

APPLICATION NO: 24/00251/CONDIT	OFFICER: Mrs Lucy White
DATE REGISTERED: 16th February 2024	DATE OF EXPIRY : 7th June 2024
WARD: Battledown	PARISH: CHARLK
APPLICANT:	Vistry Homes Limited And Stonewater Limited
LOCATION:	Oakley Farm Priors Road Cheltenham
PROPOSAL:	Variation of condition 13 (access arrangements onto Harp Hill and road gradients) of outline planning permission 20/01069/OUT - revised wording of condition 13 in respect of road gradient lengths.

REPRESENTATIONS

Number of contributors	43
Number of objections	42
Number of representations	1
Number of supporting	0

216A Leckhampton Road
Cheltenham
Gloucestershire
GL53 0AW

Comments: 7th March 2024

I have reviewed the variation to condition 13 regarding the above project. As you know the site is very steep and an access road leading up to Harp Hill would have a major impact on users with mobility issues as well as cyclists. There have been many issues during period of bad weather where the hill has been dangerous and sometime impassable. This will cause the exact same issue on the site if the access road is taken up to Harp Hill. I would also be concerned that emergency vehicles would not always be able to access the site. Surely the safety of all road users must be considered and for that reason I object to the application to the revision of wording of condition 13.

Beech Cottage
Harp Hill
Charlton Kings Cheltenham
Gloucestershire
GL52 6PR

Comments: 5th March 2024

It is clear that the Oakley Farm developers are facing significant cost implications in attempting to meet the 1:20 gradient requirements as set down by the Planning Inspector and Gloucestershire Highways.

As a result, they are now trying to 'change the wording' in the Planning Inspector's ruling. Since when was it acceptable to pick and choose which national standard planning requirements conditions one conforms to? The site gradients condition is clearly in

existence for a reason. Clause 13 was inserted as a condition by the Planning Inspectorate during the Appeal process and is significant for all local residents - whether that be motorists, cyclists, pedestrians, wheelchair users, families with pushchairs or anyone attempting to negotiate icy/snowy conditions. It is also significant due to the rainwater drainage off the hill. It is already an issue with higher ground from Aggs Hill causing run-off down Harp Hill and eroding the road's surface. These issues are only set to increase with more hard surfaces in the vicinity and yet, Harp Hill is deemed a suitable main access point for an additional 400-500 vehicles? Where is the logic?

There are pre-existing challenges with road safety on Harp Hill - lack of proper pedestrian access to pavements, blind bends, very steep sections which are problematic in icy conditions and the fact it is used as a rat run through to Sixways. There are walkers (including my own family with our young children often on scooters) using this section of the road and it already feels unsafe. By accepting this amendment and allowing the development to proceed, it will massively increase the risks to our safety and any others who wish to enjoy this AONB.

Consequently, we strongly object to this application along with hundreds of local residents who are against the development on a highly inappropriate site in an AONB. To simply allow a 'tweak of wording' to get it over the line, would make a mockery of the national planning system. GCC representatives must not falter on this - imagine the precedent it would set. Profit should never win out over safety.

58 Upper Park Street
Cheltenham
Gloucestershire
GL52 6SA

Comments: 21st February 2024

I believe that the application to change the wording of the site gradients condition should be rejected.

I don't believe that the existing wording "up to" is either ambiguous or a drafting error. Gradients between 1:20 and 1:12 are a lot steeper than the general requirement of 1:100 to 1:20, and therefore it defies logic that gradients between 1:20 and 1:12 are irrelevant in determining whether the gradients within the site are appropriate.

As quoted in the documents, the national 'Manual For Streets' says gradients for cyclists and pedestrians should ideally be no more than 1:20. A gradient of 1:13, 1:14, 1:15 etc is significantly steeper than 1:20 and therefore highly relevant in determining whether gradients are suitable. I believe that this is why the words "up to" rather than "of" were included in the condition.

Cycling forums aimed at keen cyclists using lightweight carbon fibre road bikes categorise gradients from 1:14 to 1:12 as uncomfortable for seasoned riders and very challenging for new climbers, illustrating just how steep a gradient approaching but less than 1:12 is in reality.

In July 2019, Cheltenham Borough Council declared a Climate Emergency and is planning for its activities to achieve net zero by 2030. Relaxing a planning condition to allow gradients that would push future residents away from sustainable transport options such as walking and cycling and towards more car use would be contrary to these ambitions.

There is also the impact of gradients between 1:20 and 1:12 on people with mobility issues to consider, which is an important reason to reject the application.

Baedalas Tun
Ashley Road
Cheltenham
Gloucestershire
GL52 6PJ

Comments: 9th March 2024

This measure is in place as a safeguard and therefore I object.
500 extra cars using Harp Hill several times a day will cause nothing but havoc and congestion on this country lane - all exits from it are either already bottlenecks or narrow, mostly single lanes. It will be extremely detrimental to all the surrounding roads and to Cheltenham itself.

Flower House
Stanley Road
Cheltenham
Gloucestershire
GL52 6PD

Comments: 20th February 2024

I do not agree that a Variation should be made to Condition 13 regarding gradients.(1) The site will, probably, be subject to flooding and any gradient relaxation(s)will accelerate water flow. (2)There is only one access and egress to and from the development site and vehicular traffic gaining access to Harp Hill will be impeded and slowed by allowing the proposed Variation.(3) Mothers will find any increased gradients, when pushing small children uphill, and in controlling pushchairs when going downhill, more difficult.

34 Greenway Lane
Charlton Kings
Cheltenham
Gloucestershire
GL52 6LB

Comments: 2nd March 2024

The National Planning Inspector approved this application against the Council's wishes, but because of the vocal opposition from local residents, and the fact it was an AONB, attached specific conditions including those around road gradients. The developers have now discovered that to comply with these conditions will cost a significant amount of money, or unappealing revisions to their plans. Their request to appeal against a specific condition, which is founded on standard planning requirements for gradients, is completely unacceptable. Planning conditions, standards and processes have been

developed to ensure that new developments are planned with care, future community and environmental sustainability, and safety, at their heart. To seek to overturn the national process makes a mockery of this application and appeal.

