effect of the development on the biodiversity of the onsite habitat and any other habitat;
- b) the pre-development biodiversity value of the onsite habitat;
- c) the post-development biodiversity value of the onsite habitat;
- d) the indicative pre- and post-development biodiversity value of the offsite habitat (as far as is possible to provide at the time of overall/phase biodiversity gain plan submission);
- e) name and address of the person completing the Plan, and (if different) the person submitting the Plan;

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

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

22. Habitat Management and Monitoring Plan

No development within each phase shall commence until a Habitat Management and Monitoring Plan (HMMP) for that phase, prepared in accordance with the approved Biodiversity Gain Plans, has been submitted to and approved in writing by the local planning authority. The HMMP shall include:

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

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

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

No occupation within each phase 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.

23. Ecological Mitigation & Enhancement Strategy

Prior to the commencement of development in each phase, an Ecological Mitigation & Enhancement Strategy (EMES) for that phase shall be submitted to the local planning authority for approval. The EMES shall include details of the provision of bird, bat, insect and hedgehog boxes suitably located across the site. The bird boxes must include bricks or tiles for swift and house sparrow. The location, specification, height and orientation of these features shall be shown on a site plan. The development shall be carried out in full accordance with the approved details, or any amendments agreed in writing by the local planning authority.

Reason: Ecological enhancement is a requirement of the National Planning Policy Framework (December 2024) which states (in paragraph 180) that 'Planning policies and decisions should contribute to and enhance the natural and local environment...'. And 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”.

24. Precautionary Method of Working Statement

Prior to the commencement of development in each phase, including all site clearance and vegetation removal, a Precautionary Method of Working Statement (PMWS) with respect to all legally protected and priority species shall be prepared by a suitably qualified ecologist and submitted to and approved in writing by the local planning authority. The development shall be carried out in full accordance with the approved PMWS.

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.

25. Ecological Survey Reports

Each application for the approval of reserved matters shall contain an updated Ecological Survey Report (ESR) carried out by a suitably qualified ecologist for approval in writing by the local planning authority. The ESR shall include updated protected species surveys and details of any licensing arrangements that may be required. The ESR shall conclude whether the EMES and/or PWMS should be updated, and if so, and updated EMES and/or PWMS shall be submitted to and approved in writing by the local planning authority prior to the commencement of works.

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

26. Living Walls and Roofs

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

Reason: Policy SD9 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011-2031 (2017) 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”.

27. Nesting Birds

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

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

Environmental Health

28. Contaminated Land

Prior to the commencement of development for each phase, a Phase 1 desktop study shall be submitted to and approved in writing by the local planning authority in respect of potential ground contamination. Thereafter if further site investigations or remediation works are deemed to be required these shall be undertaken in full and validation reports submitted to the local planning authority for approval. The development shall take place in full accordance with any recommendations (including agreed timescales) set out within the approved remediation strategies. If during development, contamination not previously identified is found to be present within a development parcel, then no further development shall be carried out in the affected area out until a remediation strategy has been submitted to and approved in writing by the local planning authority, detailing how this contamination shall be dealt with. Thereafter the approved remediation strategy shall be implemented, and the development completed accordingly.

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

29. Noise Residential

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

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

30. Hours of Construction

During the construction phase (including demolition and preparatory groundworks), no machinery shall be operated, no process shall be carried out, and no deliveries shall be taken at or dispatched from the site outside the following times: Monday-Friday 8.00-18.00, Saturday 8.00-13.00, nor at any time on Sundays, Bank or Public Holidays.

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

31. Piling

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

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

32. Noise from extract and odour treatment on commercial kitchens

No external plant or machinery shall be used for of any of the following:

- a. Primary School
- b. Commercial buildings
- c. Local centre building(s)
- d. Mobility Hubs

unless and until details of the ventilation and extraction equipment have been submitted to and approved in writing by the local planning authority. Any measures required by the local planning authority to reduce noise from the plant or equipment shall be completed prior to the ventilation and extraction equipment being brought into use in accordance with the details as approved and shall be retained and maintained as such thereafter.

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

33. Noise from Commercial Premises

A Noise Impact Assessment for commercial premises detailing noise from all fixed and mobile plant along with proposed mitigation measures shall be submitted in writing to the Local Planning Authority. The noise assessment shall be in accordance with BS4142:2014+A1:2019 or subsequent edition. The approved noise control scheme shall be implemented prior to the plant being brought into use and shall thereafter be maintained and operated in accordance with the approved scheme. Plant includes all air conditioning, heating, refrigeration and extraction equipment.

