

<b>APPLICATION NO: 23/00117/FUL</b>		<b>OFFICER: Mrs Lucy White</b>	
<b>DATE REGISTERED:</b> 24th February 2023		<b>DATE OF EXPIRY:</b> 26th May 2023/Agreed Ext of Time until 22 <sup>nd</sup> April 2024	
<b>WARD:</b> Warden Hill		<b>PARISH:</b>	
<b>APPLICANT:</b>	Belmont School		
<b>AGENT:</b>	Jonathan White		
<b>LOCATION:</b>	Belmont School Warden Hill Road Cheltenham		
<b>PROPOSAL:</b>	Installation of 200m oval running track with a 60m straight and run-off, 2no. smaller 100m ovals, a campus-wide 2 metre wide cycle track, a long jump pit and informal and equipped play areas. Erection of 1no. MUGA (to include five-a-side football pitch), 1no. BMX pump track (advanced and beginner combined) and bleacher seating.		

## Update to Officer Report

### 1. OFFICER COMMENTS

- 1.1. Members will be aware that a number of late representations have been received by the Council in respect of a local cycling club (Goals Beyond Grass) that uses the Belmont School site currently on Sunday afternoons. Councillor Max Wilkinson (in his capacity as cabinet member with responsibility for wellbeing) has also submitted comments on the potential impacts of the suggested restricted hours of use condition set out within the officer report.
  
- 1.2. Goals Beyond Grass run sessions at the school on Sunday afternoons between 2 and 4pm. The club offers safe and accessible cycling opportunities for the disabled and those with mobility or other health issues. The cyclists predominantly use the roads, parking and playground areas at the front of the school but also utilise the two enclosed, hard surfaced playgrounds at the rear of the lower school building. They do not use the playing field as this is unsuitable for cycling.
  
- 1.3. The current suggested condition wording (condition 4) would not restrict the club's continued use of the site on a Sunday afternoon, i.e. utilising the hard surfaced areas at the front and rear of the school. However, it would seem somewhat contradictory to prevent the cycle club's usage of the proposed perimeter wide cycle track, since the primary purpose of the new cycle track is to provide purpose built, accessible cycling opportunities for both children and adults.
  
- 1.4. In consultation with the Environmental Health team (EHO) and still mindful of the need to protect the amenities of neighbouring residents, it has been agreed that Goals Beyond Grass only may use the proposed campus wide cycle track between the hours of 2 and

4pm on a Sunday. A 15 minute time slot will be permitted before and after the session to allow for setting up and clearing away equipment etc. The club would not be able to use any of the other proposed sports facilities during these times i.e. the BMX and running tracks or MUGA.

- 1.5. This condition amendment would not open up opportunities for the Sunday usage of the other proposed sports facilities by other organisations or suggest that Sunday activity associated with the proposed development is considered acceptable generally. Cycling is a relatively quiet activity and coupled with the way in which the club operates, this restricted Sunday use of the cycle track only should not result in significant harm to the amenities of adjoining land users.
- 1.6. It has also been brought to officers' attention that the school currently runs two activities on Saturdays. The first is a new respite care facility for up to 10 children which started just before Easter of this year and takes place on alternate Saturdays. This respite facility would be largely unaffected by the suggested restricted hours of use, albeit the children would not be able to use the new MUGA, BMX, running and cycle tracks on a Saturday afternoon, but would continue to be able to use all other existing play and recreation facilities at the school. Members should be left in no doubt that the suggested condition would not prevent this respite facility from taking place on alternate Saturdays, as currently run.
- 1.7. The other activity is a drop-in session for the families of children registered at the school. These sessions take place between 12 and 4pm on a Saturday and on a monthly basis and have been running for around 18 months (presumably taking place within the main school buildings and utilising existing external on-site facilities). The sessions can attract up to 60-80 family members who may stay for some or all of the session. Again, the suggested condition (4) would not prevent these sessions from taking place as they are currently. Condition 4 relates to the use of the new proposed facilities, not existing facilities.
- 1.8. However, to enable the participants of these valuable afternoon drop-in sessions to take advantage of the new sports and recreation facilities, officers suggest a further rewording of Condition 4, as set out below. This would permit the use of the proposed development (cycle, running and BMX tracks and MUGA) on one Saturday per month between 12 and 4pm only. The use of the proposed facilities on the other three Saturdays per month would be restricted to the hours of 9am and 1pm. Note that, at no time would there be an all-day (9-4pm) use of the proposed facilities permitted on a Saturday.