This issue really matters day to day for cyclists, wheelchair users, prams, and mobility scooters amongst others. The safety and security of these users needs to be protected. It also matters for drivers if there are periods of snow and ice. If this is allowed, it only serves to set a precedent for the next time there is a challenge to this application. Our Council representatives, in dialogue with the National Planning Inspector, must stand firm on this challenge from the developers. We strongly object to this proposal.

The Villa
10A Greenway Lane
Charlton Kings Cheltenham
Gloucestershire
GL52 6LB

Comments: 5th March 2024

We object to the changing of wording on compliance with gradients to what is becoming clear to the developers a poor location to develop. Allowing steeper gradient roads will make them unsafe for local residents and add to what are already problematic and dangerous access roads from Harp Hill and Greenway Lane.

Hill Covert
Harp Hill
Charlton Kings Cheltenham
Gloucestershire
GL52 6PR

Comments: 7th March 2024

Note: UPPERCASE text used for the purpose of emphasising key points only, as bold (used by the developer's legal counsel) is not possible with plain text submission of the system.

We OBJECT to the proposed changes to the wording of Condition 13 with the follow consideration:

1. Setting a precedent for ALL FUTURE developments in Cheltenham Borough Council to disregard providing safe and useable access for all members of the community

Were the wording change to be accepted, the consequences would be that this then becomes ENSHRINED AS CASE LAW used for ALL FUTURE developments in Cheltenham too.

This would enable other developments to be built without due consideration to the safe, sustainable and equitable access for pedestrians, cyclists, users of mobility devices and vehicles by referencing this case in their planning submissions.

2. Lack of consideration for guidelines and subsequent negative impact on CBCs stated sustainability commitments

A change to condition 13 would have a PERMANENT NEGATIVE impact on the CBCs 2030 carbon neutral sustainability goal; i.e. it is not just impact neutral, it has a SUSTAINABILITY COST.

This increases the burden on future programmes which will be required not only to meet the current stated sustainability objectives, but also to offset the impact of Oakley Farm Development's non-compliance.

Furthermore, If the proposed wording change were to be accepted and become case law for future developments, it is not possible to how CBC can meet it's sustainability commitments.

3. Safe and Sustainable Access to reduce vehicular use and to support equality and inclusion

CBC's equality, diversity and inclusion objectives are based around three themes and reflect the Local Government Association (LGA) Equality Framework for Local Government 2020 which is designed to help councils plan and deliver equality outcomes:

- a. Knowing our communities - we will listen and learn from our communities and use this to deliver services that work well for everyone
- b. Leadership, partnership and organisational commitment - we will actively champion our commitment to equality, diversity and inclusion and tackle inequality together
- c. Skilled and committed workforce - we will build a diverse and engaged workforce, where everyone is respected

Objectives a. and b. above are not satisfied with the proposed revision

Furthermore, increased vehicle use would be encouraged due to the difficulties of not being able to use pedestrian, mobility device and cycle access due to the gradients.

4. Continued risk of irreversible damage to the TPO trees

The current scheme continues to place the TPO trees at risk, particularly the high quality, veteran T63 protected tree. Noting the scale of the 250 property development and the duration of the construction works, the likelihood and the consequences of damage are high and subsequently the current scheme cannot guarantee TPO compliance.

Any damage, even if un-intentioned will be IRREVERSIBLY PERMANENT and therefore, warrants that a reasonable safety zone is incorporated to mitigate the risk of accidental, but permanent, damage to the TPO trees, further validating the need to find an alternative suitable access road location.

5. Incorrect Interpretation of the legislation

Notwithstanding the permanent negative impact that the proposed change would have across all of Cheltenham Borough Council and its future developments, the Developer's legal council interpretation is incorrect in its s.73 submission(a).

Placing emphasis on the interpretation of the word 'they' is misleading as it may describe something that may work technically in a document but is not physically achievable in practice.

Gradients are not built to be 1:20 or 1:12 with transition between the gradients occurring at a single point. Rather, to transition practically between 1:20 and 1:12, a potentially infinite scale of gradients are required.

Applying the same case law(b) in the same manner as defined by the developers legal counsel determines that "A reasonable reader", "being equipped with some knowledge of planning law and practice" (c), would understand that the reference to 'up to 1:12' can only be achieved by including a transition through all gradients between 1:20 and 1:12.

a: S.73 Application Planning Statement, Vistry Homes, February 2024

b: Swire v Canterbury City Council [2022] EWHC 390

c: Planning James Corbet Bucher, section 4.6, Written Opinion

6. Alternatives

The subsequent additional 'supporting information document' (submitted 5 March 2024, Nexus Planning) is disingenuous by inferring that the only alternative to revising condition 13 is to raise the levels of the site by up to 5m and the subsequent impact this will have on the site and TPOs. This 'worse' option is presented to suggest that the revised wording proposal is 'less worse' however, that does not make changing condition 13 the right thing to do. The correct solution is to find one that meets the conditions of the planning application.

Notwithstanding all the valid objections to the entire development that have been made by the other respondents which require the feasibility of the entire development, safety and traffic considerations to be reconsidered, redesigning and moving the access to a suitable location, away from the TPO, and to where condition 13 can be satisfied to provide a safe and sustainable outcome for this and all future developments is required.

3 Harp Hill
Charlton Kings
Cheltenham
Gloucestershire
GL52 6QB

Comments: 4th March 2024

I am writing to register my objection to the 'variation of condition 13 (access arrangements onto Harp Hill and road gradients) of outline planning permission 20/01069/OUT - revised wording of condition 13 in respect of road gradient lengths' in addition to my original objection to the entire planning application.

It was fairly obvious from the off that the proposed site for this development was impractical - not only from an environmental and conservation point of view, but also that the site itself was ill-suited for the number of properties and that the single access/exit route to the site was on to Harp Hill - a small road with limited visibility and width which would not be able to cope with the additional amount of traffic (400-500 cars) that this development would bring. The short-sightedness of the proposed development has now been laid bare by this request for variation of condition 13 which would, as I read it, put profit above safety and practicality. Safe, legal and practical access for potential residents, delivery drivers, emergency services etc should be non-negotiable and I would like to add my objection to the others and recommend that this application be turned down.