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

Drainage

34. Sustainable Drainage System

No development in each phase shall commence until a detailed Sustainable Drainage System (SuDS) Strategy for that phase has been submitted to and approved in writing by the local planning authority. The detailed strategy shall be prepared in broad accordance with the Drainage Strategy Report 0046983-BHE-DR-C-3100-P03 prepared by Buro Happold. The SuDS Strategy must include a detailed design, a timetable for implementation, and a full risk assessment for flooding during the groundworks and building phases with mitigation measures specified for identified flood risks. The SuDS Strategy must also demonstrate the technical feasibility/viability of the drainage system using SuDS to manage the flood risk to the site and elsewhere and the measures taken to manage water quality for the lifetime of the development. The surface water drainage shall be implemented in accordance with the approved details before the development of that phase is first put into use/occupied.

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

35. Management of Sustainable Drainage System

No phase of development shall be brought in to use/occupied until a SuDS management and maintenance plan for the lifetime of the development within that phase has been submitted to and approved in writing by the local planning authority. The SuDS management and maintenance plan

shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime. The approved SUDS maintenance plan shall be implemented in full in accordance with the agreed terms and conditions.

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

36. Flood Risk Analysis

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

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

37. Hatherley Brook

There must be no new buildings, structures (including gates, walls, fences, and associated drainage storage infrastructure) or raised ground levels within 8 metres of the top of the Hatherley Brook, inside or along the boundary of the site, unless agreed otherwise in writing by the Local Planning Authority.

Reason: To maintain access to the watercourse for maintenance or improvements and provide for overland flood flows.

38. Storage of Materials

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

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

Highways

39. Bus Gate

Prior to the implementation of the northern most bus gate as shown on the approved movement parameter plan (ref. GV-GRM-ZZZ-AG-DG-MP-PL0003-R8), and prior to the occupation of the 400th dwelling, the applicant shall engage with relevant bus service providers to determine if any existing or new services can be extended/diverted into the site. If any existing or new services can

be diverted into the site, details of the proposed bus services (routes, frequencies etc) shall be submitted to the local planning authority for approval.

Reason: To facilitate access from the development to high quality public transport in accordance with paragraph 115 NPPF.

40. Parking

Residential parking ratios across the whole site should achieve the following average parking standards as detailed in the approved Tier 2 Design Code (January 2025):

- Houses: 1.5 spaces per dwelling;
- Flats: 1 space per dwelling; and
- Visitor: 0.2 spaces per dwelling.

Reason: To ensure compliance with the parking standards established by this outline planning permission.

41. Temporary Connection

Prior to the occupation of 250 dwellings, details of a temporary connection between the CBC/HBD Southern Parcel (ref. 23/01875/OUT) and the MLPL/SMH (ref. 22/01817/OUT) site will be provided to and agreed by the Local Planning Authority. The temporary route shall be maintained until the permanent solution is implemented.

Reason: to encourage walking and cycle between the new communities as the allocated site is built out over time.

42. Local Road Network Capacity

No more than 76 dwellings and 42,757 sqm of commercial use (or any other combination of equal value) shall be occupied prior to the securing of the contracts for the “M5 Junction 10 All Movements Improvement Scheme” (Housing Infrastructure Fund major improvements scheme), or an alternative scheme that provides equal or greater benefit, unless otherwise agreed in writing by the local planning authority.

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

43. Strategic Road Network Capacity

No more than 497 dwellings and 43,400sqm of Class E floorspace of the development 23/01875/OUT hereby permitted shall be occupied unless or until the “M5 Junction 10 All Movements Improvement Scheme” (Housing Infrastructure Fund major improvement scheme) is complete and is open to traffic.

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

44. Site Access

Prior to the first occupation of the development, details of the highway works as indicated on the following access drawings 205369-PD29.8.H (Telstar Way A40 to Fiddlers Green Lane – Active Travel Improvements) and 205369-PD29.9.H (Fiddler’s Green Lane Bus Gate / Active Travel to Arle Court Roundabout) shall be submitted and approved in writing by the local planning authority. No part of the development shall be occupied until these highway works have been implemented in accordance with the approved drawings.

Reason: In the interests of Highway Safety.