1.9. The revised Condition 4 reads as follows:

*The running track(s), cycle track, multiple use games area (MUGA), and BMX pump track(s) shall not be used outside of the following hours,*

- *08:30 to 19:30 Monday to Friday during Spring/Summer (March-October inclusive) and 08:30 to 16:30 Monday to Friday during Autumn/Winter (November-February inclusive)*
- *09:00 to 13:00 on three Saturdays per calendar month and 12:00 (noon) to 16:00 on one Saturday per calendar month during term time*
- *09:00 to 13:00 on Saturdays during school holidays*

*In addition to the above times, the Goals Beyond Grass cycle club may use the perimeter cycle track on Sundays between the hours of 14:00 and 16:00. A 15 minute time period is allowed immediately before and after this two hour session for the setting up and removal of equipment. The cycle track shall not be used during these times on Sundays by any other persons or organisations.*

*The running track(s), MUGA and BMX pump track(s) shall not be used at any time on Sundays and Bank Holidays.*

*The running track(s), cycle track, multiple use games area (MUGA), and BMX pump track(s) may only be used outside of the above restricted hours/days when the Belmont School annual sports day(s) and annual fete(s) are held. No organisation other than Belmont School shall use the approved facilities outside of the restricted hours/days.*

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

1.10. Officers are also suggesting a slight amendment to Condition 8 to ensure the implementation of the buffer planting adjacent the north west and south east site boundaries prior to the commencement of use. Revised Condition 8 reads as follows:-

*The development hereby permitted shall not be brought into use until the acoustic fence, 3m wide planting buffer adjacent to the north west site boundary and the tree*

*planting/landscaping adjacent to the south east site boundary, (as illustrated on plan ref. 6606-P-200 Rev AA), have been carried out and installed in full and in accordance with the approved plans. The acoustic fencing and buffer planting shall be retained 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 Joint Core Strategy (2017).*

- 1.11. Similarly, Condition 9 (landscaping scheme details) has also been amended to allow for the inclusion of additional boundary planting/screening, if considered appropriate. Condition 9 now reads as follows, with the revised sections underlined:-

*Notwithstanding the submitted details, prior to the implementation of any landscaping, full details of a soft landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be in general accordance with (but not limited to) the planting details shown on the approved plans (Drawing No 6606-P-200 AA). The scheme shall identify all trees, hedgerows and other planting which are to be retained, and provide details of a planting specification to include [species, size, position and method of planting of all new trees and shrubs]; and a programme of implementation. The scheme shall also include an updated Biodiversity Net Gain Assessment (in accordance with the DEFRA metric current at the time of submission of the landscaping scheme) to demonstrate that the proposals achieve a positive net gain for habitats and linear features.*

*All soft landscaping works shall be carried out in accordance with the approved details prior to first use of any part of the development unless otherwise agreed in writing by the Local Planning Authority.*

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

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

1.12. In addition, a new condition is suggested in relation to construction and operational waste minimisation and management. The applicant has informed officers that the cut and fill process on the uneven playing field should ensure that the majority of excavated soil would be re-used elsewhere on site. However, it is anticipated that there would still be some off- site removal of waste materials. The new condition (the terms of which have been agreed by the applicant) reads as follows:-

*Prior to the commencement of development a Site Waste Management Plan (SWMP) shall be submitted to and approved in writing by the Local Planning Authority. The approved SWMP shall be adhered to throughout the site preparation, and construction periods unless the Local Planning Authority gives prior written permission for any variation. The plans/statements shall include but shall not be restricted to:*

- *Information on the type and amount of waste likely to be generated prior to and during the construction phase;*
- *Details of the practical arrangements for managing waste generated during construction in accordance with the principles of waste minimisation; and*
- *Details of the measures for ensuring the delivery of waste minimisation during the construction phase.*
- *No construction works and/or ancillary operations which are audible at the site boundary shall be carried out on site outside the following hours:*
  - Monday to Friday - 8am to 6pm*
  - Saturday - 8am to 1pm*
- *There shall be no working on Sundays or Public or Bank Holidays. Deliveries to, and removal of plant, equipment, machinery and waste from, the site shall only take place within the permitted hours detailed above.*

*Reason: In the interests of highway safety and to safeguard the amenity of occupiers of neighbouring properties, having regard to adopted policy INF1 of the Joint Core Strategy (2017) and to ensure the effective implementation of waste minimisation in accordance with the Gloucestershire Waste Core Strategy and Gloucestershire Waste Local Plan Policy W36 relating to waste minimisation. Approval is required upfront because without proper mitigation the works could have an unacceptable highway and amenity impact during construction.*