High Grove Greenway Lane
Charlton Kings
Cheltenham
Gloucestershire
GL52 6LA

Comments: 4th March 2024

Planning Application Reference 24/00251/CONDIT

I do not have any technical expertise in the matter of the planning conditions regarding acceptable gradients for residential roads, but I find the behaviour of the Developer in contesting the Council's legal advice regarding the interpretation of the Condition 13 in the matter of the gradients in their proposed Oakley Farm development most unseemly. I do, however, have both eyes and legs, and I can readily see that this site is a wholly inappropriate place on which to plant 250 closely-packed residences, and to expect their future residents to negotiate the access to their properties in safety and comfort.

I am aware that my wider concerns for the impact of the proposed development on the routes and road junctions local to the Battledown area (Harp Hill/Hewlett Road and Greenway Lane/London Rd in particular) are in line with those of the GCC Highways Authority (as can plainly be seen in their recommendations to refuse consent back in the spring of 2021). I am also well aware that these serious concerns have been over-ridden during this lengthy application process. The issues are nonetheless very real indeed, and would be ameliorated somewhat if, to meet the legal requirements for maximum gradients, the number of dwellings to be erected on the Oakley Farm site was to be very substantially reduced.

In this connection it is salutary to revisit the comments of the GCC Highways Authority in April 2021: "there is unacceptable impact which is considered to be severe" on the Priors Rd/Harp Hill/Hewlett Rd/Hales Rd junction. There "would be a severe impact on the highway network which is contrary to para 109 of the National Planning Policy Framework" (and is in conflict with several other quoted policies, plans and strategy statements). Regarding the access to the site from Harp Hill, the Authority noted that it "does not convey a design that is conducive to a safe and suitable active travel infrastructure".

This project appears to be intended only to maximise the developer's profits by building an unnecessarily large number of houses in an unsuitable site at great cost to the local infrastructure, and wholly contrary to the interests of the local communities.

The Uplands
Stanley Road
Cheltenham
Gloucestershire
GL52 6PF

Comments: 26th February 2024

The application to change the site gradients condition should be rejected.

I also don't believe that the existing wording "up to" is ambiguous or a drafting error per other stakeholders comments.

The overall proposal was objected to locally for multiple credible reasons including but not limited to; encroachment onto the Cotswold scarp, local infrastructure overloaded already (damaged, dangerous, not fit for purpose, etc etc), schools and medical services already overloaded, no demonstrated demand for additional housing, site too intensive, wildlife adverse impact & disruption, etc etc

Therefore to now further compromise on access/infrastructure is counterintuitive and would only cause increased problems and real risk to all users.

Gradients between 1:20 and 1:12 are materially steeper than the general requirement of 1:100 to 1:20, and therefore should be avoided - particularly when there are credible alternatives not properly considered.

Per other residents comments - the national 'Manual For Streets' states that gradients for cyclists and pedestrians should ideally be no more than 1:20. A gradient of 1:13, 1:14, 1:15 etc is

significantly steeper than 1:20 and therefore highly relevant in determining whether gradients are suitable. This is why the words "up to" rather than "of" were included in the condition.

Gradient(s) proposed will push everyone away from walking and cycling - worse for the environment and putting further pressure on an already failing infrastructure. For less able bodied people this would be even more problematic. Note also adverse impact of bad weather having greater impact on steeper gradients.

The original proposal was approved despite the wholesale opposition from residents, local council (wholly aligned cross party) and our local MP - proving the fallibility of the planning system in favour of developers.

Any subsequent amendments which make matters worse for all residents and for the sole benefit of the developers should be refused - noting also that the developers never engaged locally - an indictment on them (alas no surprise) and proof that they have no regard for any local impact but seek to save time and money at expense of others.

31 Harp Hill
Charlton Kings
Cheltenham
Gloucestershire
GL52 6PY

Comments: 3rd March 2024

I should like to register my strong opposition to the variation of Clause 13. I have consistently been strongly opposed to the proposed Oakley Farm development as a whole and have in the past registered this opposition in my comments on planning applications 20/01069/OUT and 23/01691/REM.

The Outline Application was only approved following an Appeal to the Planning Inspectorate by Robert Hitchins Ltd. This approval flew in the face of widespread opposition at that time and was received by many (including myself) with great dismay. Clause 13 was a condition inserted by the Planning Inspectorate at the time of the Appeal. As concerns the current application, it is my strongly held opinion that the developers should not now be permitted to insert a planning condition of their own choosing for their own planning application and that the current Clause 13 should therefore stand unvaried.

Regarding the current Clause 13, I strongly support the position of GCC as outlined in the document of advice of 30 January 2024 by Kate Olley and the arguments in its favour laid out in that document (principally in points 15 to 20). However, despite the fact that this is clearly a technical issue, it does carry significant import for all future users of the roads within the development, including drivers, cyclists, pedestrians and so on. It is therefore extremely important to get this right and I strongly believe that GCC's stance on this is wholly appropriate and should not be overruled in favour of the developer as Olley would have it in point 21.

Battledown View
Oakley Road
Cheltenham
Gloucestershire
GL52 6PA

Comments: 2nd March 2024

This application should be refused. The site is too steep, as is Harp Hill. Harp Hill is narrow and has blind bends. It is already a rat run and adding additional traffic will be highly dangerous. The gradient on the development site will make it prone to considerable run off during heavy rain. Flooding will result. Snow will make the development highly dangerous for all road users, pedestrians and those with a disability. Parents with pushchairs will find it extremely difficult. I have walked down the footpath that is adjacent to the site. It is extremely steep. Elderly and disabled people will find walking and using wheelchairs extremely challenging. Don't let these developers (who have not consulted locally and have no interest in the lives of existing and future residents) use expensive consultants and lawyers manipulate the planning rules for their own benefit. We need more houses but not on inappropriate sites like Oakley Farm. Democracy is being undermined. All local stakeholders have opposed this development and for good reason.

20 Harp Hill
Charlton Kings
Cheltenham
Gloucestershire
GL52 6QG

Comments: 6th March 2024

Following on from previous objections I've made, I continue to be against this development. Harp Hill was never intended to carry the extra traffic that a development of this size would bring to it. Other access routes to the development are needed to prevent Harp Hill becoming even more dangerous. I live near the bottom of the hill and have already lost one pet to a vehicle travelling down the hill at speed, more traffic will only mean more risk of accidents and given there is also a school here, it will be more than animal lives at risk.