45. Emergency Access Route

Prior to the commencement of development in Phase 2 (Central) as defined on the Illustrative Phasing Plan (ref. GV-GRM-ZZZ-AG-DG-MP-PL0012-R8), details of the second emergency access route improvement to be provided from Springbank Road based on drawing 205369-PD29.1 (Springbank Road / Henley Road Link - Active Travel Link) shall be submitted and approved in writing by the local planning authority. No part of Phase 2 (Central) or Phase 3 (North) of the development shall be occupied until these Highways Works have been implemented in accordance with the approved drawings.

Reason: In the interests of Highway Safety.

46. Off-site Active Travel

A) Prior to the commencement of development in Phase 2 (Central) as shown on the Illustrative Phasing Plan (ref. GV-GRM-ZZZ-AG-DG-MP-PL0012.R6), details of the active travel works, as indicated on the following drawings, shall be submitted to and approved in writing by the local planning authority:

- 205369-PD29.2.F – Fiddler's Green Lane – Active Travel Link & Priority Give-way Traffic Calming
- 205369-PD29.5.H – Elm Farm Park / Fiddler's Green Lane / Marsland Road - Active Travel Link (view port 1 on drawing 205369-PD29.5.H)

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

B) Prior to the commencement of development in Phase 3 (North) as shown on the Illustrative Phasing Plan (ref. GV-GRM-ZZZ-AG-DG-MP-PL0012.R6), details of the active travel works, as indicated on the following drawings, shall be submitted to and approved in writing by the local planning authority:

- 205369-PD29.1.D – Springbank Road / Henley Road – Active Travel Link
- 205369-PD29.6.B – Oldbury Road/ Princess Elizabeth Way (PEW) – Active Travel improvement

No part of Phase 3 (North) of the development shall be occupied until these Highways Works have been implemented in accordance with the approved drawings.

Reason: To encourage sustainable travel and healthy communities.

47. Monitor and Manage

Prior to commencement of development, details of a 'Monitor and Manage' strategy shall be submitted to and approved in writing by the local planning authority. The details shall include the methodology of how the site will be monitored and the triggers requiring the implementation of the off-site highways works shown on drawings 205369-PD200 (Arle Court Roundabout) and 205369-PD300 (A40 westbound off slip road to M5 Junction 11). The off-site highway works shall be provided in accordance with the approved 'Monitor and Manage' strategy.

Reason: To encourage sustainable travel and healthy communities.

48. Offsite Highways Works

Details of the Offsite Highway Works indicated on the following drawings shall be submitted and approved in writing by the local planning authority if they are shown to be required under the Monitor and Manage strategy to be agreed by condition 47.

- 205369-PD200 - Arle Court Roundabout
- 205369-PD300 - A40 westbound off slip road to M5 Junction 11

These highways works will be implemented in accordance with the approved details and provided in accordance with the timing triggers to be agreed within the Monitor and Manage strategy.

Reason: To restrict impact and harm until suitable mitigation is delivered.

49. Residential Travel Plan

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

Reason: To reduce vehicle movements and promote sustainable access.

50. Commercial Travel Plan

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

Reason: To reduce vehicle movements and promote sustainable access.

51. Safeguarded Access

Notwithstanding the purple safeguarded area shown on the Movement Parameters Plan (ref. GV-GRM-ZZZ-AG-DG-MP-PL0003-R7), an area shall be safeguarded with a width not less than 35m in order to provide an acceptable access from the application site primary access road to the potential development site located to the north west.

Reason: To encourage connection, sustainable travel and healthy communities.

Odour

52. Implementation of Works

No dwellings can be occupied within the development prior to the completion of odour mitigation works at Hayden Wastewater Treatment Works (WwTW).

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

53. Validation of Works

Upon completion of odour mitigation works at Hayden WwTW, and prior to the occupation of any dwellings above, the 'Odour impact assessment of Hayden WwTW' (Ref: WESTCHEL23A_Version_V6_FINAL) must be updated to compare the assumptions made regarding odour mitigation works against monitored olfactometric sampling data. Providing the olfactometric sampling results do not change the conclusions of the odour impact assessment, further construction of the development(s) can commence, up to the post-mitigation (amended) 2.5 OU/m³ isopleth. The results of the new olfactometric sampling, alongside details of the completed odour mitigation works, must be submitted to and agreed by the Local Planning Authority prior to occupation of dwellings excluded by Condition 1) above.