3 Battledown Cottages
Harp Hill
Charlton Kings
Cheltenham
Gloucestershire
GL52 6QG

Comments: 8th March 2024

Due to safety concerns, I strongly object to the proposal Variation of condition 13 (access arrangements onto Harp Hill and road gradients).

The proposal for a development should be declined as the suitability of the roads and pavements are not adequate to support an increase in use. The steep gradient of the site presents significant issues to all users due to potential collisions. This should be avoided at all costs. It is only a matter of time before we witness a serious accident due to condition of Harp Hill and narrow or non existent pavements. Please do not add this risk.

2 Harp Hill Villas
Harp Hill
Charlton Kings
Cheltenham
Gloucestershire
GL52 6PX

Comments: 7th March 2024

After such an extensive process and lengthy appeal (the appeal approach being the route chosen by the developers) we would strongly object to the proposed changes to the Inspector's wording regarding gradients for several reasons:

- The Inspector's report resulted from a full consideration of all the circumstances regarding this development and all the resulting requirements should be adhered to.

- Any changes in gradients could make an already difficult site more dangerous and inaccessible for non-car users.
- The site would be in danger of becoming a car only environment and consequently become a more dangerous environment for residents and wildlife, and more damaging to air quality.
- The rather threatening language used by the developers if their requirements are not met does not bode well for this ANOB development and implies they have little concern for the community surrounding the development and the future residents of the development.
- Their assertion that reducing the number of houses being developed will make no difference to their ability to build a compliant road simply cannot be true. The Inspector did not require them to build 250 houses.

The resulting traffic from this development will have a severe impact on the residents of Harp Hill in terms of noise, disturbance, volume of traffic, privacy and ease of access to existing properties. Maybe the developers are now appreciating the full implications of trying to shoehorn 250 homes into such a challenging ANOB site.

Golspie
 Harp Hill
 Charlton Kings
 Cheltenham
 Gloucestershire
 GL52 6PX

Comments: 7th March 2024

Many people have commented and have also raised concerns re steepness, access and safety. The crux of the matter is that Vistry Homes want to change the wording, to vary the conditions of the agreed planning permission. With such matters, and particularly where health, safety and other important issues of concern are involved, one expects balanced arguments that assess the pluses and minuses, the pros and cons, the consequences of granting or not granting the change.

As far as we can see, Vistry Homes simply want to change the wording without any health and safety (or similar, or other) risk analysis or impact assessments. One might assume that this is not because they can't meet the original criteria, not because they can't assess, but because they purely want to maximise profit at the expense of all else. As a parallel, one wouldn't allow a builder to reduce the depth of foundations in a planning application without a surveyors' and / or engineers' assessment and report. Who takes on any consequential liabilities? In this instance an underlying argument of "only because it will cost less" should not be upheld. Any decision in favour of the change is likely to be viewed as grossly unfair and as a very bad reflection of all involved. Further, it may well set precedents for others. One hopes that it does not become a case of appearing as if 'they who push a little or perhaps might be favoured, then get'.

Sudeley
Harp Hill
Charlton Kings
Cheltenham
Gloucestershire
GL52 6PX

Comments: 7th March 2024

Re: 24/00251/CONDIT

I am writing to register my objection to the 'Variation of condition 13 (access arrangements onto Harp Hill and road gradients) of outline planning permission 20/01069/OUT - revised wording of condition 13 in respect of road gradient lengths' (24/00251/CONDIT).

The conditions around limiting the gradient as laid out by the planning inspector are there to guarantee the provision of safe, suitable, and sustainable access for all users. The context of that intent is clear, and the wording indicating 'up to' supports the position that any gradients greater (steeper) than 1:20 need to be limited in length to a maximum of 30m, and at no point exceed a gradient of 1:12.

This is what a reasonable reader would understand from the intent, context of the conditions and permission as a whole. The condition makes it clear that the any lengths of gradients may exist between 1:20 and 1:100, but gradients of up to 1:12 are permissible, but must be limited to 30m in length where they exist.

The wording 'up to' should not be changed to alter the intent and should remain to ensure consequent compliance with that intent, which is to limit any gradients steeper than 1:20.

I strongly object to the amendment of any condition that would result in an implementation that would not be in keeping with the original intent of that condition, that intent being to minimise the existence of access where the gradients exceed 1:20.

The request for a change to the condition does not include information relating to gradients between 1:20 and 1:12, and therefore would leave further interpretation open to those 'of' 1:19, 1:18, 1:17, 1:16, 1:15, 1:14, 1:13 and any other non-integer values between, as it does not mention any of those gradients individually, whereas leaving the condition as stated clearly describes the intent of covering gradients between 1:20 and 1:12.

Therefore any change to the condition would introduce ambiguity, and potential non-compliance to the original intent of making the gradient manageable from an access perspective.

87 Ryeworth Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6LS

Comments: 19th February 2024

There is a lot of legal too-ing and fro-ing in the documentation ,but perhaps a level of common sense really should prevail. The access on to Harp Hill is obviously too steep and dangerous and the feeding roads completely unsuitable for the volume of traffic that will be created.

164 Hewlett Road
Cheltenham
Gloucestershire
GL52 6TT

Comments: 7th March 2024

We object to the variation.

17 Birdlip Road
Cheltenham
Gloucestershire
GL52 5AJ

Comments: 20th February 2024

The gradient is too steep. Should not be varied. Unsafe for old people and children. This would case excess traffic on an already busy road with a school with disabled children's access on. Please disallow

29 Slad Way
Cheltenham
Gloucestershire
GL52 5FA

Comments: 6th March 2024

I object to the proposal Variation of condition 13 (access arrangements onto Harp Hill and road gradients) due to concerns for road safety in our community

The proposed roads surrounding Oakley Farm Pastures present significant dangers due to their steep gradient, especially during adverse weather conditions. The Cheltenham Road Safety Commission warns that steep roads increase the risk of accidents and collisions, particularly for vehicles and pedestrians navigating sharp inclines.

"Steep roads pose a significant risk to road safety, particularly during adverse weather conditions, increasing the likelihood of accidents and collisions." - (Cheltenham Road Safety Commission, 2023).

Objecting to the granting of planning permission for Oakley Farm Pastures in Cheltenham, UK, is imperative due to the profound local ramifications across environmental, social, and economic domains. This objection underscores the critical need to safeguard Cheltenham's unique ecosystems, preserve community cohesion, uphold sustainable development principles, and protect the designated Area of Outstanding Natural Beauty (AONB).

Environmental Impact

Local Biodiversity: Oakley Farm Pastures likely host a diverse array of flora and fauna endemic to the Cheltenham area. For instance, recent surveys conducted by Cheltenham Wildlife Trust identified over 200 species of plants and 100 species of birds within a 10-mile radius, many of which could be impacted by habitat loss due to development. "Our surveys have revealed a rich diversity of plant and bird species within the vicinity of Oakley Farm Pastures, underscoring its importance as a habitat for local biodiversity." - (Cheltenham Wildlife Trust, 2023)

Water Management: The proposed construction could disrupt Cheltenham's delicate water management systems, leading to increased flooding risks, soil erosion, and pollution of vital water sources. For example, analysis by the Cheltenham Water Management Authority indicates that conversion of green spaces to built environments increases runoff by up to 30%, exacerbating flood risks downstream. There is already significant runoff onto Pillowell close and surrounding roads.

"The conversion of green spaces to built environments poses significant risks to water management systems, including increased flooding and pollution of water sources." - (Cheltenham Water Management Authority, 2022)

Climate Resilience: Conversion of green spaces into built environments exacerbates Cheltenham's vulnerability to climate change impacts. Studies by the University of Gloucestershire predict a 20% increase in heat-related illnesses and a 15% decrease in agricultural productivity in areas undergoing rapid urbanisation, underscoring the importance of preserving green spaces like Oakley Farm Pastures.

Air Quality Concerns:

Given Cheltenham's commitment to maintaining a high quality of life for its residents, air quality is of utmost importance. The proposed development raises concerns about increased traffic emissions and construction-related pollutants. The National Planning Policy Framework (NPPF) for England, paragraph 180, underscores the need to

contribute to compliance with air quality objectives. Quoting directly from Cheltenham's Air Quality Action Plan, the borough recognises the significance of air quality in ensuring the health and well-being of its residents. The proposed development must undergo a meticulous assessment to address potential risks to air quality, aligning with the objectives outlined in the Cheltenham Borough Council's plan.

Social Implications

Community Cohesion. Introducing large-scale development like Oakley Farm Pastures risks fracturing existing social networks and identities. Surveys conducted by Cheltenham Community Foundation indicate that 80% of residents value access to green spaces for socialising and recreation, highlighting the importance of preserving communal green areas. "Green spaces play a crucial role in fostering community cohesion, with 80% of residents valuing access to such areas for socialising and recreation." - (Cheltenham Community Foundation, 2023) it would vastly change the feel of the local area if this development is allowed at such a scale.

Cultural Heritage: Cheltenham boasts a rich cultural heritage, and any development must be sensitive to preserving historic sites and landscapes integral to the city's identity. For example, Oakley Farm has been designated as a heritage site by Cheltenham Historic Preservation Society due to its significance in the city's agricultural history.

Economic Considerations

Long-term Sustainability: While short-term economic gains from development are conceivable, the long-term sustainability of Cheltenham's economy hinges on preserving its natural assets. According to the Cheltenham Chamber of Commerce, businesses in areas with easy access to green spaces experience a 15% increase in employee productivity and a 10% decrease in employee turnover, highlighting the economic benefits of preserving Oakley Farm Pastures.

"Access to green spaces correlates with higher employee productivity and lower turnover rates, contributing to the long-term economic sustainability of the region." - (Cheltenham Chamber of Commerce, 2022)

Urban Infrastructure Concerns

Housing Density: Introducing an additional 250 houses in the area surrounding Oakley Farm Pastures would strain local infrastructure and services beyond capacity. According to a report by Cheltenham Borough Council, the current housing stock exceeds optimal density levels, leading to increased pressure on healthcare, education, and transportation services.

"The current housing density in the area already exceeds optimal levels, resulting in strain on essential services such as healthcare and education." - (Cheltenham Borough Council, 2021)

Traffic Congestion: The influx of new residents would exacerbate existing traffic congestion issues, particularly along Harp Hill and Hales Road, which serve as primary routes for school children walking to nearby schools. Data from the Cheltenham Traffic Management Authority indicates a 20% increase in traffic volume during peak hours, posing significant safety concerns for pedestrians and cyclists.

Conclusion:

Given the profound environmental, social, economic, and urban infrastructure implications, opposing planning permission for Oakley Farm Pastures in Cheltenham, UK, is paramount. It is incumbent upon local authorities to prioritise sustainable development practices that honour Cheltenham's ecological integrity, foster community well-being, and ensure a prosperous future for generations to come.

References:

1. Cheltenham Wildlife Trust. (2023). "Biodiversity Survey Report: Oakley Farm Pastures."
2. Cheltenham Water Management Authority. (2022). "Impact Assessment of Land Use Changes on Water Systems."
3. University of Gloucestershire. (2021). "Climate Change Adaptation in Cheltenham: Impacts and Strategies."
4. Cheltenham Community Foundation. (2023). "Community Survey: Importance of Green Spaces."
5. Cheltenham Historic Preservation Society. (2020). "Heritage Designation: Oakley

Sudeley
Harp Hill
Charlton Kings
Cheltenham
Gloucestershire
GL52 6PX

Comments: 7th March 2024

The developers need to abide by the intent of the National Planning Officer and should not now seek to amend the conditions which are there for a reason no least accessibility and safety. I strongly object.

Wadleys Farm
Ham Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6NJ

Comments: 6th March 2024

Letter attached.

Field House
Ashley Road
Cheltenham
Gloucestershire
GL52 6PH

Comments: 8th March 2024

Letter attached.

3 Birdlip Road
Cheltenham
Gloucestershire
GL52 5AJ

Comments: 8th March 2024

We absolutely object to this development and allowing the variation.

Hewlett Reservoir
Harp Hill
Charlton Kings
Cheltenham
Gloucestershire
GL52 6PP

Comments: 26th February 2024

Letter attached.