If olfactometric sampling results suggest that any development areas previously deemed acceptable for their end-uses are no longer acceptable (i.e. odour concentrations would remain above 2.5 OU/m³ following the odour mitigation works), a report detailing further odour assessment(s), further abatement at the WwTW, and/or the redesigning of the development shall be submitted to and agreed by the Local Planning Authority prior to construction of dwellings excluded by Condition 1) above.

Reason: to safeguard the future residents amenity and health from current odour pollution.

Informatives

Airport Heights

Tall equipment at the site may constitute an obstacle for the airport and it is a requirement of the Air Navigation Order that such equipment is not operated in a manner that could endanger the safety of air navigation. Developers operating within 10km of Gloucestershire Airport should seek agreement from the Airport to the operation of such equipment via the email address safeguarding@gloucestershireairport.co.uk. It is likely that cranes operating at the proposed site would require illumination with appropriate obstacle lighting and be subject to strict height controls to be agreed with Gloucestershire Airport Limited. Furthermore, it is incumbent upon crane operators / site managers to ensure that all cranes over 10m in height within 10km of an aerodrome are notified to the Civil Aviation Authority (CAA) under the CAA's separate crane management process. Details of the CAA crane management process, use of which will require registration with the CAA to access its system, can be found at caa.co.uk

Public Rights of Way (PROW)

If any diversions to PROW are required at the reserved matters stages, these should be applied for separately under Section 257 of the Town and Country Planning Act 1990 once detailed designs (and therefore the extent of any potential diversions) are fully known.

Clean Green

All new residents are to be given information on refuse collection and recycling.

Works on the Public Highway

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

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

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

Traffic Regulation Order (TRO)

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

Highway to be adopted

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

You will be required to pay fees to cover the Councils cost's in undertaking the following actions:

- i. Drafting the Agreement
- ii. Set up costs
- iii. Approving the highway details
- iv. Inspecting the highway works

You should enter into discussions with statutory undertakers as soon as possible to coordinate the laying of services under any new highways to be adopted by the Highway Authority. The Highway Authority's technical approval inspection fees must be paid before any drawings will be considered and approved. Once technical approval has been granted a Highway Agreement under Section 38 of the Highways Act 1980 must be completed and the bond secured.

Impact on the highway network during construction

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

CBC Southern Parcel: Golden Valley Development SPD Compliance Matrix LPA

		Red	Amber	Green
CYBER CENTRAL GARDEN COMMUNITY VISION				
V	Does the proposal accord with the spirit of the Cyber Central vision and would its implementation help to realise this vision?			V
OBJECTIVE A: Embracing the highest standards of sustainability				

A1	Resource efficiency: New development at Cyber Central Garden Community will be net carbon zero (or better) and an exemplar in water and energy conservation and waste management, employing the highest standards of environmental sustainability				A1
A2	Resilience: The design of new buildings, streets, open spaces and other required infrastructure will ensure new development is resilient in terms of flooding and overheating				A2
A3	Connection to nature: Development at Cyber Central Garden Community will enrich local ecology and biodiversity and will take proper account of air quality issues				A3
A4	Community and culture: Cyber Central Garden Community will mature into a thriving and mixed sustainable community, providing jobs, homes and community facilities for existing and new residents in a beautiful landscape setting				A4
A5	Mobility: Cyber Central Garden Community will be an integrated and fully connected extension of west Cheltenham				A5
OBJECTIVE B: A vibrant and diverse range of uses and activities, serving existing and new communities					
B1	Delivered in partnership, a high profile and state of the art 'Cyber Innovation Centre ' will be the focal point of the Cyber Central Garden Community				B1
B2	45Ha of mixed-use employment land, focussed around the Cyber Central hub, will provide flexible business space, hotels, retail and leisure provision and cultural and community uses to serve the local community and wider region				B2
B3	A sustainable and deliverable range of housing tenures, including affordable housing and self-build, to meet local needs supported by community infrastructure		Viability has lowered AH%		B3
B4	Higher densities and a range of dwelling typologies which make the best use of available land				B4
OBJECTIVE C: Working with the natural landscape and its features					
C1	Development must positively integrate existing landscape assets and features and use these features to inform the development of a green infrastructure network for the site				C1
C2	Proposals should respond to views into and out of the site and react to the existing topography and strategic landscape character				C2
C3	Proposals shall include a network of public spaces to meet local open space requirements				C3
C4	A high quality new public space will be provided at the gateway of Cyber Central which will be designed to provide flexible spaces for events and activity				C4
C5	New development should take a creative approach to sustainable drainage to reduce the long-term risk of flooding				C5
C6	Development should promote a strategy for new tree planting and retention of existing species				C6
C7	The boundaries with existing communities, the wider countryside, the sewage works, and between phases of development shall be carefully planned and designed to maximise opportunities for physical and visual integration				C7
C8	The development must promote a positive approach to local food growing through the adequate provision of allotments as part of a wider strategy to meet existing and future need		Allotments to be agreed in S106		C8
C9	Proposals should be devised with partners to develop and deliver an innovative public art programme		Public art strategy to be agreed S106		C9
C10	A management strategy shall be developed across the site to inform the design process and with consideration to longer term sustainability		To be agreed by S106		C10
OBJECTIVE D: An integrated and connected extension of West Cheltenham					
D1	The design and delivery of new development will prioritise and support active and sustainable travel patterns and behaviour - public transport				D1
D2	Deliver new direct pedestrian and cycle connections to existing communities and facilities				D2
D3	Creation of an open network of streets and routes which can be managed to meet local needs				D3
D4	Delivery of a new 'main street' between Telstar Way and Old Gloucester Road, designed as a street for people, not a road for vehicles				D4
D5	Principal junctions should be designed to minimise land take and create safe and direct				D5