High View
Harp Hill
Charlton Kings
Cheltenham
Gloucestershire
GL52 6PR

Comments: 21st February 2024

The initial application to develop this site was opposed by hundreds of local residents and in turn by CBC and Gloucestershire County Council. The single greatest concern to objectors was access arrangements for the site - in essence, that access via Harp Hill was utterly unsuitable owing to both the narrowness and steepness of Harp Hill itself, and the steepness of the access road to the estate that would be required. In granting permission, the Planning Inspector partially recognised these concerns and imposed conditions on any development. The developers have now recognised that they will struggle to meet these conditions and so are seeking to change them. The developer cannot be allowed to pick which bits of the Inspector's ruling it likes and to change the bits it does not. It would make a travesty of the entire process to permit this.

Aside from this, however, we need to consider the real world impact of allowing the developer to build the new estate's only access road with very steep gradients:

- it will make access for wheelchair users impossible and is blatantly discriminatory
- it will be extremely problematic for other pedestrians (e.g. mothers with pushchairs, the elderly)

- in case of heavy snow and/or ice, the only access road may well become impassable (perhaps for days) leaving residents stranded either in or out. Harp Hill itself became impassable on two occasions in the winter of 2022/23 (and on many occasions in previous years) when it snowed heavily and unexpectedly so that stranded cars blocked the road. Residents of the upper end of Harp Hill, however, were able to get in and out via Greenway Lane. No such option would be available to residents of the new estate. It would be utterly inappropriate to approve this application - please refuse it!

Hanover House
1 Sovereign View
Cheltenham
Gloucestershire
GL52 6FD

Comments: 7th March 2024

Is it even worth commenting here? The cheltenham planning department are a law to themselves and will take no notice of nay concerns or worries of the dangers that an extra 500 cars a day up and down harp hill will bring. The last paragraph in the letter under the heading APPEALS via the Government Ombudsman is their loop hole to do what ever they please despite the advice and concerns of many many people. However , for whats it worth if Lucy White would consider trying to get up and down Harp hill either

by car, on bike or on foot she would realise that allowing access for 250 homes (approx 500 cars twice a day extra) is not only environmentally ridiculous but also dangerous and environmentally detrimental. The potholes cause cars to swerve into the other lane often on blind corners, if you increase that traffic flow then the increase of an accident will happen, and if they ignore this fact over and over when it does happen it's on their hands for not completing a satisfactory risk assessment. This is after the disruption of large articulated lorries, workforce, construction vehicles will cause mayhem for years. Even with just two new builds on Harp Hill being constructed in the past 18 months has caused horrific dangerous road conditions due to parking on the side verges on blind corners, lorries blocking roads, etc.. I have also considered the light pollution impact and the vehicle headlights entering and leaving via Harp Hill will intrude on the current residency on Harp Hill where the headlights will constantly light up into the residence homes. Consider also that already, the new estate at the top of Oakley development already all have to use Harp Hill as there is no connection through the main estate, so Harp Hill is already up to capacity with residential traffic flow. There is a farm entrance access already which comes out beside Sainsbury's which would be much more suitable even if it was a one way system, and the current estate at Oakley could easily provide access to the new development leaving the AONB to be left untouched for wildlife. I very much doubt any of the 30 plus comments and objections will even be considered, the deal is done the money is collected. Be interesting to know who owns the field that is being considered and whom the financial beneficiary would be? Would be criminal if this was allowed to happen considering the environmental and dangerous impact this scheme creates. But as I said, all these rejections will fall on deaf ears.

Greenway House
Camp Road
Cheltenham
Gloucestershire
GL52 6PS

Comments: 4th March 2024

The site gradient condition was put in for a reason. There are already challenges with road safety on Harp Hill especially lack of proper pedestrian access. There are walkers using this section of the road, why would anyone consider increasing the risks to their safety by accepting this amendment. This appears to be a variation that is made purely to put profit over safety.

33 Pillowell Close
Cheltenham
Gloucestershire
GL52 5GJ

Comments: 21st February 2024

The changing of wording from 'up to' to 'of' significantly changes what gradients of what length are permitted and provides an unregulated loophole. By using 'of', gradients up to 1:13 can be of any length. This will impact greatly on cyclists, pedestrians and wheel chair users alike. The 30m length restriction should apply to all gradients between 1:20 and 1:12.

12 Brockweir Road
Cheltenham
Gloucestershire
GL52 5FW

Comments: 5th March 2024

I strongly object to the developer trying to change things to make it easier and cheaper for them.

Surely common sense will tell us all this development should not be happening.

We can't keep being bullied by the big and powerful who don't live around here to face the consequences of their greed.

Please leave Oakley Farm Pastures alone as the gradient is always going to be a massive problem for us locals.

Comments: 25th February 2024

The people who actually LIVE in this area already know that it makes no sense to build 250 houses with access onto Harp Hill.

This must be refused just with approximately another 500 more vehicles in this very busy part of town.

This is another chance to do the right thing for this area.

4 Birdlip Road
Cheltenham
Gloucestershire
GL52 5AJ

Comments: 8th March 2024

We object because:

The surrounding infrastructure is not sufficient to support the increase in traffic.

It is not realistic to increase capacity of the Harp Hill road to accommodate the increased capacity and this road is already overused as a cut through road.

The proposal includes infrastructure that is inaccessible and will prove traitorous due to the gradient.

This land is part of AONB and should only be built upon should there be no other options otherwise the AONB designation counts for nothing and we risk degrading our protected natural beauty. All conditions of planning permission should be adequately met without needing to reinterpret the rules for this AONB.

45 Birdlip Road
Cheltenham
Gloucestershire
GL52 5AJ

Comments: 5th March 2024

A comment following documents lodged on 5th March by Vistry

The response from Vistry to all of the objections to their request to ask for variation on the wording of the gradients is to say "Ok we can make some changes to the road layouts but if we do then trees covered by TPO's will suffer and likely fail . strong arm tactics that have already overridden the principal of AONB surely it is time to stand firmly against these continued attempts to disregard National Planning laws - what are they there for but to protect local residents and the environment against these bullies

Comments: 19th February 2024

I object - If the planning application does not comply with current planning rules then surely it should not be allowed - to allow the applicant to fiddle around with the wording of the inspectorates requests to suit themselves makes a mockery of the original inspectors decision.