	crossing points for pedestrians and cycles				
D6	Provision of safe routes to schools, which will be provided within or beyond the West Cheltenham site				D6
D7	A flexible and creative approach to the application of parking standards and emerging and new vehicle technologies and initiatives				D7
OBJECTIVE E: Character and placemaking					
E1	New development will deliver a range of housing densities and typologies to ensure effective use of land is made				E1
E2	New development will look to local precedent in Cheltenham to help deliver locally distinctive forms of development				E2
E3	New development will contribute to the distinct character of its neighbourhood whilst delivering the overall vision for Cyber Central Garden Community				E3
P1	Cyber-central hub - streets and movement; landscape and public realm; character and scale; land uses and activities				P1
P2	Gloucester Road neighbourhood - streets and movement; landscape and public realm; character and scale; land uses and activities			Not applicable to Southern Parcel	P2
P3	Main street neighbourhood - streets and movement; landscape and public realm; character and scale; land uses and activities			Not applicable to Southern Parcel	P3

APPLICATION NO: 23/01875/OUT		OFFICER: Ms Nicole Golland
DATE REGISTERED: 7th November 2023		DATE OF EXPIRY : 6th February 2024
WARD: Hesters Way		PARISH:
APPLICANT:	HBD Golden Valley Limited	
LOCATION:	Land At West Cheltenham Southern Parcel Fiddlers Green Lane Cheltenham	
PROPOSAL:	Outline planning permission (with all matters reserved except for access) for a severable and phased development to provide non-residential floorspace comprising flexible commercial and community uses (Use Classes E and F), mobility hubs, new homes (Use Class C3) and other associated infrastructure	

REPRESENTATIONS

Number of contributors	8
Number of objections	6
Number of representations	2
Number of supporting	0

110 Springbank Road
Cheltenham
Gloucestershire
GL51 0PG

Comments: 24th June 2025

I object to aspects of the plan.

But support the concept and the employment opportunities it will bring.

However there has been creep from the original proposals showing buildings of lower height.

The height of the buildings toward the northern boundary is excessive for the area and will block direct sunlight from existing domestic property especially in the winter months.

This should be mitigated by reducing the height of the buildings or moving them downhill to the south and west where they will have less impact.

Or if they were closer to the Sewage Works the impact would be reduced.

Furthermore 3 storey terraced townhouses are to be proposed adjacent existing dwellings which are bungalows some with Dorma conversions. Reducing these to two storey would mitigate impact and overlooking of existing dwellings, or having a wider green corridor between.

Some of the drawings are contradictory regarding access, namely secondary access routes.

Also some of the surveys are flawed, particularly nesting birds and bats, this may have been due to the time of year it was carried out, but anyone can hear the quantity and variety of birds at dawn every day.

Ecological survey also now out of date and needs reviewing.

Biodiversity net gain is not clear or proven.

Traffic mitigation and safety on what is an already very busy road used as a rat run, does not appear to have been adequately addressed, particularly during construction phase before later phases are built.

Parking already a massive issue with cars lining the road from GCHQ all the way Fiddlers Green to Springbank Stores, how will this be mitigated during construction and after.

Mitigation of surface water flooding has not been properly addressed. The northern boundary road is called Springbank for a reason.

Many of the questions in the application were not complete and from reading feedback from other parties a lot more work needs to be done before these plans are approved.

Yours,

7 Laburnum Court
Cheltenham
Gloucestershire
GL51 0XE

Comments: 6th March 2025

hello i live lamburnum court a i want to know exactly whats going behind my house. how close are they going to build to my fence line. what times of day are they going to be active .

ALSO WHATS GOING TO HAPPEN TO PUBLIC FOOT PATHS AND DOG WALKING.
ALSO HAS ANY ONE THOUGHT ABOUT THE WILD LIFE AS WE HAVE PROOF OF
DEER LIVING IN FEILDS / WOODPECKERS /FOXES / AND BATS AND AL THE
OTHER CREATURES IE BIRD OF PREY THAT LIVE HERE

ALSO WHAT DO WE AS EXISTING TENNETS GOING TO GET OUT OF ALL THIS
MAYHEM AND NOISE AND DISTURBANCE AS WE HAVE AUTISTIC CHILDREN
THAT HAVE SCHEDULES ALSO WHAT ABOUT AL THE DUST ETC WHEN WE HAVE
LAUNDRY OUT SIDE IN SUMMER MONTHS

12 Alder Court
Cheltenham
Gloucestershire
GL51 0XQ

Comments: 21st November 2023

I am a homeowner in fiddlers green backing onto the fields.
There is an incredible number of protected species habiting these fields. These include: bats (in extreme numbers), dormice, slow worms, deer, badgers.
Dormice and bats are on the protected animal list in the county. There has been no consideration for any of these animals protected or not within these planning documents. Moreover, these fields are one of the few local areas of natural beauty for local residents. A fraction of these fields and view lines will be conserved. For residents who do not have the means to travel rely heavily on this area on their doorstep.
For a borough who preaches and idolises its natural beauty and surroundings on all media outlets and coverage, this is not upheld in this planning application. This is an incredibly disappointing application most notably for environmental concerns.

5 Brosnan Drive
Cheltenham
Gloucestershire
GL51 0GD

Comments: 27th November 2023

Your ref.: 23/01875/OUT

Dear Ms Golland

I am writing in response to your communication of 7th November regarding the application for outline planning permission for the development at West Cheltenham Southern Parcel, Fiddlers Green Lane Cheltenham. I am also writing on behalf of some of the residents of Brosnan Drive, namely and (no 4), (no 2) and (No 6).

We have attended numerous meetings over the years related to the planned development, but, sadly, none of the above group were able to attend the Public Exhibition at the Hesters Way Community Centre on 7th November. Please accept our submission of comments regarding the proposed development according to the parameters you specified in your email:

1. Visual impact:

The proposed buildings include seven very large units in the area opposite Brosnan Drive, Lazenby Court and Niven Courtyard.

i. The unit nearest to the road (i.e. the Mobility Hub/multi-storey carpark) is three levels high and despite the benefit of a proposed 'green roof' and the fact that the "views would be filtered by the vegetation on the eastern boundary" (Appendix 11.1 Landscape and

Visual Impact Assessment Baseline edp3132_r005b), the overall height and expanse of the building will undoubtedly impinge considerably on the view of the houses. We are rather bemused by the term Mobility Hub; how is it going to "improve transport connections across the town" (Focus Newsletter November 2023). Surely the massive Hub/carpark less than half a mile away by the A40 Golden Valley roundabout has that explicit function. Surely the Cyber Park Hub will act solely as a carpark for the employees of the Innovation Centre and the office blocks (and the 40+ cars that currently park along FGL; or will they simply have to park up in the already congested area of north FGL?)

ii. The second and third office blocks to the west of the Mobility Hub, when seen on the 'HBD photo' in the Municipal Offices foyer, are five and seven floors at heights of 67m and 70m respectively. We can only assume these heights are not the building heights but their height relative to sea-level (a rather obscure method of displaying their height!). If the rationale is that their respective heights are acceptable due to the sloping topography, this argument holds no water as the actual difference in height of the western boundary of the development from the eastern boundary is only a three metre drop i.e. less than one floor of a commercial building. These buildings would represent extraordinarily obtrusive visual obstructions, and along with the three proposed six storey high (shops/apartments) units to the south of them would dominate the whole vista. An approximate calculation from the HBD photo would suggest up to 1000 office spaces in the two office blocks. We understand that the more office spaces are occupied, the greater the income to the CBC. We also, however, find this remarkably optimistic of the Planning Committee that they can be filled, bearing in mind the current (and more than likely well into the future) difficult economic climate and the fact that there are still a staggering number of commercial developments across Cheltenham that have not been filled, despite some being completed several years ago.