The inspector took months (Years?) to make his decision and note conditions on the development and these should be respected - if the roads in the plan are too steep then they are too steep.

3 Highnam Place
Cheltenham
Gloucestershire
GL52 5FX

Comments: 10th March 2024

I strongly object to this application.

I note that the objections submitted highlight many reasons why refusal should be recommended and it is clear that the planning inspector's decision was reached after careful consideration of established regulations governing such developments. I can only add my support to those who have taken the time to clarify these reasons in their representations.

It seems that the application is nothing more than an attempt to change the rules which we, the public are led to believe were created to ensure that our infrastructure, roads & housing in the UK meet certain standards, which in turn offers protection for the wider population & establishes an order which prevents individuals or bodies taking it upon themselves to do what they want because it suits their desires, ambitions and/or business models. In the UK we are expected to abide by established rules and thankfully, most of us are happy with that.

To draw an analogy with what the applicant proposes, if I wish to ignore red traffic lights, park on yellow lines, shoplift, or carry out any of a myriad of other antisocial & inappropriate actions, I would rightly expect to be told I cannot do these things & accept that I would be dealt with accordingly. It would be laughable if I thought I could simply demand that the speed limit be raised to suit my desire to get to work quicker, the Highway Code amended to allow me to park on double yellow lines, and for other nefarious activities to be treated as acceptable.

Obviously our established national rules could never be allowed to be altered without good reason just because a developer thinks it would make their life easier, so why then do the applicants here think that they are any different to the rest of us? The answer is quite simple - if I can't change the rules, they shouldn't be able to either.

It may be that there is merit in allowing this to go to court. From both the LPA & the developer's perspective, determination by a court should give a definitive resolution to the matter (as unappealing that that might be to the developers) but it would also set a precedent for future such similar scenarios, as well as reinforcing the fact that attempting to undermine established planning rules could be both costly and futile.

47 Birdlip Road
Cheltenham
Gloucestershire
GL52 5AJ

Comments: 26th February 2024

Letter attached.

12 Brockweir Road
Cheltenham
Gloucestershire
GL52 5FW

Comments: 5th March 2024

I very strongly object to this. I have had many years pushing a wheelchair, pram and double buggy with buddy board. I have cycled with and without children on the back and also along side children on cycles and scooters. My Mom was a mobility scooter user too. So I realise how difficult this gradient will be to navigate, probably resulting in many accidents. It will be near impossible, so people will have no choice but to use their car. On an estate of 250 houses this could easily be 500 cars, which would be catastrophic for the environment, wildlife, domestic animals and most importantly adults and children with or without asthma and other breathing problems. Please, please do the right thing and put a stop to this possible development.

Comments: 25th February 2024

We are extremely worried about the access of up to or exceeding 500 cars- given that most households have at least two cars nowadays- on to Harp Hill. Which is a very narrow, old and windy road. With a very obscured view at the best of times. It will be really unsafe for the many local people who already use Harp Hill in cars, motorcycles, bikes and also the pedestrian's. Many of which exercise up there with or without dogs. Harp Hill and the surrounding roads were most definitely not made for so much traffic.

Please, please, please think about the safety of the local residents when considering this application. Very many thanks.

4 Landor Gardens
Cheltenham
Gloucestershire
GL52 2TB

Comments: 27th February 2024

Regardless of differences in legal interpretation, the spirit of condition 13 was to ensure safety for all. Whether the Manual for Streets is legally enforceable or not, the guidance is there to protect all road users and should therefore be applied.

As echoed by others, this housing development was opposed by 376 local objectors who know and care about the area we live in versus one supporter. The democratic and right thing to do is to refuse permission.

129 New Barn Lane
Cheltenham
Gloucestershire
GL52 3LQ

Comments: 4th March 2024

The Oakley Farm developers are clearly facing negative cost implications in finding ways to conform to the gradient requirements as set down by the Planning Inspector and Gloucestershire Highways. As a result, they are now trying to manipulate the Planning Inspector's ruling by appealing for a change to the wording on gradients. They cannot be allowed to cherry pick (as someone else put it) which conditions they are prepared to conform to. Please refuse this application, and keep the existing gradient requirements thereby protecting users of wheelchairs, mobility scooters, pushchairs and bicycles as well as other residents in icy conditions.

8 Pillowell Close
Cheltenham
Gloucestershire
GL52 5GJ

Comments: 3rd March 2024

Specific to Variation Of Condition 13

Relating to Slopes;

That the slopes are too severe is obvious. Fairford road on the recent adjacent development already has issues in icy conditions with cars sliding and people slipping. I

have witnessed cars unable to make their way up at all at in some conditions. I personally am reluctant to venture around the estate in certain weather. The new proposed location is even steeper again with genuine safety issues that come with it.

There are quite likely longer-term risk of slippage and settlement issues, to both roads and properties. Is the developer to pick up the costs for this some years down the line? What if the developer no longer exists?

There will be a sizeable 'very rapid' run-off of water leading to yet more pressure on sewers and rivers which should clearly be avoided nowadays. This is totally being ignored here.

In General;

I read the planning officers full report. It was well written but despite the many negative reasons against development on this plot it was very clear that his intention was to 'get this over the line in favour of development no matter what'. To put it in simple perspective - If any normal sensible person were to visit Cheltenham and surrounding area for the first time there is no way they would select this field as a housing development plot. More likely it would be placed at the very bottom of the list for a multitude of reasons. Something has gone very wrong with the planning system here. Planning controls have been thrown out of the window.

Castle Farm
Ashley Rd
Cheltenham
GL52 6NU

Comments: 3rd March 2024

We object to this application.

1. Allowing a gradient of more than 1:20 will cause issues for cyclists, parents with pushchairs, wheelchair users and less able people in general.
 2. The planning permission granted said gradients should not be more than 1:20. The developers cannot now cherry pick what has been a hugely contentious issue locally.
 3. Hundreds of local residents are against the overall development on an area of outstanding natural beauty, as well as Gloucester CC and CBC. To not be listened to again (the developers went direct to central government to gain permission), would make a mockery of the planning system.
- Please refuse this application.