iii. The Innovation Centre at four storeys (60m?) high completes the total blocking of the vista from the Fiddlers Green Lane and the houses alongside. Why does it almost completely surround two of the ancient giant oak trees? Is the 'C' shape a trite nod to the designer of its big cyber-cousin across the road at GCHQ? The trees should surely be on display to all and not just to the employees of the Centre or the few people who would want to walk around the enclosed area of the Centre. The frequent mis-use of the term 'ecosystem' by council and government officials (e.g. the Rt Hon Alex Chalk in his recent newsletter 26th Nov) when 'selling' the Innovation Centre simply suggests an attempt to exaggerate its green credentials. Very little about the Centre or the whole development project is seriously green!

We totally understand the desire to make the 'commercial centre' of the whole development more aesthetically appealing and open, to encourage individuals to walk around the area, but there is so much open space around the buildings that surely they could all be moved closer to the western boundary of the project to reduce the visual impact to current and future homeowners. This particularly applies to the Innovation Centre which could be designed more compactly, freeing up the two glorious oaks (so hopefully the kites, buzzards and woodpeckers that inhabit them would remain), while still maintaining considerable areas to wander. This would result in a less detrimental visual impact to all the houses around.

2. Traffic:

Access to the site by plant traffic;

i. The idea to restrict traffic along the southern stretch of Fiddlers Green Lane to only buses and emergency vehicles would be very much welcomed by all residents of the western side of Charlecote Manor; currently the volume of traffic is staggering for a 'B' road, particularly as it includes many coaches, trucks and articulated lorries using FGL from 0600 - 2300 hrs as a 'rat-run' to PEW and the north of Cheltenham. This problem and its associated dangers and frequent incidents of 'road-rage' are compounded and amplified by the contract workers of GCHQ who park on FGL during the week.

ii. If the start of Phase 1 involves no change to the mini-roundabout at the western end of Telstar Way with an associated spur road being built to access the NW part of the development, then all plant traffic has to access the site by either of the two farmer's gates on Fiddlers Green Lane. This would be a recipe for major RTI disasters. To reiterate, FGL is a narrow 'B' road with enough transport issues as mentioned in point 'i' above. Widening it would involve a mature hedge being removed along with two oak trees; both amplifying pollution, noise and visual degradation to our houses. May we respectfully suggest that before plant equipment moves on-site, FGL becomes a no-through road and/or a temporary (or permanent) spur road is built to the west of the mini-roundabout to allow access to the Phase 1 area. We are also concerned that, particularly with the demise of the Junction 10/Tewkesbury Road re-development due to 'pulled' funding, if the NW phases are allowed to go ahead the main access for plant vehicles will be along Telstar Way. This would amplify the risks of major RTIs as well as adding to the congestion, noise and pollution. It would also add to the current traffic carnage along PEW and in the Hesters Way/Springbank area.

Future traffic access to the completed Southern Parcel:

iii. Provision of a new roundabout to allow access to the north-east of the development is appropriate, but it is staggering that the ONLY access to the Southern Parcel for the future employees and residents of the new area is along a stretch of narrow 'B' road. It is as if access to the whole business site has been designed around this point rather than from what will be a new and undoubtedly wider and more open/safer road than the 'B' road. It is as if HBD randomly decided to put the 'Transport Hub' near FGL, therefore the easiest access should be near it, i.e. off the narrow 'B' road. This is a particularly staggering plan when calculating that, if all units and residential housing is full, there could be up to 3000 people using this entrance/exit; be it cars or delivery trucks. Surely, access should be from the extension of TW. We are staggered that this seems not to have been considered in the initial planning.

iv. We are also concerned that if funding is not found for the Junction 10 /Tewkesbury Road redevelopment and yet the later NW phases are forced through, access to that estate for all residents/service vehicles from the south M5 would need to be via junction 11. This would dramatically add to the considerable volume of vehicles (especially current GCHQ traffic) along the A40 and, more importantly, Telstar Way.

Sadly, we are resigned to the fact that the committee will be keen to pass the presented plans, both at outline and detailed stages, in order to get 'spades in the ground' at the earliest opportunity, be it for financial motivation, as a vanity project or for political pre-election kudos. There has clearly been a lot of box-ticking in the development of the plans for the Southern Parcel. We feel, however, that a number of critical factors have simply not been properly considered, especially when it comes to the visual impact and

the key infrastructure regarding traffic, not to mention the considerable consequential impact on the residents alongside Fiddlers Green Lane and Telstar Way.

We thank you and the planning committee for your consideration of our very serious concerns.

Yours sincerely

17 Niven Courtyard
Cheltenham
Gloucestershire
GL51 0GG

Comments: 22nd February 2025

It is clear that this plan no longer has any alignment with the vision from 2019 when the land was bought with money the council does not have, for people it had not consulted with, with impacts it continues to ignore and is continuing in a mire of misinformation and deception in relation to what it will actually look like. There is no case for who will occupy the disproportionate number of commercial units, what income and issues they will bring if they can be filled at all, and disregard for the objections of the persons affected. There is no justification for the heights or density of the plans, no care about the impacts on the already strained transport network that grinds to a halt twice a day due to previous failed great ideas and this will be another CBC carbuncle. My objection is that you are not sticking to the brief or promises made, there are no supporting details given for the number, density or heights being needed, clearly detailed plans exist but these are withheld to minimise understanding of exactly what you are going to bankrupt CBC with, and will no doubt be too committed to change things when you finally do. You should be ashamed. Here is an image of what you were promising <https://www.bbc.co.uk/news/uk-england-gloucestershire-49451698>

Pheasant Corner
Pheasant Lane
Cheltenham
Gloucestershire
GL51 0XX

Comments: 27th November 2023

Regarding "The Proposed Access Arrangement".

I welcome the bus gates and lowering of traffic volumes on Fiddlers Green Lane.

I feel the advanced signage warning drivers of no through route is positioned too late. Signage on the Golden Valley Roundabout would be more appropriate warning that entry into Fiddlers Green Lane is for local traffic only.

The re-configuring and priority change proposed for the junction of Fiddlers Green Lane and Pheasant Lane is unnecessary. Pheasant Lane is a narrow single track lane and a no through road. Any unsuspecting driver who drifts into Pheasant Lane, especially of a large vehicle, will have difficulty making a U-turn as they do now.

Fiddlers Green Lodge
Pheasant Lane
Cheltenham
Gloucestershire
GL51 0XX

Comments: 21st August 2024

Whilst we do not object to the overall vision of the cyber park, we object to the current proposals for the development of the West Cheltenham Southern Parcel. The height of some of the proposed buildings, including 7-story structures, seems excessive and would have an immense impact on the area's character.

The current proposals would disrupt the landscape in a predominantly residential area. The proposed structures would overshadow existing homes, particularly in Pheasant Lane, and negatively impact the quality of life for residents.

Furthermore, the development as proposed could lead to additional traffic congestion and strain on local infrastructure. The proposed reconfiguration of the junction at Fiddlers Green Lane and Pheasant Lane could pose safety risks, given Pheasant Lane's narrow, single-track nature and extremely poor road surface.

There also does not appear to have been much consideration given to the environmental impact of the development.

FAIRLIE
STATION ROAD
CHURCHDOWN
GL3 2JR

Comments: 3rd March 2025

The proposed planting conflicts with the transport requirements.

Cycle paths need to be reasonably flat to be safe for road bicycles, but trees are planned to be planted adjacent to the main routes. You need to leave at least a two meters gap to avoid roots damaging the path.

Refer to the condition of the route along Landsdown Road which is unusable.

Comments: 13th February 2024

Most of the documentation for this submission was not available for public scrutiny. However, based on the limited information available, I have a number of detailed comments:

The illustrated site plan appears to have a cycle path running through the middle of the development. It is intersected by side roads at approximately 50 meter intervals; each intersection is a hazard. The overall result is that this cycle path is unsafe and worse than useless because motorists will expect cyclists to use it.

As a young man, I used to commute by bicycle at an average speed of 25 miles per hour. At the age of sixty, my average speed into Cheltenham had fallen to twenty miles per hour. I would not cycle this route at more than ten. It is unsuitable. A better option would be to run the cycle path around the perimeter of the site this would make cycle travel faster and safer.

I also note that a significant number of the roads are not orientated east-west. This prevents optimal winter solar gain and prevents over shading during the summer. In most cases, blinds can not be used as an alternative shading method because rooms have do not have windows facing in more than one direction, so closing blinds would prevent entry of natural light.

The orientation of streets should be rethought.