11 Branch Hill Rise
Charlton Kings
Cheltenham
Gloucestershire
GL53 9HN

Comments: 6th March 2024

Traffic emerging on to such a steep hill in a residential area where people are taking exercise, some with young children, is extremely dangerous & could cause serious accidents. It is disingenuous of the developer to try to circumvent the restrictions and conditions that were imposed upon them as part of the deal.

6 Withington Close
Cheltenham
Gloucestershire
GL52 5AZ

Comments: 8th March 2024

Harp Hill does not have the infrastructure in place to support the added number of vehicles that this development will create resulting in inevitable road traffic accidents, delays and congestion.

There is already a lack of green areas for wildlife to thrive and as it stands we have seen (to name a few) hare, deer, muntjac, woodpeckers & owls on our regular walks. For a council that claims they want to protect such areas and encourage biodiversity, ripping up yet another green space is completely contradictory.

- This development will not only cause disruption to the local community by affecting their daily travels, but will cause irreparable damage to our green areas resulting in the loss of wildlife.

I strongly object to the proposed changes to the gradients condition. During the appeal, there was significant reluctance on the part of the Robert Hitchins team to accept that road gradients on the site required conditioning according to local guidance. Clearly, the Inspector held a different perspective; he not only considered the local guidance but also strengthened and enhanced it. Evidently, he was of the opinion that without such conditioning, the development would not be appropriate in the location, and I agree with him.

Now, the new owners, Vistry, are unable to meet the planning condition when attempting to build 250 houses on the site. They wish to have the condition diluted to align with their proposal, claiming that the wording is ambiguous and lacks precision. I say this is nonsense; it is as clear as day. Even their own legal team can't make a convincing case. If they could, they would be pushing their proposal through planning. The council's legal representative is evidently well-informed and correctly provides a reasonable reader's opinion, leaving no doubt about how the courts would view it.

Steep access routes, if permitted by a diluted condition, are not in the best interests of all users. The scheme would fail to encourage people to opt for more sustainable transport modes, conflicting with Chapter 9 of the NPPF, the Cheltenham Plan, and the objectives of local initiatives like the Cheltenham Climate Emergency (as a borough). Additionally, it would be a barrier and discriminating to those with limited mobility. While the reserve matters application promotes the site's proximity to local shops, the proposed modification raises the question of who would willingly embark on a steep return journey carrying shopping. Modified as proposed, the scheme would actively encourage car use.

Replacing the words 'up to', with 'of', detrimentally tempers the condition, introducing ambiguity and detracting from clarity — the opposite of what the proposal claims to achieve. The offered modification to the condition, represents a significant material change to the outline planning permission, as evidenced by the time devoted to gradients at the appeal, and the subsequent introduction of the Alternative Masterplan (Produced at appeal to demonstrate, among other things, the achievability of compliant gradients!!).

Perhaps the applicant would consider a return to the drawing board, reevaluate the site with its imposed conditions, and come back with a proposal that complies with the approved plan and garners local support. It may be that achieving 250 homes on the site is not feasible, and, therefore, a more scaled-down option should be considered.

Hewletts Reservoir Lodge
Harp Hill
Cheltenham
GL52 6PP

23/02/2024

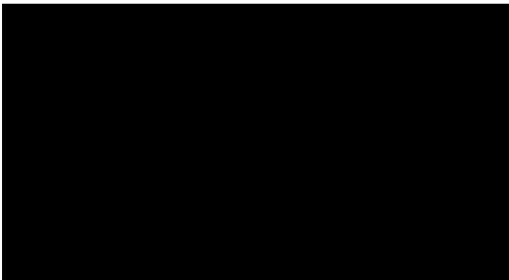
Ref: 24/00251/CONDIT

Dear Sir / Madam

I wish to object to the wording being changed regarding the site gradient as originally stated by the Appeal Inspector's conditions.

As a close resident to this development I would like to point out the excessive amount of traffic on Harp Hill all ready and worry about the impact this new road access will have in the future.

Your faithfully



Ref: 24/00251/CONDIT

Wadley Farm,
Ham Lane,
Choulton Kings,
Cheltenham.

GL52 6NJ

2nd March 24

Dear Madam,

Re: Variation of condition 13 - access
onto Harp Hill + road gradients.

20/0169/OUT

Against a unanimous decision of refusal by Cheltenham Borough Planning Committee, a Government Inspector granted permission for 250 houses to be built on Oakley Farm, Priors Road, in The Cotswold Area of Outstanding Beauty.

The Inspector placed conditions on this approval + I see absolutely no reason why developers should be able to vary any of these conditions, bearing

in mind that the Planning Inspector placed them on the permission which he granted in the first place.

I hope this application will be refused.

Thank you for sending a letter advising us of this, initially.

Yours faithfully,

A solid black rectangular box redacting the signature of the sender.

Field House.
Ashley Road
Cheltenham
GL52 6PH

7th March 2024

Dear Sir/Madam

Your Ref. 24/00251/CONDIT

Proposal: Variation of condition 13 (access arrangements onto Harp Hill and road gradients) of outline planning permission 20/01069/OUT – revised wording of condition 13 in respect of road gradient lengths. At Oakley Farm Priors Road Cheltenham.

Whilst I realize that the above proposal is of a technical nature, I strongly object to the alteration of the wording in condition 13 as it must be of benefit to the development of this site otherwise no application would have been made. The steepness of the hill is of considerable importance with the amount of traffic this development would generate.

Having lived on Battledown for over 50 years, and a regular user of Harp Hill, I am aware that any increase of traffic would be dangerous. A development of this size with a possibility of 500 or more cars using the road, or the alternative route of Greenway Lane is unbelievable. The traffic on these two roads has increased enormously over the years. Most people using it as a short cut. Next week with the races taking place, it is a well know route used by race goers. The parking either side of the lower part of Harp Hill makes it extremely dangerous. The weather and the amount of traffic means the road surface is always crumbling. In icy conditions the steepness of the hill make driving conditions extremely difficult, and I have seen parked cars being hit as those descending the hill lose control.

How this development was ever allowed on appeal beggars belief. Perhaps by not changing the wording in condition 13, it might make it more difficult for it to go ahead.

Yours faithfully,



cc Councillor Babbage
Councillor Chidley